MUNI LAW Institute of Law and Technology

POSUDEK OPONENTA HABILITAČNÍ PRÁCE

zpracovaný dle § 72 zákona o vysokých školách

Uchazeč: PhDr. Vít Střítecký, M.Phil., Ph.D.

Téma habilitační práce: The Technology of Revision and Virtual Maps

Oponent: doc. JUDr. Radim Polčák, Ph.D.

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A. Academic profile of the Applicant

Apart the CV, I am modestly aware of past and current academic activities of the Applicant, including his publications, also from my own practice. To my knowledge, the Applicant is a respected academic and sought-after expert in national and international policy debates namely in areas related to security implications of disruptive technologies. His publications and projects, individual and collaborative, do meet and exceed, in my opinion, the requirements of these promotional proceedings and provide for solid evidence of the significance of his work for national and international academic and professional community. I do note that, given his academic profile, I would have imagined these proceedings taking place much earlier than now.

B. Teaching and other pedagogical activities

It is common to evaluate the pedagogical profile of applicants in this sort of promotional proceedings statistically, i.e. on the basis of months and years of teaching experience. In that sense, I state that the pedagogical profile of the Applicant is more than sufficient to meet the requirements of these proceedings. The Applicant is a proper academic and so teaching represented an integral part of his regular profession throughout all his career. In addition, I would like to stress that the Applicant has substantially contributed to the development of successful collaborative international programmes MISS and IMSISS. It is not entirely common that Czech schools would be overly successful with their international programmes, especially in highly competitive areas. It was, in my opinion, to a large extent thanks to the invention, dedication and overall hard work of the Applicant that the above programmes can now be a matter of pride of his faculty and university.

C. Current research

The most promising of the Applicant's current research is for me the field of advanced processing of data with the use of machine learning technologies. The applicant focuses here on societally relevant issues that can be tackled with creative data-driven policing. Going in this direction seems to me mostly smart. We currently have technologies that produce massive amounts of data and that mass is growing almost exponentially. We also have means and methods of processing of such data based on machine learning technologies that allow for unprecedented development of analyses and correlations in enormously wide range of applications. The Applicant in his latest research combines these assumptions with his knowledge and experience from security studies. That gives him the ability to identify relevant fields and issues and to properly target the development of analytical and creative models of machine learning. It is also of note that the Applicant goes in recent years from a kind of 'softer' research to more 'hardcore' science including data science and mathematical modelling. That, yet being quite demanding and hard, fully corresponds with current trends in social sciences and, most of all, with emerging societal needs.

D. The thesis – conceptual framework

I have to admit that it took me a while to identify and properly understand the core concept of the thesis. That, however, was not because of any defect in the thesis as such, but rather due to the fact that my background is law, and I was used to slightly different language and structural forms. It was then all good when I found out what 'revisions' are meant for and that maps are about comprehension, organisation and directions (which might not seem surprising, but it could be, for a humble lawyer). The only confusion regarding the concept of the thesis that stayed with me is related to the role of the human (and human will) in the process of revisions and their analytical coverage. In law, we try to tackle disruptions, i.e. when something brings societal changes in a different timeframe compared to regular societal evolution. The

law tries, on the one end, to identify and prevent the appearance of harmful human-made disruptions, and on the other end to develop measures to tackle harmful effects of all sorts of disruptions. Disruption can be brought by a war, some natural disaster or a new technology and can serve as a basis for rapid revision. The thesis analyses various disruptive situations, incl. the emergence of the tech giants or the current pandemic and demonstrates how machine learning can help us to map them and tackle the risk of subsequent harmful revisions.

In that sense, my slight confusion is related to the question as to how the map can be actually practically useful in the efforts of the state to keep the society organised despite of revisionist pressures. I understand that a map that, as the thesis suggests, can be put together using machine learning methods, can give us a picture of the situation and help us understand the problem, but I failed to identify whether and how evident can be on such map the human will which is absolutely central for any regulatory efforts.

In conclusion, my only conceptual point is very humble and pragmatic. I very much like the parallel between the medieval maps and current need for mapping of revisionist developments that have harmful potential. In the same way as rulers used maps in the past to navigate their policies, we are in desperate need of a map for navigation when harmful revisionist efforts are now boosted by a multitude of highly disruptive events. I fully agree that machine learning technologies are the (or THE) way for us to map here what we need. I am just a bit concerned whether a map made according to the model elaborated by the thesis can be directly used by the state for drawing a safe navigation path that, for me, means making laws or other regulatory instruments that target particular behaviour of people. My point here is that the map might show the problem of media referring, in specific circumstances, about Vladimir Vladimirovich excavating ancient amphorae from the Black Sea, but it does not provide for an obvious navigation path as to what law or public policy should do about it. Having said that, I do note that the thesis is not here to cater the taste of lawyers or law enforcement.

E. The thesis – a note on cyberwarfare

As each of the chosen major security issues had only a limited space, they inevitably had to be presented in a bit schematic manner. That is not problematic when taking into account that the thesis is not about these issues as such but rather about their role in revisionist schemes and their subsequent coverage on respective maps. However, I think that specifically the issue of cybersecurity and cyberwarfare might have been given a bit more attention.

In particular, I see slight logical mismatch between the pragmatic (and proper) note of growing importance of big tech and the presentation of the relevance of cybersecurity threats primarily on the background of state actors in the context of international politics. State actors do play a role here, but there is significant difference between rhetorical (political) and actual dimension of their activities. Personally, I do not think that defining cyberspace as a new domain for military operations brought instantly any other than rhetoric consequences. Most significant cyber-operations are still difficult to be assessed and analysed from the viewpoint of military doctrines or public international law due to a lack of evidence of their 'military' nature. Actually, the only major cyber-attack that is being somewhat seriously assessed as a possible act of war is the ransomware incident at Mondelēz – and even in this case, it is only a local civil court in Switzerland deciding as to whether the incident falls under the conditions of an insurance contract (i.e. the answer whether the damage is resulting from an act of war is important here not for any military doctrine or international politics but rather for the question of insurance coverage).

Another example of the problem of, in my view, exaggerated importance of rhetoric exercises around the cyber-domain, might be found in the mere military doctrines some of which are reflected in cited

literature. These doctrines mostly contain provisions that, on the one hand, boldly declare the willingness of the respective nation to defend its cyber-sovereignty against any intrusions and by any means, while claiming, on the other hand, that no offensive activities of respective nation should be regarded by others as a use of force. To complete that picture of the 'military domain', we might note that none of these doctrines has even been either used or publicly scrutinised (which is what they should be made for). At the same time, actual cyber-operations happen on a daily basis and in relatively massive scale, and this all just happens quite outside the rhetoric space framed by the declarations of military domains etc.

F. Overall evaluation – form

The thesis has a clear structure and understandable language. References are made properly and diligently. For what I am used to in my field, the range is rather on the shorter side – it definitely is not a titanic work that we sometimes see in legal sciences. However, if a shorter thesis has merits (which this one does), it is way better than if we had here a 500+ pages work with no content (and I know well that these works also do exist).

G. Overall evaluation – content

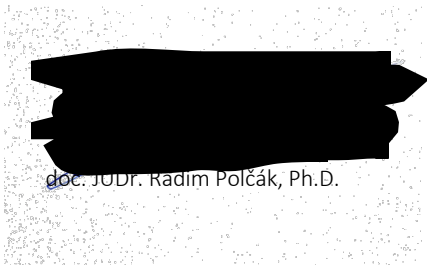
As the law makes me obliged not to write a 'review' but rather an 'opponent statement,' I focused here mostly on issues that I would criticise. In any case, I think the content overall is of high quality and does meet the requirements of the law for this kind of thesis. It is state-of-the-art, does have merits, proves that the Applicant developed a comprehensive understanding of the respective issues and that it reflects contemporary academic discourse. In addition, I really liked that the thesis elaborates on a highly abstract and mostly inspiring teleological concept of mapping. In that context, I think we have here an inventive work that takes us from a handwritten political map to a societal GPS.

H. Complimentary clauses

I hereby confirm that FSV UK checked the originality of the habilitation thesis Technology of Revision and Virtual Maps by PhDr. Vít Střítecký, M. Phil., Ph.D. The inspection using the Turnitin system did not identify any ethically controversial way of dealing with the texts of other authors or applicant's older texts.
The submitted habilitation thesis is original and, to the best of my knowledge and belief, does not, in an ethically unacceptable manner, draw from the works of other authors or older works of the applicant, and lists all sources in the usual way and can be recommended towards Dr. Stritecky's overall application to be transferred to the rank of Docent (Doc.)

For all above reasons, **I recommend the thesis for defence** without reservations.

Brno, 16 April 2021



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