

My in-class learning check test 2 - 600 words

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Q: The Facebook-Cambridge Analytica Data Scandal

Discuss:

- *What are your thoughts? How do you feel about it?*
- *List down what concepts come into violation*
- *Do you think it is acceptable that an organisation can use personal data in the way as in this case? If not what should be done?*

A:

What are your thoughts?

My first thoughts are that it is incumbent on all citizens to educate themselves sufficiently well in the use of technology and exercise caution when “agreeing” to the use of their data in order to avail themselves to the use of products and applications. Given that such consent is often attached to several pages of long, technically-worded clauses, this is not easy. This is where the need for government legislation comes in - to force organisations to simplify and render such documents and clauses comprehensible to non-technical populace.

My other thoughts are that no amount of legislation can abolish nefarious human behaviour and activity; these can only be mitigated by legislation.

How do you feel about it?

I feel optimistic. With technological advancement comes new frontiers and conundrums, and as with any advancement in history some mistakes would inevitably be made and some evil perpetrated before things settle down to a steady state. For the steady state to happen sooner rather than later requires active measures and not passive drift. The latter prolongs injustice.

List down what concepts come into violation

Although at first sight (or first hearing??) it looks like a truckload of wrongdoing, in my opinion actual violated concepts are few and quickly listed:

1. Consent of individuals for their data to be used in the manner used (all parties).
2. Non-transparency of how data was collected (Cambridge Analytica).
3. Non-enforcement of agreement between technology parties, i.e taking early legal action on breach of conditions for sale of data (Facebook).
4. Tacit approval of at best questionable practises and at worst illegal and unconscionable practises, while pretending not to know (Facebook).
5. Lying when exposed (all parties, possible exception Prof Aleksandr Kogan).

Do you think it is acceptable that an organisation can use personal data in the way as in this case?

On balance, no, it is not acceptable that an organisation should use personal data in this way.

There is an argument to be made that the *intent* - political campaigning to persuade voters to vote for a particular candidate - is perfectly normal (even if the candidate is of questionable character) and has been going on for centuries.

Whatever technology happens to be available at the time has been employed, e.g. letters in the post, billboard advertising, unsolicited phone calls, etc. This is just a new frontier. Also, using knowledge with foundations in academic disciplines (e.g. statistics, demographics, psychology) to target voters is not new and has been going on for decades.

My counter to this argument is that though the intent may be normal, the *manner* in which it was carried out, i.e. surreptitious harvesting of personal data, leaves much to be desired. With regard to the use of knowledge, there is now a lot more knowledge from academia and industry which when combined with Moore's law (exponential growth in computing power) has given rise to uncanny predictive powers - up to and beyond accurate personal traits - when old and new disciplines are combined, e.g. psychographics. This not only gives the feeling of - but is actual - intrusiveness/intrusivity.

What should be done?

There is the need for consent and next-level legislation in such matters, without stifling innovation. Enacted laws making it a legal requirement to embed absolute privacy and consent in the use of personal data should regularly be updated to catch up with the rapid advancement of technology and its use. In addition to appointed dedicated Data Officers in public and private organisations, governments must set up technical branches of law enforcement officers with remit to arrive unannounced on premises and audit any organisation's records and systems for any possible violations.