Translation of the debate article published in the Swedish newspaper Svenska Dagbladet 19 April 2014: "Övervakning tär på medborgarnas tillit".

Surveillance a drain on citizens' trust

Tolerance for security related surveillance among citizens is limited. For example, 55 per cent of Swedes do not find it acceptable for FRA to gather and process data on Internet habits, researchers from Lund University conclude.

On the 8th of April, we read that the European Court had decided to follow the Advocate General's suggested route and annul the data retention directive implemented by all member states in recent years. The directive dealt largely with imposing requirements on Internet service providers to store massive amounts of data from phone conversations, text messages, e-mails, Internet connections and mobile positions for 6-24 months, with the stated intent to fight serious crime.

In the following days, one could observe political positioning in issues concerning data retention and integrity and we heartily welcome these issues being brought forth in current public debate as well as within party politics. Issues of trust and integrity in a digital context are of such importance to our society that they must be afforded a distinct place in both public awareness and in political deliberations. The issue of integrity can, of course, be observed in conjunction with the issue of the FRA and may also be linked to Edward Snowden's revelations concerning the American security agency NSA, since these are significant jigsaw pieces in how we shape our digital society.

How, then, does the average citizen feel about the state's and the authorities' gathering of information in this digital society? How much trust and confidence do we have in authorities, both Swedish and foreign, managing such information in an acceptable and appropriate manner? These questions have been central for us as a multidisciplinary research group at Lund University. Under the collective title Digitrust, we have met up for over one and a half years to study and analyze digital trust.

As a part of this project, in January we asked a representative sample of Sweden's population consisting of 1,100 respondents about their experiences and attitudes towards surveillance, among other things. Based in our survey data, we can clearly see that tolerance among citizens for these types of security related surveillance is limited. 55 per cent of Swedes

do not feel it is acceptable that the National Defence Radio Establishment (FRA) should collect and process data on Internet behaviors.

As shown in the study, what people primarily object to is the perfunctory, automatized gathering of user data. Swedes are somewhat less critical of surveillance initiated and conducted by the police (46 per cent), or the Swedish Security Service (47 per cent). Furthermore, surveillance is experienced as more legitimate when preceded by decisions made by public authorities, or at least the deliberations of official persons. Foreign security services that take an interest in Swedes' Internet traffic are perceived as least acceptable.

Roughly 80 per cent of Swedes feel it is not acceptable for other states' intelligence services (USA, Russia, Great Britain) to gather and process data on Internet behaviors of individuals.

The responses to this survey prompt questions that concern both democracy and trust. The questions concerning democracy are brought to the fore by the discrepancy between how surveillance is conducted today and the citizens' perception of under which conditions it is seen as legitimate.

Many Swedes evidently feel that Internet surveillance may be tolerated, but argue that the gathering and processing of data should not be conducted routinely. Decisions on surveillance should, instead, be subject to authorities (or, even more preferably, following on "judicial review") and – in extension – be open to both transparency as well as criticism.

Such attitudes held by citizens have undeniably encountered difficulties in making an impact. Prior to the EU decision, they were neither visible in political debate on the matter, nor in the application of the legislation. Neither has the government-appointed Digital Commission produced anything more substantial than a proposal that children should be educated in "how integrity works and can be protected on the Internet" (SOU 2014:13).

As far as trust is concerned, we note in our survey that both the courts and the body of authorities in Sweden own a relatively large confidence capital. However, one should not presume that this is permanently unchangeable. Trust and confidence can be corrupted and ruined. Trust must continuously be safeguarded, and much in our society is dependent on it. Trust in the respect for the individual's integrity is central to citizens in relation to the state and authorities, and thereby also to issues concerning the role of law and the courts. Trust is also central to the economic system, to the service sector and the banks, as well as to the role

of the media and the dissemination of knowledge. These are key values of society which must be safeguarded, digital society included.

Integrity is not about citizens having no skeletons in their closet and therefore nothing to fear from transparency. It is about not having to tolerate dirty fingers rummaging around in our linen. Lack of respect for integrity – both from public as well as private actors – harms our trust dependent society. And the question is important, since it largely will come to define tomorrow's digital world.

The key issues, here, concern how we are regulated and measured in the digital world, and under what conditions, and thus need to be regarded as issues of democracy. One might, somewhat loftily, claim that trust is fundamental to societal constructions, whether digital or otherwise. For digital surveillance is a powerful tool – for better or worse. It must be subject to political debate and placed under democratic control for it to deserve, in the long run, the trust of the citizens.

STEFAN LARSSON

PhD in Sociology of Law

TOBIAS OLSSON

Professor of Media and Communication Studies

CALLE ROSENGREN

PhD in Industrial Work Science

PER RUNESON

Professor in Software Engineering

Digitrust is a multidisciplinary research project funded by the Pufendorf Institute at Lund University that consists of 10 researchers from 5 faculties. Digitrust is headed by Per Runeson, professor in software engineering, and Stefan Larsson, PhD in sociology of law and head of Lund University Internet Institute (LUii): http://digitalsociety.se