



act*TV*ism

Edward Snowden, Glenn Greenwald & Noam Chomsky - A Conversation on Privacy Part 3

Note: This transcript may not be 100% accurate.

NO:

For someone who's worked in privacy pretty much my whole career, I can't tell you the joy that I'm experiencing right now. Just hearing these comments, it's just a little too much fun.

A question from our 2shoes app: You all clearly care about privacy, and all of you watching at home care about privacy, and these gentlemen are contributing incredible amounts to this debate and the thought leadership. But do people in general care? Is there a generational shift? Is there a difference? Are people's experience of social media and their willingness... And let me just say, I don't necessarily agree with all of these questions, I am reading from a piece of paper, just so you know. Do people's activities online – in being willing to give so much information freely – show that people are less concerned about their digital selves as perhaps we all might want them to be?

Let's start with Ed again.

ES:

So I'll try to take this quickly, since I just rambled for some time here. I would argue it depends on the individual, because ultimately privacy, your feelings, your beliefs are always individual in nature. You can try to extrapolate from this, you can try to do some polling based on groups. But to say that it doesn't have value even to the majority isn't really that material, even if it is the case. Again, rights don't exist for the majority. Rights exist to protect the minority against the majority.

But even in this context, right, even if we put that aside: I would argue that many people do care about privacy, and they're beginning to care about it more that they have before, because they didn't realize it was threatened. They didn't realize they were being watched. As you said previously, we've seen polling that indicates people are getting more protective of their privacy now, they're being more careful, they're concerned about the **monitoring (not sure)** that's occurring. And when we think about why this is, generally there's a question here – that I would actually be really interested in the ideas of the other speakers on the stage – is that there's this traditional idea that we inherited, that some human interactions leave no trace. They occur without records, they are ephemeral in nature. It's an experience shared between

you and your spouse, you and your pastor, or as they used to say **sort of on privacy** in your own home: The things that happen between those four walls are between you and your god, if you believe in him.

Now, the NSA and other intelligence services around the world thought, well that's really quite a shame, because imagine if we could hear everything, imagine if we could hear what was happening within the four walls of your home. There would be tremendous investigative value in this. Now they're not wrong, and the problem here is not necessarily that surveillance can occur at all. It's that it happens indiscriminately. It's that it happens to all of us, all of the time. And we're populating sort of buckets, with the activities, the records of everyone, because they're out there, they're free. As long as you can access the telecommunications service providers you can pull them right off the wire, what the government calls metadata, which the public would understand much better by its actual meaning, which are private activity records: who you call, where you go, the things you've done, the purchases you've engaged with. The diary of activities of your life with every entry of what you've done, but not necessarily the details of how that you did it.

Now, if we take that back to this idea that there were private spaces before that no one could intrude upon by virtue of the fact that no record were left behind. If you wanted to know what someone did within their home, you had to ask them and you had to hope they were willing to cooperate. Again, these were things that, really, unless there's a god out there, there was no witness for the parties involved.

But what we've seen, is the advances of technology have allowed these state security agencies to go, well why don't we build god from a machine. Why don't we create that form of omniscience through technology, and create records on everyone, just in case at some point we want to go back and look and see what they did. Now, this is a fairly extraordinary and unprecedented thing. Now it is possible that the majority of the population would argue that this is a good thing. That we want our governments to be powerful, to be capable, to be omniscient, because then they could thwart additional crimes. But if that is to occur, at the very least this is a decision that I believe the public should be involved in. We have a right to know, and we have a right to discuss it. This is not a decision that can ever be made for us by a few officials behind closed doors. And unfortunately that is increasingly what we see happening.

GG:

On the question of whether people care about privacy, I remember really vividly when Ed and I were in Hong Kong, before we started reporting these stories, we spend a lot of time talking about what the likely outcome of the reporting would be. And we really had no idea what it would be, and I remember, because it struck me so much, Ed at one point saying: "You know, I don't have any fears about what's about to happen, in terms of what gets done to me, about going to prison," and it was clear that he meant that. And he said, that "the only fear that I really have is that we do this reporting, and we unveil this to the world, and people just sort of shrug and say: 'Well, I assumed the government was doing that', or 'I don't really care that

they were doing that.”” And that it would be a one or two day story, and that people would forget about it and go about their lives. And, of course, that’s exactly what did not happen. It became this enormous, incredibly consuming worldwide story, not just in the United States, but in dozens of countries on multiple continents around the world, precisely because people were so angry and offended at the intrusion into their privacy, including people who might have said in the past, “I don’t really care.”

And there’s all kind of evidence that shows just how concerned they are, from the massive increase in the number of people around the world who are now using encryption to protect the privacy of their communications, to the number of people who put pressure on the US government in both parties to enact legislation limiting these programs. But maybe the best evidence of all about how much people care about privacy is the behavioral change in Silicon Valley companies. The biggest ones, Yahoo and Facebook and Apple and Google and Microsoft. When I first read the archives that Ed gave me, one of the things that struck me the most was, what full-scale collaborators these companies were in the surveillance state that the NSA had created. They were not only complying – there’s a helpful chart from Ed that has just magically popped up: all the companies that were part of the Prism program, and when they joined. And it includes essentially every leading company in Silicon Valley. And they not only cooperated to the extent the law required, but even way beyond that. There were documents about how Microsoft would meet with the NSA to help them build backdoors into Skype the same time they were promising the public that Skype was impenetrable. And the reason they were such full-scale collaborators is because they were doing it completely in the dark, and no one knew they were doing it, and therefore there was no cost.

Once we were able to shine a light on what these companies were doing, and the full-scale partnership they had created with the government, all of that changed completely. And it didn’t change because these companies decided suddenly that they care about your privacy – they still don’t care about your privacy. But what changed is their fear, that if they were perceived as being collaborators of the NSA, that they would lose the current generation or the next generation of Internet users to social media companies in Korea or Brasil or Germany, who would be able to say, “don’t give your data to Facebook and Apple, because they’ll give it to the NSA. Give it to us instead.”

And so whatever you want to say about these companies, one thing they know is their own self-interest, and the pressures of their customer base. And they knew that it was really imperative that they demonstrate to the public that they actually are willing to safeguard people’s privacy, even if it means standing up against the FBI, refusing, even in a case like San Bernadino, to build a backdoor into your iPhones, even if it meant enduring being called aiders and abettors of ISIS, or having blood on their hands, as a result of helping terrorist hide their communication. All the things these companies have endured and are enduring not because they’re suddenly privacy activists, but because they know that tens of millions of people around the world care deeply about their privacy, and won’t use these companies, if they think their privacy is going to be compromised. That is the best evidence of all to answer the question, do people care about their privacy.

NO:

And hold that thought, because we’re going to get to encryption and Apple and FBI in just a minute. But, and I’ve said, over and over again that the post Snowden era really is one in which we have crystallized the issue of the digital age, which is the blurring of the lines between data held by corporate actors, and data held by the federal government, and our un-

knowing prior to several years ago. But I do want to get back to Noam Chomsky with the question, do people care? You've seen more generations than the two other speakers. Is there an attitudinal shift? Is there an age, gender, national origin difference? And a special question from Michelle Dennedy, my good friend and a privacy leader at Cisco currently, to Professor Chomsky. In your work on learning and persona: how do you perceive this new curated and often very public digital self that people are creating online? What does that mean in the evolution of self?

NC:

Well, with regard to the personal need for privacy my own feeling is that the answer was given centuries ago by Blaise Pascal and his "pensé", his thoughts, he observed briefly that the root of man's misfortunes is the lack of a room in which you can sit quietly and undisturbed. And if he had thought about surveillance he would have said without surveillance. And I think that's probably universal. It's of course a metaphor, but what it means, I think, is correct.

I really can't comment on the impact of social media, I'm too Antediluvian for that, I don't use them, I don't follow them, I don't like them. My grandchildren use them, okay. But what effect that's had, I suspect that, my general feeling is that it's kind of unhealthy. I think it leads to a sense of intimacy that is fraudulent, very superficial interactions among people.

And I don't say this on the basis of any deep inquiry or study, but to take a real case: if a teenage kid, take a real case, is having a test tomorrow, and says: "Gee, I had 200 friends who told me, 'I hope you do well,' so look how much of a social life I have," I think there is something deeply wrong about that.

Actually, it reminds me of long before the days of the internet, when I was ten years old and I had a friend who was kind of a laughing stock among the small group of friends, because he had a notebook in which he listed all of his friends. And he once told us proudly, that he had 100 friends, which means he had no friends.

NO:

That's just sad. And so true, as we all count through our Facebook friends list.