

ZeMKI-Online-Forschungskolloquium

ZeMKI *Online* Research Seminar

Linzer Str. 4, Room 60.070, 28359 Bremen, DE

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Problems in protections for the working data subject

Abstract:

Progress has been predicted by privacy activists for people who are also known as 'data subjects' by the General Data Protection Regulation (GDPR) because we, as data subjects, technically have more rights to access and control data about ourselves. Indeed, the GDPR advances previous data and privacy protections significantly. However, there are several missing aspects in the debates about the emancipatory potentials of data sharing and ownership, which must be counterweighted with questions of privacy and data protection. I argue in this paper that there is not enough clear discussion *about* the data subject herself in intrinsic, ontological ways not only in recent regulation but in the every lives of (deep) mediatisation and digitalisation. The GDPR's formal definition of the data subject about whom this regulation oscillates, refers to an 'identifiable natural person', but digging deeper leads us to see that the subject is referenced against two very different 'selves': one, a consumer; and two, a worker. In this paper I argue that these two identifiers cannot be conflated, given the extensive risks and even perhaps opposite social positions that workers and consumers possess. Personal and privacy protections relating to how data is gathered, processed, used, and stored should be carried out by data protection officers (DPOs), but these lines of communication about data usage occur inherently with different possible outcomes, risks, vulnerabilities, power relations and materialities with relation to a 'consumer' mode; or when someone is 'at work'. *Data construction* of subjects, subjectification and subjectivation must be interrogated and problematised and the question specifically asked: what happens to our subjectivities when data is used to formulate and portray specific profiles and portrayals of data subjects via profiling and other means? Is this a process of subject, or rather, object formation? Who are we 'becoming'? Importantly, who now has the right to 'enunciation', or the right to formate the self, the right to subjectivity?

Bio:

Phoebe V. Moore is Associate Professor for Political Economy and Technology at the School of Business of the University of Leicester, United Kingdom. She has been writing about work and worker struggle since 1997 when she lived in South Korea during the East Asian economic crisis, and her research highlights specific pressures workers face in contemporary and historical context. Her current research looks at the impact of technology on work from a critical perspective, looking at quantification through wearable tracking and algorithmic decision-making as a set of management techniques where control and resistance emerge as well as new risks of psychosocial and physical violence (2015, 2016, 2017, 2018). Her previous work looked at the role of trade unions in international development and poverty policy in relation to International Labour Organization's multilateral relationships (2014); subjectivity and the radical potentials of non-proprietary peer to peer production linking workers across virtual spaces (2009, 2011); and the globalization of worker education from a neo-Gramscian perspective where hegemony is not yet solidified, evidenced through consistent worker uprisings internationally (2005, 2006, 2007).