

1 October 2024

Non-excludable

Commons (1)	Public (2)
Private (3)	Clubs (4)

Excludable

Rival

Non-rival

Examples:

1. Resources, non-private like air/forest
2. Light
3. Oil, potato
4. Movie theater, golf course etc

There is a lot of discussion stating data is oil. But oil is a commodity whereas data is a “commons” resource since oil is not reusable but data is.

Water was a commons resource, but off-late it has been becoming private.

Companies collect data even though they are not sure of how to use it as of now.

Why? Economic incentive that lies in the future monetizability of data.

The idea that “volunteers” can save the world ignores the factor of how power works since power is not in the hand of individual citizens. (eg public/pvt, core/periphery, state/industry- these are inaccurate frames)

Digital Public Infrastructure- DPA- Aadhar came out of this kind of idea, to use data to efficiently do good for other people.

But it has its negatives where it overlooks human rights- it might violate the constitution

This is where the court case on Aadhar happened: One side was of the idea to abolish corruption through Aadhar while the other side was against the collection of data.

Means Testing: testing whether somebody deserves a welfare

If everybody's data is with some central body then means testing becomes easier, so if means testing is beneficial then data-driven welfare is the way to go.

However, studies confirm that means testing does not work. It is better to give unconditional welfare over conditional welfare since maintaining the data on the condition is much more expensive.

Census is very different from Means Testing since census gives aggregated data whereas means testing gives individual data.

Securitization: spiraling use of data towards security.

Sometimes too much security leads to investing in more security and this endless loop leads to (1) violation of human rights and (2) govt aims towards security rather than towards solving problems

Function creep: making some software ostensibly for some harmless purpose (aka scope creep)  
The software become famous and the developer keeps adding more features to it and eventually the harmless software starts violating human rights.

The Puttaswamy Judgement:

The Aadhar act reminded people that they need to fight for privacy leading to conversation of data governance in India; Justice ruling over it was Puttaswamy  
2017 was the 1<sup>st</sup> data protection law in India but it is a very surface level law

What is different in Europe than India?

Not money, since America has money as well, so what sets Europe apart

Europe has a politicized civil society

Issue of privacy is not yet a political issue in India: politicians only work towards resolving political issues

Core/periphery debate is that western countries are stealing data from the east and this will eventually lead to western colonization of the east

But the flaw here is that the fault is of the companies

Govt/ people/ companies are all different entities: but this debate conflates all 3 of those

One of the conclusions of this debate is there should be multi-polarity ie instead of having one pole like America, there should be multiple- not the solution since whether there is 1 or multiple bully, the world is still run by bullies

Anti-trust: two companies must not trust each other

If 2 companies trust each other, they may inflate prices to unreasonable amounts and exploit the common man

Hence, every country has anti-trust laws, and this is controlled by SEBI in India to ensure stock prices do not get inflated

Similarly, prevention of insider trading also propagates anti-trust

But anti-trust is not the silver bullet (magical solution)

Yes data concentration due to monopoly is bad, and small companies competing is good so why not split google into some 4 companies?

This is because though the robbers are smaller and not competing, you are still being robbed

Stopping at the border is not the solution, we must see where the labour is coming from- cannot stop at the border of the company we must see which country the data is coming from

Brinksmanship:

The "poor countries" (India and China) decided they wanted to enforce data localization ie they will store data on their internal servers and external countries will have to pay money to access those. However, holding data hostage is not going to solve the problem. India and China are just threatening to localize, but is actually v global in reality. Brinksmanship is country level of standing on the edge and threatening to jump ie "threatening to implement a policy that you never intend to carry out"