

## CA, Facebook & You

### **The controversy is a wake-up call to press ahead with a robust data protection law**

The world has just learned how a data analytics firm, Cambridge Analytica, harvested the data of 50 million Facebook users and used that information to feed strategies such as 'behavioural micro-targeting' and 'psychographic messaging' for Donald Trump's presidential campaign in the U.S. Chris Wylie, a former CA employee-turned-whistle-blower, set off a storm with **revelations** of how the company had **deployed** a 'psychological warfare' tool for alt-right media guru Steve Bannon to try to sway the election in Mr. Trump's favour. CA chief executive Alexander Nix, who was suspended a few days ago following an **undercover** report by a British TV broadcaster, said the company has used other **dubious** methods in projects worldwide including **honey-traps** to discredit clients opponents. The combination of using personal data without consent and tailoring **slander** campaigns, fake news and propaganda to discovered preferences of voters is a potent and **corrosive** cocktail. Facebook has said its policies in 2014, when a personality profiling app was run on its platform, permitted the developer to **scrape** data not only from those who downloaded the app but also from the profiles of their Facebook 'friends'. Yet it did not make sure the data were destroyed by the app's developer Aleksandr Kogan, a Cambridge University academic, nor by CA itself when it came to light that Mr. Kogan had sold the data to CA, a third party. Facebook founder and CEO Mark Zuckerberg has offered an apology and expressed willingness to cooperate with inquiries and **potentially** open up Facebook to regulation.

This episode has brought to light several issues that need to be addressed. First, companies have been collecting data and tailoring marketing campaigns accordingly. The issue here is particularly **prickly** because politics and elections are involved. Second, regardless of whether what Facebook and CA did was legal or not, something is broken in a policy environment in which the data of millions are taken and used when only 2,70,000 people knowingly or unknowingly gave consent. Third, technology is **evolving** at a rapid pace, raising the question whether laws need to be reframed **mandating** an opt-out approach universally rather than an opt-in-approach. Individuals often share their data without being aware of it or understanding the implications of privacy terms and conditions. Fourth, there must be clear laws on the ownership of data and what data need to be protected. Personal data cannot be the new oil. Individuals must own it, have a right to know what companies and governments know about them and, in most cases, that is, when there are no **legitimate** security or public interest reasons, have the right to have their data destroyed. The CA issues is a wake-up call for India; the government is still **dragging** its feet on framing a **comprehensive** and **robust** data protection law.

#### Words

Revelations

#### Kind

#### Meaning

announcement, discover, epiphany, leak, news, broadcasting, expose

Deployed	: expand, open, set up, use, arrange, display, dispose, utilize, setout
Undercover	spy, clandestine, concealed, confidential, creep, hidden, furtive, private
Dubious	arguable, debatable, equivocal, fishy, hesitant, improbable, problematic
Slander	defamation, disparagement, libel, misrepresentation, smear, backbiting
Corrosive	: acerbic, caustic, destructive, incisive, trenchant, corroding, cutting, wasting
Scrap	: corner, difficulty, dilemma, distress, embarrassment, fix, mess, pickle, plight
Potentially	likely, possibly, probably, imaginably, may be
Prickly	complicated, knotty, nettlesome, ticklish, tricky, annoying, barbed, bristly
Evolve	derive, emerge, expand, get, grow, mature, unfold, advance, elaborate
Mandating	: accept, advocate, agree, authorize, certify, confirm, endorse, establish, okay
Legitimate	appropriate, certain, consistent, correct, fair, genuine, lawful, logical
Dragging	boring, dull, long, prolonged, protracted, humdrum
Comprehensive	all-inclusive, broad, complete, exhaustive, far-reaching, full, global, overall
Robust	booming, hearty, hefty, potent, powerful, prosperous, tough, vigorous, fit

## Curbing Misuse

**Protecting innocent persons is fine, as long as the SC/ST Act is not de-fanged**

Will laying down **procedural safeguards** to **curb** false **accusations** work against the interest of protecting the oppressed from discrimination and caste-based **atrocities**? This is the salient question that arises from the Supreme Court **verdict** that has taken note of the **perception** that the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, is being **rampantly** misused to settle personal scores and harass adversaries. On the face of it, it is difficult to fault the court's approach. It is settled law that the mere scope for misuse of an Act is not a ground to **invalidate** it. Constitution courts seek to preserve the spirit of such legislation on the one hand and to evolve guidelines to prevent its misuse on the other. This is precisely what the two judge bench has aimed to do. It has ruled that Section 18, which bars grant of **anticipatory** bail to anyone accused of violating its provisions, is not an absolute bar on giving advance bail to those against whom, *prima facie*, there is no case. In addition, the Bench has prohibited the arrest of anyone merely because of a complaint that they had committed an atrocity against a Dalit or a tribal person. In respect of public servants, no arrest should be made without the written permission of the official's appointing authority; and for private citizens, the Senior Superintendent of Police in the district should approve the arrest.

In doing this, the Supreme Court has sought to strike a balance between protecting individual liberty and preserving the spirit of a law in favour of oppressed sections. Without any doubt, atrocities against Dalits are a **grim** social reality, necessitating a **stringent** law to **combat** it. The act was amended in 2015 to cover newer forms of discrimination and crimes against Dalits and tribals to add teeth to it. It is true that conviction rates under the Act remain low. The **lackadaisical** approach of investigators and prosecutors to bring home charges against perpetrators of such crimes among the dominant castes is reflected in statistics. Even if courts are right in taking note of the tendency to misuse this law, society and lawmakers must be justifiably worried about the sort of messaging contained in their rulings and observations. In an ideal system, as long as every charge is judicially scrutinised and every investigation or **prosecution** is fair and honest, one need not worry about misuse and its adverse effects. However, social realities are far from being ideal. It ought to concern us all, including the courts, that some laws designed to protect the weakest and most disempowered people do not lose their teeth. Words of caution and rules against misuse may be needed to grant relief to the innocent. But nothing should be done to **de-fang** the law itself.

<u>Words</u>	<u>Kind</u>	<u>Meaning</u>
Safeguard		security, shield, armour, defense, escort, guard
Curb		barrier, ledge, rein, restraint, restriction
Accusation		allegation, complaint, denunciation, impeachment, indictment
Atrocity		cruelness, offensiveness, barbarity, horror, enormity, wickedness

Verdict	answer, award, conclusion decision, decree, finding, opinion, ruling
Perception	approach, attention, attitude, awareness, concept, consciousness, feeling
Rampant	excessive, flagrant, growing, prevalent, raging, unchecked, uncontrollable
Invalidate	: abolish, abrogate, annul, discredit, disqualify, impair, negate, nullify, quash
Anticipatory	anticipant, anticipating, awaiting, expecting, hopeful
Grim	bleak, cruel, ghastly, gloomy, glum, gruesome, harsh, horrid, ominous
Stringent	binding, demanding, exacting, forceful, harsh, inflexible, ironclad, rigorous
Combat	conflict, action, contest, encounter, fray, shoot-out, struggle, war, warfare
Lackadaisical	apathetic, half-hearted, laid-back, lazy, lethargic, listless, passive, dull
Prosecution	pursuit, accomplishment, achievement, execution, performance, pursuance