

## DATA-DRIVEN PERSONALISATION IN MARKETS, POLITICS AND LAW

The most fascinating and profitable subject of predictive algorithms is the human actor. Analysing big data through learning algorithms to predict and pre-empt individual decisions gives a powerful tool to corporations, political parties and the state. Algorithmic analysis of digital footprints, as an omnipresent form of surveillance, has already been used in diverse contexts: behavioural advertising, personalised pricing, political micro-targeting, precision medicine, and predictive policing and prison sentencing. This volume brings together experts to offer philosophical, sociological, and legal perspectives on these personalised data practices. It explores common themes such as choice, personal autonomy, equality, privacy, and corporate and governmental efficiency against the normative frameworks of the market, democracy and the rule of law. By offering these insights, this collection on data-driven personalisation seeks to stimulate an interdisciplinary debate on one of the most pervasive, transformative, and insidious socio-technical developments of our time.

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# Data-Driven Personalisation in Markets, Politics and Law

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## Preface

It is almost certain that your life is awash in data-driven personalisation, which gathers your personal information and compares it to personal information gathered about others to provide tailored outputs and decisions. It's shifted your life in the past day, probably in the past hour, and – if you're reading this on a screen – perhaps in the past minute. It has tried to influence what you buy, what media you watch, who you vote for, how you spend your time, what you believe, who you want to be. In short, the very things that make you you.

Yet the omnipresence of data-driven personalisation does not mean it is easily perceived or controlled by those it influences. This personalisation is often implemented through machine learning algorithms that are subtly embedded into day-to-day life. The most familiar type may be the humble internet advertisement, which predicts, rather than just echoes, your latest interests and desires. But as this book shows, personalisation ranges far wider than that, shaping interactions with private and public parties, with both a predictable influence in domains of technological innovation (think Facebook and Uber) as well as surprising infiltrations into domains as old as human society itself (think politics, medicine and law enforcement).

This collection of articles examines data-driven personalisation in all its hopeful potentials and insidious dangers. In its critiques, this collection emphasises diversity of perspective – while it is unified by an interest in law and governance, its focus is on the parallels and themes that cut across topics, private and public, personal and systemic, philosophical and practical. Methodologically it emphasises interdisciplinary analysis and draws from disciplines as diverse as philosophy, economics, penology, systems theory, survey methods and medical ethics.

In light of the disruptive potential of personalisation, for good or ill, we hope you are able to gain three benefits from this book. Firstly, we hope it provides a better sense of what personalisation is, how predictive analytics works and how it is profoundly changing society, and often not for the better. Secondly, we hope you

have the chance to see how it operates in specific contexts, or has particular ramifications. And finally – leaning on the last word of the title of this volume, *law* – we hope you come to see how you can, both as a person and as a participant in a number of communities, work to discipline and shape personalisation.

This book can be approached in any number of ways. It has been arranged to form a narrative that is coherent yet retains the individual voices of the authors, and reading it straight through will provide a diverse set of perspectives on personalisation, guided by an introduction and conclusion that seek to tie together the topics at hand. To this end, the chapters are grouped into parts. The first part looks at the general principles and themes of personalisation, serving not merely as an introduction but as a critical context. The second looks at different key themes and methodological approaches to personalisation. The third part consists of topic-specific chapters, emphasising applications to particular domains and problems. The fourth part offers critical and reflective perspectives on personalisation, with a focus on critical broad-view consideration. Yet the chapters are also sufficiently independent, offering readers the possibility to go for specific topics of interest. Your reasons for reading this book will change how you approach it. We would only note that it is meant to accommodate being read both as a single volume and as a collection of contributions.

This book had its genesis in a conference held at the University of Southampton in June 2019. The conference was arranged by Professor Uta Kohl, Professor James Davey and Dr Jacob Eisler and was generously supported by the University of Southampton Faculty of Social Sciences and Southampton Law School. For support of both the conference and this edited volume, we would like to thank Professor Brenda Hannigan, Professor David Gurnham, Professor Nina Jorgensen and Clare Old in particular.

We would also like to take this chance to extend our thanks to Matthew Gallaway, our editor at Cambridge University Press, who has proven both his patience and his expertise during the process of writing this volume. We would also like to thank Julie Duran-Gelléri for providing prompt, thoughtful and extraordinarily attentive editing.