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Reflection 3

Data: Between use and abuse

"Databuse: Digital Privacy and the Mosaic" by research director in Public Law at the Brookings

Institute, Benjamin Wittes, is a report criticizing the broadness of the umbrella term "privacy"

when applied to data. He argues that the term "privacy" is lacking in specificity as it does not

allow the distinction between the good use of data, one which is beneficial to the individual it is

taken from, from its misuse as "hostile, deceptive or negligent use and handling of data" by third

parties. Historically, privacy laws concerned physical properties which are a completely different

matter from the intangible threats of data abuse. This lack of specificity is harmful in itself as it

makes efforts to delineate public policies vague, unclear, and outdated at most (Wittes).

This report was written back in 2011. Over ten years later, it is even more relevant as the use of

data has become ubiquitous as technology has progressed even more. Has there even been

any significant legal improvements between 2011 and 2022 to protect people from data abuse ?

It is well-known that legal frameworks and public policies have had great difficulty keeping up

with the frenetic pace of technological advances. Do governments even have any real

incentives to offer this kind of public protection? This reading reminded of an exposition, Terror

Contagion, I went to see for another class earlier this semester, about the global threat of digital

violence through state surveillance. The interviews of the victims were absolutely jarring, their

fear and anxiety soaked through every word. And it all started through government funded

malware tapping onto Whatsapp which used to be well-known for its privacy compared to other

social media. As Wittes mentioned, there is a fine line between what we can accept as being

good use and misuse when it comes to data. Data collection is a double-edged knife. The same kind of tool could be helpful in preventing crime and terrorist acts yet when turned against people whose only crime is to have politically different views from the dominating government, data can easily be turned into a weapon against freedom of speech. There is much to debate on the topic. More data and better data can bring great benefits and can governments and policy makers really be trusted to decide on what is good and what is bad use of data? Between the fear inspired by cautionary tales of dystopian science fiction, the reality of scientific progress and the unpredictability of human creativity, how can we create policies preventing data abuse which also evolves with technology instead of catching up to it while giving enough freedom to allow people to benefit from their own data?

Wittes, Benjamin. "Databuse: Digital Privacy and the Mosaic." *Brookings*, 30 Nov. 1AD,

https://www.brookings.edu/research/databuse-digital-privacy-and-the-mosaic/.