



# Space for Ethics

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Research Seminar on Integrity – 4 March 2020 @ITC



**THE STATE**

# The state must ...

## Classify

- *The people*
- *The territory*

## Draw inferences → Make policy

- *About people*
- *About the territory*

## Be legitimate

- *Is the classification legitimate ?*
- *Are the inferences legitimate ?*



If ... illegitimate, citizens mobilise



# Germany

Berlin 1987: DON'T COUNT US, COUNT YOUR DAYS



# The Netherlands

## 1971 Census - “Festival of Errors”

- In Spijkenisee near Rotterdam
  - 35 married boys and girls under 15 years
  - 75 teenagers living on retirement pension
- Zwolle
  - fourteen-year-olds already with a divorce

## 1981 Census - Cancelled

# From National Statistics (simplify society) ....

1. Nation-state scale
2. All residents in households
3. Pre-cooked categories for people
4. Often public, open, revealed
5. Create a shared truth, upon which consensus-forming claims can be made in decision making

6. Ostensibly public interest
7. Diffuse controversy
8. First ask a question, then collect related data
9. NS officers are public servants, accountable to government
10. Slow, high cost



# ... To Data Analytics (complexify society)

1. Any spatial scale
2. Anybody, anywhere
3. Emergent categories for people
4. Often private, closed, secret
5. Detect trends, sense moods, spot things as they bubble up → create various truths (post-truth society)
6. Often not clear to whose interest
7. Often amplify controversy
8. First Hoover any data, then ask as many questions as you want
9. Data analytics experts often accountable only to CEOs
10. Fast, low cost (e.g. with machine learning)

**WHAT IS GOING ON WITH DATA ANALYTICS ?!**

# Key events in the 2010s

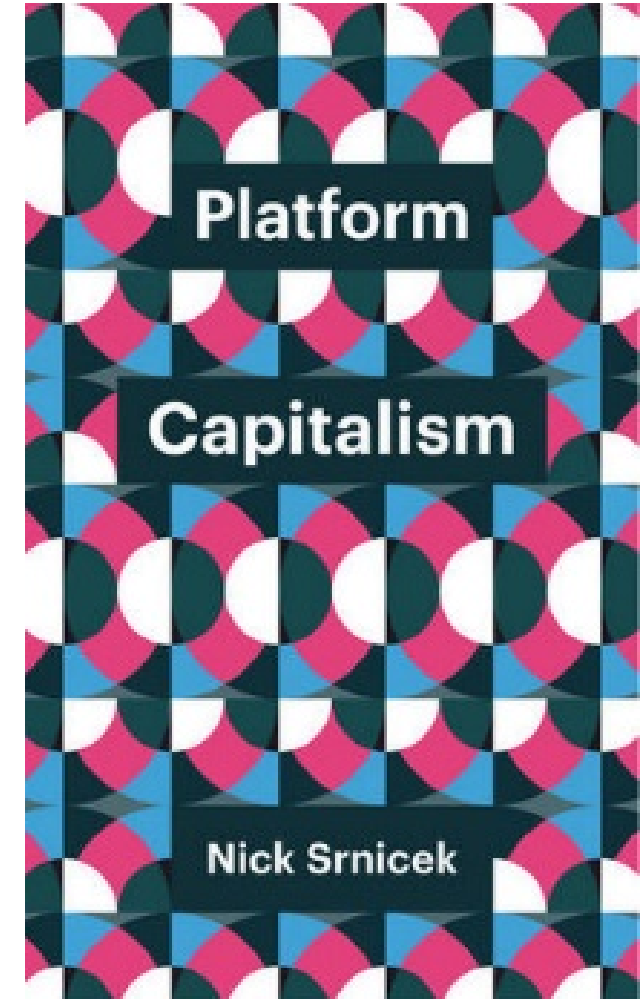
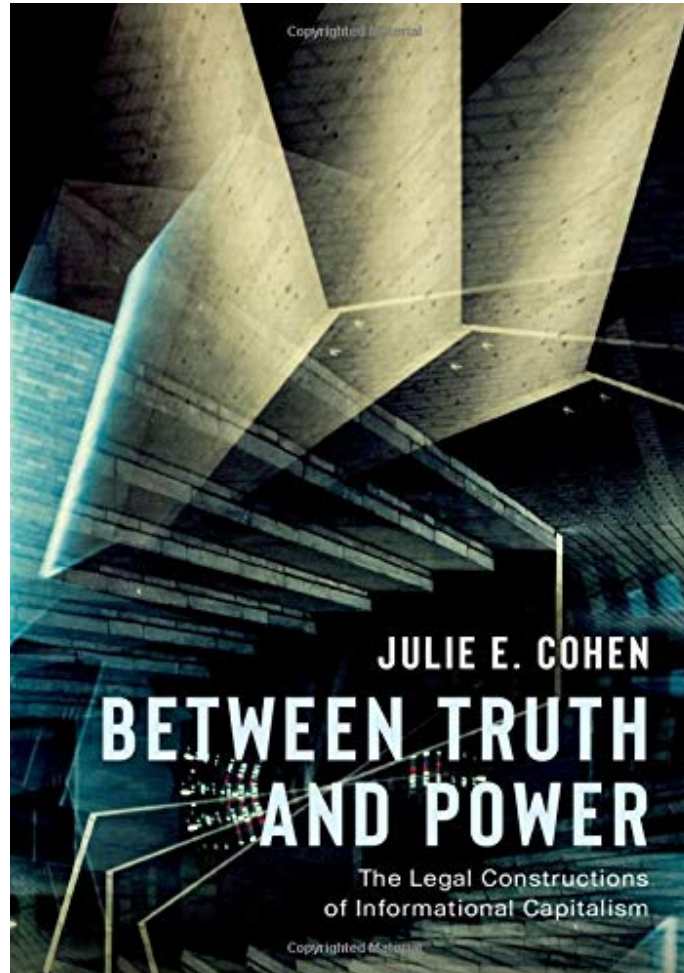
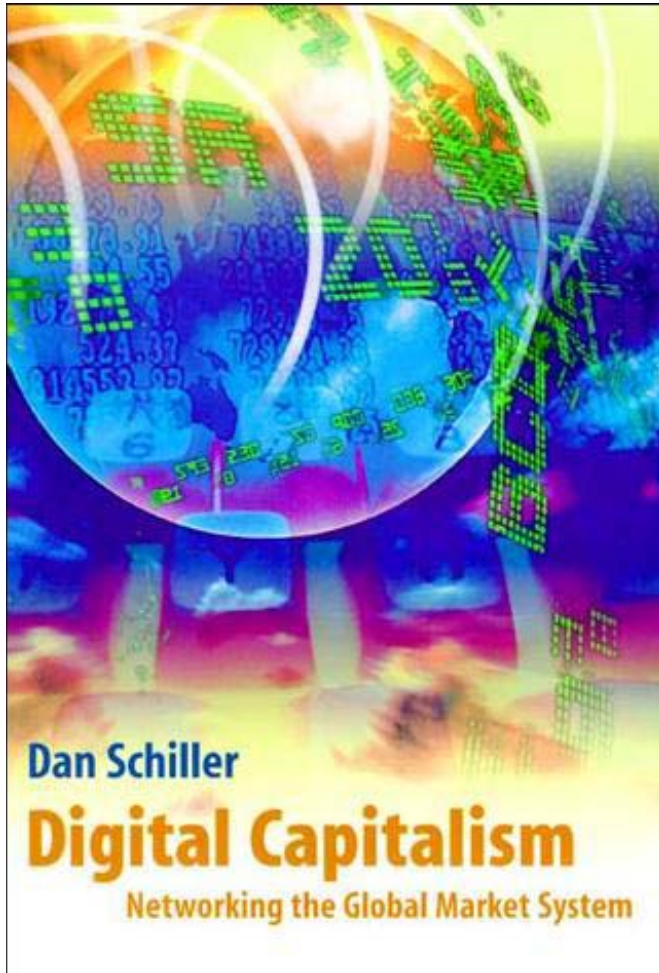
**Edward Snowden (2013)**



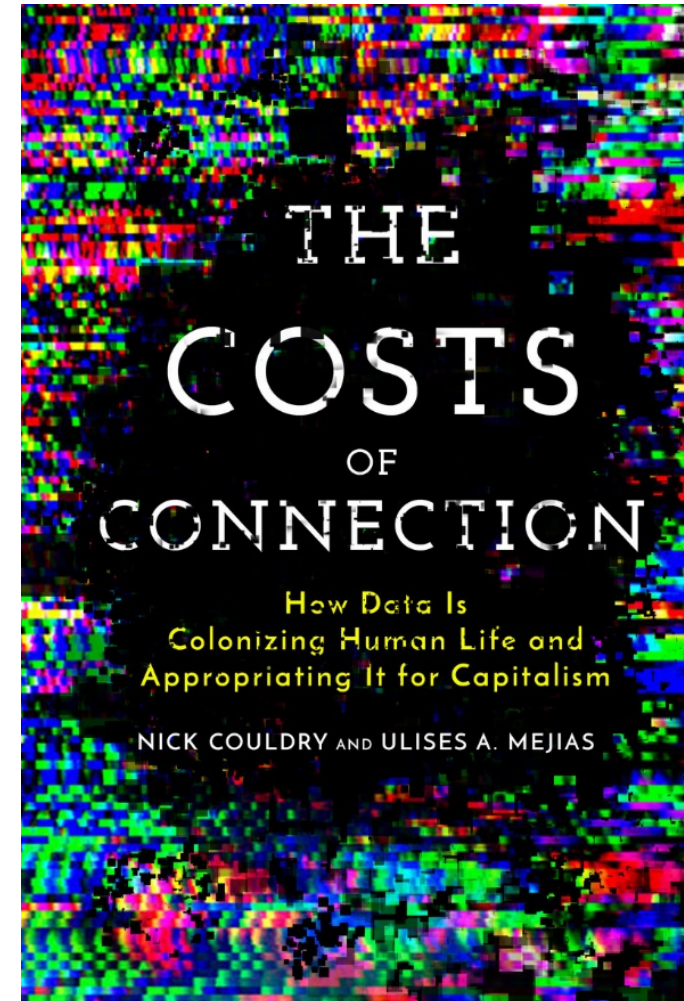
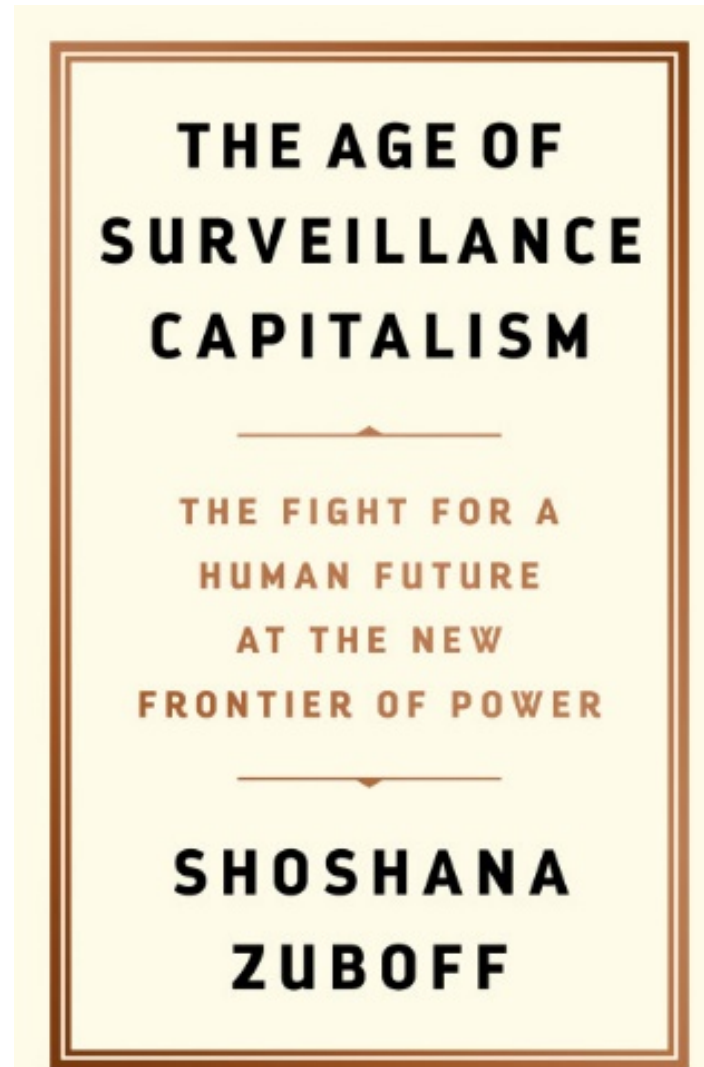
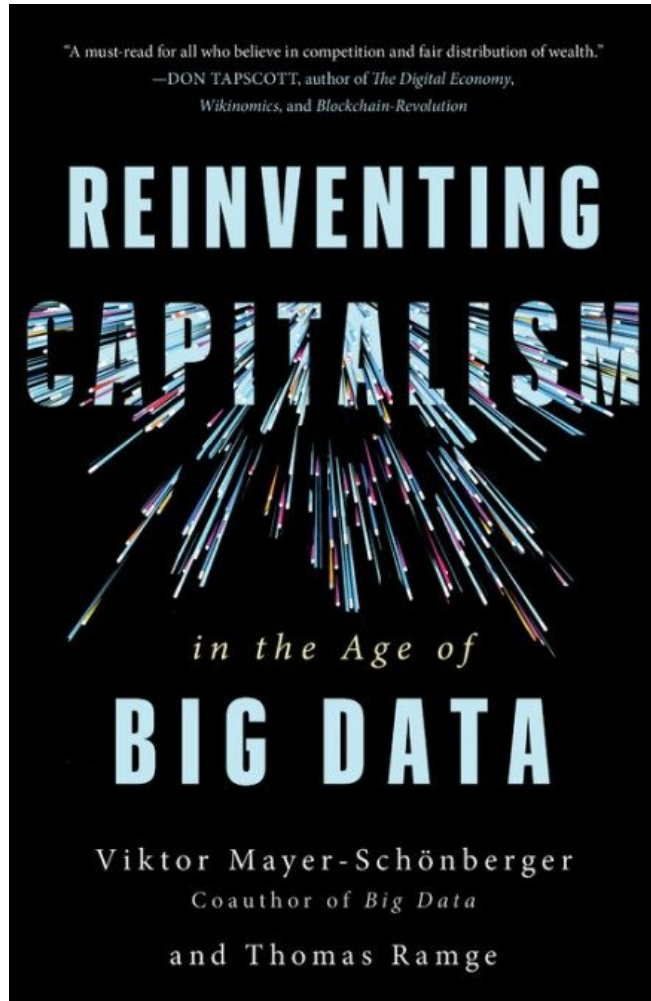
**Cambridge Analytica – Facebook (2018)**



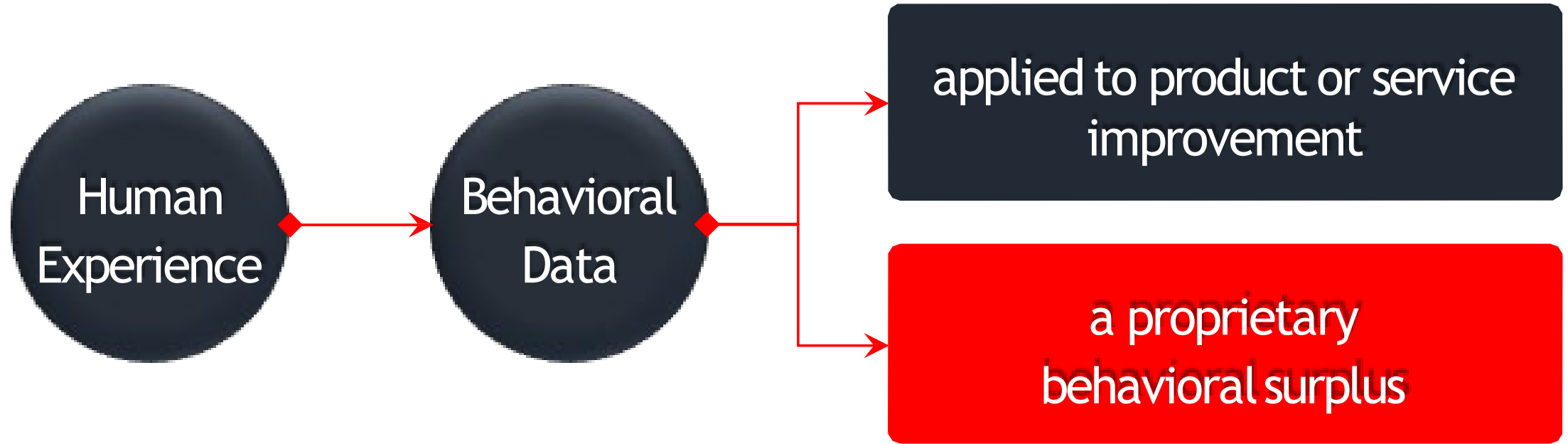
# Digital, informational, platform capitalism?



# Data, surveillance capitalism, or neocolonialism?



# WEF: “Data is the new oil!”



Some of behavioral data are applied to product or service improvement.

The rest are fed into “machine intelligence.”

Predication products are then **extracted** that anticipate what you will do.

# The 'Data Labor Union'

## *Facebook Users Unite! 'Data Labour Union' Launches in Netherlands*

By Reuters

May 23, 2018



AMSTERDAM — Activists in Amsterdam on Wednesday launched the 'Datavakbond' or "data labor union", which hopes to elect leaders to negotiate directly with Facebook and Google over what they do with users' data.



# WEF: “Data is the new oil!”



- If data is the new oil then data protection regulation is the new environmental regulation



**KEEPING TRACK OF MEDIA...LAST FEW WEEKS**

# Belastingdienst haalt verboden zwarte lijst uit de lucht

De Belastingdienst heeft jarenlang tienduizenden burgers op een speciale lijst gezet met een registratiesysteem dat niet voldoet aan nieuwe privacywetgeving. Dat bevestigt het ministerie van Financiën na berichtgeving door *RTL Nieuws* en *Trouw*.

# **Fraudeopsporingsstelsel SyRI schendt mensenrechten, overheid moet ermee stoppen**

De rechter in Den Haag stelt woensdag in een bodemprocedure dat het omstreden fraudebestrijdingssysteem Systeem Risico Indicatie (SyRI) in strijd is met het Europees Verdrag voor de Rechten van de Mens. Het gebrek aan transparantie zou leiden tot 'onbedoeld stigmatiserende en

# Amsterdam komt met algoritme tegen illegale vakantieadressen

De gemeente Amsterdam gaat de komende zes maanden experimenteren met een nieuw wapen tegen illegale vakantieverhuur. Met behulp van een algoritme moet het makkelijker worden woningen te vinden waar grote kans op woonfraude is.

**Arnout le Clercq** 26 februari 2020, 5:00

28 February 2020

The New York Times



## *Kenya's New Digital IDs May Exclude Millions of Minorities*

Millions face hurdles in obtaining documents to get a biometric ID card that will be required to function in the country. Without one, “you are totally a living dead,” a human rights advocate said.



**31 January 2020**

**The New York Times**

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## ***Kenya's High Court Delays National Biometric ID Program***

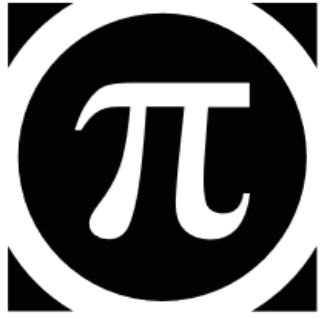
The biometric system was challenged in court over privacy concerns, and fears that it could exclude millions from accessing public services.

Jan. 31, 2020



NAIROBI, Kenya — Kenya's high court on Thursday temporarily suspended the country's new [national biometric identity program](#) until the government enacts laws to protect the security of the data and prevent discrimination against minorities.

The government had said the IDs would be required for all Kenyan citizens and foreign residents to access a broad range of rights and services, including health care, education, public housing, voting, marriage licenses and registering mobile phones.



# La Quadrature du Net

**PREMIÈRE VICTOIRE EN JUSTICE CONTRE LA  
RECONNAISSANCE FACIALE !**

*27 février 2020*





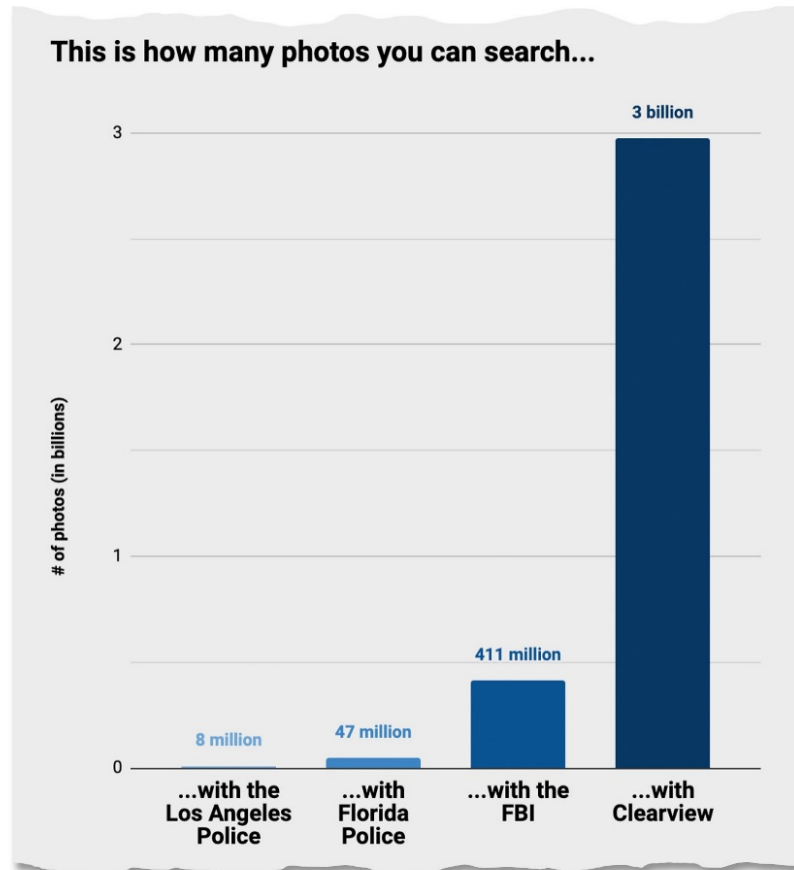
# Clearview AI

Feb. 10, 2020



The New York Times

Account ▾



## The Secretive Company That Might End Privacy as We Know It

A little-known start-up helps law enforcement match photos of unknown people to their online images — and “might lead to a dystopian future or something,” a backer says.

# Clearview AI

**When BuzzFeed News** reported earlier this month that Clearview AI had used marketing materials that suggested it was pursuing a “rapid international expansion,” the company was dismissive, noting that it was focused on the US and Canada.

The company’s client list suggests otherwise. It shows that Clearview AI has expanded to at least 26 countries outside the US, engaging national law enforcement agencies, government bodies, and police forces in Australia, Belgium, Brazil, Canada, Denmark, Finland, France, Ireland, India, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Portugal, Serbia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom.



创业创新大街



沈阳交警行人闯红灯刷脸识别曝光台

P  
24H

信  
台

LA 36608

<https://www.scmp.com/news/china/diplomacy/article/3024636/european-firms-warned-chinas-social-credit-system-could-be>

1 March 2020



The New York Times

Account ▾

# *In Coronavirus Fight, China Gives Citizens a Color Code, With Red Flags*

A new system uses software to dictate quarantines — and appears to send personal data to police, in a troubling precedent for automated social control.



# 1 March 2020

People in China sign up through Ant's popular wallet app, Alipay, and are assigned a color code — green, yellow or red — that indicates their health status. The system is already in use in 200 cities and is being rolled out nationwide, Ant says.

Neither the company nor Chinese officials have explained in detail how the system classifies people. That has caused fear and bewilderment among those who are ordered to isolate themselves and have no idea why.

**KEEPING TRACK OF RESEARCH DILLEMAS...**

# Research dilemmas (March 2018)

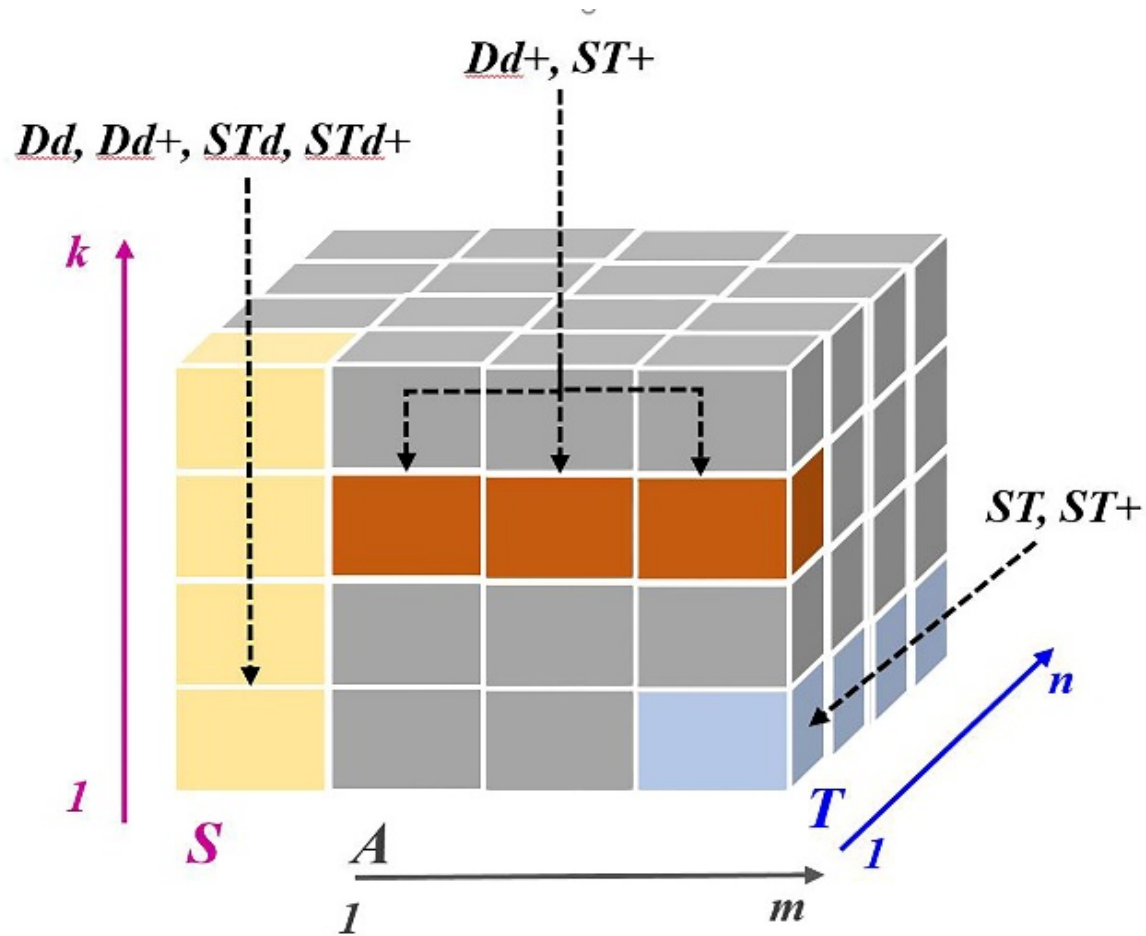
- **Open science:** *open science versus protection of (the life of) non-human research subjects*
- **Open models:** *open models versus protection of (the life of) non-human research subjects*
- **Participation:** *voluntary (and presumably) empowering participation versus paid “participation”*
- **Open data:** *open high-res data versus risk of eviction*
- **Use of knowledge in policy making:** *strategic versus instrumental use of knowledge*
- *Etc etc*

With Rania Kounadi

# **NEW ELECTIVE – SPACE FOR ETHICS**



# Rania Kounadi



Variables	Values
Attacked	1. Any individual
Attacker	1. Government/ Institution 2. Corporation 3. Researcher 4. Any individual
Spatial data types	1. Discrete location data (Dd) 2. Discrete location data with co-variables (Dd+) 3. Space-time data (STd) 4. Space-time-attribute data (STd+)
Purpose of attack	1. Identify private attribute(s) of the attacked 2. Identify the attacked who has certain private attribute(s)
Attacker's strategy	1. Key-identifier exploitation 2. Combine to uniqueness 3. Re-engineering locations 4. Analysing locations 5. Homogeneity attack 6. Background attack 7. Composition attack
Privacy-preserving measures	1. Pseudoanonymity 2. K-anonymity 3. Spatial k-anonymity 4. l-diversity 5. Differential privacy

5. Differential privacy

# Why space for ethics?

Judging what are the right  
geodata/algorithms/practices to meet  
global/regional policy commitments

# Why focus on privacy first?

Privacy is an **instrumental** right.

It is essential to **autonomy** and the protection of **human dignity**.

**Location privacy !**

Metaphors

**NEW ELECTIVE – SPACE FOR ETHICS**

Two metaphors for privacy violations  
→ harms

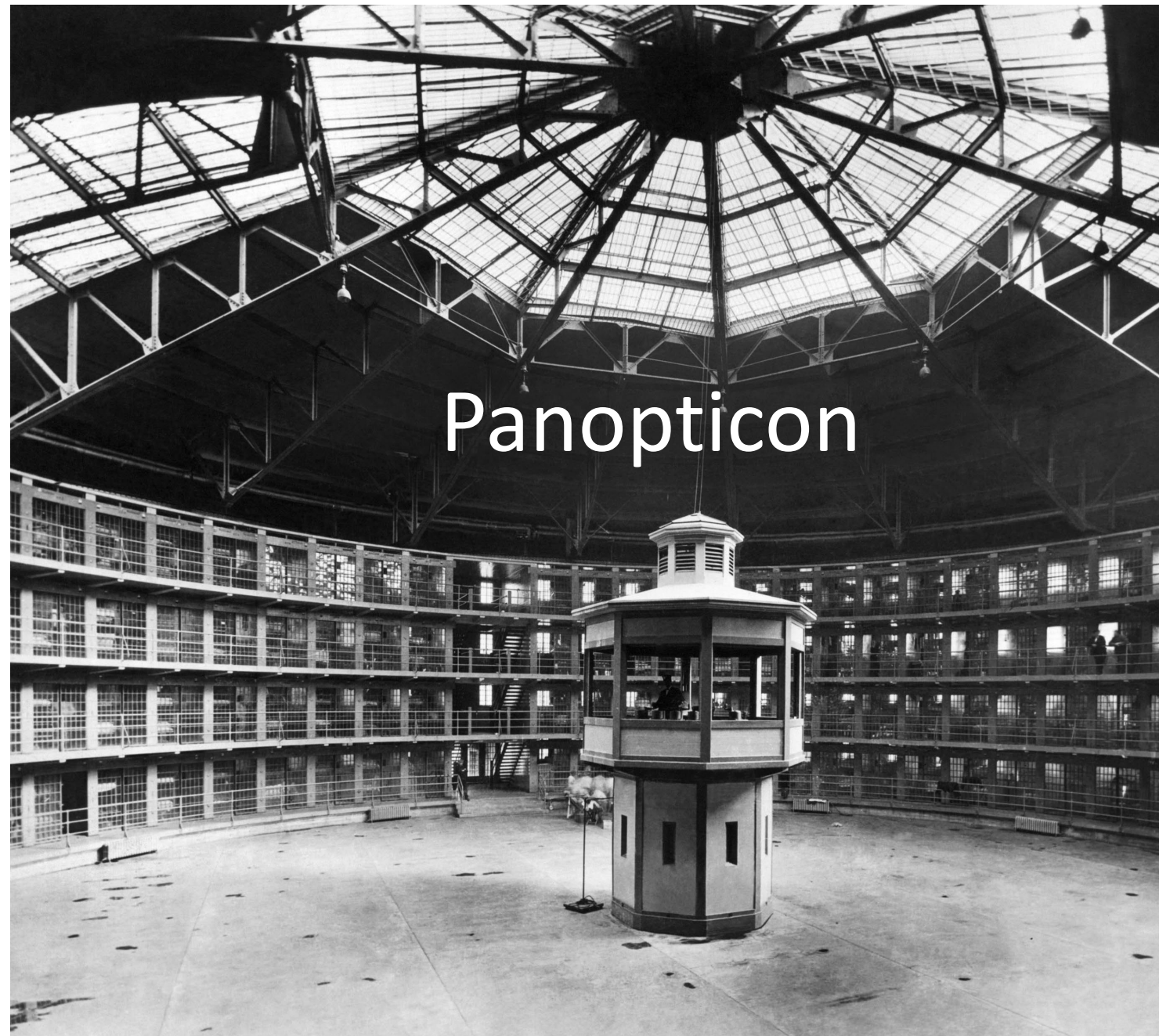


## Harms:

- Inhibition
- Chilling
- Self-censorship

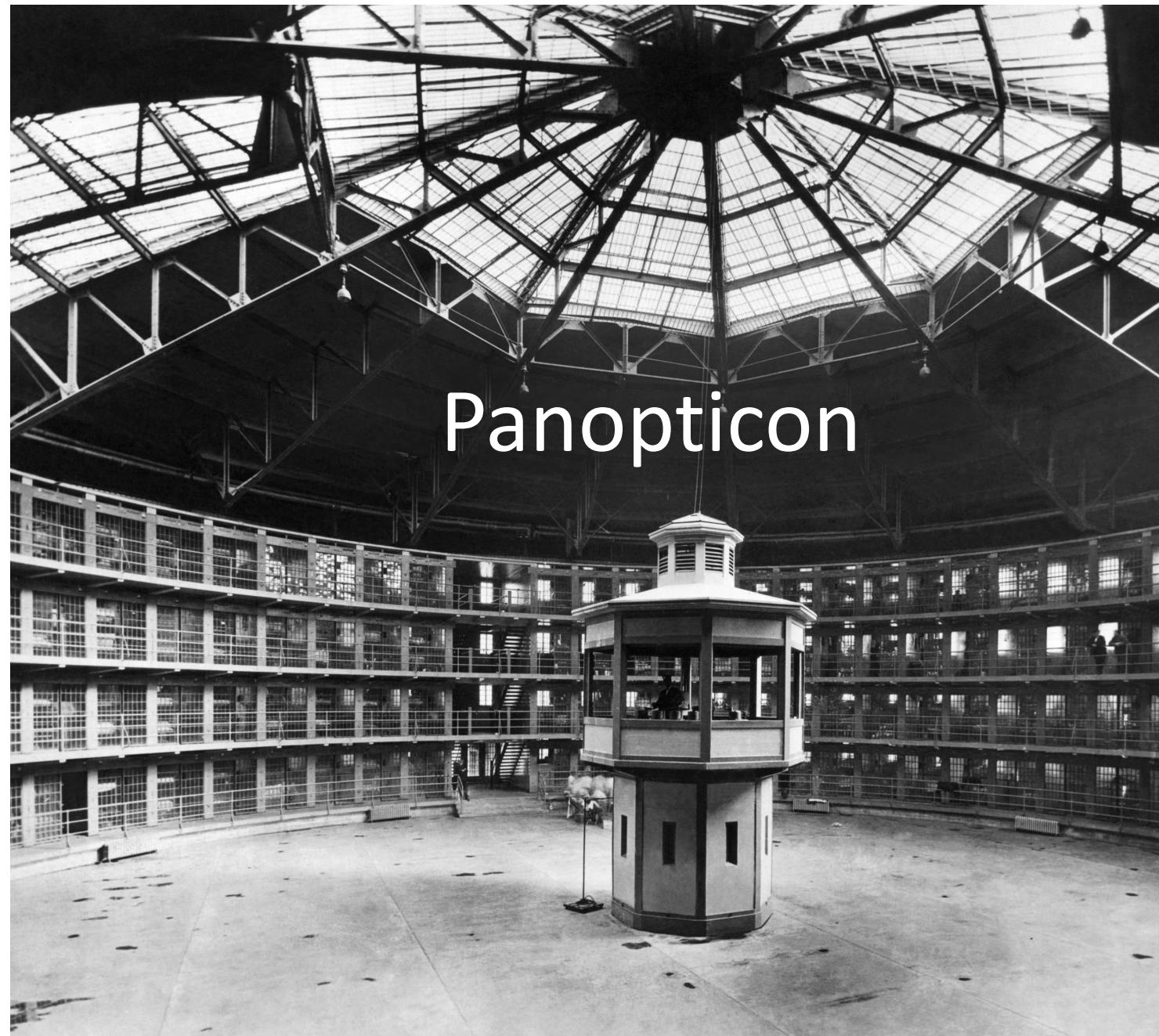
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Information  
collection →  
Privacy violation



Privacy as  
freedom **from**  
surveillance

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## Harms

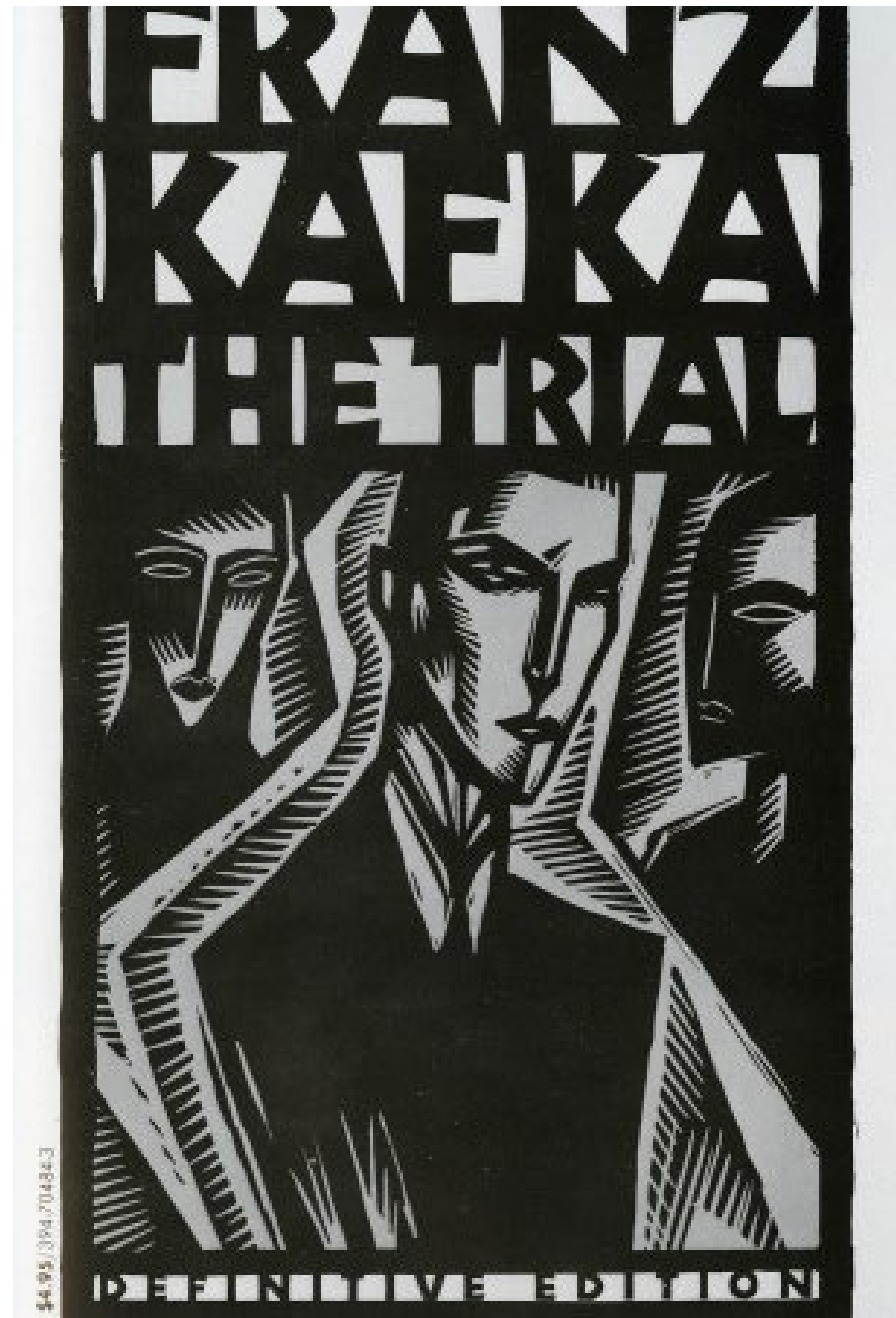
- powerlessness
- vulnerability
- dehumanization

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Information

processing →

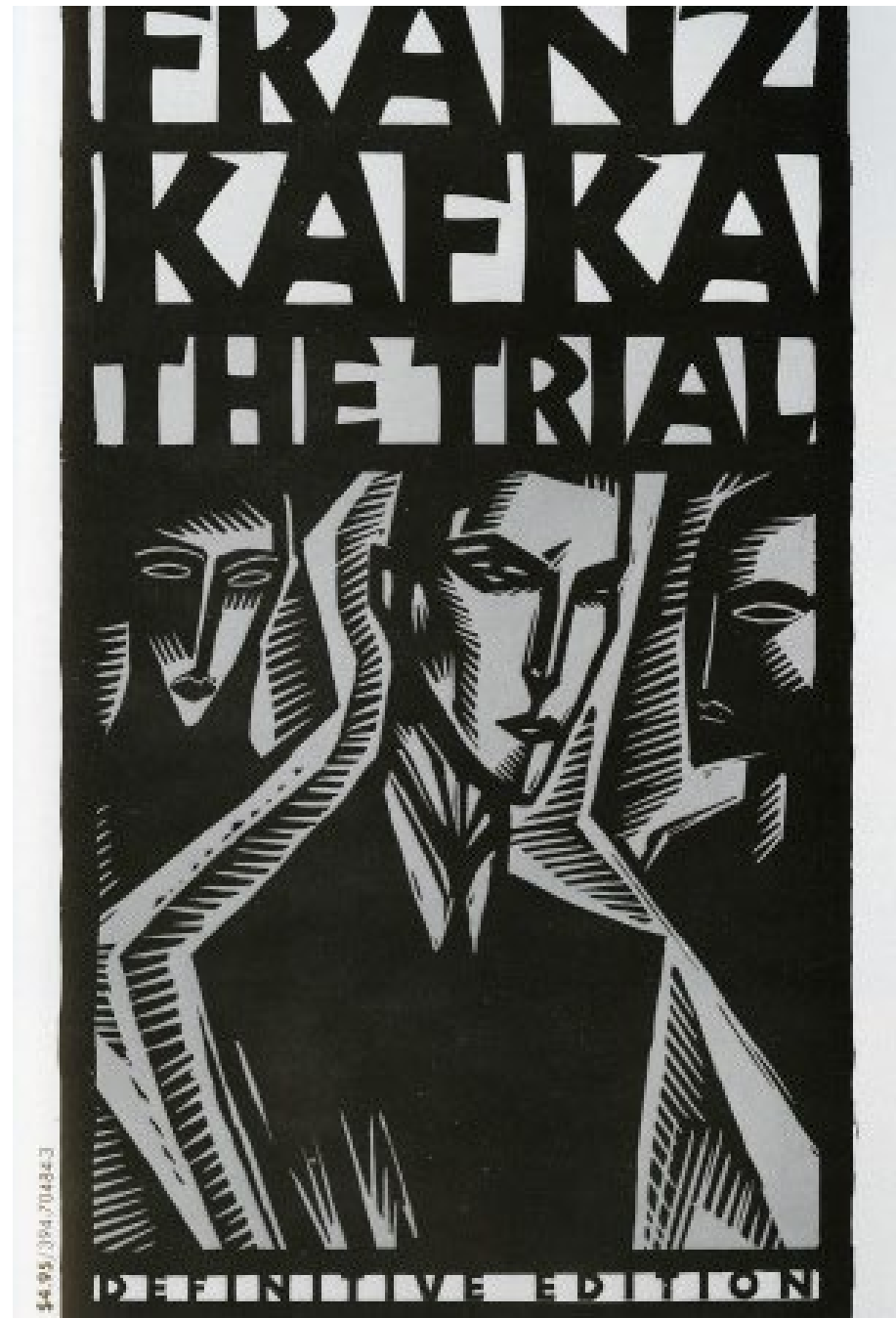
Privacy violation





Privacy as  
freedom **to**  
flourish as a  
human being

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Privacy in everyday life

**ELECTIVE – SPACE FOR ETHICS**

# Privacy in everyday life – what is right to do?

## Topics to discuss with students:

- Should the **police** have access to a national DNA database to solve a murder?
- Should an **insurance company** promise you less insurance premium if you agree to wear a sensor?
- Should **UBER** store all the rides you ever made?

Privacy as ...

**ELECTIVE – SPACE FOR ETHICS**

# Privacy as...

## Political theory

... Forensic  
accountability

... Agent  
accountability

## Relation-based social theories

...Trust

... Contextual  
integrity

... Social network

## Individual rights-based theories

... Freedom From...  
(John Locke)

... Freedom To...  
(Immanuel Kant)

Location privacy

**ELECTIVE – SPACE FOR ETHICS**

# Location Privacy

The right of individuals, groups, or institutions **to control** the generation, access, recording, and usage of their **location information** and determine when, how, and to what extent their information is processed by others

**CONTROL** → The transformation process of information

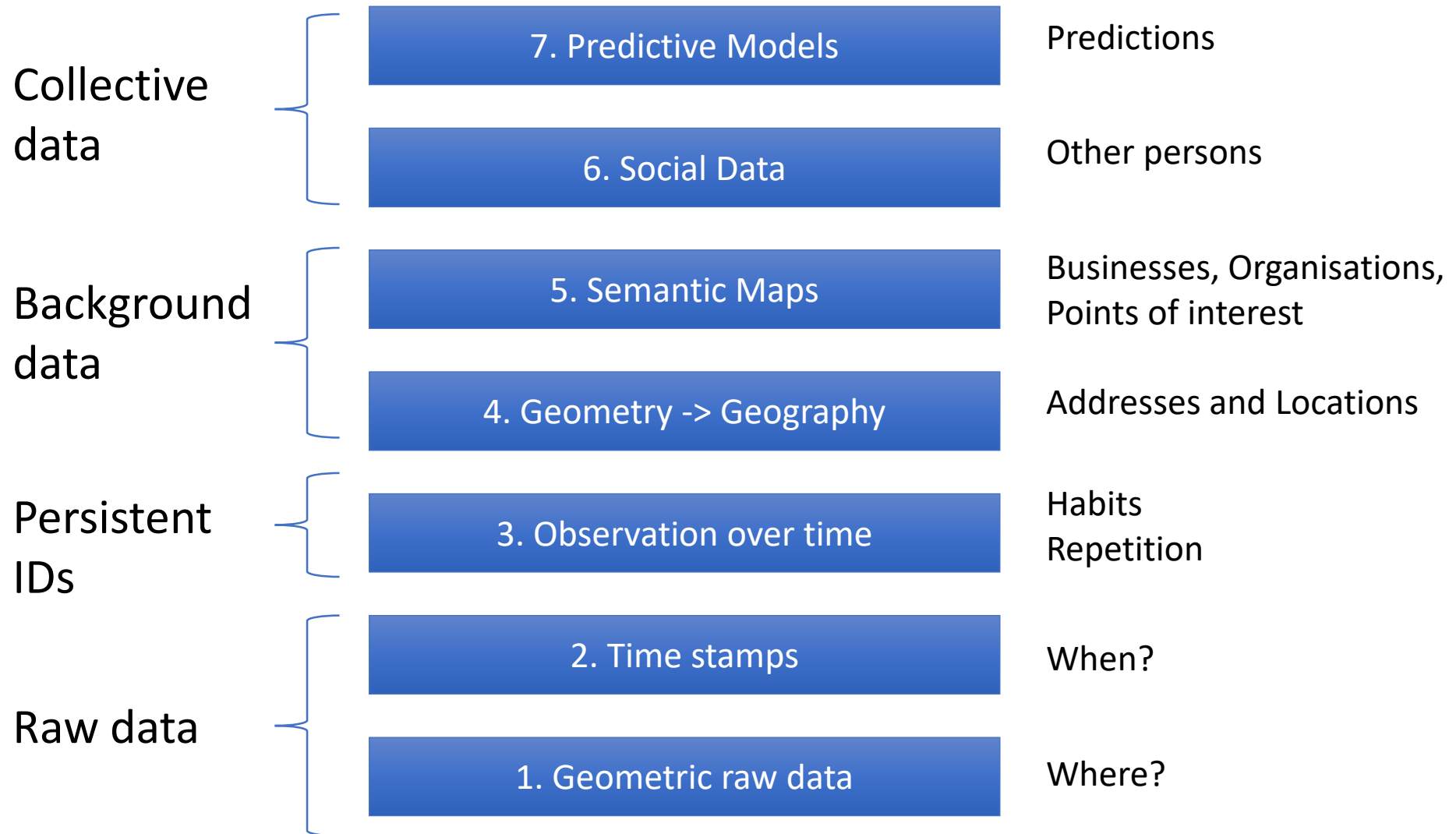
**From - Volunteered data** = created and explicitly shared by us, e.g. location-based services (Google)

**Or From - Observed data** = captured by recording our actions, e.g. location data when we use our cell phones

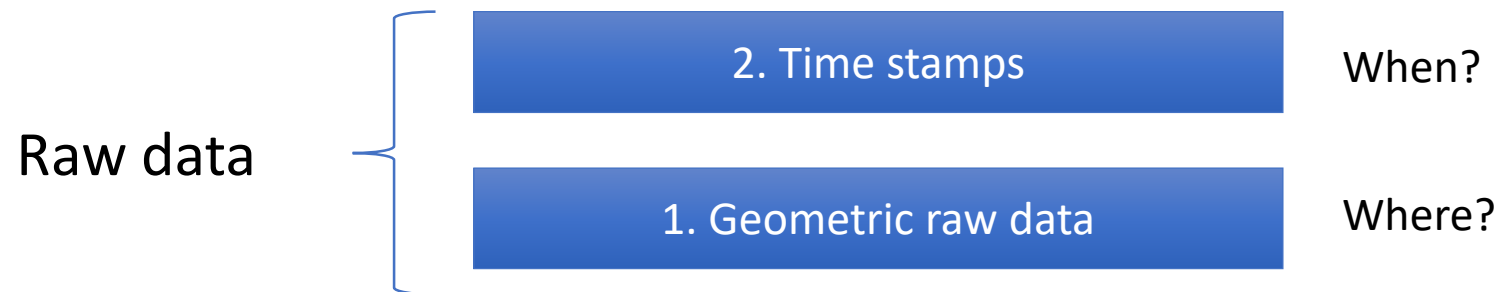
**To - Inferred data** = data about us based on analysis of volunteered or observed information, e.g. political affiliation



# Hofmann's step model



# Hofmann's step model

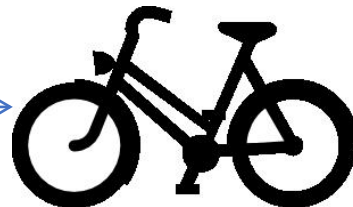


# Location + Time stamps

Timestamp	Latitude	Longitude
15 May 2013, 09:35:51 am +0200	+47.661222	+9.176919
15 May 2013, 09:37:01 am +0200	+47.661150	+9.176900
15 May 2013, 09:37:11 am +0200	+47.661171	+9.177096
15 May 2013, 09:37:12 am +0200	+47.661183	+9.177116
15 May 2013, 09:37:16 am +0200	+47.661225	+9.177177
15 May 2013, 09:37:22 am +0200	+47.661201	+9.177336
15 May 2013, 09:37:24 am +0200	+47.661201	+9.177402
15 May 2013, 09:37:29 am +0200	+47.661267	+9.177446
15 May 2013, 09:37:36 am +0200	+47.661376	+9.177352
15 May 2013, 09:37:40 am +0200	+47.661365	+9.177256
15 May 2013, 09:37:57 am +0200	+47.661153	+9.176823
15 May 2013, 09:37:59 am +0200	+47.661149	+9.176795
15 May 2013, 09:38:03 am +0200	+47.661108	+9.176713
15 May 2013, 09:38:14 am +0200	+47.661038	+9.176459
15 May 2013, 09:38:29 am +0200	+47.661004	+9.175972
15 May 2013, 09:38:32 am +0200	+47.660999	+9.175868
15 May 2013, 09:38:39 am +0200	+47.661030	+9.175663

11.61 km/h  
16.44 km/h  
14.22 km/h  
12.99 km/h

?



# What do my data say about me?

„I moved with an average speed of 14 km/h from A to B. Possibly on a bike.“

How athletic am I?

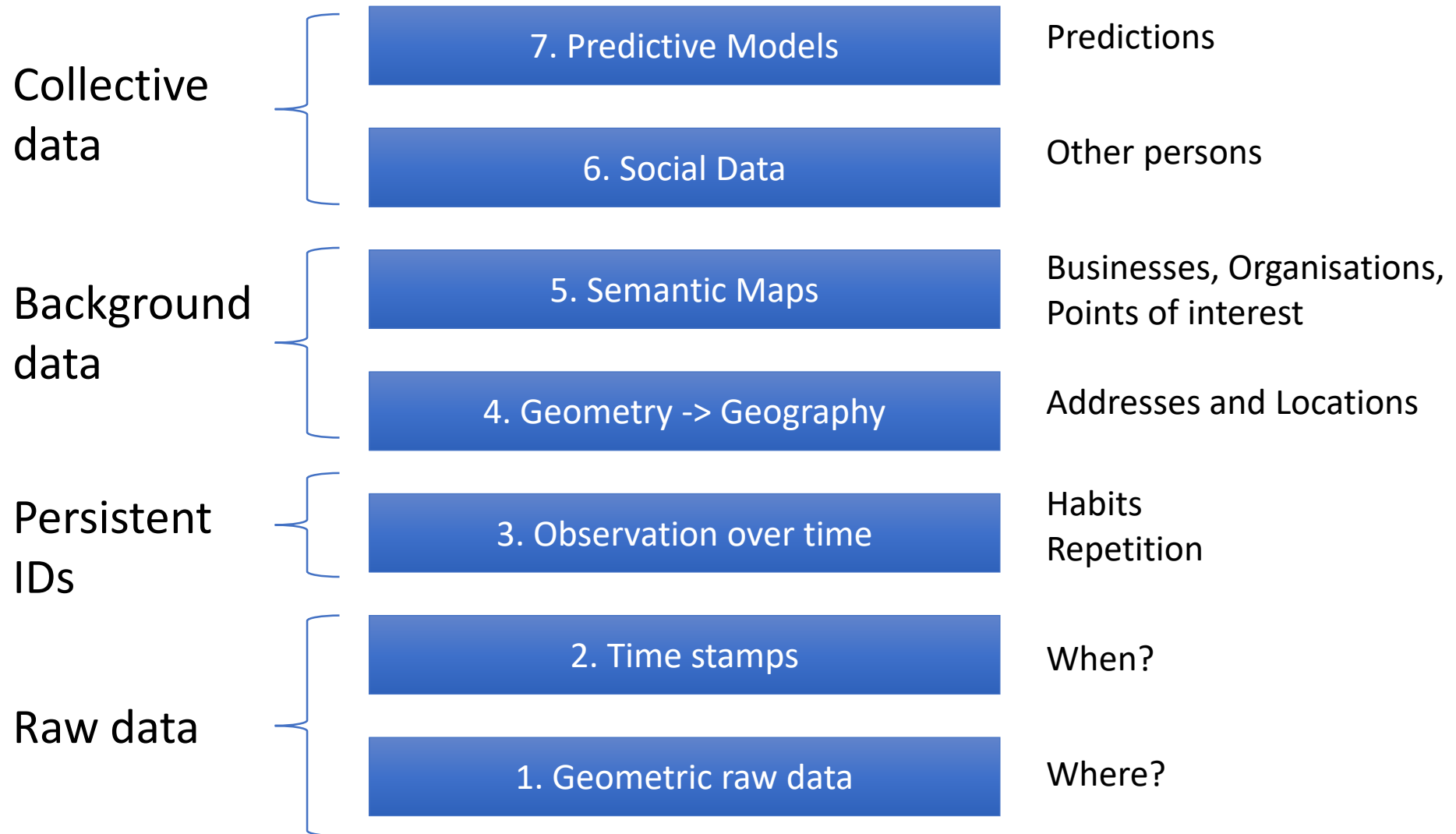
How fit am I?

Did I stop?

Do I own a bike?

Did I get lost?

# Hofmann's step model



# What do my data say about my **future** me?

„How probable is it that I react to an advertisement? ..., that I conclude a purchase?“

„Which could be my next travel destinations?“

„When will I be on the road with my car?“

„Am I receptive to religious or political propaganda?“

„How interesting could another person be for me?“ (Dating, Partnering)

„Am I trustworthy?“

„What is my sexual orientation?“

Privacy is not monolithic

**ELECTIVE – SPACE FOR ETHICS**

		TRANSACTIONS	
COMPETITION		SYMMETRICAL	ASYMMETRICAL
	FETTERED	<p>Data distributivism (network)</p> <p><b>Slogan:</b> We produce and manage our (personal) data</p> <p><b>Privacy:</b> Personal data as unalienable, as constituting who I am</p>	<p>Data distributivism (hierarchy)</p> <p><b>Slogan:</b> Data-for-all law</p> <p><b>Privacy:</b> Personal data as a good that may be traded with a public good</p>
UNFETTERED	<p>Data distributivism (market)</p> <p><b>Slogan:</b> My data are mine, but I can sell them for a fair price</p> <p><b>Privacy:</b> Personal data as tradeable product</p>	<p><b>Data extractivism</b></p> <p><b>Slogan:</b> You have zero privacy, get over it</p> <p><b>Privacy:</b> Zero</p>	



Moral arguments

**ELECTIVE – SPACE FOR ETHICS**

Moral Machine

moralmachine.mit.edu

MORAL MACHINE

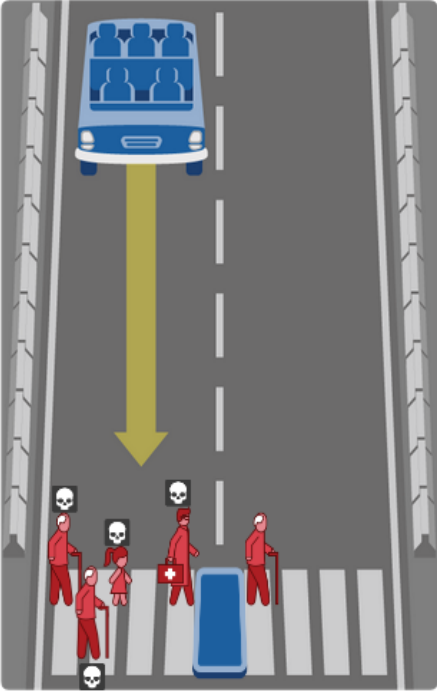
Home Judge Classic Design Browse About Feedback En

# What should the self-driving car do?

In this case, the self-driving car with sudden brake failure will continue ahead and drive through a pedestrian crossing ahead. This will result in ...

Dead:

- 2 elderly men
- 1 girl
- 1 male doctor

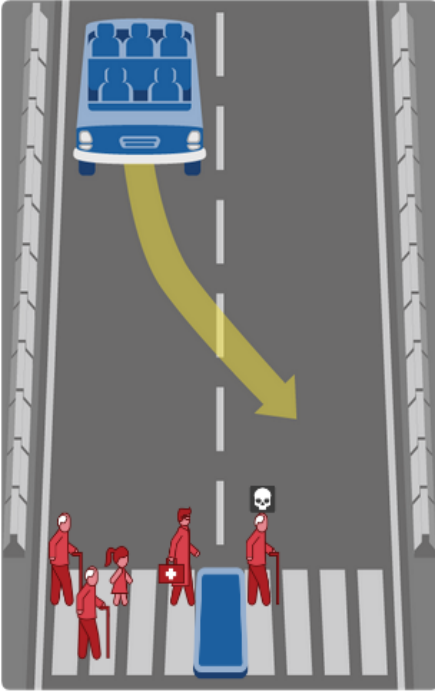


Hide Description

In this case, the self-driving car with sudden brake failure will swerve and drive through a pedestrian crossing in the other lane. This will result in ...

Dead:

- 1 elderly man



Hide Description

1 / 13

# Moral argument

- **Situation:** What should the self-driving car do? How should its algorithm be programmed?
- **Judgment:** Start with an opinion/conviction about the right thing to do: “Swerve and kill the pedestrian on the other lane.”
- **Principle:** Reflect on the reason for your conviction: “Better to sacrifice one life to avoid the death of four.”

General Data Protection Regulation (GDPR)

**ELECTIVE – SPACE FOR ETHICS**

# Data Protection actors

**Data subjects** are people—the natural persons whose personal data are processed.

**Controllers** are those who determine the purposes and the means of processing of personal data – companies for example.

**Processors** are entities that do something with personal data on behalf of controllers.

**Data Protection Authority (DPA):** e.g.

<https://autoriteitpersoonsgegevens.nl/en>

# GDPR: Article 4 (1)

*'personal data' means any information relating to an identified or identifiable natural person ('data subject');*

*an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a **name**, an **identification number**, **location data**, an **online identifier** or to one or more factors specific to the **physical, physiological, genetic, mental, economic, cultural or social identity** of that natural person;*

# GDPR fundamentals

- Consent
- Data minimization and purpose limitation
- Automated decisions and profile transparency



Democracy: Data Euphoria

**ELECTIVE – SPACE FOR ETHICS**



# Democracy: Data Euphoria

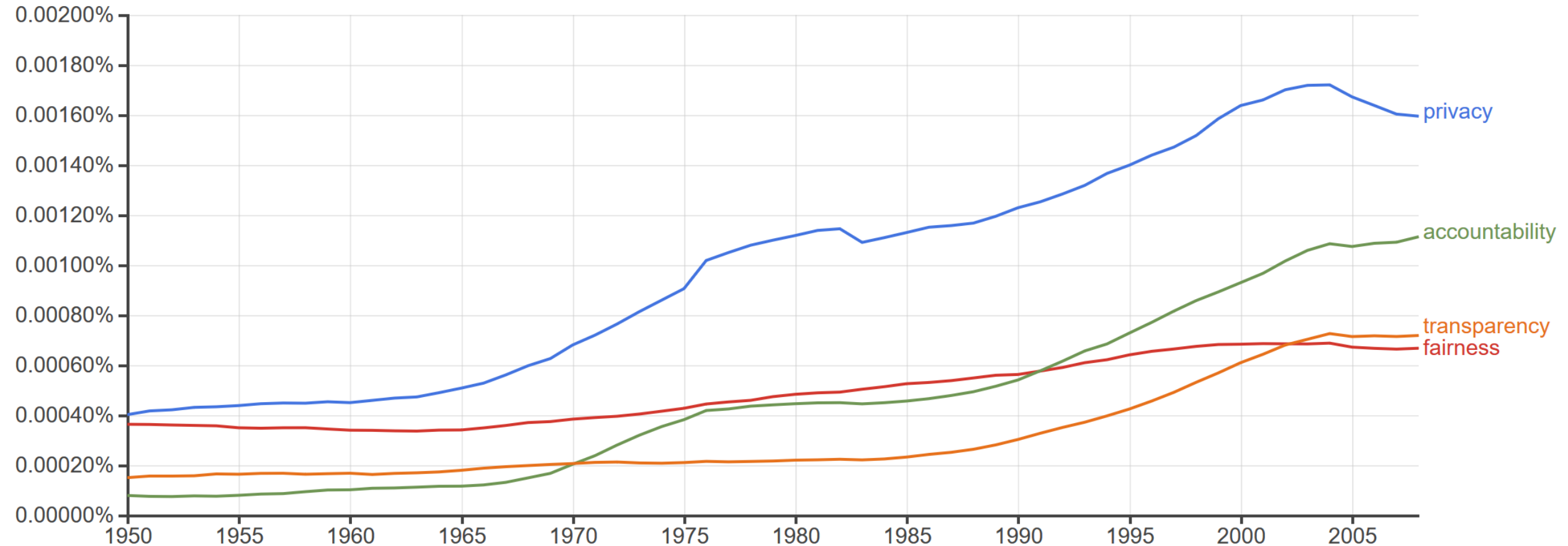
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Future edition

**ELECTIVE – SPACE FOR ETHICS**

# 1. Beyond privacy ... age of machine learning



(click on line/label for focus)

## 2. Beyond individual rights-based theories

### Political theory

... Forensic  
accountability

... Agent  
accountability

### Relation-based social theories

...Trust

... Contextual  
integrity

... Social network

### Individual rights-based theories

... Freedom From...

... Freedom To...

## 2. Ubuntu = we are people through other people

### Political theory

... Forensic  
accountability

... Agent  
accountability

### Relation-based social theories

...Trust

... Contextual  
integrity

... Social network

### Individual rights-based theories

... Freedom From...

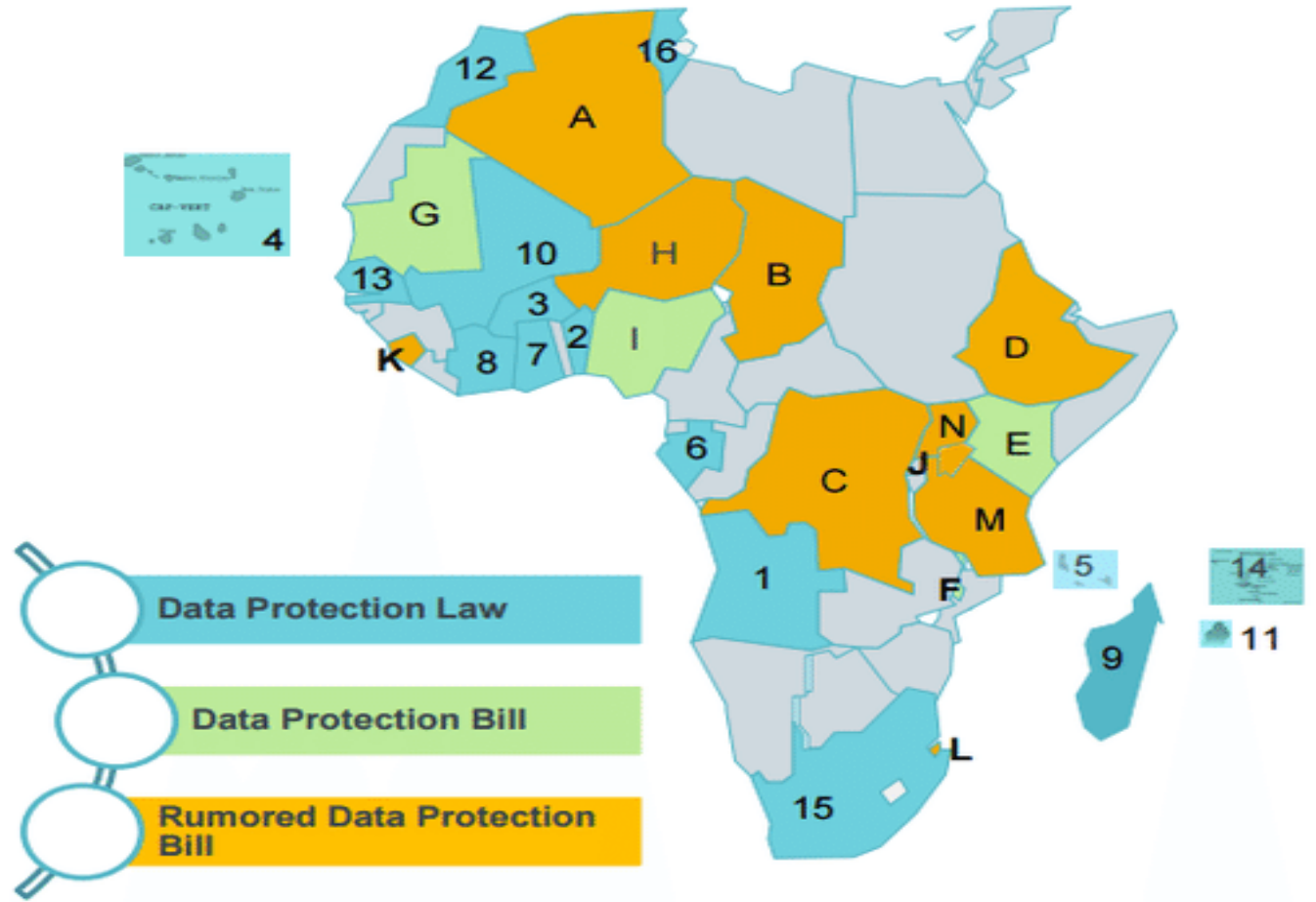
... Freedom To...

# 3. What if Data Protection is weak or absent?

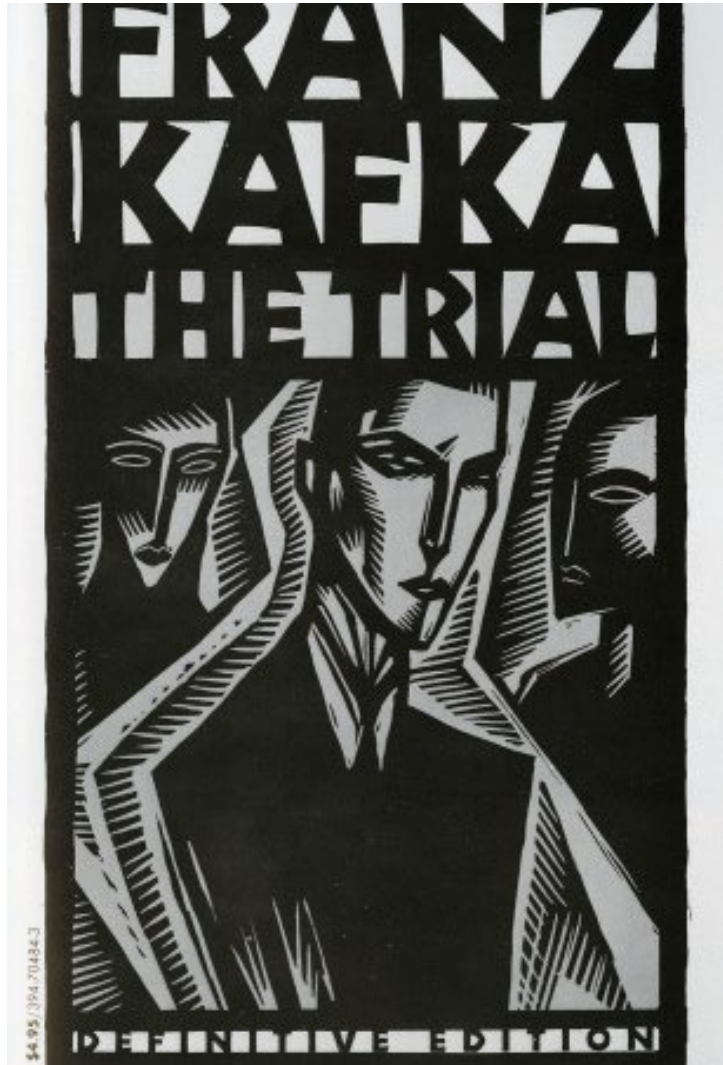
- African organizations
  - African Union
  - ECOWAS
- African countries having adopted a DP regulation
 

<ol style="list-style-type: none"> <li>1. Angola</li> <li>2. Benin</li> <li>3. Burkina Faso</li> <li>4. Cape Verde</li> <li>5. Comoros</li> <li>6. Gabon</li> <li>7. Ghana</li> <li>8. Ivory Coast</li> <li>9. Madagascar</li> </ol>	<ol style="list-style-type: none"> <li>10. Mali</li> <li>11. Mauritius</li> <li>12. Morocco</li> <li>13. Senegal</li> <li>14. Seychelles (Not in force)</li> <li>15. South Africa</li> <li>16. Tunisia</li> </ol>
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- DP Bills (and rumoured bills)
 

<ol style="list-style-type: none"> <li>A. Algeria</li> <li>B. Chad</li> <li>C. DRC</li> <li>D. Ethiopia</li> <li>E. Kenya</li> <li>F. Malawi</li> <li>G. Mauritania</li> <li>H. Niger</li> </ol>	<ol style="list-style-type: none"> <li>I. Nigeria</li> <li>J. Rwanda</li> <li>K. Sierra Leone</li> <li>L. Swaziland</li> <li>M. Tanzania</li> <li>N. Uganda</li> </ol>
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## 4. Western canon does not ring bells



Panopticon  
(Bentham, Orwell)

# Inspiration: Aníbal Quijano



## ANÍBAL QUIJANO CUESTIONES Y HORIZONTES



**ANTOLOGÍA ESENCIAL**  
**DE LA DEPENDENCIA HISTÓRICO-ESTRUCTURAL**  
**A LA COLONIALIDAD/DESCOLONIALIDAD DEL PODER**

Selección y prólogo a cargo de  
**DANILO ASSIS CLÍMACO**

COLECCIÓN ANTOLOGÍAS

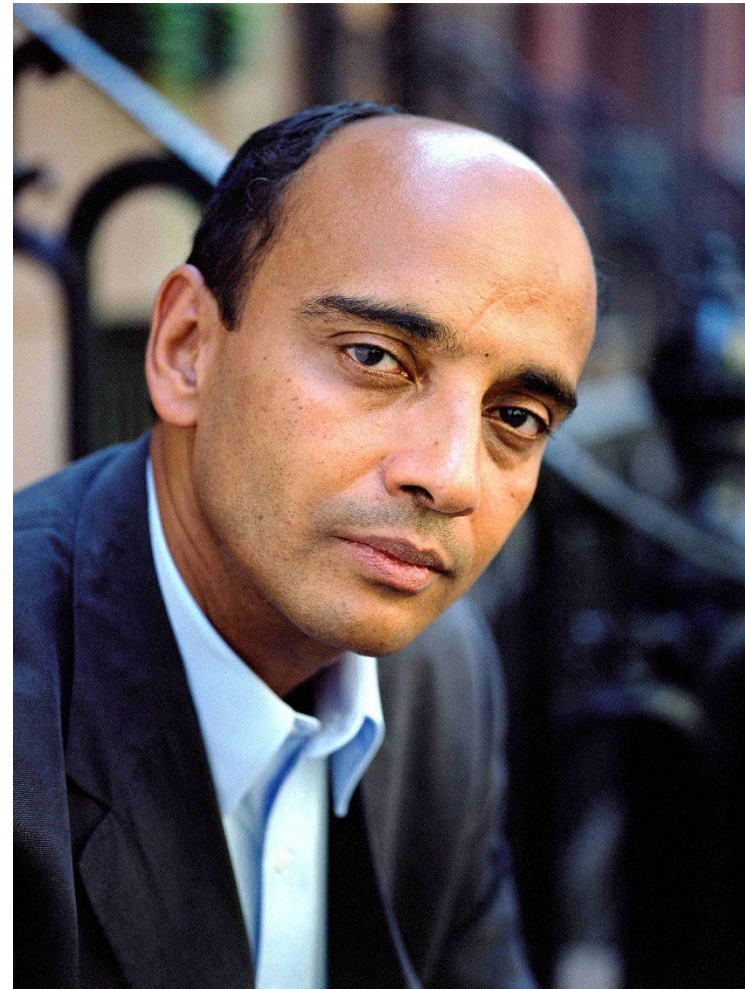
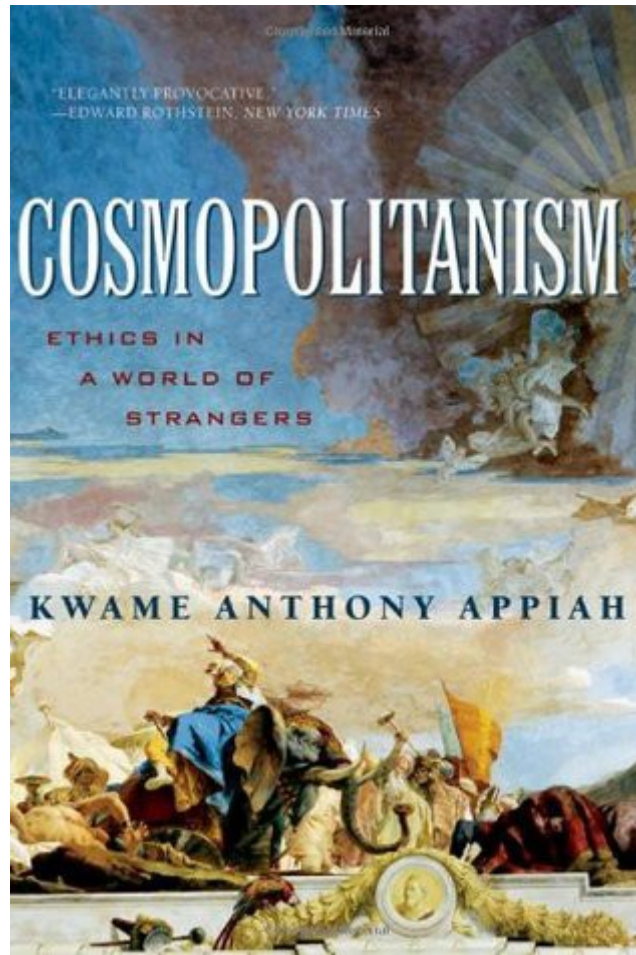
 CLACSO



# Inspiration: Achille Mbembe



# Inspiration: Kwame Anthony Appiah



# If S for E is the solution, what is the problem?

- Moral obligation to a global audience of students
- Ordinary human life is becoming a new factor of capitalist production and profit
- Subjecting human life to continuous monitoring and influence threatens human dignity and autonomy
- Hollowing out of the decision-making capacity of public servants

THE **UNIVERSITY OF TWENTE** IS THE ULTIMATE PEOPLE-FIRST UNIVERSITY OF TECHNOLOGY. WE EMPOWER SOCIETY THROUGH SUSTAINABLE SOLUTIONS.