ESSAYS ON 21ST-CENTURY PR ISSUES

photo: "Anonymous Hollywood Scientology protest" by Jason Scragz
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PRIVACY AND CONFIDENCE

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Privacy and Confidence

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Part I

Google's Eric Schmidt says we should be able to reinvent our identity at will. That's daft. But he's got a point.

Part II

What are we PRs to do with the troublesome issue of privacy? We certainly have an interest in leading this debate. So what kind of resolution should we be advising our clients to seek in this brave new world? Well, perhaps we should be telling them to win public confidence.

Part III

Blowing the whistle on WikiLeaks - the case against transparency in defence of trust.

This essay appeared as three posts on **paulseaman.eu** between February and August 2010.

screengrab of: http://en.wikipedia.org/wiki/Streisand_effect

Musing on PR, privacy and confidence – Part I

Google's Eric Schmidt says we should be able to reinvent our identity at will. That's daft. But he's got a point. Most personalities possess more than one side.

PRs are well aware of the "Streisand Effect", coined by Techdirt's Mike Masnick[1], as the exposure in public of everything you try hardest to keep private, particularly pictures. Barbra Streisand, of course, tried to put the genie back in the bottle when she took legal action to have photographs of her home removed from the internet.

For celebrities, privacy and reclusiveness used to be a potent means of attracting attention and creating mystique. But, as Andrew Keen pointed out[2] in his muse on Jerome David (J. D.) Salinger's death, privacy is no longer a guarantor of publicity. We live in new times.

Here's what Eric Schmidt has been saying recently to the WSJ:

> *"I actually think most people don't want Google to answer their questions," he elaborates. "They want Google to tell them what they should be doing next.*
>
> *"Let's say you're walking down the street. Because of the info Google has collected about you, we know roughly who you are, roughly what you care about, roughly who your friends are."*
>
> *http://goo.gl/2PFVN*

He goes on:

> *"I don't believe society understands what happens when everything is available, knowable and recorded by everyone all the time."*

And he's got a point. Upcoming facial recognition software will be able to identify people just from their photographs on the internet. It is unlikely that we will ban or restrict its usage, so we shall just have to learn to live with it.

1 http://www.twitter.com/mmasnick
2 http://bnreview.barnesandnoble.com/t5/Reviews-Essays/Public-and-Private/ba-p/2322

The WSJ adds that Google also knows where exactly you are located (that's the wonder of mobile devices). Supposedly, the next generation of smart mobile devices will be able to second-guess what you want. Schmidt claims:

> *"The thing that makes newspapers so fundamentally fascinating—that serendipity—can be calculated now. We can actually produce it electronically."*

Schmidt is certainly correct to imply that markets were always in the anticipation business. Goods are mostly produced for people in advance of their purchase and at considerable risk that there will be no demand for them. He says of the future:

> *"The power of individual targeting—the technology will be so good it will be very hard for people to watch or consume something that has not in some sense been tailored for them."*

The logic of Schmidt's thinking is that he can take risk out of the equation. It is as if he believes that Google can ensure that every player in the marketplace is a winner. He seems to be advocating that we can have serendipitous-seeming planned production (I've stretched his logic a bit to highlight the utopianism he espouses).

What Schmidt overlooks, of course, is that his world view only works in "markets" that lack competition, and which favour oligarchical monopolies. I think Schmidt faces antitrust, competitiveness and consumer backlash issues over privacy, which might yet knock his vision for six.

Musing on PR, privacy and confidence – Part II

What are we PRs to do with the troublesome issue of privacy? We certainly have an interest in leading this debate because reputations are linked to the public's perception of its protection.

So what kind of resolution should we be advising our clients to seek in this brave new world? Well, perhaps we should be telling them to win public confidence.

With the modern mantra people are told to trust only what's transparent. The opaque will have to make a case for itself. Actually, I think almost all conspicuous transparency is fake. I am sure that in an honest world, we have to live with opacity. We need institutions to be capable of trustworthiness and secrecy and we require a public which accepts that fact.

There's a difference between trust in individuals and confidence in institutions. Confidence is what brands are all about – it is the emotional bond marketing tries to generate – because it is about convincing people that promises will be fulfilled. As true friends know, true trust requires one to forgo the expectation of reciprocity as the basis of the relationship (call it open-ended). Confidence in firms and institutions, on the other hand, is conditional, negotiated and limited. As Norman Lewis usefully observes:[3]

> *"Seligman[4] argues convincingly that if a trusting act was based upon calculation of expected outcomes or on the rational expectation of a quantified outcome, this would not be an act of trust at all but an act based on confidence."*

Here Norman Lewis explains:

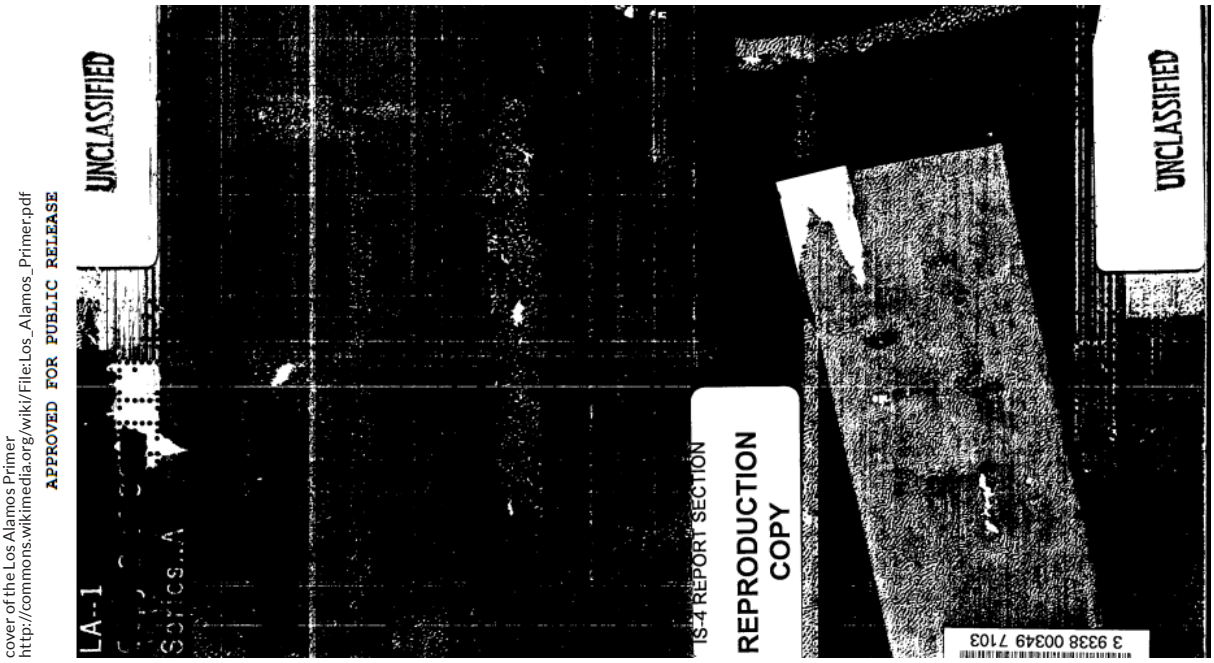
> *"Trust not only entails negotiating risk, it implies risk (by definition, if it is a means of negotiating that which is unknown). But the risk is specific. It is based upon the implicit recognition of others' capacity to act freely and in unexpected ways. Unconditionality and engagement sit at the heart of trust relations."*

Lewis supports Seligan's argument for minimal state interference in privacy enforcement on the grounds that it would abolish risk and enshrine distrust in legal doctrine. They're on to something that PRs know about; trust and reputations are about what people say and think about you, what they confer on you. Lewis remarks:

> *"Trust is therefore a very rare commodity and because it is based on free will, trust cannot be demanded, only offered and accepted. Trust and mistrust thus develop in relationship to free will and the ability to exercise that will, as different responses to aspects of behaviour that can no longer be adequately contained within existing norms and social roles."*

But I'm not sure that I share their distaste for legal sanctions as strongly as they do. Sometimes the law is required to put people

3 http://futures-diagnosis.com/2009/10/16/rethinking-privacy-and-trust/
4 Adam B. Seligan's book The Problem of Trust - http://goo.gl/mPJC0



cover of the Los Alamos Primer
http://commons.wikimedia.org/wiki/File:Los_Alamos_Primer.pdf

and companies in their place. But that's an issue of degree. I do share their desire to link levels of privacy corporations provide with levels of confidence people put in them. So where there is low trust or confidence there should be low privacy and vice verse.

In short, we should trust our lawyers and doctors with our inner lives. But we should be wary on Facebook of what we reveal and worry about what they will do with the information and why.

The best indication of the levels of consumer confidence that exist in society has to be the choices people make when it comes to spending their own money. Right now, the free services the likes of Google provide, gives them an incentive to betray our privacy. Otherwise they'd have no sustainable means of economic survival; no ad revenue and no innate value to attract investors.

However, that said, the key to success lies with PRs and their work to change social attitudes. This challenge is about managing relationships between firms and institutions and their various stakeholders. That requires that we engage and listen and respond to the real-world's concerns.

We have to help firms and institutions set realistic and meaningful expectations about the bargain they are striking with different audiences, in return for the level of confidence they demand or expect from others. As Lewis insight-fully observes about life online:

> *"The tentative conclusion and the fundamental insight this approach offers is that privacy attitudes and behaviours will change according to the level of trust or mistrust people have with regard to the people or institutions they are interacting with. How much they trust the potential beneficiary of their self-disclosure is now [I say going to be] the overriding motivator of behaviour."*

If PRs want to be seen to be advocates for trust, confidence and reputations in society, this is among the biggest debates of all that we should seek to influence.

photo: Julian Assange, WikiLeaks - by www.newmediadays.com / Peter Erichsen
http://www.flickr.com/photos/newmediadaysdk/4515586555/

Blowing the whistle on WikiLeaks

Warning: this is counter-revolutionary.

A recent BBC's *Culture Show* celebrated[5] how WikiLeaks exposes anything which comes its way with no chance of legal comeback. Supposedly this will usher in a revolution in openness. Here's the case against transparency in defence of trust.

The report explored WikiLeaks' claim to speak truth to power by pulling down the controlling, secretive barriers the establishment erects to protect itself. WikiLeaks uses zillions of ISPs to bounce leaks from whistle-blowers around the world leaving no way of tracing the originators.

This insurgent, trendy phenomenon has some impressive backers in the media world who endorse the idea that it's good to leak. These include *AP*, the *Los Angeles Times* and The National Newspaper Association, according to WikiLeaks.

Perhaps they're seeking novel ways to do investigative journalism in the face of cutbacks in budgets; a case of old media seeking new lifelines through new media. According to *The National*[6], *"Wikileaks has probably produced more scoops in its short life than the Washington Post has in the past 30 years."*

WikiLeaks (ominously, in my view) is currently behind attempts to introduce legislation in Iceland to turn the island into an offshore "Switzerland of bits"[7], a safe haven for digital leaks. They've positioned it tantalizingly as a potential new business model for the bankrupt country.

5 http://www.youtube.com/watch?v=4o2ZGk1djTU

6 http://www.wikileaks.com/

7 http://www.wikio.de/video/2468125

Let's unpick this and begin with the question: whatever happened to trust?

Is every leak a blow on a whistle that can justify itself in the public interest? Aren't we supposed to want more trust in society? Does that exclude firms and official bodies hoping to trust their employees? How should we balance the tension between trust and the right to whistle-blow?

Well, as somebody who thinks that trust is vital to the functioning of a healthy society, I think the balance has to weigh – even positively favour - the right of institutions and individuals to keep things private, secret and confidential over the right of others to leak.

We have to trust that one another's rights are going to be protected or we will destroy the bonds that make society function pleasantly and decently, not to say ethically and legally. Transparency has its place, but so does opacity. Reputations have a right to protection against defamation and they have the right to the benefit of the doubt when attacked, just as private property does.

We all have public, private and sometimes very separate other lives which would collapse like a house of cards if they were made transparent. Hence, the restraining arm of the law has a valuable role to play when it comes to protecting our collective freedoms.

That's why as PR I have recently been on the side of gagging orders on behalf of John Terry, Tiger Woods, Trafigura[8] and the British National Party membership list.

Very often, I have been glad that these issues are under the control of the courts, and very often I've found that the careful balancing of peoples' competing human rights (to privacy, to free speech) are more sound than some giddy free-for-all masquerading as a crusade against censorship or for open-ness.

However, I accept it is a moot point whether the US justice system handles such matters better than does, say, the UK. But, whatever, I'm against a truly free press, just as I'm for democracy precisely because as well as protecting our freedoms, it limits them.

The UK Cabinet and any other organisation have a right to keep some things under wraps. They also have a right to expect that people they hire in any capacity will feel obliged not to betray them.

As a PR I know that the most embarrassing part of most crises is the behind-the-scenes highly-strung incompetence, panic and failure of leadership under pressure. My colleagues and I have always mediated that nonsense: that's our job.

8 http://www.guardian.co.uk/media/2009/oct/13/trafigura-drops-gag-guardian-oil

In a crisis the role of PRs is to keep the focus on the real issues the outside world cares about. Mostly, PRs put out fires which have little fuel but which generate lots of heat. But if ever we leak the detail of the inside insecurities we witness, the outcome becomes far worse than the original crisis warrants.

For instance, the problem at Three Mile Island[9] was the stream of conscious transparency that the operators presented to the world as they grappled to grasp what had gone on inside their malfunctioning reactor. That was the very opposite of a cover up.

So it is no wonder, then, that governments want and should have the right to keep much of their inner workings secret. The same should go for companies and individuals. Moreover, at the heart of any profession is a lack of transparency – call it client confidentiality – which makes them honourable and trustworthy. Lots of people can do good, but not if what they say is leaked. As a list of such types, let's begin with PRs, lawyers, priests, doctors, consultants and therapists. I don't mean that every confidence accepted by every one of those is of equal importance and equally inviolate. I mean that very often what these people know is useful because it's private.

That's why WikiLeaks is bad news. It is why I am pleased that it is currently so short of funds that it cannot function properly. And it is why I think that it would be in society's interest to curb the power and effectiveness of this new threat.

At the end of the day, society has more right to keep its secrets secret, than does WikiLeaks have a right to wreak havoc, and to keep its sources hidden while doing so.

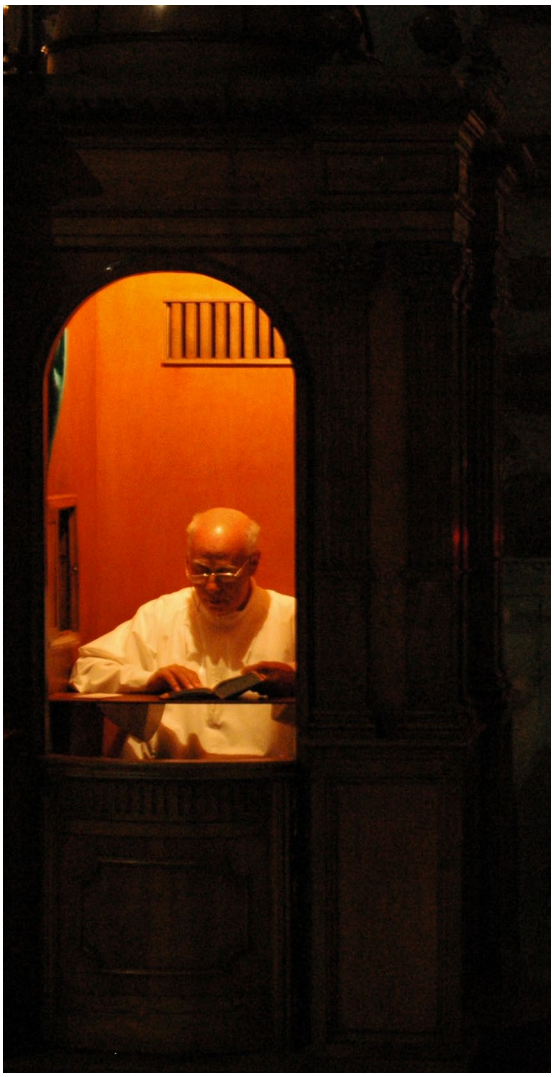


photo: Confessional by Emilio Labrador
http://www.flickr.com/photos/30593493 93/3418857871/

9 http://www.chernobyllegacy.com/index.php?cat=3&sub=8&storyid=77

Paul Seaman

Biography

In countries as diverse as Switzerland and Nigeria, I have worked in environments ranging from multinational boardrooms to environmental disaster zones.

I've managed corporate, crisis and product PR. I have dealt with every kind of media. I've counselled at the highest levels and have sorted things out at street level. I live and work near Zurich, Switzerland.

A little more detail of a campaign life

In the 1970s I campaigned for a socialist Britain (and for various health and transport causes later). In the 1980s I did PR for a union in the finance sector. I suppose that's when I switched sides and started working on PR for the finance industry – just as it went into its late 80s meltdown. But Britain is a robust as well as an argumentative place, and it was surprisingly easy to make my case that mortgages had always been advertised as coming with risk.

Perhaps with a nose for the unpopular, I then went into PR for the nuclear industry – then a pariah. This culminated in 1996 with the life-changing experience of fronting the 10th anniversary of the Chernobyl disaster. I worked from the site itself, exploding media myths and lapping up close encounters with nuclear heroes.

For the next ten years I did PR for the IT sector, both product and corporate. So I was getting the media to flog our kit for us. And then getting them to buy into my bosses' M&A strategy. There was much less blood on the carpet but I had fun and learned a lot.

Enthused by my IT experience, I started a trading firm a few years ago. I cashed-in quite profitably. And again, I'd learned a lot.

More recently, I have taken this varied experience to work for a Ukrainian "oligarch" who was flirting (quite well) with CSR and then for a burgeoning indigenous PR house in Nigeria as it helped a huge range of firms produce world-class messages. These were vivid experiences, to say the least, and not to be missed.

What does this tell you? I love the challenge of advocacy, whatever the case, product or place. I love a scrap. I am proud of my portfolio CV. It doesn't begin to tell you how much I love team-work. It may be an age thing, but I've also loved mentoring youngsters.

Here's a conclusion. I have learned to respect people who run things, invent things, make things happen – especially when the chips are down.

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