Privacy as virtue

Moving beyond the individual in the age of big data

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Privacy as Virtue discusses whether a rights-based approach to privacy regulation still suffices to address the challenges triggered by new data processing techniques such as Big Data and mass surveillance. A rights-based approach generally grants subjective rights to individuals to protect their personal interests. However, large-scale data processing techniques often transcend the individual and their interests.

Virtue ethics is used to reflect on this problem and open up new ways of thinking. A virtuous agent not only respects the rights and interests of others, but also has a broader duty to act in the most careful, just and temperate way. This applies to citizens, to companies such as Apple, Google and Facebook and to governmental organizations that are involved with large scale data processing alike.

The author develops a three-layered model for privacy regulation in the Big Data era. The first layer consists of minimum obligations that are independent of individual interests and rights. Virtuous agents have to respect the procedural pre-conditions for the exercise of power. The second layer echoes the current paradigm, the respect for individual rights and interests. While the third layer is the obligation of aspiration: a virtuous agent designs the data process in such a way that human flourishing, equality and individual freedom are promoted.
PRIVACY AS VIRTUE
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Moving Beyond the Individual
in the Age of Big Data

ACADEMISCH PROEFSCHRIFT

ter verkrijging van de graad van doctor
aan de Universiteit van Amsterdam
op gezag van de Rector Magnificus
prof. dr. ir. K.I.J. Maex
ten overstaan van een door het College voor Promoties
ingestelde commissie,
in het openbaar te verdedigen in de Agnietenkapel
op vrijdag 30 juni 2017, te 10.00 uur

door Bart van der Sloot
geboren te Nijmegen
Promotiecommissie:
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Promotor: prof. dr. B. Roessler, Universiteit van Amsterdam
Copromotor: Prof. dr. N. Helberger, Universiteit van Amsterdam

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Faculteit der Rechtsgeleerdheid
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