

Information and Privacy in the Digital Era

By Ernesto Antonio Santos León

New statements are generated with the Internet evolution, especially about data. How is information being handled? What happens to the users' privacy?

Since the Australian Julian Assange declassified information on his Wikileaks back in 2007, a big debate about information handling and privacy is lived in the world. Thanks to Assange, the world had access to confidential data from some governments, specially from the United States and its action all around; the wars in Irak, Afganistan and espionage policies, among other facts. The topic took more relevance recently when Edward Snowden – former element of CIA and NSA in the U.S.A. - declassified information related to espionage activities that were carried out by the U.S.A. all over the world, including inside their allies.

The truth is that there's not much to be surprised about, because this events have been developing since long time ago, it's just that now the necessary relevance is given to them. A lot of digital systems in Internet that we use for FREE, such as Outlook, Facebook, Google, Gmail, Instagram, LinkedIn, and some other hundreds of them, have a high price. We pay it with one of the most valuable stocks: our information, our content. We approve this in the precise minute in which we create accounts in these services and then accept the Terms and Conditions that regrettably we never read.

Depending on the type of system, the policies may vary. However, there are common and relevant terms. In my opinion, the most important are these two:

- The users grant the right over the content generated by themselves in these systems directly or indirectly. In the case of Facebook, LinkedIn or Instagram, they allow the non-exclusive transference and the sublicensing of contents. This means that companies can use these contents to their convenience for promotion and in some cases, they can even sell it.
- The company can give the users' information to third-parties in national security situations to investigate and prevent criminal acts, either being government or private institutions. For example, the CIA can ask for a user's or group of users' history if required.

The actual debate is if we shall grant the access to our information to third-parties. What happens to our privacy? What do the systems and/or companies do with our information? The cultural historian of new media, Siva Vaidhyanathan, talks about some examples of

information control carried out by Google: the *googlization* of everything. Google, besides being the most used search engine in the world, is the owner of several systems that happen to be also the most used all over the Internet. To mention some: Google Analytics (website statistics), Gmail, YouTube and DoubleClick (publicity service). With all the information that Google stores, psychographic profiles can be generated to delimit our likes and preferences. Google accumulates the most valuable content of Internet: The people's information (Vaidhyanathan) and all the contents of the Web, powered by its indexing system which tracks all sites and makes a back up of them automatically. Put in other words, it doesn't matter if the information of a site or the whole site is deleted, there's still a copy in Google's servers, to which we don't have access to.

Regarding the information in digital media, in his book *The Culture of Convergence*, Henry Jenkins defines that with the Internet mass use during the 90s, a new model of knowledge is born, and that is the collective intelligence. Jenkins quotes Pierre Lévy: «None of us can know everything, each one of us knows something, thus, all knowledge lays in humanity» (Jenkins, Kindle Localization 210-211). Internet is nothing more than connected computers sharing information, whoever has access to all that information, has access to all the knowledge.

Richard Ledgett, NSA assistant manager, answered everybody in a TED Talk (March 2014) affirming that the agency must monitor Internet as one of its national security duties. This affirmation is wrong and is based on a group of laws in the U.S. that shouldn't rule the world. Because of this, some have resisted: In 2012, the European Union, aware of the value that privacy means to people, approved a law which regulates that the websites that possess information collection systems (such as cookies) must ask for the user's permission to allow the tracking. In 2014, a reform of the personal data protection legislation was presented in order to seek protection of this data from the illicit usage by the companies.

The other side of the coin exists, and this is, people who affirm that privacy doesn't exist in the Internet, users who have no conflict at all with handling their information, their data, their contents to third-parties on the Web, with the argument of not having anything to hide in their generated information and that, as a result, they don't think about the way this content is treated as a relevant problem. We may ask to those who think this way: Would you be capable of letting any person to enter your house to check it? Would you show your personal stuff? Would you be able to handle your mobile everyday to a stranger so it may be inspected and after that, allow to make a back up of it? I truly believe they wouldn't allow that, despite that is already happening everyday with our information. The principle of privacy, being inside a digital system or not, will be the same. According to the Royal Spanish Academy Dictionary, the definition of privacy is: «arena of private life that is rightful to be protected from any intromission».

The states must understand the actual problematic, the need of generating new norms, laws that protect our data and privacy on* Internet, within a common legal regulations based on the Universal Human Rights Declaration. As indicated on its Article 12, «No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks».

Internet isn't built by a small group of people, a State or continent, but all the contrary.
Intenet is built by all of us who are immersed participants, humanity.

■ *Ubuntu*: «I am, because we all are».

Published on 16/09/2014

Bibliography

- ESS, Charles. *Digital Media Ethics*. Polity Press, EEUU, 2014.
- Jenkins, Henry. *Convergence Culture: Where Old and New Media Collide*. NYU Press, EEUU, 2008.
- Vaidhyathan, Siva. *La Googlización del todo*. Océano, México, 2012.

FOROALFA

ISSN 1851-5606

<https://foroalfa.org/en/articles/information-and-privacy-in-the-digital-era>

