

PRIVACY AS PUBLIC GOOD: ADDRESSING THE COMMON INTEREST IN DATA PROTECTION

Haekal AL ASYARI*

ABSTRACT: *It is well accepted that all aspects of society has been affected by digitization. Issues of privacy and data protection has exceeded individual interests and constitutes major challenges in recent times. Due to the complex interrelations between state, businesses, and citizens, data protection has become a shared concern and responsibility. The protection of personal data that competes with collective interests of the society warrants a public good dilemma. Based on the study of Fairfield and Engel who has established privacy as a public good, this study will dwell on the further inquiry in the context of legal policy of data protection as a public good. It will discuss in more details on the concept of personal data protection laws between the public and private sphere. Using a normative methodology based on existing literatures, this article re-elaborates the understanding of privacy as public good. It explains further on the common interest shared in privacy and provides contextual example of data protection policy in the European Union. Lastly, it discusses the interrelations between actors of data protection and the shared interests between them.*

KEYWORDS: *privacy, public good, common interest, data protection,*

JEL CODE: *K24*

* Doctoral Candidate, Géza Marton Doctorol School of Legal Studies, University of Debrecen. Lecturer, International Law Department, Faculty of Law, Universitas Gadjah Mada.