



The Church of Scotland

Church and Society Council

Surveillance and Social Justice – May 2017

Section 9. Convenience and privacy

9.1 Another paradox lies in the need to balance convenience and privacy. Datafication eases life, yet it reshapes our idea of privacy. Data protection and regulatory regimes attempt to balance these potentially competing desires.

9.2 Tailored financial services, ease of online shopping, recommendations for similar purchases and cashless travel cards all rely on data-gathering and processing. These conveniences depend on our willingness to share (or surrender) personal data. At the same time we are concerned about 'identity theft', illegitimate sharing of data between companies, and intrusion by state intelligence services.¹

9.3 The mantra 'I have nothing to hide so have nothing to fear' is widespread but mistaken. It wrongly assumes that privacy is simply about secrecy, and that secrecy is only about hiding bad things. However, aggregating personal data might, for example, disclose that someone searching online for wigs and books about cancer is undergoing chemotherapy. This should be a matter in which they have the right to privacy.

9.4 At another level, governments gain considerable power over citizens (and non-citizens) by processing vast amounts of personal data. Currently governments may have honourable intentions; future governments may not. Discrimination in the future could be made systematic through data given today in good faith. It is 'the accretion of a slow series of relatively minor acts' that threaten privacy.² Given that we can become acclimatised to surveillance by accepting it in many rather inconsequential areas of life, we might well condone it unthinkingly in more significant domains.³ As the German Constitutional Court noted, surveillance changes the way people behave. If you feel controlled you behave differently and this endangers your participation.⁴

9.5 The opportunities and challenges of contemporary surveillance are immense. Finding and developing theological and biblical resources by which to engage critically with it is a vital task.

[See the full report](#)

¹ Something of the extent of state data-collecting was exposed by Edward Snowden, see Glenn Greenwald, *No Place to Hide: Edward Snowden, the NSA, and the U.S. Surveillance State* (New York: Picador, 2014).

² Daniel J. Solove, *Nothing to Hide: The False Tradeoff Between Privacy and Security* (New Haven & London: Yale University Press, 2011), p. 30.

³ This is what is called 'liquid surveillance', see Zygmunt Bauman and David Lyon, *Liquid Surveillance: A Conversation* (Cambridge: Polity Press, 2013).

⁴ BVerfG, Judgment of 15 December 1983 - Cases 1 BvR 209, 269, 362, 420, 440, 484/83 (Volkszählungsurteil/Microcensus case)