Ethics and Privacy of Communications in the E–Polis

Gordana Dodig-Crnkovic
Mälardalen University, Sweden

Virginia Horniak
Mälardalen University, Sweden

INTRODUCTION

The electronic networking of physical space promises wide-ranging advances in science, medicine, delivery of services, environmental monitoring and remediation, industrial production and the monitoring of persons and machines. It can also lead to new forms of social interaction. However, without appropriate architecture and regulatory controls, it can also subvert democratic values. Information technology is not, in fact, neutral in its values; we must be intentional about design for democracy (Pottie, 2004).

Information and communication technology (ICT) has led to the emergence of global Web societies. The subject of this article is privacy and its protection in the process of urbanization and socialization of the global digital Web society referred to as the e-polis. Privacy is a fundamental human right recognized in all major international agreements regarding human rights, such as Article 12 of the Universal Declaration of Human Rights (United Nations, 1948), and it is discussed in the article "Different Views of Privacy".

Today's computer network technologies are sociologically founded on hunter-gatherer principles. As a result, common users may be possible subjects of surveillance and sophisticated Internet-based attacks. A user may be completely unaware of such privacy breaches taking place. At the same time, ICT offers the technical possibilities of embedded privacy protection obtained by making technology trustworthy and legitimate by design. This means incorporating options for socially acceptable behavior in technical systems, and making privacy protection rights and responsibilities transparent to the user.

The ideals of democratic government must be respected and even further developed in the future e-government. Ethical questions and privacy of communications require careful analysis, as they have far-reaching consequences affecting the basic principles of e-democracy.

VALUES OF THE E-POLIS

In our post-industrial age, we are witnessing a paradigm shift from techno-centrism to human-centrism and the emergence of an entirely new value system that holds out the prospect of a new Renaissance epoch. Arts and engineering, sciences and humanities are given a means whereby they can reach a new synthesis (Dodig-Crnkovic, 2003). This meeting of cultures is occurring to a great extent in cyberspace, making issues of cyber ethics increasingly important.

One expression of a new rising human-centrism is the emergence of e-government, which changes the citizen-government relation, making the political system transparent and more accessible to the citizen in the participatory democracy. It is, therefore, argued that a rethinking of the idea of development in the contemporary globally networked civilization is necessary (Gill, 2002). Networking at the global level must be seen in a symbiosis with local resources. Social cohesion in this context results from the ability to participate in the networked society through mutual interaction, exchange of knowledge and sharing of values. The problem of promoting e-government in developing countries via virtual communities' knowledge-management is addressed by Wagner, Cheung, Lee, and Ip (2003).

PRIVACY MATTERS

Before the advent of ICT, communication between people was predominantly verbal and direct (Moore, 1994; Agre & Rotenberg, 1997). Today, we increasingly use computers to communicate. Mediated by a computer, information travels far and fast to a virtually unlimited number of recipients, and almost effortlessly (Weckert, 2001). This leads to new types of ethical problems, including intrusion upon privacy and personal integrity. Privacy can be seen as a protection of two kinds of basic rights:

- **Priority in Defining One's Own Identity:** (This implies the right to control the use of personal information disclosed to others, as personal information defines who you are for the others. As a special case, the freedom of anonymity can be mentioned. In certain situations we are ready to lend our personal data for statistical investigations, for research purposes and similar, under the condition that anonymity is guaranteed.)
- **The Right to Private Space:** (This is generalized to mean not only physical space but also special artifacts exclusively associated with a certain individual, such as a private diary or private letters – or disk space.) The privacy of one's home is a classic example of a private space that, moreover, is related to one's own identity. It is also an instructive archetype because it shows the nature of a private space as a social construction. You are, in general, allowed to choose whom you wish to invite to your home. However, under special circumstances, it is possible for police, for example, to enter your home without your consent, this being strictly regulated by law.

Historically, as a result of experiences within different cultures, a system of practices and customs has developed that defines what is to be considered personal and what is public (see Warren & Brandeis, 1890; Thompson, 2001). A basic distinction in human relations is, consequently, that between the private (shared with a few others) and the common (shared with wider groups) (DeCew, 2002). Fried (Rosen, 2000) claims that only closely related persons can have true knowledge of an individual.

According to Mason (2000), privacy can be studied through the relationships of four social groups (parties): (1) the individual; (2) others to whom the first party provides specific personal information for the sake of creating or sustaining a personal relationship or in return for services; (3) all other members of society who can get access to an individual's private information, but who have no professional relation to the individual and no authority to use the information; and (4) the general public who are in no direct contact with the individual's private space or information. During the interaction between parties, individuals invoke different levels of privacy. The advantages of close relationships are compared with the risks of the release of information and its inappropriate use, which could result in a loss of personal space or harm to one's identity.

DIFFERENT VIEWS OF PRIVACY

The acquisition, storage, access to and usage of personal information is regulated and limited in most countries of the world by legislation. However, each part of the world has its own laws. In the United States (U.S.), separate laws apply to different kinds of records. Individual European countries have their own specific policies regarding what information can be collected and the detailed conditions under which this is permissible. (For an international survey of privacy laws, including country-by-country reports, see Privacy and Human Rights 2004; see also Briefing Materials on the European Union Directive on Data Protection).

The current political situation in the world and the threat of terrorist attacks has led to governmental proposals in the European Union requiring Internet Service Providers to store personal information—for example, data relating to Internet traffic, e-mails, the geographical positioning of cellular phones and similar—for a period of time longer than is required of them at present (ARTICLE 29 Data Protection Working Party).

Although relevant legislation is in effect locally, there are difficulties with respect to the global dissemination of information. To avoid conflicting situations, there is a need for international agreements and legislation governing the flow of data across national borders.

COMPUTER ETHICS

ICT is value-laden, as is technology in general, and is changing our ways of conceptualizing and handling reality (Bynum & Rogerson, 2003; Spinello, 2003). It is not always easy to recognize intrinsic values incorporated in an advanced technology. Specialized technical knowledge is often needed for an understanding of the intrinsic functionality of a technology; for example, how information is processed in a computer network.

The need for a specific branch of ethics for computer and information systems, as compared with a straightforward application of a general ethical theory to the field of computing, is discussed by Bynum (2000), Floridi and Sanders (2002) and Johnson (2003). Tavani (2002) gives an overview of this so-called uniqueness debate. While the philosophical discussion about its nature continues, computer ethics/cyber ethics is growing in practical importance and is establishing itself as a consequence of the pressing need for the resolution of a number of acute ethical problems connected with ICT.

The changing resources and practices appearing with ICT both yield new values and require the reconsideration of those established. New moral dilemmas may also appear because of the clash between conflicting principles when brought together unexpectedly in a new context. Privacy, for example, is now recognized as requiring more attention than previously received in ethics (Moor, 1997). This is due to reconceptualization of the private and

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