International Ethics for the Information Age

- Information Age
- Ethics
- International Perspectives
International Perspectives

- What is legal differs between governments.
- What is ethical differs between cultures.
- What is normal differs between communities.
International Perspectives

• How to create an international, information age ethics that respects cultural differences, finds commonalities, and argues for some universal principles of ethics.
International Perspectives

- How can we structure a discussion?
  - International Agreements
  - National Laws
  - Cultural Norms
  - Behavioral Standards
International Information Ethics

- International Agreements
  - UN Universal Declaration of Human Rights
- International Treaties and Organizations
  - WIPO (World Intellectual Property Organization)
  - GNI (Global Network Initiative)
UN Declaration -- 1948

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.

Article 19. --- Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 27. -- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.
Information Age

• creation of a global Information Space
• global in reach, but local in control
• differences regarding allowed actions
Information Space

• Information Classes
  • Personal
  • Intellectual
  • Governmental/Historical/Political
  • Network and Host Control/Access
Information Space

- Actions
  - inserting information
  - deleting information
  - accessing information
  - monitoring information
  - blocking information
Information Space

• Agents
  • individuals
  • interest groups
  • corporations
  • governments
Information Space

• Ethical Questions

• Which agents should be able to do which actions to which information?

• This general question gives rise to the main classes of ethical issues in the information age.
Information Ethics

- Privacy --- personal

- Intellectual Property ---
  academic/industrial/entertainment

- Freedom of Speech/Censorship ---
  governmental/historical/political

- Hacking/Security --- control
Privacy

• Right to be left alone
• Right not to be seen
• Often misunderstood notion
• What is privacy in the Information Age?
Privacy

- Personal control over personal information
  - types of personal information
- Should we recognize a right to privacy?
  - Utilitarian Analysis
  - Confucian Analysis
Benefits of Privacy

- Individual rights and responsibilities
- Freedom to be yourself
  intellectual and spiritual growth
- Development of trusting, intimate relationships
Costs of Privacy

- Cover for illegal or immoral activities
- Fewer sources of help when needed
- Isolates individuals
Privacy

- Confucianism
  - relationships are most important
  - relationships are based on information
    - require sharing of information
  - privacy a secondary value
- Who wants access to personal information?
Privacy

- Who is interested in your personal information?
  - government
  - business
  - friends (of friends)
Privacy

• How is personal information made available or collected on the Internet?

• How is personal information used by others?
Privacy

- We must give up personal information
  - to gain trust
  - have a working relationship

- How should that information be handled?
Fair Information Practices

- Consent  ---  known collection
- Quality    ---  accurate/relevant
- Purpose   ---  only used for what stated
- Secure    ---  protected from loss and misuse
- Open      ---  policies disclosed
- Participation ---  individual access and control
- Accountability  ---  data manager responsibility
European Privacy Law

- Europe has adopted the Directive on Data Protection which codifies much of the Fair Information Practices, especially for corporate use.

- Social programs require greater disclosure to government.
US Privacy Law

- Privacy Act ... 1974
  - limited sharing of govt. agency information
  - citizens could ask for information held
- Patriot Act 2002 (and reauthorizations)
  - undid much of this
US Privacy Law

- No comprehensive bill
- Telephone
- Video
- Driver’s License
- Health Information
Privacy Contrast

American reasoning:
privacy protection is an individual interest that hampers business and government

European reasoning:
protection of personal information is a societal interest and a critical determinant of future economic development
In 2006, the US Justice requested information from four major US search engines on users’ searches. The request, ostensibly to assess the frequency of searches for child pornography and to prevent children from viewing harmful material, raises questions about personal freedom and the right to privacy.
US Privacy

• The sweeping nature of the request suggested that the government would not desist from monitoring US citizens for other reasons as well.

• The request followed allegations that the Bush administration overstepped the law in its surveillance of US citizens for anti-terrorism purposes.
Privacy Policy

- Google announced in September, 2009 that it would anonymize all the I.P. addresses on its server logs after nine months. Until that time, it would keep personal information about search results and viewing habits — in part to improve its targeted advertising and therefore its profits.
Privacy China

• Talk of privacy rights is new in China. Like imperial dynasties before it, the government keeps personal records on every citizen.

• Under Mao, the state controlled all jobs, housing and services through the household registration (hukou) system. Authorities even collected data on women's menstrual cycles to enforce birth control.
Privacy in China

- Mobbing
  - The case of Wei Fang
    - His wife committed suicide after finding out he was having an affair with a coworker
    - She posted her intent to die on her blog

Saturday, June 26, 2010
Within days after his wife's "death blog" was posted, Wang Fei’s name, address, phone and national identification numbers soon appeared online alongside pictures of him. Internet users began harassing Wang. They called his company, which quickly fired Wang and his lover. Wang's parents found vicious accusations of murder written on their door. (Sept 2008)
China Privacy

• Baidu.com (BIDU), the top Chinese search engine, has been blocked by major social networking websites in China. The networking websites decision to block Baidu, which controls 60% of China’s search market share, was made based on the argument of protecting users who have created original profiles for private audiences and blogs. Since social sites are based on a real-name system, they don’t want the automated bots from search engines crawling the sites and indexing personal information.
Freedom and privacy of correspondence of citizens of the People’s Republic of China are protected by law. No organization or individual may, on any ground, infringe on citizens’ freedom of privacy of correspondence, except in cases where to meet the needs of state security or of criminal investigation, public security or prosecutorial organs are permitted to censor correspondence in accordance with procedures prescribed by law.
Japan Privacy

• Like a lot of 20-year-olds, Kae Takahashi has a page on U.S.-based MySpace. It's got pictures of the funky Tokyoite modeling clothes she designs in her spare time, along with her name, personal details and ramblings.

• Switch to her site on Mixi, Japan's dominant online hangout, and her identity vanishes. She uses a fake name and says she is an 88-year-old from the town of "Christmas." Her profile is locked to outsiders.
Japan Privacy

• The vast majority of Mixi's roughly 15 million users don't reveal anything about themselves. It's not just Mixi. It's Japan. YouTube is wildly successful here, but rare is the user who follows the site's enticement to "Broadcast Yourself." Posting pet videos is popular, and has bred a generation of animal celebrities.
Japan Privacy

- In the traditional Japanese home, Shoji or paper walls divide rooms providing privacy. This effect is something Japanese researchers hope to exploit for future social networking. Teleshadow works like a webcam, showing what friends and family are up to at home. Instead of showing full motion and color, it "turns them into shadow outlines projected on the inside of a small decorative lamp."
Japanese Privacy Law

Privacy Act -- 2003
reaction to
The Basic Residents Register Act 1999...
created a national digital family registry, Juki-Net

Data protection is seen to be important for e-commerce

Reflects change in Japanese culture
of a harmonious society where the preference is to relinquish rather than assert rights and life is lived first of all in community
Japan Privacy

• Google has been asked to remove its Street View service in Japan, as a number of Japanese lawyers and professors claim that it violates its citizens privacy rights.

• Similar concerns have been raised in other parts of the world, including the US and Europe.
Commerce and Privacy

- Data Mining
- Google
  - Double Click
- Amazon
- Google Streetview
Social Networks and Privacy

- US Facebook

- Facebook’s business model is based on that idea of “the more sharing the better”, as calculated in page views and in data collected on users’ behavior. Because the Internet, in its native form, makes it easier and cheaper to create and disseminate data than to keep it in confidence, Facebook will always be pushed in the direction of leading users into a world of more sharing.
Privacy and Social Networks

Microsoft researchers have developed Contrail, mobile social networking software that enables users to share personal information with friends but not with the network itself. When a Contrail user submits information, the file is sent to a server operating within the network's cloud. The file is encrypted and appended with a list that specifies which other users are allowed to see it.
Video Postings

- MyVid
  - post videos that only can be seen by a list of specified viewers
Privacy and the Information Age

- Reduces extent of middle ground between private and public doing things on the street.. limited public online reducing offline inefficiencies

- Reverses issue ... to make public required effort now to keep private requires effort
Intellectual Property

- What is intellectual property?
- Should there be intellectual property rights?
  - Benefits of intellectual property protection
  - Limits to intellectual property protection
What Is Intellectual Property?

- Intellectual property: any unique product of the human intellect that has commercial value
  - Books, songs, movies
  - Paintings, drawings
  - Inventions, manufacturing processes, chemical formulas, computer programs
- Intellectual property ≠ physical manifestation
Property Right to Intellectual Property

- Writing a play akin to making a belt buckle
- Belt buckle
  - Mine ore
  - Smelt it down
  - Cast it
Expanding the Right to Intellectual Property

- Writing a play
  - “Mine” words from English language
  - “Smelt” them into prose
  - “Cast” them into a complete play

- How is intellectual property different from physical property?
Analogy Is Imperfect

- If two people write the same play independently, both cannot own it — every item of intellectual property is one-of-a-kind.

- If one person copies another’s play, both have it — copying an item of intellectual property is different from stealing a physical object.
Intellectual Property

- Should we recognize intellectual property rights?
  - benefits
  - costs
Benefits of Intellectual Property Protection

- Some creative people are altruistic; some are not
- Allure of wealth can be an incentive for creativity
- Authors of U.S. Constitution recognized benefits to limited intellectual property protection
  
  “to promote progress of Science and useful Arts”
Limits to Intellectual Property Protection

- Giving creators rights to their inventions stimulates creativity
- Society benefits most when inventions in public domain
- Compromise by giving authors and inventors rights for a limited time
Intellectual Property

- Trademarks
- urls
- Patents
- inventions
- must register in individual countries
Copyright

- Provides owner of an original work five rights
  - Reproduction, Distribution
  - Public display, Public performance
  - Production of derivative works
- Copyright-related industries represent 5% of U.S. gross domestic product
- Copyright protection has expanded greatly
Fair Use Concept

• Sometimes legal to reproduce a copyrighted work without permission or payment

• Courts consider four factors in analyses
  • Purpose and character of use
  • Nature of work
  • Amount of work being copied
  • Affect on market for work
Digital Fair Use

• Analog technology
  • Vinyl record to cassette degraded quality
  • Music publishers focused on big-time “bootleggers”

• Digital technology
  • CD to CD results in perfect copy
  • CD to MP3 results in a very good, compact copy
  • Internet + high-speed connections → mass sharing
Digital Rights Management

- Actions that owners of intellectual property take to protect their rights

- Approaches
  - Encrypt digital content
  - Digital marking so devices can recognize content as copy-protected
DRM De-escalation

• Over past year, industry seems to be backing off the DRM approach

• Apple iTunes changes to no DRM

• new business models searched for..

  • sharing networks
Secure Digital Music Initiative

- Goals
  - Create copy-protected CDs
  - Secure digital music downloads
  - Consortium of 200 companies developed “digital watermarking” scheme
  - Failed “Hack SDMI”
    - Internet copying became huge before SDMI ready
    - Digital watermarking encryption cracked
Criticisms of Digital Rights Management

• Any technological “fix” is bound to fail
• DRM undermines fair use
• DRM could reduce competition
• Some schemes make anonymous access impossible
Arguments for DRM

- Stefik...Trusted Systems
- could be made to mimic fair use
- could provide automated information services
- Apple iTunes attempted some of these features
Protections for Software

- Software copyrights
- Violations of software copyrights
- Software patents
- Safe software development
Intellectual Property Protection for Software

- Rights-based analysis
- Utilitarian analysis
Rights-based Analysis

- “Just deserts” argument
  - Programming is hard work that only a few can do
  - Programmers should be rewarded for their labor
- Criticism of “just deserts” argument
  - Why does labor imply ownership?
  - Could have a just society in which all labor went to common good
- Intellectual property not like physical property
Utilitarian Analysis

• Argument against copying
  • Copying software reduces software purchases…
  • Leading to less income for software makers…
  • Leading to lower production of new software…
  • Leading to fewer benefits to society

• Arguments for
Software Copyrights

- Copyright protection began 1964
- What gets copyrighted?
  - Expression of idea, not idea itself
  - Object program, not source program
- Companies treat source code as a trade secret
Software Patents

- Software patent protection began in 1981
- Inventions can be patented, but not mathematical algorithms
- Patent Office having a hard time
  - useful, novel, non-obvious
- Result: some bad patents have been issued (one-click shopping)
Intellectual Property in Asia

- Not the same history of property rights
- Often an honor to copy someone’s work
- Not as many stakeholders that are producers
  - this is changing
  - Japan .. games
Freedom of Speech

• Throughout history, the development of new media technologies has always altered the way we think about threats to free speech.
  • scope of speech
  • attacks on freedom
Who Controls

- As more and more speech migrates online, to blogs and social-networking sites and the like, the ultimate power to decide who has an opportunity to be heard, and what we may say, lies increasingly with Internet service providers and search engine companies.
Global Google

- Turkey, where videos attacking Ataturk are illegal.
- Google had to determine which videos were, in fact, illegal in Turkey and which violated YouTube’s terms of service prohibiting hate speech but allowing political speech, constituting expression that Google and YouTube would try to protect.
Google, by using a technique called I.P. blocking, would prevent access to videos that clearly violated Turkish law, but only in Turkey. Last June, a Turkish prosecutor made a sweeping demand: that Google block access to offending videos throughout the world, to protect the rights and sensitivities of Turks living outside the country.
Turkey Affair

- Google refused, arguing that one nation’s government shouldn’t be able to set the limits of speech for Internet users worldwide. Unmoved, the Turkish government today continues to block access to YouTube in Turkey.
Turkey is just one of several countries that have barred YouTube, including China, Armenia, Morocco, Pakistan, Thailand, Iran, United Arab Emirates, Saudi Arabia, and Syria.

perhaps Italy
Who Controls

• Today the Web might seem like a free-speech panacea: it gives anyone with Internet access the potential to reach a global audience. But though technology enthusiasts often celebrate the raucous explosion of Web-based speech, there is increasing focus on how the Internet is actually regulated and by whom.
International Information Ethics

- Elements
- International Agreements
  - UN Universal Declaration of Human Rights
  - International Treaties and Organizations
    - WIPO
    - GNI
International Information Ethics

- Elements
- National Laws
- Cultural History and Norms
- Individual Behaviors.. new technology
Global Network Initiative

- Goals
  - prevent Internet censorship
  - protect Internet privacy

- Members
  - Multinational corporations
  - University programs