



## ORIGINAL PAPER

# On State-Society Relations: Findings in EU Legislation on Information Society, Human Determinants and Social Data using IRAC Method (2000-2019)

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### Abstract:

**Objectives:** This paper deals with important resources of state-society relations within European Union (EU) legal documentation launched in the last two decades: Directive 2001/29/EC (2001), Directive 2000/29/EC, Regulation (EU) 2019/1700 (2019), Regulation (EU) No 1260/2013 (2013) and Regulation (EC) No 763/2008 (2008).

**Methodology:** The study uses legal and conceptual analysis of the five mentioned documents EUR-Lex by exploring the different levels of the common legal provisions regarding information society, human determinants and social data using the IRAC method. **Results and discussion:** The results of the research exemplify that conceptual and policy issues discussed reveal a *triple* perspective: (1) the operational framework including data collection, information and communication within Regulation (EU) 2019/1700 related to: data sets and sources, data quality and transmission and access to information in accordance with the conceptual framework related to inner topics as categorized in Annex I of the mentioned Regulation: social, human and health indicators, citizens needs and living conditions, information society engagement; (2) the functional framework supporting other policy measures within Regulation (EU) No 1260/2013 linked to the interactions with demographic projections and socio-economic data; (3) conceptual issues enabled by the Regulation (EC) No 763/2008 including institutional (“building”, “housing” and “residence”) vs the individual perspective (“citizenship”, employment status, “family status”) and (4) the assessment of rights within the Directive 2001/29/EC and Directive 2000/29/EC. **Conclusions:** The focus of the state-society relations is illustrated by providing a multidimensional discussion on policy needs and measures launched for each selected document.

**Keywords:** *information, society, social data, population, human determinants, EU.*

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### **Introduction**

The present paper discusses the latest developments in the research of the state-society relations by proposing a new typology of knowledge for the information society, social data, human determinants and population statistics. Recent literature pointed out knowledge and governance's role to explore information society (Axford, Huggins, 2000: 173-206; Brennen, Kreiss, 2016) and social and knowledge organization (Clavier, Paganelli, 2022). Other studies focused issues related to national capabilities and policies (by reconfirming two research linkages: (i) the fundamental knowledge of the social and demographic data and variables by illustrating the dynamics of the individual engagement and "information production" and (ii) the comprehensive understanding of the social perception, human determinants and development of information society (Rusho, Raban, 72: 156-172); (iii) the interaction of "network societies" and the "social resilience" (Marshall, 2014: 190-206). The two approaches to information, society and data are theorized using the foundational perspective to the conceptual models of the information society and social data covering the social experience of two meaning units related to: (a) the "perceptions of information" and societal governance, here including "societal normalization effects" and "societal sensitivity effect" as defined by Lima, Barnett and Vala (2005: 1229-1239) and (b) the development theories and legal evidence of "information society" and "social data" based upon EU legislation and policy.

### **Materials and methods**

The study uses legal and conceptual analysis of the five mentioned documents on EUR-Lex by exploring the different levels of the common legal provisions regarding state-society relations and its multi-analytical framework: information society, social data, human determinants and population statistics. A mixed methodology framework is planned to explore two dimensions of research design: (1) a literature review identifying three main areas framing information society and linking information, communication, accessibility and resilience and (2) a structured legal analysis using the IRAC method based on: (a) Issue; (b) Rule; (c) Application; (d) Conclusion (Metzler, 2002-2003; Bittner, 1990: 227-230). The analysis demonstrated the multi-factorial patterns and linkages depending on governance, policy and social data using the IRAC method. Based on recent scientific developments and statements, the research findings are undertaken within the context of the social and historical literature of the last twenty years.

#### **(a) Issues and developments of "information society" and "social data" in from a historical perspective**

This section outlines the variety of differences within "information society" approaches, social relations and public perception (Boucas, 2017: 556-580). More recent advances express the "information-resilient society" processes and strategies, such as (i) information society management, governance and policies (Sellers, Kwak, 2011: 620-643; Olimid, Olimid, 2022: 88-97) and (ii) information and communication developments (An, Allen, Hofman, Freeburg, Islam, Khader, 2022: 539-543). Based on this context, the literature responses look at the dynamics of information and behavior operating in accordance to "health information", "social engagement" and "social networking" (Mukherjee, Bawden, 2012: 242-246; Olimid, Olimid, 2022: 122-131). In addition, Henkel (2015: 1-10) uses a multi-method approach aimed to approach key

competencies, multi-faced resources and information society as Brannon et al. (2022: 548-550) assess the relevance of information and the reliability of information-resilient society. Other debates demonstrate the constructive interaction between information, community environment, identity and cultural contexts (Pozzi, Dalbello, 2005). Further research development is provided by advancing the models for evolution societies by recognizing the interdependence of communities, societies, social values and cultural heritage (Farah, Tremolada, 2015). Other recent approaches provide a long-term perspective of the dialogical approach to social and political engagement (Nemer, Tsikerdekis, 2017). In particular, the current study reflects the increasing diversity of legislative provisions on information society and social data by scaling up the effective usage of related concepts in EU legislation in the period 2000-2019.

**(b) Rule and social developments**

The conceptual analysis is focusing on three outlines relevant to state-society relations:

- (a) the function of the information society and related concepts: health information, resilient society and social engagement (Pearce, Platten, 2000: 363-378).;
- (b) the social meanings of data accessibility and human determinants;
- (c) the legal context of the “information society”, “social data”, “population statistics” according to Directive 2001/29/EC (2001), Directive 2000/29/EC, Regulation (EU) 2019/1700, Regulation (EU) No 1260/2013, Regulation (EC) No 763/2008 (see Figure 1. Conceptual Approaches in EU Legislation on Information Society and Social Data (2000-2019)).

The findings of the research answer to three main questions:

- (a) What type of legal provisions are addressed for “information society”?
- (b) What are the priorities at the EU and national levels?
- (c) How the state-society relation evolves to facilitate the approach to “information society” and “social data”?

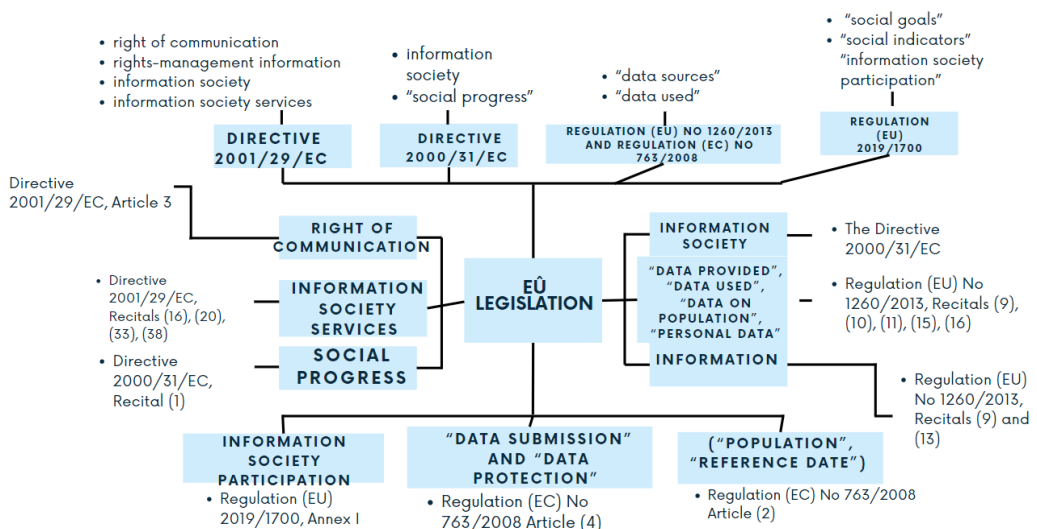


Figure 1. Conceptual Approaches in EU Legislation on Information Society and Social Data (2000-2019)

Source: Authors' own compilation

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### **(c) Application and discussions**

#### **(c.1.) Directive 2001/29/EC (2001): general issues on “information society” and right of communication**

Directive 2001/29/EC (2001) includes two main legal provisions of the “information society”: (1) right of communication [Directive 2001/29/EC, Article 3]; (2) “rights-management information” [Directive 2001/29/EC, Chapter III] as other two key cross-sectoral indicators of the societal development are prioritized: societal development and cultural patterns [Directive 2001/29/EC, Chapter III]. Moreover, two main addresses to “information society” and “information society services” are highlighted to increase coordination and harmonization of the EU provisions of “copyrights and related rights” at EU level.

More broadly, it outlines two types of pathways: (i) the development of technological measures and the compliance with the EU regulatory framework [Directive 2001/29/EC, Recitals (3), (4), (6), (9), (16)]; (ii) the support to the communication framework to the public [Directive 2001/29/EC, Recitals (23), (27), (32), (56)]. Directive 2001/29/EC (2001) recommends the establishment of measures by implementing appropriate principles and guarantees for the information society services [Directive 2001/29/EC, Recitals (16), (20), (33), (38)].

#### **(c.2.) Directive 2000/31/EC (2000): one-phase representation of “information society” and “social progress”**

Directive 2000/31/EC (2000) also focuses on target determinants that seek to combine the social function with a multi-phase approach around the “social progress” [Directive 2000/31/EC, Recital (1)], social implications and social goals [Directive 2000/31/EC, Recital (63)].

For assessment of the conceptual framework for the “information society”, Directive 2000/31/EC (2000) often refers to the network of topics and relationships regarding the exploration of the “information society”, the freedoms [Directive 2000/29/EC, Recital (1), (5), (9), (12), (22), (23), (24), (27), (46), (52)], and rights [Directive 2000/29/EC, Recital (21), (50), (56)].

Directive 2000/31/EC (2000) explores this relationship focusing on the potential values and functioning of the internal market and the establishment of services and requirements for the information society services and commercial communication. These provide cooperation between Member States and valuable principles and social insights designed for the information society services regarding the principles of proportionality [Directive 2000/31/EC, Recital (10)], freedom of expression [Directive 2000/31/EC, Recital (9)] and the protection of personal data [Directive 2000/29/EC, Recital (14)].

In essence, Directive 2000/29/EC proposes a two-stage approach to “information society”. The first stage identifies the link between Community legal provisions and the social and economic activities aggregating these features to relevant attributes of “communication network” and “commercial communication” [Directive 2000/29/EC, Recital (18), (29), (30), (31)]. The second stage profiles the particular trends of the internal market monitoring additional information about national provisions, conditions, public policies and principles [Directive 2000/29/EC, Chapter II].

**(c.3.) Regulation (EU) No 1260/2013 (2013): a two-phase approach to “data sources” and “data used”**

Regulation (EU) No 1260/2013 (2013) underlies the individual approach to EU demographic statistics and data. This assumption also requires the analysis process according to the consolidated text of Regulation (EC) No. 1059/2003 (2003) and the national legal provisions [Regulation (EU) No 1260/2013, Article 7]. The Regulation also impacts the area of “data provided”, “data used”, “data on population”, “metadata” and “personal data” [Regulation (EU) No 1260/2013, Recitals (9), (10), (11), (15), (16) and Article 3, Article 6 ].

Moreover, it introduces the concept of “data sources” by engaging policy indicators, “quality requirements” [Regulation (EU) No 1260/2013, Recital (8) and Article 9] and a network of statistical information provided by Member States [Regulation (EU) No 1260/2013, Article 9(4)]. By identifying the patterns of the quality requirements procedure, Regulation (EU) No 1260/2013 (2013) provides a more inclusive approach to the social and economic sectors [Regulation (EU) No 1260/2013 Recital (8)] and the territorial cohesion [Regulation (EU) No 1260/2013, Recital (4)]. Regulation (EU) No 1260/2013 also summarizes the evolving statistical information and demographic statistics, here including the opportunities for “social and territorial cohesion” [Regulation (EU) No 1260/2013, Recital (4)].

A further perspective of importance is the use of the concept of “information” [Regulation (EU) No 1260/2013, Recitals (9) and (13)]. In this context, The Regulation also considers the interaction across multi-level governance by integrating the main provisions and findings related to the European Commission (Eurostat) [Regulation (EU) No 1260/2013, Article 9(3)] and the Member States [Regulation (EU) No 1260/2013, Article 9(4)].

**(c.4.) Regulation (EU) 2019/1700: a three-phase approach to “social goals”, “social indicators” and “information society participation”**

These approaches are aimed to engage an input to EU and national social and demographic data [Regulation (EU) 2019/1700, Recitals (1), (2), (3), (4)]. The Regulation (EU) 2019/1700 (2019) prioritizes essential legal provisions to strengthen fundamental-based policies aimed to enhance “social goals”, “social indicators”, and “social aspects” [Regulation (EU) 2019/1700, Recitals (2) and (4)]. Moreover, the legal provisions framing the state-society relations call for institutional and statistical structures (e.g. public authorities, research infrastructure, civil society organizations, policymakers institutions) [Regulation (EU) 2019/1700, Recital (4)] and decision-making outcomes (e.g. topics and domains included in Annex I Regulation (EU) 2019/1700, here including data collection management and identification, citizenship and societal patterns, activity status, labour market engagement, education and working conditions, formal and non-formal activities, living and health data and social determinants).

Such findings also need to encompass the state-society relations by making use of the multiple approaches to “information society participation” [Regulation (EU) 2019/1700, Annex I]. Summarizing the key approaches and themes from the state-society relation, the research also sets the integrated resources and mechanisms of civil society engagement and participation [Regulation (EU) 2019/1700, Recitals (4), (6), (12), (13) and Article 3(4)(g)].

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Although very challenging and integrative, the concept of “information society” operates by assessing the specific responses to implementing processes related to (i) data and microdata in accordance with EU personal data legal provisions [Regulation (EU) 2019/1700, Article 13(5)] and (ii) statistical variables and social determinants provisions [Regulation (EU) 2019/1700, Article 13(5)].

### **(c.5.) Regulation (EC) No 763/2008 (2008): a four-phase approach to “data subject”, “data protection”, “data transmission” and “data covered”**

Regulation (EC) No 763/2008 (2008) details and exemplifies the social and statistical data for population and evolution of housing censuses [Regulation (EC) No 763/2008 Recital (1) and Recital (2)]. In particular, it examines topics of interest, namely: (i) “data subject”, “data sources”, “data provided” and “data used” [Regulation (EC) No 763/2008 Recital (3) and Recital (4)]; (ii) “statistical data” [Regulation (EC) No 763/2008 Recital (10)]; (iii) “data submission” and “data protection” [Regulation (EC) No 763/2008 Article (4)]; (iv) “data transmission” and “metadata” [Regulation (EC) No 763/2008 Article 5]; (v) “data covered” and “metadata” [Regulation (EC) No 763/2008 Article (6)].

Drawing on state-society relations, Regulation (EC) No 763/2008 includes a review of policy topics regarding new challenges and developments relevant for social inclusion and social cohesion [Regulation (EC) No 763/2008 Recital (2)]. In this perspective, the first example is with taking into account the understanding and definition of two concepts (“population”, “reference date”) [Regulation (EC) No 763/2008 Article (2)]. The second example is the implementation of a step-by-step framework for the “data sources” by mobilizing various resources as part of the EU measures and requirements cohesion [Regulation (EC) No 763/2008 Article (4)]. It also recognizes the basic framework of social data as target parameters for state-society relations.

### **Conclusions**

The current research describes the broader perspective of the state-society relation leading to a strong reference to information society and social data. With a joint contribution of statistical data and social determinants, the article addresses the importance of the social goals and social data.

From this assessment, the research focuses on the cause-effect relationship established between social inclusion and social cohesion. Nevertheless, the key areas of research (e.g. information society, population, social indicators and social determinants) are referred as target parameters for state-society relation.

### **Authors' Contributions:**

The authors contributed equally to this work.

### **References:**

An, L., Allen, J., Hofman, D., Freeburg, D., Islam, M.A., Khader, M. (2022), Knowledge Management in an Information-Resilient Society. *Proceedings of the Association for Information Science and Technology*, 59, 539-543. <https://doi.org/10.1002/pra2.621>

- Axford, B., Huggins, R. (2000). Towards a post-national polity: the emergence of the Network Society in Europe. *The Sociological Review*, 48, 173-206. <https://doi.org/10.1111/j.1467-954X.2000.tb03511.x>
- Bittner, M. (1990). The IRAC Method of Case Study Analysis. *The Social Studies*, 81:5, 227-230, DOI: 10.1080/00377996.1990.9957530
- Boucas, D. (2017). The state and the development of an information society: Greek policy and experience. *The British Journal of Sociology*, 68, 556-580. <https://doi.org/10.1111/1468-4446.12238>
- Brannon, B., Bossaler, J., Dickey, T.J., Hajibayova, L., Kohlburn, J., Oltmann, S.M., Smith, A.J.M. (2022). Banned, Challenged, Questioned, or Lost? Information Access and the Path to an Information-Resilient Society: ASIS&T Midwest Regional Chapter. *Proceedings of the Association for Information Science and Technology*, 59, 548-550. <https://doi.org/10.1002/pr2.623>.
- Brennen, J.S., Kreiss, D. (2016). Information Society. In *The International Encyclopedia of Communication Theory and Philosophy* (eds K.B. Jensen, E.W. Rothenbuhler, J.D. Pooley and R.T. Craig). <https://doi.org/10.1002/9781118766804.wbiect112>
- Clavier, V., Paganelli, C. (2022). Knowledge Organization and Studies of Information Practices: Contribution to the Characterization of Health Information. In *Information Practices and Knowledge in Health* (eds C. Paganelli and V. Clavier). <https://doi.org/10.1002/9781119902058.ch2>.
- Consolidated text: Regulation (EC) No 1059/2003 (2003) of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS). *OJ L 154* 21.6.2003, p. 1. Available online at: <https://eur-lex.europa.eu/eli/reg/2003/1059/2019-11-13>
- Consolidated text: Directive 2001/29/EC (2001) of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society. *OJ L 167*, 22.6.2001, p. 10–19. Available online at: <http://data.europa.eu/eli/dir/2001/29/oj>
- Directive 2000/31/EC (2000) of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'). *OJ L 178*, 17.7.2000, p. 1–16. Available online at: <https://eur-lex.europa.eu/eli/dir/2000/31/oj>
- Farah, P.D., Tremolada, R. (2015). Global Governance and Intangible Cultural Heritage in the Information Society. In *The Handbook of Global Science, Technology, and Innovation* (eds D. Archibugi and A. Filippetti). <https://doi.org/10.1002/9781118739044.ch22>
- Henkel, M. (2015). Educators of the information society: Information literacy instruction in public and academic libraries of Canada. *Proc. Assoc. Info. Sci. Tech.*, 52, 1-10. <https://doi.org/10.1002/pr2.2015.145052010036>
- Lima, M.L., Barnett, J., Vala, J. (2005). Risk Perception and Technological Development at a Societal Level. *Risk Analysis*, 25, 1229-1239. <https://doi.org/10.1111/j.1539-6924.2005.00664.x>
- Marshall, J.P. (2014). The social (dis)organisation of software: Failure and disorder in information society. *Aust J Anthropol*, 25, 190-206. <https://doi.org/10.1111/taja.12088>
- Metzler, J. (2002-2003). The importance of IRAC and legal writing. University of Detroit Mercy. *Law Review*, 80, 501-504.
- Mukherjee, A., Bawden, D. (2012). Health information seeking in the information society. *Health Info Libr J*, 29, 242-246. <https://doi.org/10.1111/j.1471-1842.2012.00997.x>

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- Nemer, D., Tsikerdekis, M. (2017). Political engagement and ICTs: Internet use in marginalized communities. *Journal of the Association for Information Science and Technology*, 68, 1539-1550. <https://doi.org/10.1002/asi.23779>
- Olimid, A. P., Olimid, D. A. (2022). Information and Practices on Resilience and Environmental Governance in the EU 8th EAP (2022): Assessment of Data Accesibility, Policy Development and Human Resources. *Revista de Științe Politice. Revue des Sciences Politiques*, 76, pp. 88 – 97. [https://cis01.ucv.ro/revistadestiintepolitice/files/numarul76\\_2022/7.pdf](https://cis01.ucv.ro/revistadestiintepolitice/files/numarul76_2022/7.pdf)
- Olimid, D.A., Olimid, A.P. (2022). Social Engagement-Environment Changes-Health Equity Linkages: A Literature Review of Human Determinants and Resilient Policies. *Revista de Științe Politice. Revue des Sciences Politiques*, 74, 122 – 131. [https://cis01.ucv.ro/revistadestiintepolitice/files/numarul74\\_2022/11.pdf](https://cis01.ucv.ro/revistadestiintepolitice/files/numarul74_2022/11.pdf).
- Pearce, G., Platten, N. (2000). Promoting the Information Society: The EU Directive on Electronic Commerce. *European Law Journal*, 6, 363-378. <https://doi.org/10.1111/1468-0386.00113>.
- Pozzi, E., Dalbello, M. (2005). Information science practice in a historical perspective: Preliminary findings of an oral history project. *Proc. Am. Soc. Info. Sci. Tech.*, 42. <https://doi.org/10.1002/meet.14504201272>
- Regulation (EC) No 763/2008 (2008) of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (Text with EEA relevance). *OJ L 218*, 13.8.2008, p. 14–20. Available online at: <http://data.europa.eu/eli/reg/2008/763/oj>
- Regulation (EU) No 1260/2013 (2013) of the European Parliament and of the Council of 20 November 2013 on European demographic statistics Text with EEA relevance. *OJ L 330*, 10.12.2013, p. 39–43. Available online at: <http://data.europa.eu/eli/reg/2013/1260/oj>
- Regulation (EU) 2019/1700 (2019) of the European Parliament and of the Council of 10 October 2019 establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples, amending Regulations (EC) No 808/2004, (EC) No 452/2008 and (EC) No 1338/2008 of the European. *OJ L 2611*, 14.10.2019, p. 1–32. Available online at: <http://data.europa.eu/eli/reg/2019/1700/oj>
- Rusho, Y, Raban, DR. Join the club? Peer effects on information value perception. *J Assoc Inf Sci Technol*. 2021; 72: 156– 172. Available online at: <https://doi.org/10.1002/asi.24396>

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