

We Need to Re-Think How We Fight for Privacy

By ALAN HENRY

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Most of us agree that privacy on the internet is important. Unfortunately, those of us that advocate for privacy aren't focused. We rant about a scattershot of real issues, conspiracy theories, half-truths, and aphorisms, and don't focus on how we actually fix things. We need to change this.

It's easy to get caught up in one headline issue instead of actually working to protect privacy on the internet. Similarly, protecting privacy isn't something you do in Facebook comments—it's something we each do for ourselves, and then campaign for on behalf of others. Let's talk about where we're getting tripped up, and what we can actually do if we focus and put our efforts in the right place.

It's Complicated, so We Boil It Down to Inaccurate Sound Bites



Privacy issues are complicated. Like many complicated things, it's easier to ignore them or oversimplify them, so we do. [Yet privacy is so important to protect](#) because it allows each of us to make our own decisions. When it comes to things like internet privacy, you fight for the rights of everyone, including yourself, even if your choice is to not exercise those rights.



[Why You Should Care About and Defend Your Privacy](#)

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You've probably heard people say things like *"There's no such thing as privacy on the internet."* *"If you don't have anything to hide, you shouldn't worry."* *"I'd rather companies know me so they can target me instead of trying to sell me crap I'm not interested in."* *"Just watch what you post online."* On a case-by-case basis, or for specific individuals, [some of these statements are valid](#). The real problem is that they boil down an issue that involves *everyone* to the perception of *one person*. Those witty-sounding quotes, perfect for collecting likes and +1s, actually distract us from talking about the real issues.



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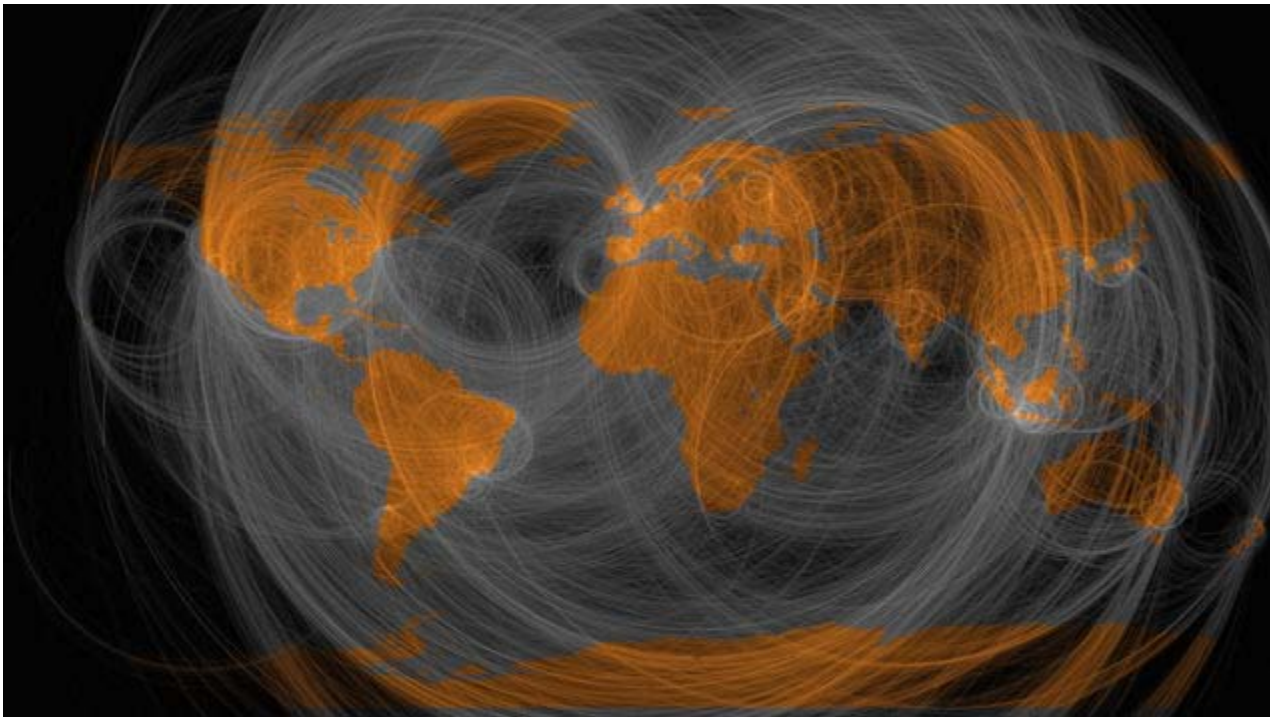
Every time we resort to a quip like "well, I have nothing to hide," we're stemming a real discussion on privacy. We broke down the [ridiculousness of "nothing to hide"](#) a while ago, but the other sound bites are just as easily dismissed. For everyone who doesn't think there's any privacy on the internet, there's someone new just coming online—like a young person on their first device or someone in a country just gaining affordable access, for example—who's wading into the internet we know without a compass. Telling them "there's no such thing" does them a disservice, and assuming that our individual choice to be openly tracked should apply to them is dangerous.



[Plenty to Hide](#)

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We Pretend Privacy is a Local Problem when the Internet Is Global



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The Internet is a big place, and treating privacy as a local (or in our case, an American) issue ignores the global reach of tech companies, and the long arm of government agencies. When we hear about foreign issues, we treat them like they're strange and far away, ignoring the fact that those issues very quickly come home to roost. In truth, everyone's plight is our plight. Every time we glance over issues at home or abroad, we ignore the legal precedents they set and hang real people who are impacted by them out to dry—whether they're activists in Pakistan, whistleblowers in China, or consumer advocates in the United States.

For example, most of us see Facebook's ever-changing privacy policies as a mild annoyance, but it doesn't take much to find [people who have lost their jobs because "private" posts weren't really private](#). Even if you think those people should have just watched what they posted, think about the people who rely on those privacy controls to keep their identities secret from governments, employers, or companies that punish dissenting speech. Similarly, when we pretend that it's not our problem when [Russia forces bloggers to "register" with the](#)

[government](#), we do a disservice to the people who share the internet with us. It could also blow up in our faces if companies decide to keep data on everyone, just in case they need to turn it over.

We Don't Speak Up, and When We Do, We Choose the Wrong Targets



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NSA spying is [a serious problem](#), but we need to stop focusing so much on it. I'm not excusing what NSA does—far from it, and we'll talk about how to get involved later—but right now, it's a massive distraction from other privacy battles that we could actually win if people were engaged. "NSA trolling" has turned into a thing: Every new app or feature is met with "and they send your data to the NSA!" It's led to "NSA fatigue," and like any other aphorism, it's a distraction that diminishes the real issue and paints privacy advocates as tinfoil hat-wearing conspiracy theorists.



[What the NSA Spying Scandal Means for You](#)

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In the meantime, we miss out on [the Trans-Pacific Partnership and its copyright provisions](#), many of which are reminiscent of [ACTA](#)—the treaty that came to light after [SOPA and PIPA](#). We fail to lend our support to Mexican protesters actively campaigning against [a disastrous telecom bill that could gut internet freedom and privacy there](#). We shake our heads at copyright trolls, but forget their method of [strongarming ISPs into identifying users](#) actually hurts *us*. We fail to understand that [the debate over Net Neutrality](#) is pertinent to privacy, even though it's made headlines. Since the time for public comment on the FCC's proposed guidelines is *right now*, now is [the time everyone should be talking about it](#). We're also missing our opportunity to strengthen the [USA Freedom Act](#)—the bill that would curb the very NSA spying everyone's aware of. The House of Representatives recently passed a version ([read it online here](#)) that's considered [watered down at best](#).

It's the Senate's turn now, and it's up to constituents to encourage them to strengthen it instead of pass the House's version.



[The Trans-Pacific Plague: How TPP Spreads the United States' Terrible DRM Policies](#)

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Speaking of the wrong targets, we also give a pass to [the companies that happily suck up our personal, identifiable data](#) and [sell it to the highest bidder](#). We accept the excuse that it's all "targeted marketing," even when it's [actually used against us](#) in healthcare, banking, and credit decisions, and that the data is "anonymous and aggregate" even [when it really isn't](#). We assume that even if we're okay with such targeted data collection, everyone else is, too. We point at huge companies—who definitely have real problems that need to be addressed—and ignore easily defeated companies like [KlearGear, who'll subpoena Yelp for your information and sue you](#) if you leave a negative review (even though courts have ruled they can't.) We ignore the fact that [LG's new privacy policy says they can collect specific data on everything you watch on their new Smart TVs](#), even if it's your own media, and if you decline their privacy policy, [your expensive Smart TV is stripped of all of its features](#). All of these are campaigns easily won if we paid attention to them. Plus, they'd turn into legal precedent that would be useful against those big companies we're busy complaining about instead.



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So What Should We Do?

WHO HAS YOUR BACK? A REPORT FROM THE ELECTRONIC FRONTIER FOUNDATION



Protecting Your Data from Government Requests



| | Requires a warrant for content | Tells users about government data requests | Publishes transparency reports | Publishes law enforcement guidelines | Fights for users' privacy rights in courts | Fights for users' privacy rights in Congress |
|---------------------|--------------------------------------|--|--------------------------------------|--|--|--|
| Adobe | ★ | ★ | ★ | ★ | ★ | ★ |
| amazon.com | ★ | ★ | ★ | ★ | ★ | ★ |
| Apple | ★ | ★ | ★ | ★ | ★ | ★ |
| at&t | ★ | ★ | ★ | ★ | ★ | ★ |
| COMCAST | ★ | ★ | ★ | ★ | ★ | ★ |
| CREDO mobile | ★ | ★ | ★ | ★ | ★ | ★ |
| Dropbox | ★ | ★ | ★ | ★ | ★ | ★ |
| facebook | ★ | ★ | ★ | ★ | ★ | ★ |
| foursquare | ★ | ★ | ★ | ★ | ★ | ★ |
| Google | ★ | ★ | ★ | ★ | ★ | ★ |
| INTERNET SERVICE | ★ | ★ | ★ | ★ | ★ | ★ |
| LinkedIn | ★ | ★ | ★ | ★ | ★ | ★ |
| Lookout | ★ | ★ | ★ | ★ | ★ | ★ |
| Microsoft | ★ | ★ | ★ | ★ | ★ | ★ |
| myspace | ★ | ★ | ★ | ★ | ★ | ★ |
| Pinterest | ★ | ★ | ★ | ★ | ★ | ★ |
| Snapchat | ★ | ★ | ★ | ★ | ★ | ★ |
| Sonic.net | ★ | ★ | ★ | ★ | ★ | ★ |
| T-Mobile | ★ | ★ | ★ | ★ | ★ | ★ |

So far, we've talked about the problems that plague the current privacy debate, and some issues that probably need more attention than they're getting. Part of the problem is that between security and privacy, [there's just so much going on](#) that it's difficult to get a complete picture. For those of us who actually want to make a difference, though, there's plenty you can do:

- **Educate yourself.** Ideally, you already understand [why privacy is important](#)—whether it's [privacy from snooping companies](#) or [overreaching governments](#). If you're the type who shrugs it all off, at least [pay attention to the things that affect you directly](#). Make note of [the things you may not expect](#), too.
- **Stay engaged and pay attention.** None of us have the willpower to get involved in everything, so you have to pick your battles. Personally, I like to pick battles I can win, and use that momentum to win future ones. Maybe your battles are ones with the companies you do business with regularly, or communities you're involved with. Pay attention to [the Electronic Frontier Foundation](#), the [Save the Internet](#) campaign, and their efforts. [Ars Technica's Law and Disorder](#) is a great place to stay up to date on important tech policy issues, too.
- **Understand your choices aren't everyone's choices.** This is a recurring theme, but it's critical when you fight for privacy, or any kind of rights. It takes everyone—not just the people who opt out of their rights—to make sure that everyone has a choice. [The EFF discusses this here](#), but remember, just because you're okay with the data that Google collects in order to give you Gmail, doesn't mean *everyone* is, or should be. Understand if they choose to take their business elsewhere, and support campaigns to change those policies. It only strengthens everyone's rights as a result, and you still have the same power and choice you always did.
- **Support privacy-forward companies, especially when they make positive changes.** The internet can be a great driving force to get companies to change their tune or policies towards user data, which is great—but once they do, that's something to be praised, not shamed. Remember [the Dropbox TOS controversy a few years ago](#)? When they changed their tune and acknowledged their error, that was a *good* thing. Trust takes time to rebuild, sure, but a step in the right direction—and away from other companies that wouldn't blink—is a good one. The EFF's most recent privacy scorecard for 2014 is above—look it over and make careful decisions about who you give your business to. Read privacy policies before you sign up for startup companies and new services. Reach out to the developers and always ask the question, "how do these guys make money?" We try to do this before we post about a new company or app, but you should too.
- **Protect your own privacy whenever possible.** We're not just talking about filtering out online ads, although we think you should do that too. [We've shown you the tools you need](#), the [best browsers for privacy](#), how to [get started with encryption](#), how to [encrypt your email](#), how to [beef up your password security](#), how to [pick a good VPN](#), and more. We've even shown you how to [do it all in one day](#). Even if you don't trust the services you use (and we hope you would pick ones you trust), taking matters into your own hands lets you enjoy the benefits without the privacy transaction that's required for most free services.
- **Make your voice heard.** Finally, learn the best ways to get involved. Many of the organizations we mentioned earlier will help you sign petitions and issue public comments, but when you're ready to go past that, [this guide to making your voice really count](#) is worth a read. Supporting non-profits that are privacy focused is a good step, since they can navigate the halls of government on your behalf. Even so, there's nothing like direct contact with your congressional representative, either in an in-person meeting or by an individually written (eg, not a petition-autofilled) letter. When it comes to large companies, [getting them to pay attention to the little guy](#) can be just as tricky. A simple letter may not be enough—getting media involved, going to the top, or taking your business elsewhere and voting with your dollars are some of your best options.

In a way, the internet privacy discussion is easily sidetracked by debates over individual preferences and the myriad angles from which you can approach the issue: Corporate versus government, local versus international,

personal versus societal. The important thing is that we focus on the right issues, not get sidetracked by red herrings and navel gazing, and make sure to speak up to protect everyone's privacy, even when we don't care about our own, or think it's at risk.

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