With technology growing, our privacy is shrinking

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Scott McNealy, CEO of Sun Microsystems has said, "You have zero privacy - get over it."

He was half right.

A Dec. 4 Inquirer article described a keystroke-logging device planted by the FBI in Nicodemo "Little Nicky" Scarfo's computer that allowed access to anything typed on his keyboard: passwords, letters to his lawyer, or records of other activities. His lawyer described that as "scary"; others called it "Orwellian." But what exactly is Orwellian about it?

I am not a lawyer, but from a lay point of view the act of planting a keystroke-logger does not seem significantly different from tapping a telephone or bugging a room. If the target of an investigation were deaf, could a TTY (a text-telephone for the deaf) be tapped? All involve using some sort of device to intercept private communications without the subject's knowledge.

What is different is not the act - the placing of the tap or the keystroke-logger - but its consequences. The amount and kind of information that can be sucked out of a computer is orders of magnitude beyond what can be heard listening to telephone conversations. And keystroke data is digital; it can be searched, sorted, analyzed and stored. What has changed is not intercepting communications - the New York Police Department first tapped a phone call 10 years after Alexander Graham Bell made his - but the digital revolution.

We rarely think about how much of what we do is recorded, saved, analyzed, stored and distributed digitally. How many of us worry about a computer tracking us every time we use EZ Pass to cross a bridge to New Jersey? Or the scanner at the supermarket checkout recording everything we just bought? Are we worried about being followed around all day as we use cell phones or our location being pinpointed in real time by that handy satellite navigation device in the car? While many Internet users are familiar with cookies, most do not realize that their route around the Web is traced and recorded through click-stream data; that there is "someone" behind them recording every window they look into in that virtual mall.

McNealy was half right. While we may not have zero privacy, the information revolution has reduced privacy dramatically. What is now public space has grown considerably at the expense of what was private space. We are in the midst of a massive digital invasion of privacy.

But it is not that simple. We are willing victims. Taking advantage of the information revolution requires me to tell a Web site, credit-card company, supermarket check-out counter or airline mileage program something about myself. There is a clear trade-off between reaping the benefits of the new digital world and privacy.

I do have a choice. I can fire up my computer every morning and log on to a weather page, search Philly.com for political and sports news, surf over to a brokerage's page to check out my portfolio stock by stock, etc. Or, I can personalize My Yahoo so that I log on to one page and get all of that in one place plus local movie schedules and a lot more. It is much more convenient, but someone now knows a great deal about me, including my hobbies and my portfolio. I can wait in line on the Ben Franklin bridge to get change for my \$5 bill, or just cruise though the EZ Pass lane (in theory), knowing the time and date are recorded.

Where does that leave us? Our private space has shrunk, but we do not have to "get over it." We can make choices, as individuals and as a society, about the impacts of the digital revolution. There is a lot of ground between Luddism - rejecting the new technology outright - and passive acceptance of whatever comes with it. We do not have to let the technological cards fall where they may.

As individuals, we can take steps to protect our privacy - Scarfo apparently was using Pretty Good Privacy, a readily available encryption program - both on- and offline. We can make choices about how much information we want to trade for lower costs or more efficiency.

Individual action, however, has its limits. Privacy is threatened by the digital age, and individuals acting alone cannot solve the problem. I cannot stop Amazon.com from selling my information along with a business unit they decide to dispose of, or stop a bankrupt Web site from putting all of my personal data on the market. We do need some rules of the road.

The first step is to increase public awareness of and knowledge about what is happening to privacy. That requires a massive educational effort and much increased discussion in public groups and in government. It also requires all of us to think about consequences: Most of us are unlikely to find a keystroke logger in our computer, but we can ask where all of that information scanned at the supermarket checkout counter ends up.

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