

Personlig integritet som informationspolitik

Debatt och diskussion i samband med
tillkomsten av Datalag (1973:289)

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The dissertation explores the field of information policy in a historic setting in Sweden, namely the early 1970s. At the time the question of privacy in relation to databanks, data systems and personal records was intensively discussed in all public media, starting in the fall of 1970 when a large-scale population census was carried out in Sweden. The political discussions and public debate resulted in the first Swedish data protection law, Datalag (1973:289), and was counted as one of the first of this type of national legislation in the world. The focus of the empirical study lies in the analysis of the lines of arguments, political reasoning and debates concerning privacy, data protection, information and technology in documents such as official reports, committee reports, proposals and parliamentary records and publications that were produced in the policy process preceding the new legislation. The public debate itself is investigated through the editorials and reports in the daily press of the time.

A combination of discourse analysis and agenda-setting theory, as it is presented and used by the political scientist John W Kingdon, constitutes the theoretical framework of the thesis. The study is introduced with a discussion concerning discourse and language use in politics, and here Norman Faircloughs CDA, Critical Discourse Analysis, has been the main inspiration. Kingdon's agenda-setting model contributes with an interesting theoretical perspective on the social and political context of the discourses under study. The research questions also draw upon library and information science and theoretical work within the area of information policy, with issues concerning notions of information and technology, for example information as a public good versus private good in the market, and information as a free or restricted/protected resource.

The main findings of the study imply that the political discussion and debate on databanks and privacy were heavily influenced by a public-oriented discourse focusing mainly on governmental authorities' own use of information systems holding personal data. The new legislation, datalag (1973:289) could also be seen as a tool that sanctions governmental authorities' extensive use and dependence on new data technologies and automatic data-processing in building up the welfare state and the growing public sector. The discourse was also based on a mixed notion of the new technology, perceiving data technology mainly as the "big machine" which contains a vast amount of personal information. This, at a time when the technology itself was transforming rapidly from bulky machines to personal computers. The practical effects of this discourse could be seen, for example, in the serious underestimation of the overall use of automatic data-processing in society as a whole, the use of which the legislation was set to regulate.

When it comes to agenda-setting the public debate together with the activities of different actors in parliament had a major influence on the outcome of the work of the commission of inquiry that was set up. The public debate affected how the problem area of databanks and privacy was considered, but the commission formulated the actual legislation independently, without interference or adjustments by the social democratic government.

Keywords: information policy, privacy, personal data protection, data protection law, public debate, policymaking, agenda setting, discourses, history, Sweden, the 1970s