

# Data, Information. Illusion of Privacy?

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# Data and Information

- Data v. Information
- Many theories:
  - Claude Shannon: Information as a way to lower entropy
  - Luciano Floridi: Information consists of structured data
  - Michael Keeble Buckland: Information

BUCKLAND, Michael Keeble. Information as a Thing. *Journal of the American Society for Information Science and Technology*. 1991, Vol. 42, No. 5

- Information as knowledge: Knowledge (Intangible, Entity)
- Information as process: Becoming informed (Intangible, Process)
- Information as thing: Data, document (Tangible, Entity)
- Information processing: Data processing (Tangible, Process)

# Data and Information

- Norbert Wiener: Information as a basic premise of life
  - Assumption: Everything decays into entropy
  - Information is a way, how this decay slow or divert
  - The true information = information which has an organising effect
  - Basic notions:
    - Information is an opposite of entropy
    - Living organisms have more than critical amount of information
    - Living organisms (or their parts) react on a change of conditions with production of information
  - Examples: Ants, Justice
- The Law as an Information system
  - The law as a way how to lower entropy in the society

# Law and Information

- Presumption: The centrality of a human
- Information rights - 3 basic rights
  - Obtain information
    - To get the information from outside
  - To have information
    - Have control over information
    - Process information
  - Create, share and communicate information
- Regulation of Information
  - Duties correlating to these rights
  - Regulation of the environment



# Privacy v. Personal Data

- Why this question?
- Personal data protection as an independent fundamental right
  - Different purposes
    - Protection of privacy v. Protection of rights and interests of natural persons in relation with processing of their personal data (+ purpose of enabling a fair processing)
  - Different means of protection
    - Private v. Public law
    - Restitutive v. Preventive
    - Court v. DPA
    - Distributive v. Non-distributive right



...and now for something completely different

# Is there still privacy?

- Privacy is dead!
  - The new world paradigm
  - Social networks
    - Surveillance Capitalism
  - Massive surveillance
    - If you do not do anything bad, you do not have to be afraid!
    - Automated face recognition
    - Social credit systems
    - Snowden revelations
  - Cambridge Analytica
  - Data breaches



# But!

Privacy is the essential value for free democratic liberal society.

Thank you for your attention.

Questions?

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