

## Chapter XLIII

# Privacy, Societal, and Ethical Concerns in Security

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### ABSTRACT

*This chapter will deal with issues of privacy, societal, and ethical concerns in enterprise security. Security for a company is defined as protecting a company from attack. Yet, the soft side of this attack deals with protecting the privacy of those clients, vendors, and employees from invaders. Privacy of individual's data must be considered both internally and externally. Laws protecting corporations and individuals need to be understood to keep a company from being liable for infringements of unprotected data. Companies who are not up-to-date on the laws will find themselves facing litigation in various forms. The ethical side of security is a much more nebulous area for an enterprise to deal with. Companies need to understand where ethics fits into the processes for security protection. This chapter will briefly discuss these ethical and privacy issues that an enterprise must address and processes that need to be in place.*

### INTRODUCTION

Enterprise security issues usually revolve around hardware and software. Companies are most concerned with protecting their physical equipment, software and data. Time and money is spent on establishing protections for these areas. But, many times, companies overlook creating explicit policies on privacy and ethical behavior. Both of these areas need to be understood and addressed. This chapter will look at privacy and ethical definitions in terms of security, current laws, needed processes, and future concerns.

### SECURITY

If companies look at defining security as a “means to prevent unauthorized access, use, alteration, and theft or physical damage to property” as stated by Kizza (1998), they should also look at secondary areas of security—privacy and ethics. Kizza believes that confidentiality is one of the elements of security—that is the prevention of unauthorized disclosure of information to third parties. By examining the elements of privacy and ethics, a company can expand their security plan to include process and procedures that include privacy and ethical concerns.

## **PRIVACY**

There have been many definitions of privacy over the years. One of the early definitions of privacy was forwarded by Louis Brandeis and Samuel Warren in a *Harvard Law Review* article. They concurred that the right to privacy was different from legal rights. They believed that it measured the amount of solitude in one's life. They believed in the "...right to be let alone" (Brandeis & Warren, 1890). Their definition, however, is rather broad and nebulous. In a more recent journal, Ruth Gavison (1984) defines privacy as the limitation of other people's access to individuals. Her definition has three points: secrecy, anonymity, and solitude. Spinello states that "Anonymity is protection from undesired attention; solitude is the lack of physical proximity to others; and secrecy (or confidentiality) involves limiting the dissemination of knowledge about oneself" (Spinello, 2006).

Many authors have begun to re-examine the concept of privacy itself. Tavani and Moor have stated that the control of personal data is insufficient to establish or protect privacy. They believe that "...the concept of privacy itself is best defined in terms of restricted access, not control" (Tavani & Moor, 2001). Nissenbaum has also defined privacy with aspects of "privacy in public" (Nissenbaum, 1998). As can be seen from this short account of author's statements, privacy is a very complex issue. Companies must begin to understand and appreciate this complexity in order to deal with privacy within the enterprise.

### **Public Viewpoint**

Most of the general public regards privacy as a "right." Charles Fried expounded the concept of control theory stating that "...one has privacy if and only if one has control over information about oneself" (Fried, 1894). Most philosophers have viewed privacy as essential in society as a mechanism for individuals to pursue relationships, work, and play. Individuals in society are limited if there is a fear of a loss of privacy. Individual behavior that is controlled by others through information collected without permission can cause an extrinsic loss of freedom. This kind of control can deprive individuals of jobs, job promotions, raises, refusal of loans, and other similar actions.

Intrinsic loss of freedom comes about when people behave in a different manner when they are being monitored, watched, or spied upon. The public normally responds to these types of actions with anger, suspicion, and loss of spontaneity. Where does

privacy fit in an information age? Privacy is therefore, considered to be a social idea Mason, 2006.

### **Privacy and the Information Age**

In the United States, more people are employed in the collection, handling, use, and distribution of information than any other occupation. Society today is referred to as an "information society" and we call this time the "information age." Mason described four ethical issues of the information age: privacy, accuracy, property, and access Mason, 1986). If we consider that privacy is a part of ethics, then we have a close relationship between these areas. Companies need to understand each of these areas as they create an environment where privacy can be as protected as possible, accuracy of the data is a paramount importance, property issues are addressed, and access to data is protected. The types of questions that must be asked for each area need to be examined.

### **Privacy Issues**

Companies need to be aware that there are several questions that need to be addressed concerning "privacy" in the information age. What information should a company keep about individuals? What information should a company divulge to either an internal or external party? Should individuals have some control (autonomy) concerning their own information a company holds? What information can people keep to themselves and not be forced to reveal to others?

### **Accuracy Issues**

In dealing with "accuracy" the types of questions take on additional complexity. What are the policies dealing with authenticity and accuracy of data? How is data audited for errors? How are errors to be handled if an individual is harmed? How should be held accountable, or possible liable for errors in information or information handling?

### **Property Issues**

"Property" questions deal with the data itself. Who owns the data? What are costs for sharing this data? Who owns the communication channels for exchanging the data—and can it be protected during transmission? How should policies be developed for handling sensitive, private data?

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