Position Essay: The Importance of Privacy and The Necessity to Raise Awareness

Rocky Wu

Department of English, University of Illinois

Rhetoric 105

Tracey Anne Travis

December 11, 2020

Position Essay: The Importance of Privacy and The Necessity to Raise Awareness

Information and privacy is a topic that has been heated debated throughout modern days. Information and privacy are all connected to social values, such as personal interests, benefit and needs. The hard thing that ordinary people all suffer from is how to deal with the combinations of privacy and other modern interest or benefits. According to Pozen (2016), "privacy is often being juxtaposed with competing goods and interests, balanced against disparate needs and demands" (p. 222). Hence, Pozen (2016) concluded that "legal and policy debates about privacy revolve around these tradeoffs" (p. 222). However, more recently, scholars who expertise in privacy, information, and personal data gave out many critics regarding the current privacy awareness and the government measures to regulate big companies. Simultaneously, all of the big companies have given us such benefits for using their products. Privacy and personal data security have been in question: was privacy for ordinary people taken care of and protected, or is privacy the golden nugget for those big technology companies? While much has been written about the current situation that ordinary people face, some scholars have analyzed this issue by addressing the need to raise ordinary people's awareness and put a more radical regulation on the big technology companies. For me, one aspect of the topic is how to raise ordinary people's awareness. Another one will be the extent of measures we should take to protect personal data security. I believe we should raise the awareness for people that believes privacy are for someone who has something to hide, enhance the belief for people that believes the significance of personal privacy, and increase the extent of regulation for information leakages and data brokering so that tragedies such as the Cambridge Leakage will not happen again.

Personal Data Security as the Human Rights

From my perspective, one crucial factor of this despondent situation is that the majority of ordinary people do insist privacy as the human liberty and personal possession, but others who ween that privacy is for someone to enshroud themselves and companies who benefit from the data ignored such advocation and thus culminated in such a predicament. Sahin (2018) examines the current situation of privacy issues we now face and present the argument of potential "current and future possible solution directions for researchers and governments" to the audience (p.60). In studying the circumstance regarding ordinary people's attitude towards personal data security, Sahin (2018) pointed out the central issue given by a research conducted by Hsiao regarding the privacy problems is that "nearly 80% of people with some perceptions such as "right" to be alone, to prevent unauthorized publishing, to keep your secret, to control your information flow and not to be annoyed" (p.60). This problem unveils that most people consider privacy a human right, not an optional or dispensable concern.

The study result of whether people cognized information privacy as a human liberty corroborated that we should address the question more convincing and propound a feasible regulation to the companies and supervised them to a great extent. According to the author, She then addressed the essence of what is important and what people should be looking for in the privacy concerns, which is "the completeness and harmony of the international laws and regulations" and "the privacy design of technologies" (Sahin, 2018, p. 60). This information presented shows that Sahin directs ordinary people to focus on the governmental regulations and legislative documents regarding user privacy from the big companies. Sahin (2018) proposed a revolutionary blueprint for the potential amendment of the edict for personal data and privacy.

Moreover, as Sahin (2018) mentioned the directions for the focus on governmental regulations, her study is essential to show how ordinary people were concerned about their private security and the potential solution directions for this unpleasant situation, which is a determining factor in ordinary people's minds about how they decide to raise their awareness and rethink about privacy.

As Sahin (2018) previously mentioned the trend in the normal online users which believes the urgent gravity nature of such a privacy concern and the direction of the regulation which towards the companies and even the government is under a compulsion to execute, we should also take care of the counterarguments addressed by people who believe such a radical supervision towards the governments and companies may not serve its whole purpose, even sometimes backfired. In this sense, Mulligan (2016) addressed the privacy issue but from a different perspective. Mulligan (2016) believed that the attribute of "personal" data should be clarified. We would assume that as long as we put the word personal in front of something the thing belonged to us. However, data was not in the same token. Mulligan (2016) have proposed that the question of whether data is personal or not is actually a paradox. In this sense, the author pointed out that privacy concerns are not simple; it is complicated (Mulligan, 2016, p.15). From the authors' perspective, privacy is not owned; it is something that users and companies or governments compete for (Mulligan, 2016, p.1). The competing nature of personal data is astounding to me, but also predictable. The companies would profit as much as they could from the personal data that users provided while using the company's services or platforms. As a result, Mulligan (2016) combined information regarding a financial company's perspective and the perspective of an ordinary user to understand the situation and paradox of the ownership of

personal information. Mulligan (2016) discussed the complexity of the privacy issues we now face and how everyone should be contesting their privacy against the big companies and governments. Mulligan (2016) also included the logic behind why ordinary people should compete with their personal information and weigh the pros and cons of sacrificing privacy and giving personal information to the corporations and authorities. The takeaway from what Mulligan (2016) emphasized is that though we all concentrated on the trammel of ordinary user's online surfing experience and all the predicament of the tradeoff between privacy and interest, we should reconsider the value behind privacy, the function of privacy in the real world, and the distressful nature of the contending nature of confidentiality should be considered. The significance behind this is that the value of privacy. Mulligan (2016) addressed his attitude towards how important privacy is and why he values privacy so much. Hence, Mulligan (2016) proposed that acknowledging internet safety is a thing that needs to promote and planted in people's heads. What Mulligan discussed is very important, as the scale of regulations should be addressed before the regulation is drafted. If legislators addressed a radical reformation on the regulations towards companies and governments, it will be a hard venture to persuade the companies and the governments to follow the amended rules. Forby, such radical regulation might not served the purpose as Mulligan (2016) highlighted, so regulations should be further discussed until a solution that served the purpose is propounded.

The two scholars have all touched on the unsatisfying situation that we face for ordinary people's privacy security. The uncertainty of regulation scale once again consolidated the exigency of the privacy issue. Legal actions towards the governments and companies is the sine

qua non for a healthier personal information security status quo. Though we addressed the exigence of the issue, the method and the scale is still unsolved.

Personal Data Security and Regulation

Though we have discussed on the exigency of the privacy issue, we still have not touched on the method and scale for the solution. While Sahin (2018) and Mulligan (2016) points out the exigence of the issue and some unpleasant truth for the ordinary people to compete for their privacy, no regulations and governmental measures are mentioned. The supervision from the local authorities should not be ignored as effective policing could make the situation better, but then how to achieve a constructive administration is still under development. From my perspective, it is best to have a progressive canon to protect the interest of ordinary user's privacy and the solutions we now give is not up to standard.

The first modification of the current regulation in my thoroughgoing plan will be towards the internet system. I believe with a huge revamp of the internet system, ordinary people can enjoy a better privacy environment throughout online surfing and will not suffer from the fear of information leakage. The renovate of the internet system will be carried out in several steps. First of all, why we should reconstruct the internet system and implement supervision is answer by O'mara. According to O' mara (2020), supervision is required because the privacy problem is based on the entire internet system. In short, how the internet business market performed is similar to an enormous free-market with a vast amount of money inside (O' mara, 2020). Without the regulations, companies started to track people by commercial means, which created a worrisome concern (O' mara, 2020). Thus, the author concluded that we lived in "a world in which our expectations of any private life are disappearing and leaving us feeling disempowered

against both our major corporations and our governments" (O' mara, 2020). This information gives O' mara's (2020) perspective of the current internet system. In O'mara's (2020) mind, to ameliorate the situation, the internet system should be vastly regulated and supervised to protect ordinary people's privacy.

Furthermore, to further establish the exigency of the ordinance regarding privacy and information safety, O' mara (2020) gave out the underlying reason behind these privacy concerns and why we face such privacy concerns even if we do not intentionally want it. O' mara (2020) believes that such a worrisome internet environment's underlying reason is the lack of adequate regulations. In this era, most people are connected via the internet, which makes this concern lingers in the audience's thoughts. The outcome of a privacy leakage stimulates a sense of awareness and tension. The article mentioned about surveillances conducted by the governments and huge companies is frightening. The underlying reason which is lacking privacy precepts and the following consequences such as the worrisome internet environment where one would fear their data leaked out unintentionally daily are excellent examples of the advocation of big companies' regulation. O' mara (2020) believes that heavy regulations should be put on companies to improve the current internet system. The "free market" analogy that O'mara (2020) addressed for the current internet system indicating laissez-faire shows her deep concern regarding what the big tech companies will do without punishment. Without supervision, O'mara (2020) believes that companies will track customers by monetary means without any psychological or legal burden. O' mara (2020) believes that people will only not suffer from privacy leakages after implementing regulations. What O'mara (2020) claimed is what I thought to be plausible. The consequences of an internet dystopia is not what a normal online user desire.

A reforming Also, regulations towards the companies is not sufficient enough, I would like to advocate people to prevent personal data leakages by self regulations.

To surpass the current situation of privacy and other issues related to information, we have mentioned the regulations for the companies. However, from my opinion, we should not fully rely on the companies as we have already experienced loss on information privacy in events such as the Cambridge Analytics incident where we fully trust the company will protect our data and safeguard our data by ourselves. A news article written by Torpey (2019) addressed a suggestive radical regulation that individuals should execute. In writing, the author states that "and then there's Casa CTO Jameson Lopp. After getting swatted in October 2017, Lopp created a system of extreme operational security (OPSEC) for cypherpunks and wrote a blog post to help others who wish to improve their own OPSEC" (Torpey, 2019). By quoting the company Casa's CTO and what he has done to prevent privacy leakage, the author used Lopp as the authority and established the measure that people might have to take to ensure privacy safety. This exaggerated method executed by Lopp pointed out by the author serves as a reminder for ordinary people that privacy concerns should be solved without due, or people need to take measures similar to this. Without sheltering your data, one have a higher chance to involve in the privacy loss incident.

Though an utter refinement of the policy is what I firmly aver, such an advocation may not gain support from everyone. Scholars such as O'mara (2020) and Torpey (2019) are in the same shoe with me, but other scholars such as Weissmann (2019) and Mulligan (2016) have different perspectives on the extent of regulation. One counterargument given by Weissmann (2019), who demonstrated another perspective when addressing his ideology on regulations and being very pathetic about the attempts legislators have already tried, let us rethink the previous

statements' radicalness to develop an up to the proper standard solution. Weissmann (2019) discussed the regulations regarding social media. The Code of social media is always a heated debate in recent years (Weissmann, 2019, p.58). People have already made supervisions toward social media, but little is achieved (Weissmann, 2019, p.58). Most of their attempts are all based on goodwill, but frequently it backfires, and the idea behind it is problematic (Weissmann, 2019, p.58). This irony of what they want to do and what they have done made the author think about these regulations (Weissmann, 2019, p.58). As a result, the author proposed that we should rethink what we really should care about not to make the legislators' mistakes and hence can solve the actual issue (Weissmann, 2019, p.58). These pieces of information showed that injudiciously advocate for a regulation may not achieve the original goal that has established. Weissmann (2019), radical solutions such as what O' mara proposed for leakage should be reconsidered. Weissmann (2019) believed that the legislation currently provided has been to the job; many of them even backfire and result in more severe leakage. Weissmann (2019) asked the radical regulation supporters to rethink the policy they advocated and provide a policy that is up to standard while performing the best as it should.

Also, Mulligan (2016) possessed a similar thought with Weissmann (2019). As the social environment and technologies change and innovate over time to improve society, privacy is not left out with this trend, and privacy is adjustable (Mulligan, 2016, p.1). As a result, privacy concerns are not black and white concerns regarding just privacy and surveillance; it is more complex (Mulligan, 2016, p.15). The purpose, the reason, privacy is about are all considered (Mulligan, 2016, p.15). To analyze privacy, the authors took the measure of multi-angle analysis, but that is not enough to cope with our current privacy issues (Mulligan, 2016, p.15). So to

improve the analysis, the authors proposed that we should focus on the evolution of "conceptual analysis that facilitates dissecting privacy's multiple uses across multiple contexts" (Mulligan, 2016, p.1). In the authors' concept, these questions mentioned before are all critical as our society will be based on information in the future, and hence how we should maintain our privacy and what privacy form we should protect should be discussed and developed (Mulligan, 2016, p.15). The article discussed the multi-dimension analysis of the privacy issues that focused on theory, protection, harm, provision, and scope. This multi-dimension analysis again consolidates the idea that we should take care of the privacy regulations we plan to implement.

In the end, the measures the four scholars suggested are different. Whether a radical or a mild regulation towards the big data companies will be more effective is still unknown. Some people would advocate policing to a more extreme extent, while others may disagree. However, the bottom line is that the four scholars all believed that the problems we now have with privacy are exigent, and we should take more care of this issue. From my perspective, I would advocate for a radical supervision since this is the quickest way to see the effectiveness of regulations.

Personal Data Security and the Notice & Consent Form

Withal, one specific aspect of the regulation will be the Notice & Consent form that each company provided whenever we started using a new application, website, or technology. The Notice and Consent form should also be utterly recompile and thus users can enjoy the application, website, or technology without anxiety directed from potential backdoors and information leakage. In this scholarly article, the author addressed his idea regarding the notice-and-consent form, which is how the users protect their information privacy (Susser, 2019, p.148). From the author's perspective, the notice-and-consent way is full of problems that need to be

improved (Susser, 2019, p.148). The author pointed out that these forms are too complicated and repeatedly puzzling the users to decide their privacy (Susser, 2019, p.148). This information is critical as now we often do not want to read the consent form due to the length and obscurity. One critical point the author addressed is that commercial firms benefit from the misinterpretation of users. Suppose the form is shown on social media that the users are using (Susser, 2019, p.169). In that case, they will assume that social media companies would follow the privacy standards indicated in the notice and consent form (Susser, 2019, p.169). This assumption force the author to advocate the users to examine the notice-and-consent form exceptionally carefully to prevent unintended information leakage (Susser, 2019, p.169). However, the companies should improve their consent form to make them easier to comprehend and make the users relax while reading them (Susser, 2019, p.169).

In conclusion, the author proposed that the notice sections still have space for improvements (Susser, 2019, p.170). The consent form critiques are still not up to the job are reasonable, but the form is just many ways of notifying users regarding their privacies (Susser, 2019, p.170). Though the notice section may not be the best to inform the consents, it can give an easier comprehension regarding the regulations for the users to make their consent decisions (Susser, 2019, p.170). Improving the consent form's legibility is very important as the consent form is often agreed upon without even opening it. What is even worse is that companies use ordinary users' trust to benefit themselves in terms of personal information and data. The author proposed that the user needs to read the consent form carefully to prevent future leakages. Susser (2019) criticizes the big companies' behavior that argues for improving the consent form. This improvement will lead to a better understanding of the product, and hence the users can decide

whether they will use it. Susser (2019) pointed this out because he wants to address the importance of privacy, and people should raise awareness regarding their data.

In Conclusion

Privacy security is still an issue that we need to make progress on. The agreement on privacy issues is that while the situation we now in is not ideal and even very horrific, we can improve our situation by taking up standard regulation and raising people's awareness regarding privacy. The enlightenment and censure of the privacy issues reveal a critical tension between the ordinary online surfing users who want to enjoy an online product or platform without personal data leakage and other terrible consequences, and between the lucrative gigantic technology companies who want to earn every potential penny from their users. From my perspective, the importance of such regulation is undeniable. A more radical regulation will help the ordinary people to raise their awareness and create a better world.

References

Lamdan, S. (2015). Social Media Privacy: A Rallying Cry to Librarians. *The Library Quarterly: Information, Community, Policy, 85*(3), 261-277. doi:10.1086/681610

Mulligan, D., Koopman, C., & Doty, N. (2016). Privacy is an essentially contested concept: A multi-dimensional analytic for mapping privacy. *Philosophical Transactions: Mathematical, Physical and Engineering Sciences, 374*(2083), 1-17. Retrieved October 19, 2020, from http://dx.doi.org/10.1098/rsta.2016.0118

O' mara, M. (2020, October 06). The Problem Is in the Internet's Bones. *The New York Times.* Retrieved October 19, 2020, from https://www.nytimes.com/2020/10/06/books/review/the-tangled-web-we-weave-james-ball.html

Pozen, D. (2016). Privacy-Privacy Tradeoffs. *The University of Chicago Law Review, 83*(1), 221-247. Retrieved November 9, 2020, from http://www.jstor.org/stable/43741598

Şahin, S. (2018). Privacy Issues on Social Networks. *International Journal of Information Security Science, 7*(2), 60–66. https://www.ijiss.org/ijiss/index.php/ijiss/article/view/204

Susser, D. (2019). Notice After Notice-and-Consent: Why Privacy Disclosures Are Valuable Even If Consent Frameworks Aren't. *Journal of Information Policy, 9*, 148-173. doi:10.5325/jinfopoli.9.2019.0148

Torpey, K. (2019, February 28). If You Don't Care About Online Privacy, You Should Read This. *Forbes*. Retrieved October 07, 2020, from https://www.forbes.com/sites/ktorpey/2019/02/28/if-you-dont-care-about-online-privacy-you-should-read-this/

Weissmann, S. (2019). How Not to Regulate Social Media. *The New Atlantis,* (58), 58-64. Retrieved October 19, 2020, from https://www.jstor.org/stable/26609117