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Giving up Privacy?

How digital technology

breaks social borders

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1. <u>Preface</u>

Privacy, a term derived from the adjective *private*, is borrowed from Latin *privatus*, meaning "apart from the public life", "belonging to an individual"[1], and means different things to different people. Be it the protection of private data or political secrets, familiarity between people or dissociation from certain groups - privacy is an everlasting, social and, above all, free good that seems to be endangered by the rapid development of digital technology.

The tools digital technology provides are of two different types: the substantial ones like servers, PCs and Smartphones and the virtual ones, such as different forms of usable web space, social networks, so-called apps and many more. These tools, which enable us to discover, use and create the internet, have helped moving and breaking various borders.

In this assignment I want to show the impact of digital technology on our lives at the example of the internet's effects on privacy in general and, in particular, the developments it has brought to social and legal issues.

In order to not rely exclusively on official statistics, but also take a look at the opinions of local people, I conducted a survey among 65 Berliners of all ages. Some results were incorporated into this work in the form of bar graphs, while the questionnaire, including the results in numbers, can be found in the attachments.

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[1] Chambers Dictionary of Etymology, 1988 The H.W. Wilson Company, reprint of 2010, page 840

2. Introduction: Privacy in danger?

"Within a few years, half of the internet has become an aggregate of capturing and recording." says Manfred Dworschak, journalist for the German magazine *DER SPIEGEL*[2]. In his article, Dworschak tries to answer the question whether privacy can be saved in the light of methods that commercial participants of the World Wide Web practice in order to earn money with user data. He shows the complex technical appliances that enable the collection of our data and how this data is, for example, used to create "customer profiles" for companies of all kinds (see DER SPIEGEL 2/2011, pages 114 – 124).

Image 1: DER SPIEGEL cover 2/2011
– „Facebook & co. - The insatiables"
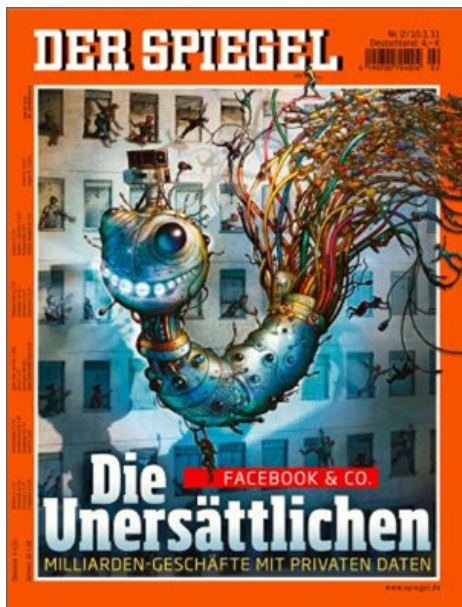
The question that has to be asked is, whether a handful of companies and institutions worldwide, or we ourselves are the drivers behind the steady loss of privacy we face nowadays.

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[2] DER SPIEGEL issue 2/2011, page 116

3. **Blurred social borders: The omnipresent virtual me**

In recent years, the internet has become an essential component in the majority of people's lives all over the world. The possibilities it opens up for private and commercial users seem endless: it offers information of all kinds, entertainment, shopping and banking, the possibility to meet people from everywhere on earth and much more. New digital technologies have, in addition, made the internet accessible in almost every corner of the world. 100 per cent of the people asked in the survey for "Giving up Privacy?" have internet access at home or use a third person's internet access if necessary, while almost 50 per cent also use the internet en route, mostly with Smartphones.
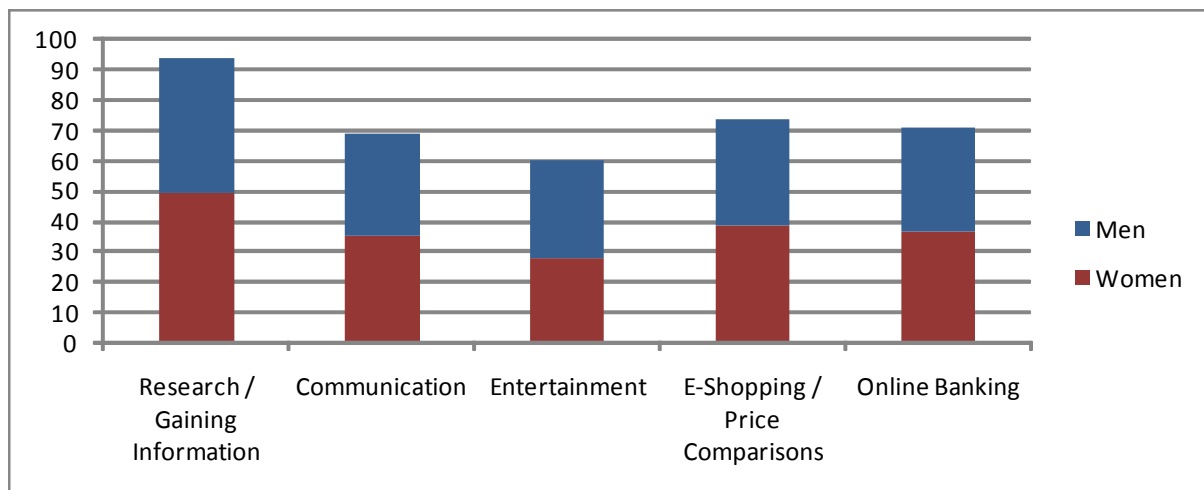

Image 2: Results (in per cent) for the survey-question
"At home or en route: what do you use the internet for?"

The great variety the internet offers has exponentiated the world's virtual population. The younger they are, the more alter egos most internet users have, for example in MMOs[3], forums, social networks and customer accounts. We create user profiles for blogs, online magazines and flash-games, and by giving each alter ego another nickname, we sometimes create even more than just one or two virtual copies of ourselves.

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[3] MMO is short for MMORPG, which means Massive Multiplayer Online Role-play Game (e.g. World of Warcraft / Dark Age of Camelot)

3.1   The traces we leave online

Using a search engine to find a good hotel in southern France leads to adverts for hotels in southern France on your favourite flash-game page that belongs to a totally different company. The last sack of potting soil you ordered via *Ebay* is offered to you several more times – on your webmail or the next time you book a holiday in southern France online. This circumstance is neither magic, nor coincidence. The technology behind this is known as a *cookie* and is, basically, nothing more than a small text file placed on the computer when a website is visited. Sometimes, several functions on websites are not accessible or visible to the user if *cookies* are blocked (by the browser or an anti-virus programme); but most of the time they install themselves unnoticed and henceforth allow their creators to track the "marked" user's activities online. Even anti-virus programmes and the manual deletion of cookies is not always enough to permanently remove them as American researchers found out in a study: "We (…) demonstrated "respawning" on top sites with Flash Technology. This allowed sites to reinstantiate HTTP cookies deleted by a user, making tracking more resistant to users' privacy-seeking behaviours. (…) The cache cookie method (…) is capable of unique tracking even where all cookies are blocked by the user and "Private Browsing Mode" is enabled."[4]

This special technique has created a new branch for young entrepreneurs, those who dabble in *Scraping*, which means the systematic collecting, structuring and analyzing of user data[5].

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[4] http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1898390
[5] See DER SPIEGEL issue 2/2011, page 116

3.2 Virtual Networking

Image 3: "Life is so meaningless without *Facebook*" –
an excerpt from the "Buschfunk" instant-messaging function on StudiVZ

In particular, social media functions on the web are expanding and gaining importance every day – mainly because new generations of multifunctional mobile devices enable us to be online any time and anywhere.

As image 2 shows, there are people that have come to think their life was meaningless without their social network; an attitude that has a funny, as well as an alarming side.

There is a variety of social networks and forums on the internet and each requires slightly different input from its users. The *VZ Ltd. Berlin*, founder of the *Studi-, Mein-and Schüler-VZ* networks, does not ask for personal data to enable subscription. On the contrary, although *Facebook* gives its users the chance to alter the visible personal data after registration, your real name and birth date has to be transferred first.

Google directly shows parts of the user generated content of their *StayFriends* community – a network that does not only require personal data, but also monthly fees in order to be able to send and receive messages.

A short trip through the history of social networking shows how it developed from substantial to virtual.

Years ago, we needed to venture outside to meet new people. Becoming friends meant sharing information about each other's lives and personality and it was common to share the latest gossip with friends in face-to-face talks. We decided who was worth getting which information about us, which information about whom we would pass on, we met potential partners in person and had pen pals, with which we would exchange long, handwritten letters.

© www.CartoonStock.com

search ID: aban593

"Your MBA and PhD degrees are impressive but what concerns me is your low number of Facebook friends."

Image 4: Cartoon from the website
www.CartoonStock.com

When the short-message-service (sms) was established in the 1990s, communication with friends became easier and shorter but was limited due to the costs. Nowadays, communication seems to be possible without limit. With Smartphones, internet and sms flat rates, instant messaging services and so-called micro-blogs like *Twitter*, we are able to virtually inform the whole world about everything we'd like to share.

The problem about this circumstance is that we have lost control about whom we share information with because the social networks we create grow day by day and can easily become confusingly vast.
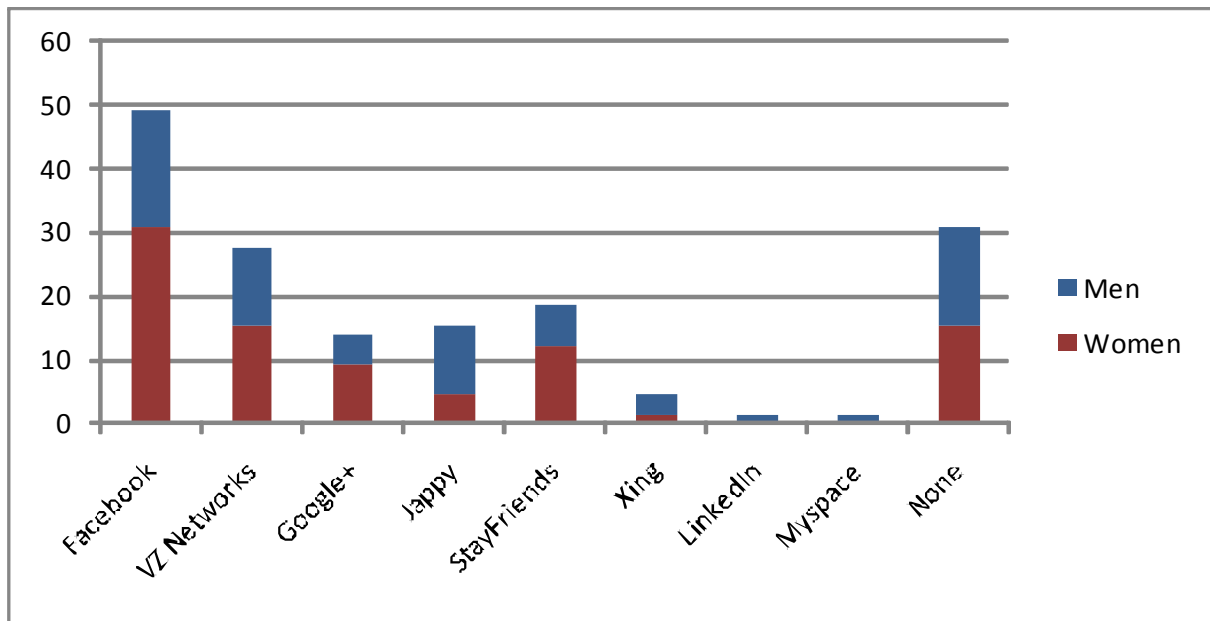
Image 5: Results (in per cent) for the survey-question
"Are you present in any social network(s)? If yes, which?"
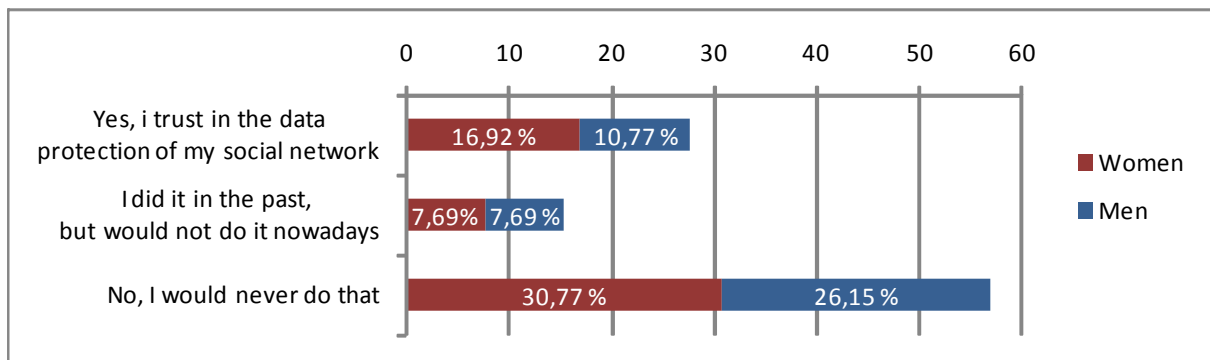
Image 6: Results (in per cent) for the survey-question
"Do you or would you show personal data like your full name,
address or telephone number in a social network?"

Of course we may choose whether we post sentences like "Just split up with my bf – gonna get drunk tonite" in public or if we send it to a friend via personal message. But once unleashed, our alter-ego(s), consisting of all the information we divulge online, can become a monster.

The example of cookies may have shown how we cannot entirely control which traces of ourselves we leave online are accumulated, where and what for. Nevertheless, not every bit of our virtual twins lies beyond our individual control. A first step into the wrong direction is to run an account in a social network or forum with your full name, which is especially relevant when your name is non-standard. Before social networks enabled us to upload photos onto our user profiles, a real name might not have been a big problem. But since this has become possible, our names are connected with our faces, and those of our friends and family, when we make use of the possibility to link every face on a photo to its owner's profile.

Such actions should not automatically be deemed to be foolish, as long as we do not forget to be careful about our online social behaviour. Be it overreliance on the Web or juvenile thoughtlessness, there are many people that do not hesitate to publish their private address and telephone number, "twitter" what they had for lunch, where they currently are and what for, tell the world when they are sad and why, what they think about their boss and which products, videos and politicians they like[6].

The illusory anonymity that comes when being online lowers peoples' inhibition threshold and can lead to behaviour people would never normally show in real life.

Image 7: Title of the TIME magazine, 31st May 2010

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[6] This development is enabled by services like several apps for smartphones, the "Buschfunk" in the *VZ-networks*, "*Twitter*" and the "like" or "dislike" buttons on many web pages which are directly linked to *Facebook*

4. Cracking legal borders: Delinquents, victims and investigators

As in real life, the virtual world holds the potential for people to commit crimes and also become victims. Today, the internet is increasingly becoming an instrument for investigation, which again brings it closer to real life.

4.1 The search is on

Some German police departments are currently taking advantage of internet users that are willing to divulge too much. Through their official *Facebook* account, some local investigators publish active searches[7] and are, at the same time, able to find and catch speeding motorists. As the "speeders" often try to avoid penalties by saying the car in question had been driven by someone else, investigators now have the possibility to compare photos from speed cameras with those uploaded in social networks by the car owners – provided that they were generous enough to register their account with their real names. But this method of investigation is a disputed topic.

In Germany, there has been only one precedent so far, which was criticized by data protection specialists due to the possible negative side effects for the investigated users. "*Facebook* may be able to list profiles that are searched by the police – what they do with these data cannot be foreseen." say journalist Janet Lindgens and lawyer Ralf Häcker[8]. Nevertheless, social networks like *Facebook* can also provide reliable and, before all, quick help for police investigators as a case in Frankfurt shows: a young man died shortly after an altercation in a discotheque. The search for witnesses via *Facebook* was successful; after two days, three out of five potential witnesses were found[9].

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[7]e.g.: police department in Hannover, http://www.heute.de/ZDFheute/inhalt/2/0,3672,8247490,00.html recalled: 2nd August 2011, 10:00 h

[8] http://www.derwesten.de/leben/auto-und-verkehr/Datenschuetzer-warnen-Polizei-vor-Raser-Fahndung-bei-Facebook-Co-id4656172.html#derwestenRSS - recalled: 3rd August 2011, 10:30 h

[9] http://www.fnp.de/fnp/region/lokales/frankfurt/facebookfahndung-erfolgreich_ rmn01.c. 8935217.de.html - recalled: 3rd August 2011, 10:40

4.2 Criminal you, criminal me

A less controversial, but nevertheless ubiquitous problem is cybercrime. Many people have at least once in their lives experienced it – sometimes unwittingly and often not only as a victim but also as a delinquent.

Cybercrimes begin with a computer virus, cover data theft (which can lead to enormous economic damage) and involve deceit of customers through online shops.

The following image shows crimes that were committed with the help of the internet in Germany in 2010.

**Percentages of crimes committed on the internet
in Germany (2010) of a total of 246.607 reported cases**

Other
31,7%

Distribution of
pornographic
materials
2,1%

Copyright
infringement
1,7%

Obtained credits
by false pretences
2,5%

Computer deceit
8,4%

Service deceit
10,0%

Other merchandise
crimes accompanied
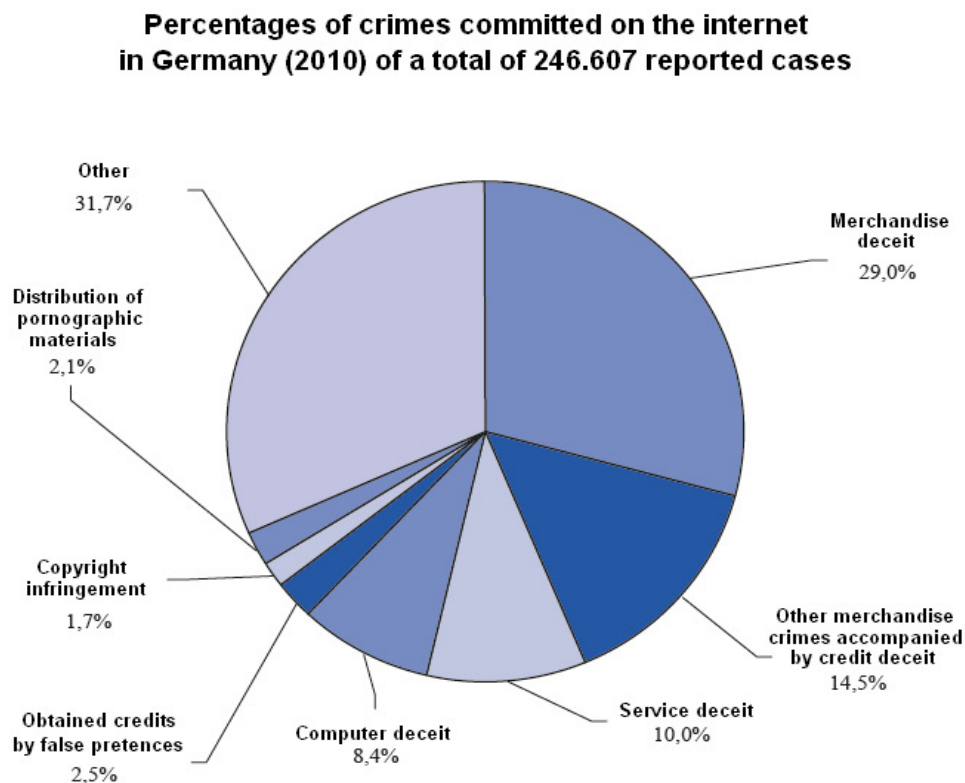by credit deceit
14,5%

Merchandise
deceit
29,0%

Image 8: Excerpt from the German police's crime statistics, 2010
(Translated version, original: see attachments)

This pie chart[10] illustrates how, for example, merchandise deceit and crimes based on data theft account for a substantial part of total cybercrimes committed. These are types of crimes that are usually committed by "professionals" or dubious companies. But the border between "professional cyber-delinquents" and "normal users" that become such, is blurring. Daily headlines like "Fare dodgers warn each other per Smartphone" [11] as well as copyright infringements (as shown in image 4) show how easy one can become a delinquent. Few people would visit a shop, grab the latest CD or computer game and leave without paying. On the other hand, downloading music and games illegally does not seem to be a problem.

Furthermore, social networks and forums also bear the potential to create new potential delinquents and victims:

At the beginning of this year, the forum *isharegossip.com* grabbed the headlines in Germany. The platform was used by students, especially in Berlin and Frankfurt, to post severe insults and nasty rumours about classmates and teachers. While the initiators of these posts stayed anonymous, their victims were named explicitly.

Additionally, the online-article "Crimes can even be committed via Facebook"[12] additionally shows how, for example, a small amount of inattention can have legal consequences. A man from Newport, GB, had been given a restraining order after the divorce from his wife. The automatic notification function of *Facebook* landed him in jail for seven days because his ex-wife was automatically added to the list of recipients from his online address book[13].

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[10] German police's crime statistics 2010, Page 16, http://www.berlin.de/polizei/kriminalitaet/pks.html, recalled 29th August 2011, 11:30 h
[11] http://n24.de/news/newsitem_7122812.html, recalled: 4th August 2011, 07:30 h
[12] http://web.de/magazine/digitale-welt/webtrends/13423232-auch-auf-facebook-kann-man-straftaten-begehen.html, recalled: 29th August 2011, 11:50
[13] See 8

5. <u>Conclusion</u>

The preceding examples of how digital technologies and the internet affect society today show that we have to find a balance between our real and our virtual lives, as they progressively merge.

When the internet and its various facets emerged and started to be developed, there was no necessity for written rules of how to behave online. Such rules may never come into existence, but the problems we face with regards to "new media" would seem to make them necessary. Each of us should think of such rules for him- or herself, recalling virtues from our real life and applying them to the virtual one(s).

Of course nobody can have complete control over the internet, but we should not forget that every participant in this game alters, contributes to and recreates it. The data that we divulge should be chosen carefully: few people would walk around and tell every stranger their name, their "likes" and "dislikes" and so on, but all the more people do that online. Also, only a few of us would be so callous as to publish gossip that damages the reputations of people in their direct environment, but online behind the false veil of anonymity, some of us feel safe enough to do that.

We should not forget that our online-alter-egos represent ourselves and, that with the above-mentioned merging of two worlds, we most likely influence one with the behaviour in the other and vice versa. When online, it is easy to forget that we are not merely interacting with machines, but making social connections with real people. In turn, we must be aware that although the internet is a source of fun and rewarding knowledge and social interactions, it is also a place where there is an element of risk.

Thus, privacy needs not to disappear as long as we do not give it up, recall the word's origin from time to time and do not forget to keep some things "apart from the public life".

6. <u>Attachments</u>

I. <u>Statement of authorship</u>

I herewith affirm that this assignment is the result of my own work and that it does not contain intellectual properties of third parties, except the indicated quotations appearing in the text and the used sources named in the list of references in the attachments.

Berlin, 8th September 2011

Karima Wenner

II. List of references

1) Chambers Dictionary of Etymology, 1988 The H.W. Wilson Company, reprint of 2010

2) DER SPIEGEL issue 2/2011

3) Author's annotation

4) http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1898390

5) DER SPIEGEL issue 2/2011

6) Author's annotation

7) http://www.heute.de/ZDFheute/inhalt/2/0,3672,8247490,00.html

8) http://www.derwesten.de/leben/auto-und-verkehr/Datenschuetzer-warnen-Polizei-vor-Raser-Fahndung-bei-Facebook-Co-id4656172.html#derwestenRSS

9) http://www.fnp.de/fnp/region/lokales/frankfurt/facebookfahndung-erfolgreich_rmn01.c.

10) http://www.berlin.de/polizei/kriminalitaet/pks.html

11) http://n24.de/news/newsitem_7122812.html

12) http://web.de/magazine/digitale-welt/webtrends/13423232-auch-auf-

13) facebook-kann-man-straftaten-begehen.html

14) http://www.derwesten.de/leben/auto-und-verkehr/Datenschuetzer-warnen-Polizei-vor-Raser-Fahndung-bei-Facebook-Co-id4656172.html#derwestenRSS

III. <u>List of illustrations</u>

<u>Image 2:</u>   DER SPIEGEL cover 2/2011 → http://www.spiegel.de/spiegel/print/

<u>Image 2:</u>   Visualized results from the survey for this assignment; see attachment no. IV

<u>Image 3:</u>   Screenshot of the (only internally visible) message box, taken: 31st July 2011

<u>Image 4:</u>   → http://www.cartoonstock.com/cartoonview.asp?catref=aban593

<u>Images 5+6:</u> Visualized results from the survey for this assignment; see attachment no. IV

<u>Image 7:</u>   TIME magazine cover, 31st May 2010
              → http://www.time.com/time/covers/0,16641,20100531,00.html

<u>Image 8:</u>   → http://www.bka.de/DE/Publikationen/PolizeilicheKriminalstatistik/pks.node.
               html ; page 16 ; original image :

G2c **Straftatenanteile an Straftaten mit Tatmittel Internet = 246.607 Fälle**
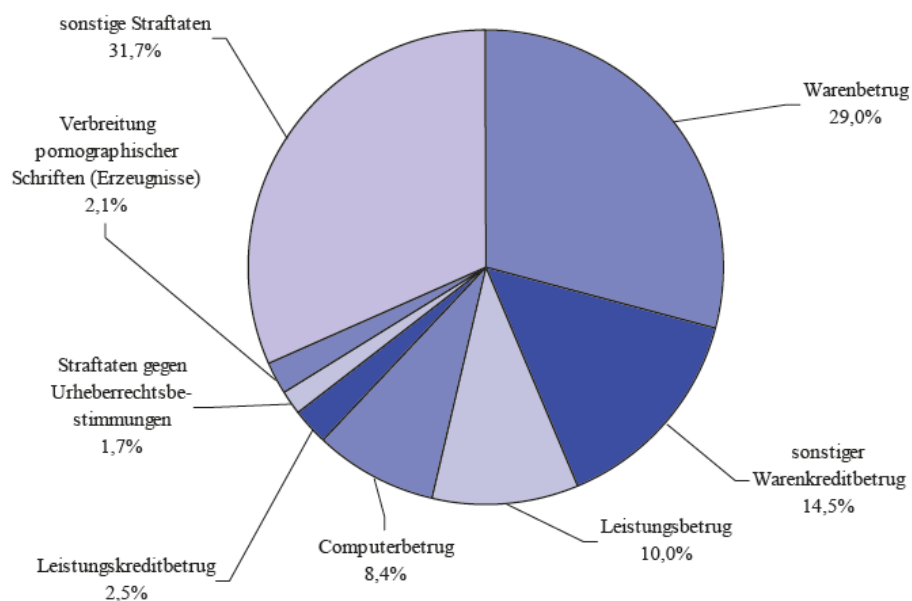
IV. Questionnaire (with results in numbers)

1	Age	<20	4	/
		21-30	13	10
		31-40	6	10
		41-50	10	6
		>50	3	3
2	Profession	Employed	26	26
		Unemployed	/	/
		Housewife / - man	1	/
		Student/Trainee	9	3
3.1	Do you have internet access at home?	Yes	34	29
		No, but I use a third person's access (Internet-Café/At work/…)	2	/
		No (I don't use the internet)	/	/
3.2	If yes, with which of these devices do you use the internet at home?	PC	18	20
		Laptop	26	18
		Tablet-PC (e.g. iPad)	4	/
		Other device(s)	1	1
4.1	Do you use the internet en route?	Yes	17	15
		No	19	14
4.2	If yes, with which of these devices?	Laptop	2	1
		Tablet-PC (e.g. iPad)	4	2
		Smartphone	11	12
5	At home or en route: what do you use the internet for?	Research / gaining information (news, knowledge, translation, ...)	32	29
		Communication (Chats, Skype, ...)	23	22
		Entertainment (TV / Music / Games)	18	21
		E-Shopping and price comparison	25	23
		Online-Banking	24	22
6	Do you / have you use (d) an online-dating platform or would you do it?	I currently use such a platform	1	2
		I have used such a platform in the past	7	4
		I would use such a platform	5	7
		I would never use such a platform	23	16
7	Do you make use of the possibility to rate products and services online (e.g. rating on Ebay)?	Yes (only to obtain information)	11	14
		Yes (to obtain information & give ratings)	13	5
		No	12	10
8	Do you search the web to obtain medical information?	Yes, sometimes	24	20
		Yes, every time before I visit a doctor	2	2
		No, that's the doctor's job	6	4
		No, I think that's dangerous!	4	3
9	The internet and portable devices have made information easily accessible and free. Do you still read books, magazines and newspapers?	Yes, it belongs to my life	28	25
		Yes, but online free print products	2	1
		No, I only read free texts online	3	2
		No, I only read online but I am willing to pay for that (e.g. e-books)	3	1

10	Are you present in any social network(s)? If yes, which of these?	Yes:	Facebook	20	12
			Studi-/Schüler-/MeinVZ	10	8
			Google+	6	3
			Jappy	3	7
			StayFriends	8	4
			Xing	1	2
			LinkedIn	/	1
			MySpace	/	1
		No		10	10
11	Do you or would you show personal data like your full name, address or telephone number in a social network?	Yes, I trust in the data protection there		11	7
		I did it in the past but would not do it nowadays		5	5
		No, I would never do that		20	17
12	Do you use twitter or similar micro-blogging services?	Yes, I read them and write myself, too		3	4
		Yes, but I only read them		3	3
		No		30	22
13	Have you or a person you know ever been a victim of a cybercrime?	Yes		12	4
		No		24	25
14	Have you or the person you know pressed charges against the delinquent(s)?	Yes, successfully		6	4
		Yes, without success		2	/
		No		4	/

		yes		no		unsure	
		♀	♂	♀	♂	♀	♂
15	I am afraid that services like Google StreetView or Facebook's face recognition programme abridge or endanger my privacy.	17	13	18	14	1	2
16	I trust in data protection in terms of them not being sold or passed on without my accreditation	15	7	17	22	4	/
17	I „google" myself regularly in case to keep an overview over which data about me is visible to the public	20	15	16	14	/	/
18	Everybody is self-responsible for which data can be found about him/her on the internet	20	17	14	5	2	7
19	I believe that new digital technologies and the internet are a chance for children and adults to broaden their minds and find new, different and faster ways to learn	23	20	6	2	7	7
20	I believe that the internet causes the dumbing down of people and that its use is especially dangerous for children	11	10	18	16	7	3

17