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REVIEW

La privacidad es poder: datos, vigilancia y libertad en la era digital (privacy is power: data, surveillance and freedom in the digital age)

Carissa Véliz

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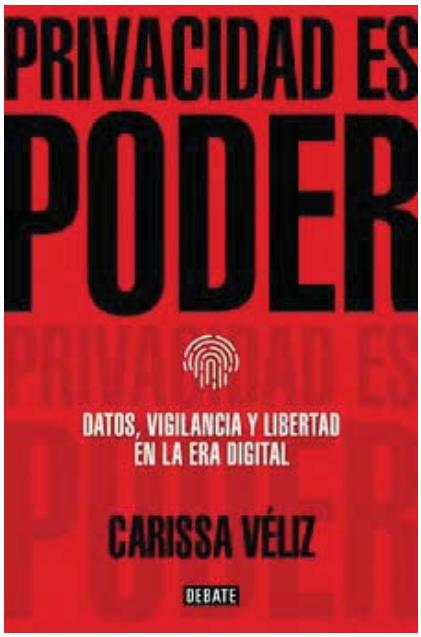

Data has become a major strategic resource, as underlined in the National Security Strategy (NSS) 2021. The NSS stresses that:

> "[…] the debate on ethics and the defence of digital rights has intensified and is especially determined by the concentration of information in major tech companies and by abuse of such information by certain political actors. The right to privacy of the users of digital services is at the centre of this debate and it has led to judicial pronouncements that may condition technological development".

The document does not hesitate to describe it as "[…]new sphere of power, affecting both the relationship between States and between the public and private sectors, given that tech companies have the greatest access to data", considering it a "[…] key aspect of national security, with a direct impact on personal privacy".

This view is corroborated by the European Union's (EU) Strategic Compass, which states that after three decades of strong economic interdependence that was supposed to reduce tensions, the return to power politics and even armed aggression is the most significant change in international relations. Interdependence is increasingly conflictual and soft power is used as a weapon: vaccines, data and technological standards are all instruments of political competition. In this regard, the EU Commission has set up the Observatory of Critical Technologies to coordinate and obtain a comprehensive view of critical facilities, such as semiconductors, cloud and edge technologies, quantum computing and Artificial Intelligence (AI).

Additionally, the Biden-Harris Administration's National Security Strategy 2022 does not hesitate to place data at the centre of gravity of an international technological ecosystem, where trust between the various actors must protect the integrity of the development of standards that enable the free flow of ideas, goods and services. Data becomes the new source of power at the apex of geopolitical tension with China.

Additionally, the NATO Secretary General's Annual Report 2022 (AR2022) highlights the 1-billion-euro innovation and data funding over fifteen years to be invested in start-up companies developing advanced technologies in the field. Also, in October of the same year, the Allied Defence Ministers endorsed the establishment of the Data and Artificial Intelligence Review Board to implement the principles of responsible use. In the same vein, NATO's Data Exploitation Framework Strategic Plan examines data culture as key to making NATO a data-centric organisation.

Undoubtedly, the second decade of the 21st century, which opened in the midst of the COVID-19 coronavirus pandemic, has brought us fully and with unprecedented speed into the new digital age, where geopolitical competition for the new source of power, data, places citizens and our privacy on the front line of a battle of all against all, as Thomas Hobbes warned us in his indispensable systematic treatise on the theory of the State: *Leviathan*, and which Carissa Véliz discusses in a stark and unvarnished manner in the book under review.

Carissa Véliz is a philosopher who graduated from Salamanca and holds a PhD from Oxford University, where she is currently an Associate Professor. From the very first pages of the book, the author envelops us in an intricate web of networks. A vision that she had also previously conveyed, together with the journalist Franganillo, in the documentary series: *10 000 days*, in Episode 2, "Observed", which masterfully depicts the suffocating atmosphere of surveillance that hangs over us.

In the first two chapters: "Data Vultures" and "How did it come to this?" reveals how tech giants, especially Facebook, "[…] have violated our right to privacy so many times that discussing them all would require an entire new book". The author reminds us that Facebook's entire revenue depends on the exploitation of our personal data. She also highlights, how one of the most reiterated driving ideas of tech giants to overcome privacy as a social norm, is to treat it "[…] with repeated insistence as a hindrance to progress" and to consider the incessant flow of information being shared "[…] more openly and with more people" as something inevitable. In this regard, on December 4, 2023, the Spanish media reported on the lawsuit against Meta, parent company of Facebook and Instagram, by the Media Association on behalf of more than eighty newspapers for systematic and massive non-compliance with European data protection regulations in the management of their social networks. Back in January of this year, the Irish Data Protection Commission imposed two fines of 210 million euros on Facebook and 180 million euros on Instagram for breaching EU user privacy rules.

Another trend highlighted by the author is the ambivalent stance of the State. Thus, from the moment the State began to take an interest in our personal data, it no longer had any incentive to regulate privacy protection. On the contrary: the more data collected by companies, the more powerful could government surveillance be. In this sense, another oft-repeated driving idea is the fight for the right to privacy is motivated by the desire to conceal illicit activities and attitudes.

In the following two chapters: "Privacy is power" and "Toxic data", the author seeks to remind us "that the battle for our privacy is a power struggle, and that personal data are toxic" In this regard, she insists that:

- We have a body that many institutions want to learn more about and even experiment.
- An identity that criminals want to use to commit crimes.
- Contacts and connections to access through us.
- A voice that may be used as a loudspeaker.
- Vote that may be manipulated.
- "As you can see, you're a very important person. You are a source of power".

One of the key aspects of power is knowledge-based influence. A knowledge that is conveyed by means of data sometimes given "[…] more or less voluntarily and which is also stolen from us when we try to resist".

That power may be executed through the force of narratives, whether true, false or manipulated, through sorting algorithms, persuasive apps, personalised ads, fake news, fake groups and accounts, as well as the reiteration of narratives that characterise technologies as the solution to all our problems. It's what we call soft power.

Or by brute force, hard power, especially when "data is taken from us, even if we try to resist". This is not physical violence, but a violation of our rights, even more so when these personal data are treated as a commodity, as in the era of slavery when States and large landowners used their power to trade in people. A hard power that seems to grow from year to year, with the "ruthless imposition of all rules — state or private— inscribed in the computer code" and which is augmented by new applications of Artificial Intelligence.

A well-known case that the author analyses in depth is that of Cambridge Analytica, "the company that helped Trump win the US presidency and which also collaborated with Leave supporters in the Brexit referendum campaign (albeit through an associated political firm, AggregateIQ [AIQ]". This brings us to a concept to which the author attaches great importance and which is the title of one of her sections, privacy is collective. Just as national security challenges today have a global dimension: "[…] when you expose privacy, you put us all at risk... The collective nature of privacy has profound implications for our understanding of so-called 'personal data'... The culture of displaying that which is private harms society. It damages the social fabric, poses a risk to national security, allows discrimination and endangers democracy".

The author believes that mismanagement of personal data can poison societies and thus compromise national security. Data theft from large companies which fundamentally affects brand reputation and, of course, that of the state of which they are the image, is one of the aspects it covers. Moreover, the information we are accustomed to sharing or using may also reveal details compromising the security of classified material, such as when the tech company Strava uploaded their interactive map which included the routes taken by US military personnel when they went on daily runs from their military bases. In short, according to the author, "there are three guardians of truth, justice and fairness whose independence must be defended for healthy liberal democracies: the press, the judiciary and the academic world. An important part of redressing power asymmetries in the digital age is to support these guardians".

In an article published on December 19, 2022 under the title "Surveillance scam", the author warns that the amount of personal data collected on people around the world has increased steadily over the past two decades due to a number of factors: firstly, the development of data analysis tools has made it easier than ever to collect personal data; secondly, as we interact more than ever with computers (and computers interact with us), more personal data is created than ever before; thirdly, regardless

of whether institutions operate in the technology sector, every organisation has an incentive to collect personal data because it can be sold to third parties, and therefore personal data has become an easy way to make money.

The data economy (the buying and selling of personal data) has given rise to companies that specialise in the commodification of data, i.e., data brokers. In this regard, on November 6, 2023, *CincoDías* reported that: "[…] large funds are bidding for Asterión and Telefónica's data centres. The management and the telecommunications companies are launching the sale of Nabiax, which has half a dozen data centres in Spain totalling 23 MW of power and occupying 22 000 square metres, valued at 1 billion euros".

And on November 27, 2023, the *Heraldo de Aragón* reported that Microsoft had acquired 84.4 h in La Muela (Zaragoza) for its second data centre. Microsoft 7724 Spain SL, is the special purpose vehicle set up by the multinational company two years ago in order to centralise its plans for the expansion and operation in Spain of its data centre business and the cloud services it provides to individuals, companies and administrations. An investment of 2.2 billion euros is earmarked for each of the three data centres planned in Aragón, for a total planned investment of 6.6 billion euros.

In conclusion, we may cite the Centre for Governance and Change of the IE University which, in its document titled Data policy: a conceptual framework dated June 2023, points out that data represent a true fifth element in addition to fire, air, land and water.

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