CASE STUDY

Language in Data Ethics: Strategies for clear, inclusive, and ethical communication of data practices.

Addressing ambiguity in privacy policy language that undermines users control over their data and fuels exploitation by data-collecting companies.

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INTRODUCTION

In the modern era of digital dominance, data has become a cornerstone. Data not only drives innovation but also develops an organization's services and processes (Amitos). Agencies monitor user behavior on websites and digital platforms. During this, they collect user data to enhance their understanding of users' characteristics, behaviors, preferences, and demographics. It is mandated that every website—which uses user data—inform its users how their personal information will be treated. Privacy policy is a legal document or a statement that states how a company or website collects, handles and processes data of its users (Pirzada).

Privacy policies, however, are purposefully verbose, too long to read, and difficult to understand. Therefore, individuals ignore these policies unless a serious concern is raised (Liu et al.). The difficulty in understanding these policies might arise due to their ambiguity and vagueness. These result in undermining the purpose and value of a privacy policy, leading to violation of private data. A privacy policy cannot be created by taking into consideration only the company's motives towards data and the users whose data is being collected and used. But also the company's employees, legal executives working for the company, several teams (IT, marketing, product development), third-party companies that interact with the data, etc.

PROBLEM:

Ambiguous or verbose privacy policies dilute the understanding ability of the user towards the website's data practices. This leads to a violation of privacy and limits the user's control over their data and its usage.

Disclaimer: The following setting of the case is hypothetical; however, the data used for the creation of this case is real.

CASE: Jeshwanth's experience on reading a privacy policy

Jeshwanth was a corporate worker and an art enthusiast who joined an art community near his workspace. He wanted to widen his networks so as to sell art he created in his leisure and gain inspiration to create new pieces. However, after he joined the community, he learnt that he had to use Facebook to keep himself updated on any activities that took place within the community. Jeshwanth was reluctant at first to join since he was apprehensive about the data collection practices of the conglomerate Meta. He was already aware of the reputation Facebook had—data-hungry giant; therefore, he tried to read their privacy policy. Jeshwanth was not a native speaker of English and acquired reading skills very recently, making him a slow reader. Understanding information written in eloquent English was also a difficult task for him.

Aside from reading the policy itself, Jeshwanth further had to read the legal terms or terms of service, to fully understand its data practices, making the process extremely lengthy. There are major obstacles that he met along the way while reading the policy. The policy, despite using relatively simple language for natives, was verbose and ornate for people similar to Jeshwanth. It took him nearly 20 minutes to only read a small section of the policy. At the end, he realized that most of the information was difficult to understand not only because of his lack of skills but also because of the ambiguity in their usage of language, the vagueness in their practices, and the numerous redirecting links they used. If he had to apprise himself of what products Meta offered, he had to go through 3 different hyperlinks.

In order to use the application, he had to agree to the terms even if he did not acknowledge them. Because of the lengthy nature of the policy and its ambiguity, he was unable to understand what type of information and data he was giving access to—e.g., Does Facebook carry out automated content analysis of his emails? When he read the policy, he came across several ambiguous phrases. Some of them included, "We might preserve your information." "In some cases," "We may," "Depending on your settings," "Some of the products," "we provide general" He was unable to determine whether or not they would carry out specific tasks when they used the word "may." or if they would delete information if it was not necessary.

Aside from this, he was also left with numerous questions about how his content and data would be used for the "research and development" of their products. Though they specified that they would not sell data, they did not explicitly mention if an individual's work would be appropriated

for purposes like AI training. He was quite concerned that his work would be fed into AI and be used to rival him in the future. He also understood that information about deleted accounts was also kept for an extended period of time; along with this, even if the person does not have an account, information about that person would also be collected through several methods, making him anxious about any method of access. He also read that accounts could be deleted for unclear violations, mostly scams, and it was extremely difficult for these users to get their account back. He started to worry that if he created an account and grew it, all the content he developed could be wasted on some vague violation. He was willing to pay extra to protect his data but did not know the right approach to it. He was left in the dilemma of wanting to pursue his interests or protect his data and content.

Synopsis: Case of ambiguous language in privacy policy hindering users understanding of an agency's data practices.

Keywords: privacy policy; data; user; ambiguity; vagueness.

Learning Objectives:

- Identify ambiguous terms and phrases used by digital-based companies in their privacy policy.
- Evaluate the effectiveness of privacy policy in presenting digital data practice transparency of the company.
- Propose alternative lexicons and concise statements that can help acquired speakers to understand verbose policies.
- Understand the importance of data-driven practices on digital platforms.

Discussion Questions:

- What were the factors that made it difficult for the user to understand the privacy policy of Facebook?
- What could the company do better in terms of achieving optimal understanding of their policies?
- How are the identified ambiguities hindering the users understanding of the application's privacy policy?
- What other factors could pose as an obstacle towards understanding privacy policies?
- What should the users keep in mind while using applications or websites that could potentially harm or misuse their data and content?
- How can establishing digital platforms create inclusive and clear privacy policies?

TEACHING NOTE

Case Overview

Jeshwanth, an art enthusiast, joins an art community to further his skills and income. However, he learns that this endeavour would require him to join the application Facebook. Being aware of the data malpractice Facebook/Meta engages in, he tries to read its privacy policy. But Jeshwanth is not a native English speaker and acquired reading skills very recently. It takes him a very long time to read the policy because of the ambiguity in their usage of language, the vagueness in their practices, and the numerous redirecting links they used. Nonetheless, he tries to decipher its data practices and is met with several obstacles. The case highlights the need for privacy policies to use inclusive and clear language so that users can safeguard and manage their own data. The case also challenges students to identify factors affecting understanding of privacy policies, understanding policies of conglomerates like Meta and propose solutions that can help both the users accessing digital platforms and agencies that collect and use their data.

Learning Objectives

1. **Identify factors affecting understanding of privacy policies:** Students will learn the different components that could lead to misunderstanding of privacy policies, in turn harming the user's data.
2. **Understand the importance of using clear and inclusive language:** Students will know the importance of using direct and simple language while handling sensitive practices like data and content.
3. **Analyse different privacy policies:** Through this case, students can critically evaluate the efficiency and effectiveness of a company's privacy policy, especially social media platforms that engage with plenty of personal information and content.
4. **Propose alternative solutions:** Students will be asked to develop similar privacy policy statements that serve greater effectivity.
5. **Balance language and comprehension:** Students will think about how to deliver a company's data practices using concise and clear language while maintaining the company's transparency and user comprehension.

Discussion Questions

1. What were the factors from the side of the company that posed as an obstacle to Jeshwanth's understanding of the privacy policy?
    - This question asks students to analyse and identify factors solely from the company's side that affect the comprehension of its privacy policy.

2. How can Meta better its privacy policy while maintaining accuracy?
    - This question directs students to modify any of Meta's privacy policies and make them clear and accurate.

3. What solutions can be implemented to increase the effectiveness and comprehension of the privacy policy?
    - The focus here is to propose alternative solutions to existing privacy policies.

4. What are the challenges and risks faced by a user who agrees to a company's privacy policy without reading it?
    - Explore the various risks that users have when they blindly agree to data practices that they are not aware of.

Key Teaching Concepts

1. **Ambiguity of language in privacy policy:** This case illustrates how ambiguity can lead to misunderstanding of policies for the users that could lead to violation of their content and data.

2. **Lack of transparency in data practices:** The case underscores the hesitation of companies in providing information about their actual data practices, masking their true intentions with user data.

3. **Risks faced by users while interacting on online platforms:** It highlights the challenges one faces while interacting in the digital domain and the vulnerability of one's information.

4. **Factors affecting comprehension of verbose policies:** It explores certain factors that hinder or aid an individual's comprehension of ornate policies.

5. **Balance between language and comprehension:** The case challenges students to think critically about the various ways in which they can improve a company's privacy policy without making it verbose or difficult to navigate.

Teaching Approach and Methodology

- **Case discussion:** Ask the students to analyse and read critically the case presented, the factors affecting comprehension, the risks of agreeing to an ambiguous privacy policy and the vague language used by Facebook.
- **Group Work/Breakout Sessions:** Students can break out into small groups and come up with solutions to the issue given in the case.
- **Analysis:** To have enhanced understanding, students can read the articles mentioned below or critically analyse Facebook's privacy policy.
- **Peer Feedback:** After solutions and strategies are proposed, students can provide each other feedback on their approaches, which can refine their method.
- **7 C's:** Ask the students to use clarity, conciseness, concreteness, correctness, completeness, consideration, and courtesy while producing solutions for the issue.

This case highlights the necessity of using clear and unambiguous language while creating privacy policies to avoid malpractice of data. By identifying the vague lexicons and proposing alternatives, students can learn how to modify policies to incorporate ethical data practices. The situation also apprises the students of the challenges one can face while interacting on a digital platform. With the help of this case, students can develop better and more inclusive policies that can enhance comprehension of users.

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