

Privacy

An Overview

What is privacy?

- “the right to be let alone.” - Louis Brandeis
- “a measure of the access others have to you through information, attention, and physical proximity.”
- Ruth Gavison
- “the claim of individuals, groups, or institutions to determine for themselves when, how, and to what extent information about them is communicated to others.” - Alan Westin
- “rooted in context.” - Helen Nissenbaum
- “a process by which people seek to have control over a social situation by managing impressions, information flows, and context.” - danah boyd

Definitions

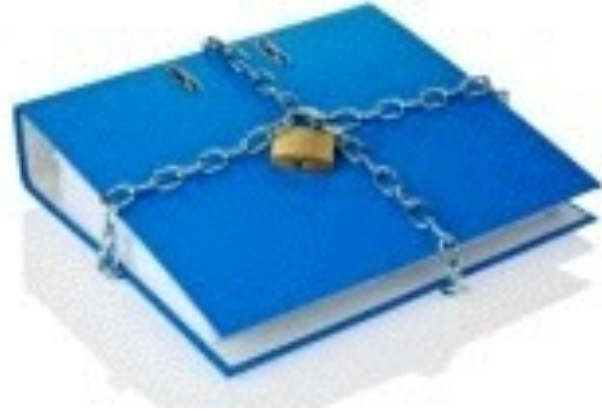
- the right to be let alone
- privacy vs. confidentiality
- privacy vs. anonymity
- privacy under threat



Privacy is about people



Confidentiality is about data



Anonymity

- Pseudonymity
- De-links behavior from identity
- Why?
 - safety of self and others
 - keep public and private spheres distinct

Man is **least** himself
when he talks in his own person.

Give him a **mask**,
and he will tell you the truth.

-Oscar Wilde



Perceived Threats to Privacy

- Context collapse
- Identity theft
- Unwanted solicitation
- Government surveillance
- “the right to be forgotten”
- Stalking/harassment
- Financial discrimination



Key moments in privacy history

- 1782: Congress writes the confidentiality of the mail into law
- mid-19th century: the Census becomes more and more detailed
- invention of the adhesive envelope
- Western Union telegraph monopoly
- the penny press
- ... which leads to Warren & Brandeis's 1890 Harvard Law Review article

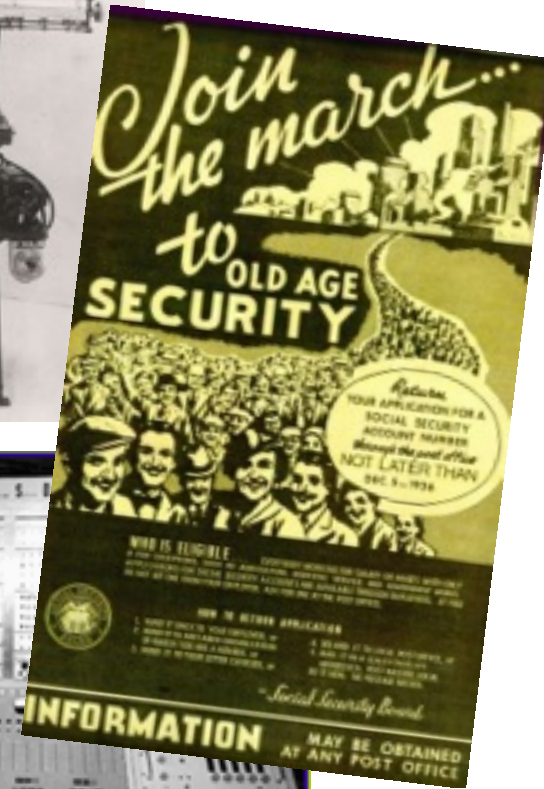


Key moments in privacy history

1890: Bureau of the Census starts using counting machines

1936: Social Security numbers are created

1972-74: Watergate



Key moments in privacy history

- 1980s Privacy in the bedroom
- 1990s Spam and telemarketing



Privacy and reproductive rights

- Comstock Laws (1873)
- U.S. vs. One Package of Japanese Pessaries (1936)
- Griswold vs. Connecticut (1965)
- Eisenstadt vs. Baird (1972)
- Roe vs. Wade (1973)

... whither Hobby Lobby?



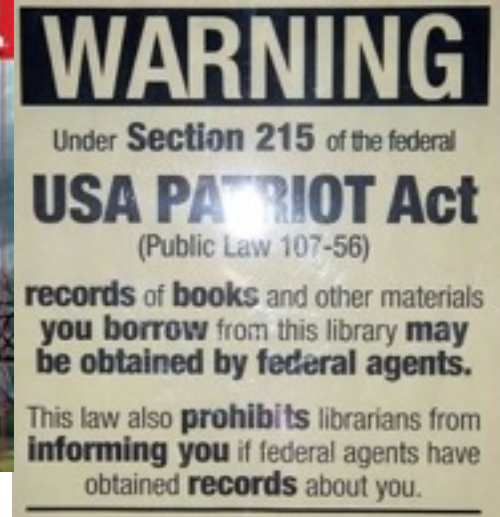
Privacy & the law

- Family Educational Rights and Privacy Act - 1974
- Right to Financial Privacy Act - 1978
- Cable Communications Policy Act - 1984
- Computer Matching and Privacy Protection Act - 1988
- Employee Polygraph Protection Act - 1988
- Video Privacy Protection Act - 1988
- Telemarketing Abuse Prevention Act - 1993, amended 2003
- Driver's Privacy Protection Act - 1994
- Health Insurance Portability and Accountability Act - 1996
- Identity Theft and Assumption Deterrence Act - 1998
- Children's On-Line Privacy Protection Act - 1998
- Financial modernization Act - 1999

Key moments in privacy history

2001 - 9/11 and the USA PATRIOT Act

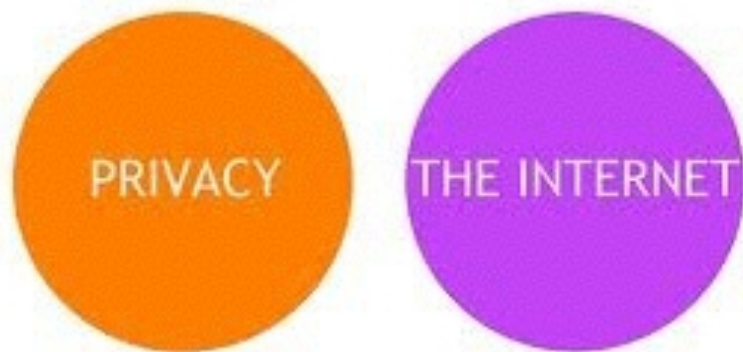
2013 - Snowden leaks reveal the extent of US government surveillance



The NSA, Edward Snowden, and you



- Piecemeal leaks about warrantless wiretapping and other forms of government surveillance throughout the Bush and Obama administrations
- WikiLeaks spurs public debate about government transparency
- Experiences of other whistleblowers impacted Snowden's strategy



A HELPFUL VENN DIAGRAM

Trade-offs: privacy vs...

Curiosity

Convenience

Security

The market

Privacy vs. curiosity

- Socially acceptable to ask strangers about their lives
- Puritan duty to keep track of what the neighbors were up to
- J. Edgar Hoover's intense interest in Americans' sex lives
- Celebrity gossip culture
- Concern with personal lives of public figures
- Are Americans more curious than others?

Curiosity

Convenience

Security

The market

Privacy vs. convenience

Curiosity

Convenience

Security

The market

- Electronic payments
- Saved passwords, credit card info, etc
- Amazon wish lists
- Logging in via Facebook, Google, Twitter, etc.
- “Public by default, private through effort”
- What else?

Privacy vs. security

- National security loophole in privacy laws
- Broader trade-off between civil liberties and national security (NSA, Snowden)
- Geolocation-enabled wearable tech



Curiosity

Convenience

Security

The market

Privacy vs. the market

Curiosity

Convenience

Security

The market

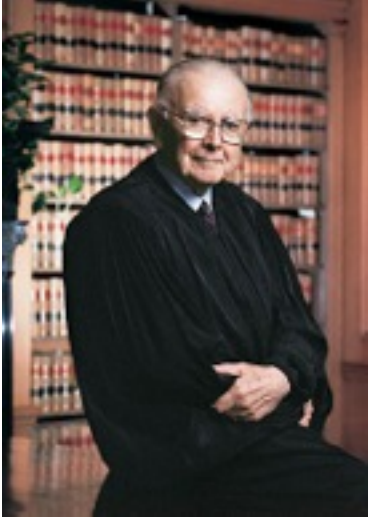
- Big Data is a huge opportunity for business and for social scientists
 - Data-driven decision-making
 - Target, the pregnancy guesser
 - “the quantified self”
- Target marketing has evolved tremendously since the 1980s
- Geolocation tracking, smart advertising displays...
- Neat vs. Creepy Scale

What are you trying to hide?

- Being concerned about privacy has often been framed negatively by linking privacy to socially undesirable behavior
- contraception & premarital sex
- legal abortion
- online porn & general sleaze
- terrorism & threats to national security



What is privacy for?



“In a free society people ought not to have to watch their every word so carefully.”

- Justice William Brennan, 1963



“A life spent entirely in public, in the presence of others, becomes, as we would say, shallow.”

- Hannah Arendt, 1958

Privacy & youth/kids/teens

Kids today. They have no sense of shame. They have no sense of privacy. They are show-offs, fame whores, pornographic little loons who post their diaries, their phone numbers, their stupid poetry—for God's sake, their dirty photos!—online.

- Emily Nussbaum, New York Magazine

Privacy & youth/kids/teens

- Digital natives? In some ways yes, in others no
- danah boyd: Power, Knowledge and Skills
 - Social status / resistance to hierarchy
 - Reasonable understanding of the social situation and context in which they are operating
 - Manage the social situation in order to both understand and affect how information flows and is interpreted



Why do youth/kids/teens need privacy?

- Important for social and emotional development, identity formation
- Especially for the marginalized and underprivileged
- Letting youthful indiscretions be forgotten
- Kids turn into teens... who turn into adults

#itgetsbetter



**KEEP
CALM
AND
STAY OUT
MY ROOM**

Group Breakout

Curiosity

Convenience

Security

The market

Questions to Consider:

1. What are the challenges of balancing privacy, participation and your group's theme?
2. What are the rights and responsibilities to ourselves and our community?
3. Brainstorm new models for teaching and learning privacy in connection to your group's theme.