Rafael Capurro:

Never Enter Your Real Data[1]

Abstract:

The present debate over privacy and security is on shaping freedom in the digital age. It seems unquestionable that ICT in general and social media in particular are changing the "web of relationships" (H. Arendt) that binds us. What makes this debate on ICT and social media unique is the fact that it takes place at a local and global level with different forms of synergy related to questions of friendship and fun no less than of oppression and justice. This paper addresses particularly the question about different forms of concealing and unconcealing ourselves in and through social media.

Agenda:

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- Relevant publications:
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    - Intercultural Information Ethics. In: Kenneth Einar Himma and Herman T. Tavani (eds.): The Handbook of Information and Computer Ethics. New Jersey: Wiley 2008, p. 639-665.

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Introduction

During a conference on ethical issues of the information society in January 2011, a colleague told me about family problems dealing with privacy in social networks, and particularly on what his children do or do not with their personal data. Young people, he said, are fascinated by the opportunities offered by social networks, such as making friends, sharing personal issues or just having fun together. A young woman who was taking part at this conversation said: "I never enter my real data, that is to say, I try to avoid personal identification by giving, for instance, wrong data concerning my place of birth or age or whatever." I told her: "This looks like a Nietzschean imperative: 'Learn to lie if you want to survive in a digital environment!'." "Not bad for an ethicist," she said. Then she added: "But what happens if everybody follows this maxime?" This is a Kantian question, of course. The consequences would be very bad - not only for Mr Zuckerberg.

February 8, 2011 was "Safer Internet Day" organised by Insafe "to promote safer and more responsible use of online technology and mobile phones, especially amongst children and young people across the world" this year around the slogan "It's more than a game, it's your life." The present debate or, I should better say, the present obsession over privacy and security is on shaping freedom in the digital age. It is still unclear what is precisely the impact of ICT and particularly of social media such as Twitter or Facebook on recent social protests for instance in the Near East(Wikipedia 2011). But it seems unquestionable that ICT is changing the "web of relationships" or the "in-between" that binds us, to put it in Hannah Arendt's terms (Arendt 1998, 182). What makes this debate on ICT and social life unique is the fact that it takes place at a local and global level with different forms of synergy related to questions of friendship and fun no less than of oppression and justice. It is a debate about possible shapes of the "vita activa" (H. Arendt) in the digital age. It starts at a very young age when kids learn being online (Insafe 2011). Sherry Turkle has analyzed the paradoxes arising from what she calls being "alone together" (Turkle 2011). Maybe it is not so much the fear of being alone but of being lonely and isolated or even excluded from social relationships. We do not learn to be alone but we do learn new ways of being together (Capurro 1995). We look for new codes of being together. They arise from a broad social and academic debate where traditional norms and rules are challenged and 'good practices' are analyzed. These questions are at the core of the academic debate on information ethics (Himma and Tavani 2008).

On Information Ethics and Information Moralities

The task of ethics as an academic discipline is to problematize a given morality. The alternative is a sclerotic social life in which a morality with its rules, taboos, values and bias of all kinds, is considered as obvious and unchangeable being mostly used as power instrument to legitimate hierarchies and privileges. Morality and ethics as its catalyst are essential for survival in a similar way as any living organism needs an immune system in order to deal with the environment.

Information ethics is the academic discipline dealing with the critical reflection on information moralities, particularly but not restricted to the impact of ICT on norms and values in human communication. In a broader sense, information ethics deals with comparative descriptive and normative studies of information moralities related to other media and as well as to different epochs and cultures. Eventually, information ethics might address today the impact of ICT on norms and values in all areas of human society including its interaction with nature and non-human living beings.

The difference between ethics (*philosophia ethiké*) or moral philosophy – that together with the reflection on politics (*philosophia politiké*) and on the administration of the house (*philosophia oikonomiké*) belong to what Aristotle calls practical philosophy (*philosophia praktiké*) – and morality (Greek: *ethos*, Latin: *mores*) is essential in order not to confuse a theory with its object. In everyday life, and sometimes also in academia, both terms, ethics and morality, are used as synonyms, thereby creating confusion. Ethics committees turn sometimes into moral ones. In today's understanding, ethics deals with the whole of human action in all its spheres (individual, group, society) within the limits of the *conditio humana*. The so-called applied ethics, such as bioethics, business ethics, ecological ethics etc., take a specific perspective on such spheres of human practices.

On Privacy and Secrecy

In her book "Privacy in Context" media theorist Helen Nissenbaum rightly criticizes the public/privacy dichotomy as detached from specific contexts. Within such contexts, norms provide the framework for what she calls "contextual integrity." "Contexts," she writes, "are structured social settings characterized by canonical activities, roles, relationships, power structures, norms (or rules), and internal values (goals, ends, purposes)." (Nissenbaum 2010, 132). Niklas Luhmann's system theory calls such contexts "systems" (Luhmann 1996). This is a theoretical perspective that Nissenbaum also implicitly shares with hermeneutics according to which the process of understanding a text in what it says and what remains hidden is related to a framework of "pre-understanding" of both, the author and the reader, that can be made explicit through interpretation, leading to understanding and to a new pre-understanding. Philosophical hermeneutics, as developed by Hans-Georg Gadamer (1975) following Heidegger's existential hermeneutics, further developed this issue with regard to our own understanding as human beings. The encounter between existential hermeneutics and the theory of computerized information storage and retrieval in the 1980s (Capurro 1986, Winograd and Flores 1986) was a forerunner of Nissenbaum's contextual thinking. The success of the WWW is due not only to its globality but also to its locality. New mobile applications allowing to physically localize people as well as any kind of objects show clearly the relevance of contextuality.

Social life is about concealing and unconcealing what and who we are according to different forms of trust and security. We are neither a society of angels nor one of devils, neither a fully open society nor a secret one. This is the reason why the difference between public and private as well as between public and secret is so relevant for every human society (Capurro and Capurro 2007). The concepts of public and private do not refer to properties of data. They are not first-order concepts. Data and their properties play different roles related to what they conceal and unconceal in different contexts of social life. Public vs private no less than public vs secret are second-order concepts. In other words, their understanding with regard to the data depends on the specific social interplay. This contextual relativity should not be misunderstood at the normative level as a moral relativism but as a necessity to specify which norms and values are at stake in a specific context. Let us take for instance the proposal of my colleague 'never enter your real data' in, for instance, an online community like Facebook and in a scientific community. Am I morally obliged to unconceal my personal data in a context dealing with fun and friendship following, for instance, Facebook's "Statement of Rights and Resonsibilities" (Facebook 2011)? Can I conceal my real identity, my name for instance, using a pseudonym? If such a norm is not specified by the community nothing seems to be against it. I am not lying in this case but just playing a social game although the creator of the software might expect the contrary and try to use my data for other purposes. My virtual friends may or may not expect that my data are correct or that I might conceal or change them. In case of the scientific community its *ethos* implies that I do not conceal my name except, for instance, with regard to exceptional political situations (Strauss 1988). This rule applies vice versa: I should not omit or conceal my sources, particularly in the case of quotations but also of giving credit to authors that are the immediate source of 'my' ideas. Plagiarism in science is no less morally and legally reprehensible than fakes in industry and the arts. The question as to whether my name, address, affiliation and so on are private or public, or if I may conceal or reveal them depends on the context in which they are embedded.

This takes us to the problem of "maintaining multiple personas online" as Michael Zimmer remarks with regard to his ambiguous experiences with Moli, a platform that makes it possible to separate, for instance, personal and professional lives, which is difficult to do with Facebook (Zimmer 2008; Naone 2008). The problem is, as Zimmer remarks, "[w]hile I can set the privacy levels for each profile, *Moli gets to see it all*… all linked to my single account with a common e-mail address, zip code, birthdate and gender." (ibid.) This case clearly shows the problems of data protection and data exchange between different contexts. In this case it is a matter of a commercial platform but what if this is done by political power?

Conclusion

What lessons can we learn so far? We live in a digital era in which the *habeas corpus* mutates into *habeas data* (EGE 2005, 29): 'We shall not lay digital hand upon thee.' But the question is how this legal procedure

can be applied in a globalized world, or, who is this 'we' and what kind of 'hands' can be laid upon which (digital) bodies. In other words, the question of informed consent, a leading principle in medical ethics, should be a major technical, ethical, and legal issue with regard to all kinds of personal data in different contexts.

The pragmatic imperative: 'Learn to contextualize!' is an educational problem starting at a very early age. Where it is said: 'enter your name' you should enter your nickname. It is just for fun, after all. This is a kind of guerilla tactic in a complex digital environment that might help to make not so easy the connection between data coming from different contexts without the explicit consent of the person(s) or institutions involved. The design of platforms for children and young people can provide different ways of making this contextuality technically possible and understandable. But this needs a complement in moral and ethical education at home and in school. Guerrilla tactics is in some way a fight against digital giants. It needs a legal supplement making the case of data migration between contexts an issue for the legal protection of individual freedom. Data protection is about freedom not just about data. Allowing political, commercial and economic power unlimited access and transfer of data arising from different contexts with different moral and legal rules means nothing less than undermining "contextual integrity" and it can be a precursor of various kinds of digital totalitarianism. This is particularly the case when every human being can be digitally identified and this code becomes even a legal must for all kinds of digital transactions in whatever context and for whatever purpose.

Acknowledgements

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