

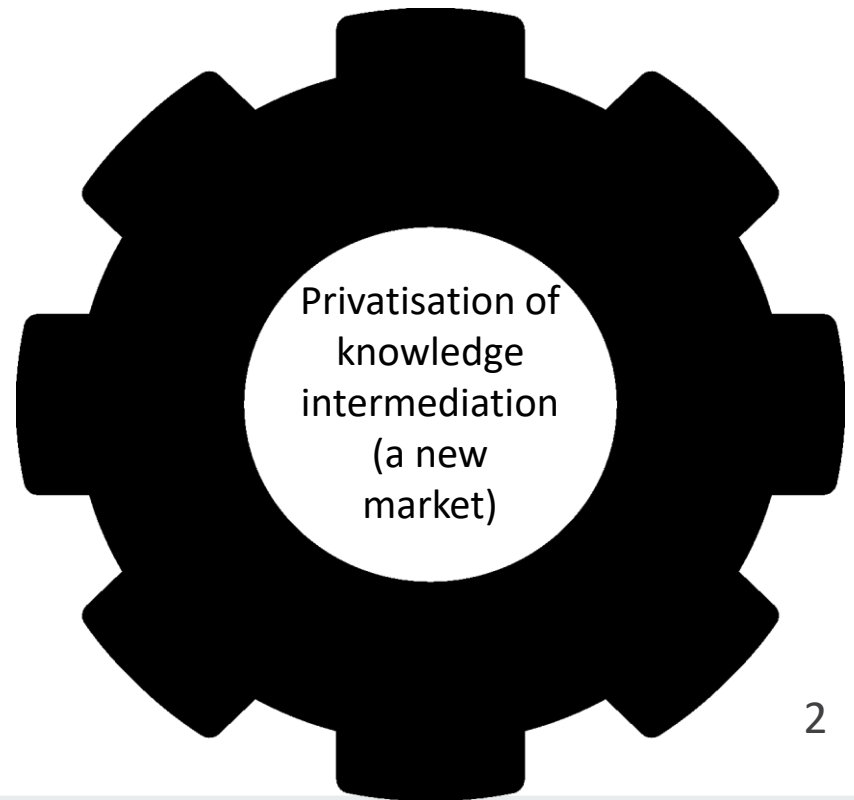
Digital rentiership in higher education: the future of personal data governance

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Provocation

New wave of privatisation of universities:



Today's focus: personal data

- Provocation
- Spark the debate
- Share some preliminary insights from the UU* project on potential trends

Edtech in HE

- HE broadly conceived (all post-secondary LLL knowledge production, dissemination, use and governance)
- Digital products and services supporting teaching and learning, research and all other processes
 - at the individual or institutional level
 - and management of these processes
- Might be about new markets (for example, using internet and digital infrastructure to reach more students)
- Might be about supporting or changing pre-existing practices (for example, using a virtual learning environment for a study programme in a traditional setting)
- Might include data-rich solutions (operations such as AI, ML, various analytics, etc.) or not
- The form of digital platforms (as socio-technical intermediaries)

Overview of UU databases*

- Edtech company database:
 - 2,012 companies
- Edtech investor database:
 - 1,120 investors
- Edtech investment deals database:
 - 1,962 investment deals, which include 827 companies

Service model

- B2B (for example, a virtual learning environment)
- B2C (for example, platforms targeting individuals)
- B2B2C (for example, MOOCs or OPMs)
- B2C2C (for example, skills and knowledge sharing platforms)

Investment deals based on service models (money raised)

- About half of money raised: B2B
- About a third of money raised: B2C
- About a quarter of money raised: B2C2C
- About a quarter of money raised: B2B2C

What does this all mean?

- Fees (economic rent)
- User data (data rent)
 - personal data, **but also**
 - non-identifiable and de-identified data

New governance models: assets, rent and contracts

EXAMPLES

Rentiership is a strategy to pursue assets

Rentier = the one owning and controlling an asset

Google as a rentier

Assets are resources from which future economic benefits are expected

Assetisation = creating assets (including techno-legal-financial aspects)

Digital platforms and user personal data as assets

Fee (economic rent) is paid to the asset owner for access to or the use of assets

There are different kinds of economic rent (e.g. monopoly, differential, scarcity and other rents)

App subscription fee as economic rent

Assets

- Many forms and types
- Tangible and intangible
- IAS, Standard 38:

“Intangible asset: an **identifiable** non-monetary asset without physical substance. An asset is a resource that is **controlled by the entity** as a result of past events (for example, purchase or self-creation) and from which **future economic benefits** (inflows of cash or other assets) are expected”

- Value is realised in the form of rent
- **Digital assets of interest: platforms and data**

Sources:

Deloitte. (2019). IAS 38 - Intangible Assets. Retrieved August 19, 2019, from <https://www.iasplus.com/en/standards/ias/ias38>

Digital data rentiership

- Generation of digital data (zero marginal costs of reproduction, non-rivalry in consumption)
- Digital data made valuable in different ways, but when aggregated and analysed
- Data rentiership = ‘the pursuit of innovation strategies designed to capture or extract value through ownership and control of data as an asset’ (Birch et al, 2020)
- Raw data is not rivalrous, but ‘**the processed data and the algorithms that** allow data controllers to extract predictive value from them, are rivalrous’ (Pistor 2020, 108)

References:

- Birch, K., Chiappetta, M., & Artyushina, A. (2020). The problem of innovation in technoscientific capitalism: data rentiership and the policy implications of turning personal digital data into a private asset. *Policy Studies*. <https://doi.org/10.1080/01442872.2020.1748264>
- Pistor, Katharina. 2020. “Rule by Data: The End of Markets?” *Law and Contemporary Problems* 83 (2): 101–24.

Data rich operations in HE

- What are these data-rich solutions and what do they make us do
- Automation, prediction, behavioural nudging, etc. (for example, Williamson, Selwyn, Waters)
- Mostly proprietary platforms (digital backbone!)
- Student and staff generated data (including not ‘personal data’) without knowledge/awareness or possible intervention

European universities' use and plans on data-rich solutions

Digital technologies

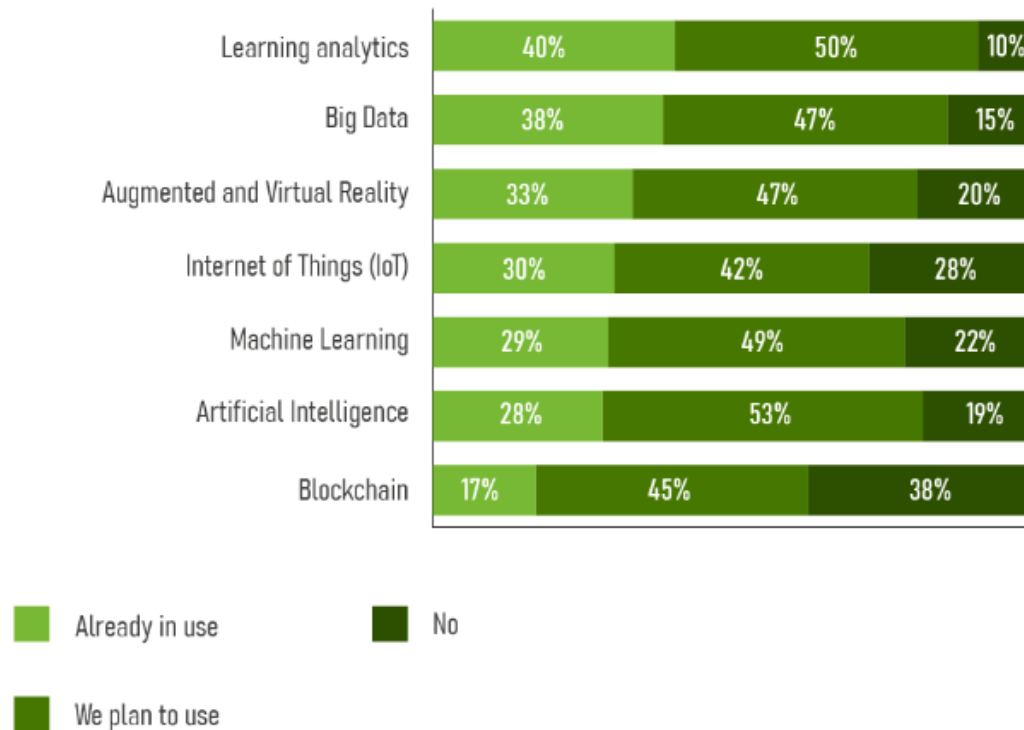


Figure 18 Q39: Which of the following technologies do you see as a development priority for your institution? (please select one option for each item) n= 340

User data and data-rich solutions

- Propertarian view
- Dignitarian view
- Need for democratic discussion – relational governance (Viljoen)
- Locus of control –
 - Population wide practice: even if a particular data point is de-identified or non-identifiable, it is used at the aggregated level for analyses, prediction, behavioural nudging etc.
 - Hence, data privacy does not allow for a discussion of how data is used in a more meaningful way
- “Rather than proposing individual rights of payment or exit, **data governance should be envisioned as a project of collective democratic obligation** that seeks to secure those of representation instead”*

References:

Viljoen, S. (2020). Democratic data: a relational theory for data governance. Yale Law Journal.

* Viljoen: <https://phenomenalworld.org/analysis/data-as-property>

Thank you for your attention.

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