

Privacy and Facebook

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ABSTRACT

Social Networking is continually growing and showing more possibilities. Facebook the leading social network site is approaching 1 billion members. Facebook guarantees more than friend requests and also acts as an excellent marketing tool for businesses. Social media is a technology allowing the nation to publish instantly and economically on the internet. It encourages live discussion on a huge range of topics, with not only friends, but businesses and consumers. Facebook serves 120 billion hits per day, stored 60 billion photos and generated 150TB (Terabytes) of logs every day. Privacy - or lack of it - however has provoked outrage at various times in the media. This paper seeks to examine the ramifications of poor privacy management by Facebook.

Keywords: *Cloud, security, CABLE, Botcloud, legal*

1. INTRODUCTION

In the current electronic world, social networking has become a daily staple for many internet users. Facebook, the world's most popular social networking site, has grown massively since its inception in 2004. Facebook currently boasts 530 million visitors every day with daily individual page views of 6.8 billion. With such a vast amount of people using this free service, privacy has emerged as an extremely important and essential issue. The protection of users' privacy in all aspects of technology is paramount, but with social networking becoming entrenched in our daily routines, issues such as threats to privacy and changes in the dynamic between the public and the private sphere arises and is alarming. These factors are not a new phenomenon, born from social networking, but one discussed in many philosophical discussions, most notably Aristotle's distinction between the public sphere of political activity and the private sphere associated with domestic life.

This paper will give an overview of Facebook by outlining the features provided for users. Moreover, privacy issues that arise from using Facebook as well as peoples' opinions on Facebook's Privacy Policy will be addressed. This report will highlight some possible breeches of EU law and examine how privacy ties into the ethical theories of great thinkers such as Kant.

2. FACEBOOK

Facebook is the leading social networking site allowing users to add people as friends. Facebook users create a profile page that contains information pertinent to them which can then be viewed by their friends. Such

information varies from personal status updates, personal posts and photographs which have either been uploaded by a user or a user's friend. Facebook also provides access to third party applications that a user can add to their page. Facebook shows advertisements along the right hand side of the page that are tailored to the individuals' interests by allowing "advertisers to choose the characteristics of users who will see their advertisements", Facebook also "pair advertisements with relevant information we (Facebook) have about you and your friends". The Facebook site is constantly evolving along with the functionality it offers. Recently, Facebook have added a new feature titled 'Places', this enables a user to see where their friends are in addition to sharing their own location.

In her book 'A Gift of Fire', Sara Baase identified a company's duty of care regarding privacy when she wrote "A privacy promoting default from both an ethical and a legal perspective, could specify that a company may not store or use, information, beyond its immediate purpose". Facebook failed in this regard with one of their greatest privacy controversies in recent times titled 'Facebook Beacon'. 'Facebook Beacon' was launched in 2007 as a new addition to their advertisement system. 'Beacon' sent data from external websites to Facebook with the purpose of targeting Facebook users with tailored advertisements. In a post on a Security Advisor Research Blog, Stefan Berteau a senior research engineer with a leading Anti-Spyware Threat Research Team identified that Beacon reports back to Facebook on members' activities on third-party sites that participate in Beacon even if the users are logged out of Facebook and have specified that they do not want their activities broadcast to their Facebook friends. Facebook succumbed to public pressure and made

the service opt-out by default, however by this time, the damage was irreversible. The service was closed down in 2009 following a Class Action Tort. The plaintiffs alleged that Facebook and its affiliates did not give users adequate notice and choice about Beacon. Furthermore Facebook were negligent on the collection and use of users' personal information.

Privacy scholar Alan F. Westin described privacy as “the claim of individuals, groups or institutions to determine for themselves when, how, and to what extent information about them is communicated to others”. Westin viewed privacy as not simply limiting the information others know about a person, but the right that person has in controlling when, how, and to what extent, information about them is communicated to others.

3. PRIVACY & FACEBOOK

Many of the features of Facebook are opt-in by default leading to Facebook having the largest possible user base for their features. Consequently, naive users who do not amend their privacy settings could allow sensitive information becoming available for anyone who wishes to view it. By making new features opt-out by default, Facebook’s new features may not generate enough new interest from its users to guarantee that its current and future initiatives will be sustained. From a user’s point of view if the features were of use and of benefit, a Facebook user would have no issue in opting in and in turn users would spread the word of how good this feature would be to their friends.

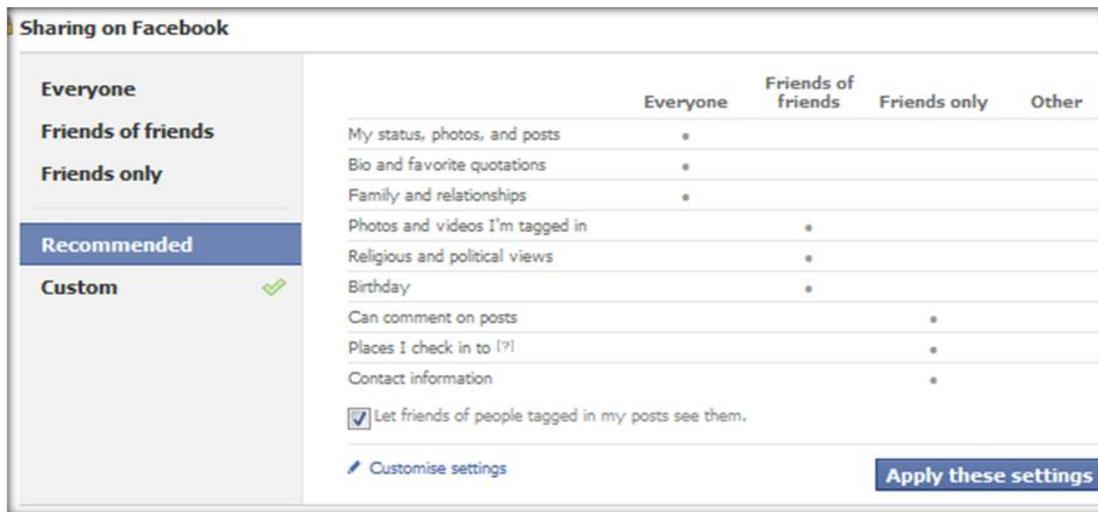


Figure 1: Facebook default privacy settings

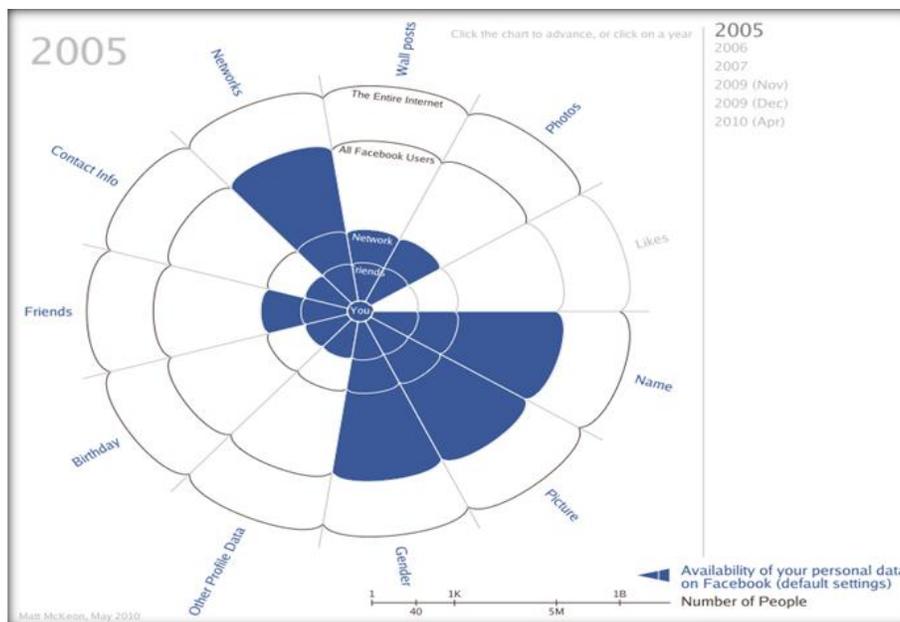


Figure 2: Default Privacy Settings 2005

The default privacy settings that Facebook recommend to its users are shown in figure 1, which is also the default setting for new users. This is in stark contrast to 2005 where privacy had a more fundamental role in Facebook. Figures 2 and 3 illustrate the dramatic changes in relation to default privacy settings on Facebook.

In a study conducted at the Massachusetts Institute of Technology relating to the Facebook Privacy Policy it

was found that in examining a pool of 390 students, 347 (89%) had never read Facebook’s Privacy Policy. In relation to their understanding of the Privacy Policy, students were asked to guess whether or not Facebook could share their information with other companies. Of the 374 respondents, 174 (47%) believed Facebook could not do this, while 200 (53%) believed Facebook could.

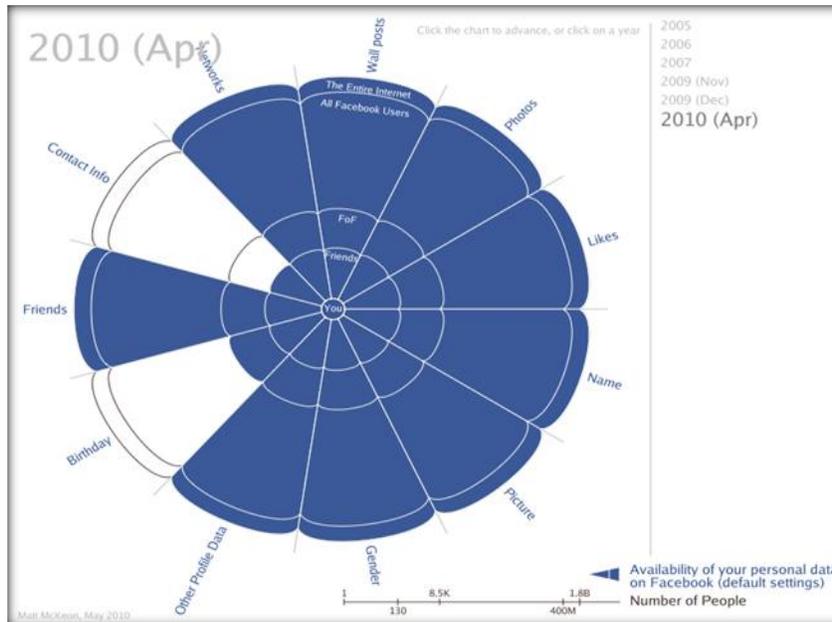


Figure 3: Default Privacy Settings 2010ⁱ

In relation to Facebook’s new incarnation ‘Places’, the privacy violation from a legal viewpoint may be one that soon hits the European headlines. The European Communities (Electronic Communications Networks and Services) (Data Protection and Privacy) Regulations 2003 state in Section 9, titled “Location data other than traffic data”

9. (1) No person shall process location data other than traffic data relating to users or subscribers of undertakings unless,

- a) such data are made anonymous or,
- b) they have obtained the consent of the users or subscribers to the extent and for the duration necessary for the provision of a value added service.

The fact that 'Places' is opt-in by default could be construed as Facebook not having received the prior consent of the user as required by the 2003 law. This breach of EU law, at the time of writing, has still to be identified by Viviane Reding the European Commissioner

who has responsibility for Information Society and Media. This breach has not yet been reported on the web or in the mainstream media.

The Roman poet Juvenal said “Quis custodiet ipsos custodes?” which can be translated from Latin as “Who guards the guardians?”. Facebook having such a vast amount of knowledge about a user’s on-line life, which is edited and uploaded on a daily basis, is one thing but where is the line drawn? Is it ethically wrong for a free service to make money from profiles? Should Facebook be the watchmen of our uploaded data? If so, who makes sure that they are adhering to their moral and ethical duties to safeguard their users’ data?

According to Immanuel Kant’s third formulation of his Categorical Imperative from his “Groundwork of the Metaphysic of Morals”, he behests that actions carried out by an individual becomes a universal action when he wrote “Therefore, every rational being must so act as if he were through his maxim always a legislating member in the universal kingdom of ends”. The actions of Facebook in divulging their users’ online data from a Kantian perspective would therefore become a universal action

resulting in a world where privacy is significantly reduced. From an alternative viewpoint, Facebook have to pay a staff of over 1700 people in order to function and they are after all providing a free service. Did Circus Ring Master P.T Barnum sum it up eloquently in his 1869 book 'Struggles and Triumphs' when he wrote "When people expect to get 'something for nothing' they are sure to be cheated".

4. CONCLUSION

The Athenians believed that a "protected private sphere as one of the constitutive characteristics of a democratic society" albeit now diluted, this view is still true of today's global populous. However, the fine line between the public and private sphere is ever changing. Something that is deemed as a violation of privacy today can be considered as a normal situation tomorrow. Some may say that Facebook's popularity and actions has changed the dichotomy of the public and private sphere. To the millions of Facebook users, their online privacy is a commodity that is often only recognised and valued when it has been breached in some way. Information such as their uploaded photos, mobile numbers and current location can easily be retrieved and used unscrupulously by criminal elements. Changes Facebook should make include removing the opt in by default mechanism thereby ensuring that users are aware of such changes and given the opportunity to customise the level of privacy they require before the changes are implemented. By doing so, all users can be sure that their uploaded information can only be viewed or accessed by people of their choosing. This modification could result in new features not having the uptake Facebook would prefer but if beneficial to the user will not inhibit its growth.

From Facebook's perspective, a good stance on privacy makes good business sense. Privacy can be seen as a way of building public trust in the Facebook brand. It can be a way of showing how Facebook respects its customers and their personal information. It has been stated that "the most widely used are the most trusted." This trust will lead to current users continuing to use the site as well as new users registering which will in turn have a positive effect on advertising revenue. Investment in privacy in turn is an investment in the Facebook brand. It is only when Facebook shows their interest in behaving ethically towards their users will they be trusted. Did Edward J. Bloustein sum people's fascination with social networking when he wrote "The man [or woman] who is compelled to live every minute of his [or her] life among others and whose every need, thought, desire, fancy or gratification is subject to public scrutiny, has been deprived of his [or her] individuality and human dignity. Such an individual merges with the mass.... Such a being, although sentient, is fungible; he [or she] is not an individual."ⁱⁱⁱ

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