LOOK BACK AT PRIVACY
A LOOK BACK AT PRIVACY

How can we learn from history to inform the way we think about the current policy debate around privacy and digital rights?

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Introduction

Over the years, digital and technological developments have complicated people’s and institutions’ relationships to privacy. We’re all more aware of issues surrounding privacy, especially in the aftermath of events like the Cambridge Analytica scandal. But the steps we take to ensure our online safety are rarely representative of our level of concern, resulting in a gap between attitudes and behaviours: a phenomenon scholars have named the privacy paradox. \(^1\) Even from a corporate standpoint, privacy has become an afterthought – regulation is reactive rather than proactive, with corporations responding to privacy concerns only after a scandal or when it seriously threatens their reputation.

At IF, we are really intrigued by this problematic relationship with privacy, in a context where abuse of digital rights and online safety are frequent. In our search for answers, we turned to history. How did privacy go from non-existent to a human right to an afterthought? Can we learn from historical parallels to inform the way we think about the current policy debate around privacy and digital rights? How can we mitigate the privacy paradox, in order to get people interested in their privacy and motivate companies to invest in protecting it? Throughout history, there are parallel moments when human rights and consumer safety were made secondary to technological progress or innovation. In these instances, how did people manage to bring about change?

In this report, we investigate privacy and regulation using research published online in installments on our Policy blog. It starts by drawing a history of privacy from 17th century England to the present day, then looking at three case studies that might provide inspiration for privacy regulation. This includes messaging in the environmental movement, incentivising regulation in various technological innovations and enforcing standards in different industries. While this report only scratches the surface of such a broad topic, we hope that this succinct roundup can inspire new perspectives and ideas.

PART 1

A Short History of Privacy

As the ACLU’s report on informational privacy in the digital age points out, there is a disconnect between the privacy guarantees we expect under the International Bill of Rights, and the ways in which services collect and use data about us. In order to give some background to this discussion of privacy in the digital age, we’ll begin by looking back at the origins and evolution of the right to privacy in the Western world. While this research is not exhaustive, it sheds light on the evolution of privacy, and help us understand how principles and practices became so disjointed.

The origins of the right to keep your thoughts to yourself

In their research on the origins of privacy, Eric Krupke and Rachel Quester draw links between the rise of Protestantism and the emergence of a right to privacy in 16th-century England. Before the Reformation, Catholicism was the dominant religion and had huge influence over English culture and society. The Catholic Church believed it was responsible for ensuring the purity of the thoughts of its followers: as life at the time was organised around religion, the concept of private thoughts, or privacy in general, did not really exist. This indifference to privacy extended to parishioners’ social and personal lives as well. In contrast, Protestant reformers proposed a more individual relationship with God and the Bible, keeping thoughts free from interference from the Church.

Another key principle of the Protestant faith was the belief in the divine right of kings. This made the emerging religion popular with Henry VIII, who was facing opposition from the Catholic church in his attempts to annul his wedding to Catherine of Aragon. He broke away from Catholicism and made Protestantism the nation’s religion in 1534 by declaring himself head of the Church of England. Religion was still a dominant force in society, but the principles of that religion were shifting. As a result, so did society. Protestant principles, such as the notion of an individual relationship

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with God, became part of English culture, crossing over from the religious into the personal. Thus, Protestantism is thought to have been instrumental in establishing the concept of the private sphere in 17th-century England.

Therefore, when the British colonised America a few centuries later, they also imported their legal system – including a growing protection of private life. Krupke and Quester report that when the United States declared its independence, the Founding Fathers drew inspiration from the writings of William Blackstone, an influential English jurist. He argued that the state should have limited access to one's private sphere, a belief which then became a fixture of the constitution. Whereas England had gradually become accustomed to the idea of a private life, it was infused into America’s foundational document from the very beginning.

Enshrining the right to privacy

A key step in establishing the right to privacy as a human right was its inclusion in the International Bill of Rights, which was written after World War II as the founding document of the United Nations. The degrees of inclusion of privacy within the International Bill of Rights vary widely depending on draft versions, and there is little record of the thought process behind these changes. Oliver Diggelmann and Maria Nicole Cleis, who wrote the definitive account detailing how privacy became a human right, refer to this process as the “silent birth of an important human right.”

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The United Nations Declaration of Human Rights was ratified in 1948, with Article 12 stating that: “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.” However, Diggelmann & Cleis note that this recognition at the global level was steps ahead of national regulations: “The ‘right to privacy’ was recognised as an international human right before it was included in any state constitution.” Even in the United States’ constitution, the right to privacy was an allusion rather than explicit protection.

Privacy and historically marginalised people

It is important to note that the right to privacy was not universal, and historically marginalised groups were systematically disadvantaged by it. For example, the right to privacy was often detrimental to women, as violence inside the home – child

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Ibid, 441.
abuse, marital rape – was considered a private matter and therefore off-limits for legislators for most of American legal history. Meanwhile, for decades, the right to privacy was insufficient in protecting queer people from intrusion into their private lives, until the LGBTQ rights movement was successful in claiming this protection.

Throughout history, the right to privacy has been applied unevenly, and in many cases worked to reproduce existing power structures. To this day, Khiara M. Bridges writes that the right to privacy is unevenly respected in American society. Her book “The Poverty of Privacy Rights” argues that the privacy of poor women is especially disregarded, with monitoring and regulating of their daily private life being a condition of access to public services.

This is comparable to the history of the ‘means test’ in early 20th-century England. Essentially, the means test was a routine invasion of privacy designed to determine how far below the poverty line unemployed Britons fell. Katherine Ward, who wrote the definitive account of unemployment in Britain in the 1930s, writes that, “the means test became a disruptive, intrusive and unwelcome feature of unemployed households.”

The invasion of privacy caused by the means test was, by all accounts, humiliating. Inspectors would go into people’s homes to assess their financial situation and sometimes even follow them in public. This was meant to uncover whether people had more assets than they had reported when claiming unemployment benefits, in an attempt to determine the bare minimum that the state needed to pay. Every single possession was taken into consideration when making this decision: people who held onto family heirlooms, for example, instead of selling them – even if profit would be very little – would see their allowance reduced. Wal Hannington, who led the National Unemployed Workers’ Movement in the 1930s wrote that, “the old adage that ‘the Englishman’s home is his castle’ was blown sky-high by the means test.” In this interaction with the state, struggling families had to trade privacy for benefits.

Ward is clear that rampant unemployment was already demoralising for working class families. In addition to the daily reality of living with limited resources, poverty


6 Ibid, 99.
impacted self-confidence and mental health. In the beginning of the depression, there was a measure of shame that accompanied the collection of unemployment benefits. But as unemployment increased in the late 19th and early 20th century, the practice became common. For many families, it was one of the few sources of income they could rely on. The means test added a dehumanising angle to the already bitter experience of unemployment. It was vehemently protested, and after a few years of contributing to the stigma around poverty, was eventually dismissed.

It became progressively easier for people to defend to privacy, especially as it was enshrined as a human right in the 1940s. But it is important to remember that from the outset, the right to privacy was unequally applied, and often ignored historically marginalised groups, from women through to queer and economically disadvantaged people. Unfortunately, this remains true to this day.

Privacy trade-offs and technology

The laws and rules that protect this right in our daily lives are often insufficient in today’s digital environment. In DeVries’ paper on protecting privacy in the digital age, he notes that the modern evolution of privacy regulation “is closely tied to the story of industrial-age technological development – from the telephone to flying machines.” 7 As technology evolved, so did privacy rights. But as technological and digital advanced ever more rapidly, it became difficult for regulators to keep up.

Regulation around privacy did not evolve at the same pace as the internet. One of the reasons that might account for that gap is the internet’s original cyberpunk spirit. As Douglas Rushkoff noted in an article published by The Guardian, “Back in the 1990s, we cyberpunks saw the law as the enemy. [...] What we didn’t realise was that pushing government off the net made it entirely safe for corporations, and a new form of digital capitalism was born.” 8 What quickly became apparent was that companies, prioritising their self-interest, took advantage of the space where government regulation usually existed as a watchdog of consumer protection.


Quick and easy access to digital services so often requires providing personal details that this trade-off has become the norm. Whether it’s an email address or biometric details, access is contingent on divulging personal information. While this is reasonable when the service is dependent on personal information, such as medical treatments, there is a responsibility that comes with holding people’s information that is often handled carelessly.

The recent case of Aadhaar in India is a striking example. Aadhaar is a new digital identity service through which welfare services are administered. If someone is unable to or refuses to submit their biometric data to Aadhaar, they can be denied benefits or food rations: this disproportionately affects people who have lower incomes and live in more rural areas. In addition to a built-in privacy-for-access system, Aadhaar is also irresponsible with the data it collects: an Indian newspaper exposed in January 2018 that the bulk of Aadhaar data could be purchased by third parties.

This is another example of a privacy trade-off, one more dangerous than trading an email address for access to WiFi. The practice has persisted across the world since the 1900s, but with increased digitisation and the possibility of a data breach, addressing the problematic aspects of this practice is now more crucial than ever.
Privacy: Still essential but unequally applied

Julie E. Cohen wrote in the Harvard Law Review that “privacy has an image problem.” 9 Digital businesses have created a narrative that a protecting privacy would be too costly, and protecting your information just isn’t worth the hassle. This is not the case. Privacy is not an afterthought, it is the mechanism that protects “the situated practices of boundary management through which the capacity for self-determination develops.” The ability to control our own lives is contingent on privacy. Services we need should not ask us to give up either of these elements.

The right to privacy has always been and continues to be unequally applied. The ever-increasing digitisation of our everyday lives has contributed to normalising abuses of privacy, and this is in part because abuses in themselves are not new. On top of this, the internet is dominated by a few digital giants that are largely allowed to self-regulate. As a result, they regulate the internet without accountability, resulting in a lack of transparency in the decision-making process of privacy protection.

PART 2
Policy Lessons from History

After mapping out the evolution of the right to privacy, it is clear that it has significantly changed over time. Now more than ever before, that change is accelerated by technological innovation. We can draw inspiration from other examples of times when technology acted as a disruptor and how it came to be held accountable. This section looks at three specific case studies which, in their unique ways, teach us something about how different groups brought about change to causes they cared about.

Change through regulation:
The case of technological innovations

Throughout history, new technology has resulted in new policies to make that technology safe and work for society, but it’s not unusual for regulation to lag behind innovation. In the case of the railways, there were 40 years of accidents and monopoly before lawmakers intervened within the industry. The recent string of data breaches have many wondering what it will take for companies to take people’s data security and privacy seriously. Looking back at other industries that were transformed by technological progress can help us understand how safety becomes a priority.

In particular, what prompts lawmakers to decide that regulation is necessary? Three interesting historical examples stand out: railways in the United Kingdom, engineering in Canada and cars in the United States. The regulation of each of these technologies tells an interesting story.

Railways in the UK: Public interest as a trigger for regulation

The Office of Rail and Road writes that today, “Britain’s railways are among the safest in Europe.” However, 175 years ago – before regulation – the system was “downright dangerous.”

In the early 19th century, when railway companies first began forming, they were allowed to build without consulting the government. The industry grew quickly: in 1807, the first horse-drawn service carrying passengers made its way from Swansea to South Wales. Eighteen years later, horses were replaced by locomotives for the first time. It took almost 40 years for the government to begin regulating the railway industry, but once it started, safety regulation expanded quickly.

The first notable step in regulating railways in the UK was the 1840 Railway Regulation Act. The act created the Railway Inspectorate, which was responsible for regulating construction of new railways, investigating accidents and addressing safety failures. In 1844, a second Railway Regulation Act imposed minimum and maximum speeds, improved conditions in third-class carriages and introduced other safety regulations that survive to this day. It's important to note that these measures passed despite fierce opposition from railway companies, who feared these standards would hurt their profits.

Researchers have different hypotheses as to what motivated lawmakers to regulate after 40 years of unchecked railways. McLean and Foster, in exploring the political economy of regulation in the Victorian age, argued that legislation stemmed from public safety concerns. As trains became the most popular and convenient mode of transport, lawmakers believed there was a need to intervene.
in the railway business “with due regard to the safety of the public.”

By the time the 1844 Act was being debated, the government was increasingly concerned with safety. There had been multiple fatal incidents caused by trains and there are records of several MPs publicly expressing concern about the train accidents among whose victims included their constituents. William E. Gladstone, president of the Board of Trade at the time, was careful to position the bill as essential to public safety. Regulation of the railways in the 1840s subsequently won support from lawmakers because they believed it was in the interest of the public.

**Engineering in Canada: Accountability as a trigger for regulation**

Regulation of engineering in Canada was different to railways in the UK in the sense that it was not regulated because of specific safety failures. Instead, a generational change combined with a shift in attitudes after World War I, leading engineers to place more value on increased accountability. These changes led to the founding of a tradition that persists to this day, and reminds generations of engineers of their responsibility to public safety.

The Canadian Society of Civil Engineers (CSCE) was founded in 1887 with a stated goal of facilitating knowledge sharing, research and the development of professional connections. At the time, engineering was still a recent profession in Canada, but it was growing fast in line with the building of the Canadian Pacific Railway. Within its first year, discussion about using the CSCE to professionalise engineering began. The idea was to create an assessment of skills that had to be completed in order to become an engineer. The idea was met with robust opposition.

However, after World War I, attitudes towards engineering began to change. Mechanical and electrical engineering – relatively recent branches of the profession – had proven themselves essential to the war effort. The war popularised the idea that engineering was essential to promoting people’s safety and well-being. The organisation grew and changed its name in 1918 to the Engineering Institute of Canada (EIC). The EIC reintroduced the idea of regulating the profession of engineering, and this time, the measure was popular. In 1922, seven of the (then) nine provinces passed legislation which regulated the engineering profession, on the recommendation of the EIC.

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The same year, the EIC set up a tradition that remains a fixture of the professional development of an engineer in Canada. Rudyard Kipling created the ceremony which became The Ritual of Calling of an Engineer. It was meant to direct “the newly qualified engineer toward a consciousness of the profession and its social significance.” Kipling’s writings are read to the graduating class and an iron ring is given to every new engineer. It represents the irons from which bridges were built in the 20th century – many of which had collapsed in the years before 1922. It serves to remind the engineers who wear it of their civic duties. During the calling, engineers swear to be diligent and responsible, and the ring serves as a reminder of this for the rest of their professional lives.

The automotive industry in the USA: Public outrage as a trigger for regulation

When it comes to road safety in the US, the history of regulation is again very different: it wasn’t promoted by a specific safety failure or from within a profession. Instead, Ralph Nader’s book Unsafe at Any Speed is widely credited with heightening safety standards in the automotive industry.

Published in 1965, it summarised Nader’s years of research in car safety and its shortcomings. His goal was to push for the creation of an agency responsible for generating and enforcing safety standards for cars. The book attracted significant attention and created pressure to change automotive safety policy.

Nader became interested in car safety when he hitchhiked across the country and witnessed terrible accidents on the road. Unsafe at Any Speed detailed the design features of cars that made them dangerous, including “metal dashboards and steering wheels and car doors vulnerable to open or fall off in a collision.” This led Nader to declare that there was a “gap between existing design and attainable safety.” The book was an incredible success, standing alongside In Cold Blood in 1965’s list of nonfiction best-sellers.


Nader’s book and the public outcry that it caused led to the passage of the 1966 National Traffic and Motor Vehicle Safety Act. The Act created an agency in charge of ensuring that every model put out by the automotive industry met a set of safety standards. As Christopher Jensen writes in his review of the legacy of Nader’s book: “Suddenly, what consumer advocates saw as an unfettered auto industry was facing much stronger federal oversight.” Stringent safety regulations led to many technological innovations that are now considered standard features in a car, from airbags and seatbelts to anti-lock brakes. Public outcry made the automotive industry take passengers’ safety seriously, which in turn pushed them to create safer technology.

**The lessons for a digital environment**

If we look at the lack of regulation around online privacy, we can see some clear parallels to the railways in the Victorian age. The industry had grown, unchecked and unregulated, to become a huge part of people's everyday life. Safety concerns were often disregarded if they were seen as a threat to a company's profit. When legislators finally decided to regulate the industry and enforce a certain set of standards, railway companies protested. Trigger points for regulation have varied depending on the field, the period of history and the country – but what all these examples have in common is a change in attitudes. People need to demand change to encourage companies to make their products and services safer.

While we can learn from the history of other technological innovations, online privacy will need a completely new approach to be effectively regulated. We need more than just laws and regulation: we need new designs to fix what’s broken in digital safety. The three examples above offer lessons on some steps we can take to make digital safer. First, railway regulation taught us that the public interest can be a powerful incentive for legislators to regulate an industry. Second, public outcry can create the necessary pressure for governments to hold companies accountable, as we learned from the auto industry. And finally, professionalisation can create a sense of responsibility among those whose work is instrumental in ensuring our safety. Could this be the way forward for digital?

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15 Ibid.
Change through messaging:  
The case of the sustainability movement

In the introduction, this report referenced the ongoing issue of the privacy paradox, whereby people are concerned enough about their privacy to express it, without feeling motivated and proactive enough to demand that it’s protected. This disconnect between concerns and actions is not exclusive to digital rights – the environmental movement faces a similar issue. When discussing how people talk and act about sustainability, advocates have long noted an “attitude-behaviour gap”. For example, the Washington Post wrote in 2016 that while 63% of people believed that climate change should be a source of concern, only 47% think that the government should take action to address it. To address this issue, sustainability advocates have been involved in a decades-long messaging campaign to convince people to care about the environment and take action. The messaging tactics used by activists have had varying degrees of success, and the following section will explore some of these strategies, as well as discussing their relevance to the digital privacy movement.

The birth of the sustainability movement

In the early 20th century, unrestricted progress and growth were celebrated as the height of human achievement; by the end of the 1960s, scientists were beginning to raise concerns about the impact on the planet. Like privacy today, sustainability had taken a back seat to technological progress in the name of innovation. It was only in the 1970s that the environmental movement truly became more widespread, and ecological crises gained media coverage. Earth Day was celebrated for the first time in 1970, and the US Environmental Protection Agency (EPA) was established the same year. Finally, in the first few years of the decade, the first environmental NGOs were founded: Greenpeace in 1971 and Friends of the Earth in 1969. Ecologism was becoming mainstream.

In the last thirty years, grassroots activism has won significant battles on the environmental front: lawsuits have been won, interest has grown from both the media and scholars, and the general public is more invested than ever before. But at the cross-section of these victories, there is an important question about messaging and how it played an important role in raising public awareness of sustainability.
Environmental communication has relied on a wide approach to messaging to get its point across. Some rely on fear to grab attention and create a reaction amongst an audience, while others take a more utilitarian angle, promoting sustainable practices as mutually beneficial. We can learn from both approaches.

**The crisis narrative: Sustainability as a moral imperative**

In the mid-70s, Bob Hunter, one of the co-founders of Greenpeace, first came up with an idea that a shocking image had the potential to stimulate action. The result was “mind bombs”, Greenpeace’s radical, attention-grabbing campaigns that drew attention to particular issues. A memorable example is the pictures of Greenpeace activists chasing huge whaling boats in little dinghies in attempts to stop unsustainable fishing practices.

![Image: Greenpeace direct action against Norwegian whaling in the North Sea (1994)](Image by Photofusion)

Fig. 4  Greenpeace direct action against Norwegian whaling in the North Sea (1994) | Image by Photofusion

Mind bombs fall within the category of moralistic environmental messaging. Presenting environmental issues as injustices that we have a moral imperative to rectify has become commonplace. However, receptiveness to an environmental message often depends on political ideology. Nisbet, Markowitz and Kotcher found that environmental campaigns appeal to liberal ideals, and that in order to create
a broader appeal for the movement, activists must “appeal to a greater bandwidth of moral foundations and to be fluent in a variety of moral languages.”  

Wolsko, Ariceaga and Seiden summarised a few studies that observed how appeals to different values could motivate people who don’t identify as liberals to care about protecting the environment. They found that framing sustainable practices as acts of patriotism, and as essential to preserving the American way of life, meant people who identified as conservatives were more likely to take on activities like recycling.

This shows that value-laden environmental messaging can have a negative impact on recipients. It can deeply resonate with people and create a bond between the cause and the individual, but can also serve to alienate others: an effect that’s important to take into consideration when crafting messages about privacy. While sustainability messaging has leaned into liberal values, we can learn the importance of diversifying a message to reach people with a variety of political beliefs.

The common sense narrative:

Sustainability as a mutually beneficial practice

Environmental concerns have also gained traction in corporate circles. Behaviour change has been motivated by win-win offers, such as corporate social responsibility schemes. Crompton notes that information campaigns can be insufficient in convincing an individual to change their habits. But reward-based schemes, such as reducing your carbon footprint in exchange for a tax cut, or the prospect of saving money when buying a smart water meter, can be more motivating, especially in business contexts.

This strategy also has the benefit of offering more concrete solutions to environmental problems. By giving people a clear reason to take action, not only for the planet but for themselves, organisations can make engaging in sustainability more manageable. This method also recognises barriers to access in terms of

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sustainability. Making sustainable choices can be expensive, whether shopping, building a hoe or choosing a mode of transport. Positioning sustainability as cost-effective can reduce barriers to entry.

Similarly, the digital rights and privacy movement must work to make itself more approachable and actionable. There’s still a huge discrepancy in technological literacy between people who build systems and those who use them. People feel alarmed by data breaches, but services don’t make it clear to people how they can best protect their privacy and advocate for their digital rights. It can be more helpful to break down these issues into manageable steps, and present them as actions with positive results for both the user and the service.

What can privacy messaging learn from environmental communication?

Privacy advocates and activists must be careful in choosing language to describe digital rights and privacy. In order to be inclusive and reach a variety of people, it’s important not to solely rely on moralistic messaging. Often, when discussing privacy, those of us interested in raising awareness answer objections with a narrative that includes moral imperatives. There is nothing inherently wrong with that, but if our aim is to reach as broad a segment of the population as we possibly can, we must invest in diverse approaches to reach different people.

Change through standards: The case of trustmarks

Looking back at the previous examples, there emerges a pattern in events that lead to policy change. It starts with a change in attitudes, which can be triggered by successful messaging. This can motivate people to pressure for regulation, whether top down or bottom up. But even at this point, the question remains with regard to achievable ways to guarantee that this change is respected by corporations. Trust marks have been one instrument of change in certain industries, as they set new standards that companies aim to meet because it benefits their business and helps attract customers. Could this concept be adapted to making safer digital products?

A history of trust marks, from engineering to fair trade

Using labels and symbols as indicators of trust has been common practice since the beginning of the commercialization of consumer goods. As the industrial revolution came about, people started buying rather than making things. The
invention of the steam engine made it much easier and faster to ship goods all over the country. Moreover, with the majority of people becoming wage workers, people had less time available to make their own clothes, food and products. The combination of more available products and less available time triggered a shift towards consumerism, a growth in trade that was left largely unchecked and unregulated, leading to consumer safety and consumer rights abuses.

One of the earliest examples of trust marks in Britain was the British Standards Institution’s Kitemark, which was registered in 1903. The BSI was the first recorded effort at forming an organisation in charge of monitoring products’ quality standards. The BSI itself was founded in 1901 by Sir John Wolfe-Barry, the architect behind Tower Bridge. He was convinced that it was vital, for the sake of everyone’s security, to create a body of engineers that could set and administer safety standards for infrastructure.

The Kitemark’s main aim was to certify that a product was safe, using a symbol owned and administered by the BSI to indicate which products conformed to its quality standards. Initially, the BSI was mainly focused on the transport industry and steel, publishing its first series of standards about the steel parts of tramway construction. From here, it quickly expanded beyond engineering, from office furnishings to nuclear energy: in the 1920s, the practice of standardisation went international.
As the Kitemark became more widely recognised, it became desirable to conform to the BSI’s standards and earn the mark. There’s little information describing how this mark came to be recognised and trusted, but it appears to have been a top-down process: companies competed to earn the Kitemark, and consumers then accepted it as a symbol of safety and quality.

The success of the Kitemark went on to inspire equivalents in many other industries. In 1964, the Woolmark label was founded to act as an “independent quality assurance of every wool product it adorns.” It began as a way for woolmakers to differentiate their products from the cheaper nylon and cotton offerings which were becoming increasingly popular in the clothing market. When customers saw the Woolmark label they knew they could trust that they were purchasing a quality product, as brands needed to meet certain standards to be allowed to use the label.

Even more recently, the Fairtrade Mark offered a similar idea. According to Ed Mayo, one of the people behind the logo, the team aimed “to do for global justice what Woolmark had done for sweaters.” They decided to create a set of standards which would form the basis of the certification process. If a producer met these criteria, they would be allowed to use the Fairtrade logo on their products and in their marketing. This helped people who cared about the social cost of a product make more informed choices, with the result that people began to trust the Fairtrade Mark to tell them if the brands behind the products they were buying were socially conscious.

In a society that was increasingly consumerist and where production was increasingly mechanised, the Woolmark and Fairtrade Mark created easily recognisable, visual cues to help people make informed choices. Other symbols that have not been discussed here serve similar purposes, including symbols of secure transactions and minimal environmental impact. Trust marks were instrumental in changing consumer culture. Can they do the same for safe digital products?

**Trust marks for safer digital products**

Many organisations have tried to create trust marks for the digital world to help people understand which websites and digital products meet certain quality and

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safety standards. For example, some of the icons suggested by Mozilla include indicators of how long a website will hold data about you, and if that data will be used by third parties. The problem these symbols try to address is the same as that faced by woolmakers in the 1960s, and that fair trade advocated in the 1990s.

Efforts to draft standardised safety icons for digital products can be traced back to 2009, when the Privacy Commons were started, or perhaps even earlier. The idea is still exists as a way to facilitate users’ understanding of privacy, but the concept of trust marks is difficult to adapt to digital products. In 2010 – the early days of online shopping – Econsultancy noted that 85% of British consumers looked for a trust mark to ensure their payment information would be protected, and that the site was safe to use. These secure payment symbols were not easily recognisable, with the result that interviewees had a hard time differentiating between trust marks and assessing how reliable they were.

Digital environments have complicated the trust norms and systems we have built over the past century, and trust marks meant to indicate whether digital rights are respected could prove challenging to build. How might we go about creating universal symbols in an industry that is so diverse, and where change is so fast-paced? With every update, software or browsers that carry the trust mark would need to be recertified. Is this a sustainable practice? And if so, which organisation would we trust to award and enforce this mark?
Conclusion

The lesson that became clear throughout this research is that change always takes a collaborative effort. Further, raising awareness of public interest issues will always be opposed by those who benefit from people being misinformed. The best way to change the narrative is to ally science, communications, lobbying and ethics, then make the case to the general public. Sometimes this will be with shock and awe, as with Ralph Nader’s book or Greenpeace’s campaigns. Other times it will be a more gradual progression of what’s normal, such as with railways and engineering. But all of those movements knew something about public safety that was threatening to the companies benefiting from it, and managed to make change.

Observing historical patterns can encourage us to think differently in order to find solutions for current problems. It is clear that there is a theme within modern history, namely that when technology changes society, innovation often leads to abuses of human rights and a disregard for safety. Resistance begins to form, often led by few activists, before becoming mainstream – public opinion and norms of social acceptance subsequently progress. There is a cyclical nature to change. We can learn a lot from these patterns, making history deserving of more attention as we attempt to form better regulations for the digital rights field. As concerns about privacy grow, advocates and activists have a platform to bridge the privacy paradox, and get people and companies invested in protecting digital safety. We might even reach a point where people will be as astounded by the carelessness with which services use our personal information as we are now by the prospect of cars without seatbelts. We can learn a lot from history about how to get to that point.
Works Cited


