An Ethical Analysis of Bell’s Targeted Ads Program

A Thesis Submitted to the Committee on Graduate Studies in Partial Fulfillment of the Requirements for the Degree of Master of Arts in the Faculty of Arts & Sciences.

TRENT UNIVERSITY

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Abstract

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Online behavioural advertising (OBA) is an advertising technique which relies on collected customer information and online activity to serve people with more relevant ads. On November 16th, 2013, Bell Canada launched their first OBA program via Bell Mobility: the Bell Targeted Ads Program, or BTAP. My thesis provides an ethical analysis of BTAP and shows that Bell undermined and violated customer privacy, stifled customer autonomy, and harmed customer identity. Relevant moral problems include typification, a disrespecting of customer autonomy, and identity commodification.

I show that BTAP was unethical by grounding my arguments within the moral framework of Information Ethics (IE). IE is an ethical system which focuses on the role of information in the ethical dilemmas. IE also justifies the self-constitutive theory of privacy (SCP) which argues that our information and privacy are entangled with our identities. This gives us strong reason to defend our privacy/identity within BTAP.

After making several arguments which demonstrate that BTAP was unethical, I will then turn my attention to showing how it is possible to rectify and mitigate many of BTAP’s ethical problems by installing a two-stage opt-in (TSOI) which provides customers with a greater deal of autonomy, and the ability to remove themselves from BTAP.
Acknowledgments

It would be wrong, if I did not first take the time to thank everyone who has supported me over the last couple years at Trent. So, I would like to acknowledge those people who have provided me the guidance, support, and love needed to complete this project, for this would not have been possible without them.

Firstly, I have to thank my parents, who have supported me throughout my time at Trent, both financially and emotionally. I know I’ve made you proud, and I hope you know that I am forever thankful to have you as my parents. You’ve made me proud too.

My friends, Jeet, Zach, Tianna, Maqsoodah, Mike and all the other friends who listened to my ideas, attended presentations, and lectures, and vicariously felt my anxiety. I wouldn’t be where I am without you. Thank you for the support and for being there through the good and the bad. And, of course, Steffany, whose affirmation and love quelled all my nerves, and gave me the confidence and motivation to finish my project.

I would also like to thank Richard Hurley, Sabine McConnell, and the AMOD department for being willing to take on a Philosophy student, and giving me the opportunity to delve into the world of modelling. Of course, I have to give my biggest thanks to Michael Hickson, who has guided me throughout this process, pushing me to be a better writer, researcher and student. Thank you for all of the meetings, discussion, and advice.
# Table of Contents

Abstract ........................................ ii
Acknowledgments ................................. iii
Table of Contents ................................ iv
List of Models .................................... vi
List of Tables .................................... vii
List of Abbreviations ............................. vii
Model Glossary ................................... ix

1  Introduction ..................................... 1
   1.0 – Relevant Background ..................... 1
   1.1 – Thesis Objectives ......................... 5
   1.2 – Thesis Outline .................. 7

2  Bell’s Targeted Ads Program and Online Behavioural Advertising  
   2.0 – Chapter Outline and a Word on Modelling .... 10
   2.1 – Online Behavioural Advertising ......... 11
   2.2 – Bell’s Targeted Ads Program ............ 16
      2.2.1 – Information Collection & Profile Construction 18
      2.2.2 – Interest Categorization & Profile Augmentation 20
      2.2.3 – Profile Matching & Ad Delivery ....... 25

3  Information Ethics ............................. 28
   3.0 – Chapter Outline & Methodology ....... 28
   3.1 – Pre-defining Moral Concepts ............ 30
   3.2 – Information Ethics and Its Application .... 32
3.2.1 – Information Communication Technologies and the Life Cycle of Information 32
3.2.2 – An Informational Level of Abstraction 36
3.3.3 – The Self Constitutive Theory of Privacy 38

4 An Ethical Analysis of Bell’s Targeted Ads Program
4.0 – Chapter Outline 43
4.1 – Bell’s use of an implicit opt-out system 45
4.2 – Bell’s Handling and Managing of Customer Information 51
4.3 – Typification and Identity Commodification 54

5 The Future of Bell’s Targeted Ads Program
5.0 – Chapter Outline 60
5.1 – A Two Stage-Opt In 62
5.1.1 – TSOI and its Ethical Value 65
5.1.2 – Relationship Marketing & Privacy by Design 67
5.2 – Concluding Remarks and the Future of BTAP 73

Bibliography 77

Appendix 81
IAB content taxonomy 1/2 82
IAB content taxonomy 2/2 83
List of Models

Model 1 – A Conceptual Model of BTAP 16
Model 2 – BTAP’s Collecting & Compiling of Customer Information 19
Model 3 – BTAP’s Interest Categorization & Profile Augmentation 23
Model 4 – BTAP’s Profile Matching & Ad Delivery 26
Model 5 – The Ethics of BTAP 44
List of Tables

Table 1 – BTAP’s Timeline of Events. 4

Table 2 – Account/Demographic used in BTAP. 17
List of Abbreviations

ADI – Account and Demographic Information

BTAP – Bell’s Targeted Ad Program

CPIN – Customer Profile Identification Number

IAB – Interactive Advertising Bureau

IE – Information Ethics

LCI – Life-Cycle of Information

LoAi – Informational Level of Abstraction

NUI – Network Usage Information

OBA – Online Behavioural Advertising

OPC – Office of the Privacy Commissioner of Canada

PBD – Privacy by Design

PIPEDA – Personal Information Protection and Electronic Documents Act

RM – Relationship Marketing

SCP – Self-Constitutive Theory of Privacy

TCID – Temporary Customer I.D.

TSOI – Two Stage Opt-In
## Model Glossary

<table>
<thead>
<tr>
<th>[Black Symbol Outline]</th>
<th>Information/Information process generated by Bell.</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Blue Symbol Outline]</td>
<td>Information/Information process generated by User (Bell customer)</td>
</tr>
<tr>
<td>[Information Entity]</td>
<td>Information Entity (i.e., User/Advertiser)</td>
</tr>
<tr>
<td>[Information Process]</td>
<td>Information Process (i.e., profile matching/ network usage)</td>
</tr>
<tr>
<td>[“Bit of” Information]</td>
<td>“Bit of” Information (i.e., ADI/targeted ad)</td>
</tr>
<tr>
<td>[Compiled Information]</td>
<td>Compiled Information (i.e, customer profile)</td>
</tr>
<tr>
<td>[Sensitive Information Disposal]</td>
<td>Sensitive Information Disposal</td>
</tr>
<tr>
<td>[Information Storage]</td>
<td>Information Storage (i.e., ADI Storage)</td>
</tr>
</tbody>
</table>
Chapter I – Introduction

Section 1.0 – Relevant Background

On November 16th, 2013, Bell Canada launched their first ever targeted ads program via their Bell Mobility services. This program, Bell claimed, was developed to improve customer service, increase fraud protection and ultimately generate additional ad revenue.\(^1\)\(^2\) Bell claimed these business goals were achievable through online behavioural advertising (OBA). OBA is an advertising technique which relies on collected customer information and monitored online activity to develop individualized profiles for their customers (called customer profiles), and to serve those customers with more relevant, personalized advertisements.\(^3\) These ads are “behavioural” because they rely on customer-specific information and their particular online habits in order to determine which ads are most relevant to which users.\(^4\) In order for OBA to function properly, three parties are required: advertisers, publishers, and consumers.\(^5\) Advertisers are the promoters of the product, so when you come across a Nike ad, they are the advertiser. Publishers are the producers of the online advertisement, who generate revenue for issuing the ads to...

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4 Ibid.
customers.\textsuperscript{6} This is also the role that Bell fulfills. The Consumers are the Bell customers who are served targeted ads.

For Bell Canada, the focus of their ad program was their customers’ smartphone behaviour. Concretely, this means that a twenty-five-year-old mechanic, who often frequents automobile blogs and autotrader.ca would be targeted with ads related to cars and car parts\textsuperscript{7} – perhaps from local parts sellers and dealerships. Throughout my thesis, I will refer to this program as Bell’s targeted ads program or Bell’s relevant ad program, though for consistency’s sake it will always be abbreviated as BTAP.

Just prior to the program’s commencement, however, public and government concerns about Bell’s use of OBA came to a boil, leading to the launch of a formal investigation into BTAP. This investigation was initiated by the Office of the Privacy Commissioner of Canada (OPC) on November 15\textsuperscript{th}, 2013 – just one day before the program’s launch.\textsuperscript{8} The investigation itself was primarily focused on whether Bell’s actions were legal, and whether Bell adhered to the law when handling and using their customers’ information, and exercised due-diligence in obtaining meaningful consent from their customers.

This investigation lasted a little under a year and a half, ending on April 7\textsuperscript{th}, 2015. It was at this time that the OPC released their findings in a report titled PIPEDA-#2015-001. The PIPEDA report concluded, among other things, that Bell failed to properly inform

\textsuperscript{7} Canada. Office of The Privacy Commissioner of Canada. Results on the Commissioner Initiated Investigation into Bell’s Relevant Ad Program. Office of the Privacy Commissioner of Canada, 7 Apr. 2015.
\textsuperscript{8} Ibid.
their customers about BTAP and its process, and thus failed to obtain their meaningful consent. Additionally, it was discovered that Bell customers were unable to fully opt-out of the program, as Bell would not cease the construction of customer profiles, or the categorizing of interest categories of those customers who “opted-out” of BTAP. The Privacy Commissioner also established that Bell did not handle their customers’ information appropriately. For these reasons, the OPC recommended that Bell alter their existing program to include express opt-in consent, and consider their customers’ privacy concerns and expectations. However, Bell admirably chose to go a step further, and dismantled BTAP in its entirety, deleting all relevant customer profiles in the process.

Table 1 on the next page provides a basic timeline of BTAP, from announcement to shutdown.

But the withdrawal of BTAP does little to curb the difficulties and anxieties of OBA. On the one hand, because of Bell’s four-screen strategy, which indicates Bell’s desire to return to online advertising, and expand it to include their home-internet, satellite and home phone services.9,10 On the other hand, as current Privacy Commissioner Daniel Therrien notes, OBA is not a problem unique to Bell or Canada.11 This is due to the many large, influential corporations like Facebook and Google who rely on OBA to generate revenue and profits. OBA is something that people encounter many times a day – often

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without their knowledge.\textsuperscript{12} To this extent, OBA and targeted advertisements have become widespread and intrusive.

<table>
<thead>
<tr>
<th>Date of Event</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>~ October 18\textsuperscript{th}, 2013</td>
<td>Bell Canada notifies customers about plans to launch BTAP.</td>
</tr>
<tr>
<td>November 5\textsuperscript{th}, 2013</td>
<td>OPC announces plans to investigate BTAP.</td>
</tr>
<tr>
<td>November 15\textsuperscript{th}, 2013</td>
<td>OPC formally launches investigation into BTAP.</td>
</tr>
<tr>
<td>November 16\textsuperscript{th}, 2013</td>
<td>Bell Canada launches BTAP.</td>
</tr>
<tr>
<td>January 27\textsuperscript{th}, 2014</td>
<td>PIAC releases their report directed to Bell.</td>
</tr>
<tr>
<td>April 17\textsuperscript{th}, 2015</td>
<td>OPC releases investigative report PIPEDA #2015-001.</td>
</tr>
<tr>
<td>~April 17\textsuperscript{th}, 2015:</td>
<td>Bell Canada shuts-down and dismantles BTAP.</td>
</tr>
</tbody>
</table>

\textit{Table 1 – BTAP’s Timeline of Events}

While OBA has become the preferred means of online advertising, the morality of these programs remains effectively unstudied. In fact, much of the literature surrounding OBA is focused on its value, and the development and fine-tuning of algorithms and marketing techniques to efficiently capture OBA’s value. Thus, while corporations and

advertising pursue OBA, the “Holy Grail” of online advertising, we must first look to whether behavioural advertising is morally permissible. And, until then, we are better served thinking of OBA as online advertising’s “Pandora’s Box”.

Section 1.1 – Thesis Objectives

The general purpose of my thesis is to provide an ethical analysis and critique of BTAP, and to show that Bell’s use of OBA undermined and violated their customers’ privacy, stifled their customers’ autonomy, and harmed their customers’ identity. To make this larger argument, my thesis is composed of several smaller, more precise arguments, which I call Thesis Claims. They are:

1. Bell undermined and violated customer privacy by including and compiling personal information within their customer profiles.
2. Bell violated customer privacy by sharing customer information with “The Source”.
3. Bell did not exercise due diligence in protecting their customers’ privacy.
4. Bell’s implicit opt-out system was ineffective in obtaining meaningful customer consent.
5. Bell’s use of an opt-out system stifled customer autonomy.
6. Bell harmed their customer’s identity through misidentification.
7. Bell harmed their customer’s identity through typification.

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9. Ethical Issues 1-8 can be resolved or mitigated via the addition of a two-stage opt-in system.\textsuperscript{14}

The first eight arguments are spelled out in detail in Chapter 4 of my thesis, but for now, it is enough to recognize these as the gravest ethical problems that arise out of BTAP. So, these Claims are the central focus of my analysis.

Of course, these arguments only make sense if we first have sufficient knowledge of BTAP itself. A reasonable understanding of Information Ethics is also necessary, since it is the moral framework which I apply to BTAP, and judge its ethicality. Information Ethics also grounds my recommendation of a two-stage opt-in system to mitigate the erosion of customer identity and privacy and re-introduce BTAP in an ethical manner. In this regard, my thesis is both proscriptive and prescriptive, looking to study the ethics of BTAP, while resolving those ethical Issues that emerge from it. Furthermore, due to the similarities shared by many OBA programs, my thesis also serves as a case-study in the ethics of OBA in general.

The reader, by now, may be wondering how my project differs from the OPC’s investigation and PIPEDA-#2015-001. In brief, the distinction is that my focus is ethical in nature, rather than legal. Therefore, I am concerned with whether Bell was acting rightly or wrongly with respect to ethical principles, and not whether Bell was following Canadian law. The advantage of a moral analysis is that it can be used to guide future instances of BTAP, and other OBA programs. Any OBA program that adheres to the rigorous principles

\textsuperscript{14} Throughout my paper, when referring to the specific Thesis Claims, I will refer to them as “ethical Issues” or “Issues”. I understand this is a grammatical error, but am breaking the rule in favor of clarity.
of IE will certainly follow the less demanding legal standard. In my work concepts like privacy and identity will be understood from a philosophical perspective, not a legal one. So, while PIPEDA is a legal analysis based in Canadian law and which makes recommendations to adhere to Canadian law, my thesis employs a moral scope, and is based in the consideration of essential moral concepts (i.e., autonomy, identity, privacy, trust) and recommends adherence to the rigorous standards of ethics.

My paper then, to put it basically, examines the ethics of BTAP and Bell’s actions and shows that Bell’s use and implementation of an OBA system was morally wrong. To make this conclusion, I will forward several moral arguments which show that BTAP and its processes violated customer privacy, undermined customer autonomy and harmed customer identity. Furthermore, I will recommend that Bell introduce what I refer to as a “two-stage opt-in” system. This system is one in which customers opt-in first into BTAP itself, and then opt-in to the specific interest categories they believe to be relevant to them. I argue that by introducing a two-stage opt-in, Bell customers would be able to protect themselves from the moral harms of BTAP. But first, it is important to understand the facts of BTAP, for there is little use in discussing the rights or wrongs of something we know little about.

Section 1.2 – Thesis Outline

As ought to be clear by now, judging whether BTAP was moral is not a one-off task. Accordingly, defending my overall thesis – that BTAP was unethical and undermined their customers’ privacy, autonomy and identity – requires me to break down my observations and conclusions into smaller, more digestible parts. Consequently, I have divided my thesis into five separate chapters, the first of which you are currently reading.
My second chapter explains BTAP in detail, and provides an account of how Bell would process and use customer information and online behaviour to determine customer interests, and serve them with behaviour-relevant advertisements. In this chapter, I will also provide a conceptual semantic model of the specific processes Bell employed to achieve the goals of BTAP.

In Chapter 3, I will describe Information Ethics (IE) – the ethical framework which I apply to BTAP and its processes. One of the reasons IE is useful in analyzing BTAP is because of its use of the Self-Constittutive Theory of Privacy SCP. SCP contends that our identity and privacy are entangled with one another – you are your information.\textsuperscript{15} Thus, SCP demonstrates that BTAP’s failure to respect customer privacy is a real moral threat and problem. After all, if we accept SCP, then attacks on one’s privacy amount to attacks on one’s identity.\textsuperscript{16} In the third chapter, I will explicate IE and the moral concepts relevant to an ethical examination of Bell and BTAP. My fourth chapter is designed to reflect and to build off the third, and applies IE and our newfound informational understanding of privacy, identity and autonomy, to Bell and the problems which arose from BTAP. So, this chapter aims at the heart of my thesis and will argue that BTAP weakened customer privacy, autonomy and identity. This will be accomplished by forwarding arguments 1-8 laid out in Section 1.1. In summary, this penultimate chapter aims to bring everything together by analyzing the most substantive problems in BTAP.

Thus, my fourth chapter will be divided into three sections, each highlighting a different type of moral harm. The first section will focus on Bell’s use of an opt-out system,

and how it stifled user autonomy, and prevented Bell customers from providing meaningful consent. Here, I will show that Bell’s opt-out system relied too heavily on positive efforts from customers to remove themselves from the program.

The second section will focus on how Bell’s handling and use of customer information resulted in the weakening and violation of their customers’ identity. The final section will hone in on how Bell and BTAP harmed their customers’ identity through misidentification, typification and exploitive identity commodification.

The final chapter takes aim at the future of BTAP. Here, I propose the employment of a two-stage opt-in system, wherein customers consent first to the program and then to specific interest categories. This two-stage opt-in should prove to be effective in defending the customer against the undermining of their identity, autonomy and identity, by granting the customer greater control of their information and choice within the contexts of BTAP. It will also be shown that a two-stage opt-in is good for business too, since it is grounded in the principles of “relationship marketing” and “privacy by design”. This chapter will then conclude by suggesting that Bell could implement a truly ethical BTAP if and only if they adopt a two-stage opt-in in conjunction with the other recommendations made by the OPC in PIPEDA #2015-001.
Chapter II – Bell’s Targeted Ads Program and Online Behavioural Advertising

Section 2.0 – Chapter Outline and a Word on Modelling

This chapter explains BTAP, and OBA in greater detail. This deeper discussion of BTAP is necessary because it allows me to forward the facts required to analyze the ethics of Bell’s targeted ad program, and explain precisely how Bell processed customer information to ensure that customers received relevant ads. Likewise, an explanation of online behavioural advertising, the foundation of BTAP, provides the understanding required to fully comprehend BTAP and its operations.

My discussion of BTAP and its processes will also be supplemented with a conceptual model of the program. Conceptual models involve “describing some aspects of the physical and social world around us for purposes of understanding and communication”17. My conceptual model then will describe Bell in such a way that it illuminates the inherently informational nature of BTAP and its processes. In this way, it helps us understand Bell as an information system, which treats its customers as informational beings. This is because Bell uses primarily network information, and online behaviour to determine the whole of a user’s interests. Thus, a customer’s information is used to better understand and represent them. In this way, my conceptual model of BTAP is useful because it provides the middle-ground between Floridi’s SCP (which argues that

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identity and privacy are interrelated) and BTAP. This because both IE and BTAP model individuals based on their information.

With this in mind, we can correctly recognize BTAP as a system designed to model customer identity. This explicitly connects BTAP to IE, a moral framework which is aimed at the protection of privacy and identity. This will be expanded in Chapter 3 in discussing IE’s *informational level of abstraction*. My conceptual model also lets me communicate BTAP’s operations more clearly by acting as a point of reference throughout the chapter. Thus, like a map, the provided conceptual model makes discussion about Bell’s managing of customer information more accessible. The included conceptual models are therefore intended to clarify both my description of BTAP, and the fact that Bell’s ad program relies on modelling to fulfill its purpose.

**Section 2.1 – Online Behavioural Advertising**

With the advent and spread of the Internet, the way people communicate, work, play and go about their everyday tasks, have changed radically. And, as large populations of people have migrated online, companies have followed, trying to capitalize on a new digital market.\(^{18}\) Enter online behavioural advertising, which uses information technologies to profile individuals and reveal their interests to then serve those customers with more relevant advertisements.\(^{19}\) To truly appreciate the power of online behavioural advertising, it is helpful to look first at traditional advertisements, and the kind of ads we


see on television, or hear on the radio. When more traditional media like the newspaper or television are used to distribute advertisements, all the information flows in one direction – towards the audience. This is to say that advertisers do not receive live feedback about the effectiveness of their ad, or whom it reaches. After some time, advertisers may receive a sample, and a general idea of how many people their ad reaches, but they cannot be exact. A local diner who runs a commercial on the local news station, for example, may know their general audience, and the ins and outs of their advertising network, but can never know exactly who, or how many people, perceived the ad. After all, Mrs. Stephens changes the channel when commercials come on, and her husband may have been too focused on reading his book to see or hear the restaurant’s ad. Either way, the ad goes unnoticed. These traditional kinds of ads are static too. For instance, traditional advertisements cannot cater to individual language preferences in the way targeted advertisements are capable of. So, the billboard in downtown Toronto is written in English, and will remain English until taken down, while a behavioural advertisement may include French-speakers in their ad, and supply them with advertisements in French. Commercials may often be cut, and woven together to create a secondary ad, but they cannot direct you to the nearest café, or offer you a location-based discount. For these reasons, we ought to categorize these static, one-way ads as traditional.

Traditional advertisements can be found online too. For instance, many of the advertisements on NFL.com are localized, offering NFL related services (such as GamePass, or their Fantasy Football platform) and goods (uniforms, coffee mugs) which

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20 Ibid.
21 Ibid.
can be purchased directly from NFL.com. Consequently, these ads are website-dependent, appearing on NFL.com precisely because the NFL provides the advertised products and services. The unchanging nature of these ads is akin to traditional advertisement insofar as the audience is determined by their relation and proximity to the ad itself, and their decision to navigate to the relevant media (i.e., Read the newspaper or visit NFL.com). The Vancouver Sun is filled with ads intended for Vancouverites, and the Toronto Star is developed with Torontonians in mind. Correspondingly, NFL.com is designed for fans of the National Football League. So, despite being found online, these kinds of advertisements are traditional as well, since they are not based on collected information and revealed customer interests.

OBA differs from traditional advertising because it uses collected and processed customer information to reveal customer interests. OBA then is a type of advertising which “involves creating profiles based on data collected from Internet users through mechanisms such as cookies, and drawing inferences about preferences from this information”.22 In other words, the advertisement is determined by the specific customer’s behaviour and online conduct, and not merely their propinquity to the pertinent advertiser. This is very much a concrete application of customer segmentation. Customer segmentation is the marketing principle that people with similar interests, backgrounds and lifestyles are likely to purchase similar products.23 While this principle guides traditional advertisers as well, and is the reason for commercials for American beer and motor vehicles being displayed

during the Superbowl, its consequences are much deeper for OBA. The difference is subtle, but important.

In traditional advertising, the advertiser assumes that “Jordan may want to buy gardening tools, and plant seeds, because she is a 34-year-old stay at home mother, and mothers like to garden,” whereas in OBA, the advertiser is attempting to reveal one’s interests, on the basis of revealed information, that “Jordan wants to purchase the gardening tools and seeds because she is a 34-year-old stay at home mother who often visits gardening and gardening-related websites.” Thus, OBA involves using customer information, and facts about an audience, in conjunction with customer segmentation, to determine which ads are best suited for which customers. The information collected, and then used, to match customers to advertisers may include a person’s calling patterns, or what a person has searched for, browsed, purchased, and even what they have added to their online shopping cart but chose not to buy. So behavioural advertising operates on a greater scale than its traditional counterpart by making precise, informed predictions, on the basis of detailed user-information rather than making broad assumptions on the basis of general audience-related figures. Bell Canada’s relevant ad program for example, had the capability to track a person’s search terms, mobile application history and truncated URL paths. This network usage data, in combination with user-demographic data, determines which

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24 I recognize these examples may conform to gender stereotypes, and may be construed as sexist. But, the fact of the matter is that advertising (especially traditional) rely on a great deal of similar assumptions about gender, age and other kinds of demographic data.


customers receive which advertisements.\textsuperscript{27} Thus, due to its focus on, and use of individual information, it should be clear that OBA differs from traditional advertising in the same way that a snowfall differs from a blizzard – by an order of magnitude.

These ads are defined as “behavioural” because the tracking of one’s Internet searches and history amounts to the tracking of a person’s online conduct, or behaviour. This is explicated by Mills, when she writes:

“[Y]our search history shows your associations, your beliefs, perhaps your medical problems. The things you Google define you … that’s practically a print out of what’s going on in your brain: What you are thinking of buying, who you talk to, what you talk about…”\textsuperscript{28}

If a person is being tracked and having their information collected by an OBA, like Bell, they are in theory providing them with a clear-cut picture of their interests, desires, beliefs and backgrounds – including those they may not want others to know, such as religious or political affiliations. This should be especially concerning in light of larger companies, like Amazon, Facebook and Google, who are capable of collecting unimaginably large amount of data, and creating equally large, complex and detailed customer profiles. But, for now, armed with a general understanding of online behavioural advertising, we are ready to fill in the blank spaces, and look directly at how Bell managed customer information and executed their relevant ad program.

\textsuperscript{27} Ibid.
Section 2.2 – Bell’s Targeted Ad Program

This section will explain how Bell’s targeted ad program turned customer account and network information into customer profiles to determine which ads were best suited to which customers. This customer profile is a dynamic model of a given individual, keeping track of their demographic and network information to match customers to ads. This means that if one frequently searched for golf clubs and courses on their phone, this would be reflected in their profile, which lets advertisers know that that person had an interest in golf and golfing. Consequently, getting to the heart of BTAP involves analyzing the development of a customer profile, and how it is used in the ad matching procedure. As mentioned at the beginning of the chapter, this description is supplemented by a conceptual model, to remind ourselves that to operate efficiently, Bell must model their customers in terms of information.

This section is broken down into three parts, each corresponding to some process that occurs in the program. These processes are:

1. Information Collection and Profile Construction
2. Interest Categorization and Profile Augmentation
3. Profile Matching and Ad Delivery.

Model 1, on the next page provides a simplified model of BTAP. And while it looks complicated, perhaps even meaningless for the moment, I would encourage the reader to return to it after each subsection and again at the chapter’s conclusion.
Model 1 – A Conceptual Model of BTAP
Section 2.2.1 – Information Collection and Profile Construction

The collection of customer information begins as soon as a person (user) chooses to sign up with Bell Mobility and their wireless services. Here, Bell’s newly acquired customer provides account and demographic information (ADI). ADI is first-order account information about a customer, such as address, age range, gender, and device information, and is retained for the entire time the customer remains with Bell.\(^{29}\) An exhaustive list of what demographic information Bell collects for BTAP can be found below.\(^{30,31}\)

<table>
<thead>
<tr>
<th>Type of Information</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Billing Address</td>
<td>City and/or partial-to-full postal codes</td>
</tr>
<tr>
<td>Age Range</td>
<td>Age group of customer (i.e., 18-25, 31-35, 56-60)</td>
</tr>
<tr>
<td>Gender</td>
<td>Customer’s gender</td>
</tr>
<tr>
<td>Credit Score</td>
<td>Categorized as “below average” “average” “above average”</td>
</tr>
<tr>
<td>Average Revenue</td>
<td>Monthly billing amount, categorized by “very low” “low” “average” “high” and “very high”</td>
</tr>
<tr>
<td>Plan Type</td>
<td>Pre-paid or Monthly Bill</td>
</tr>
<tr>
<td>Device Information</td>
<td>Info. about Bell products and services (i.e., device type, payment patterns, language preference)</td>
</tr>
</tbody>
</table>


\(^{30}\) Ibid.

After ADI is collected, Bell begins to develop said customer’s **customer profile**. The customer profile is used to determine which advertisements are relevant to the customer, and ought to be delivered to them. This is also where customer information is synthesized, leaving Bell with a comprehensive collection of customer account and smartphone information, which are then used to discover customer interests. Network usage information (NUI) is that information collected through Bell’s networks, as customers use their mobile applications and use their phone. NUI consists of URLs visited using the mobile device (i.e., www.tsn.ca, www.cnn.com), calling patterns, mobile applications used (i.e., WhatsApp, Spotify, Gmail) and location markers. But, NUI is not immediately added to a customer’s profile. Instead, network information is categorized and augmented, to more effectively reflect a customer’s behaviour, and capture their interests. It is also worth noting that full URL information is retained “for 90 days, to determine customer interests and allow for URL matches.” A conceptual model of the information collection and profile construction phase can be found on the next page, labelled Model 2.

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33 Ibid.
Section 2.2.2 – Interest Categorization and Profile Augmentation

In the second stage of the program, Bell takes NUI and assigns and ranks various interest categories to customer profiles. Bell also enhances certain information in the customer profile to help clarify one’s interests. The first order of business here is to determine a customer’s interests in a process simply referred to as interest categorization. This is done by running truncated URLs (i.e., www.tsn.ca/nhl/team/detroit-redwings) through an automated tool, which assigns interest categories based on the categories set
out by the Interactive Advertising Bureau.\textsuperscript{34} 35 In total there are twenty-six major interest, and \textasciitilde290 minor interest categories.\textsuperscript{36} An exhaustive list of the interest categories used in BTAP can be found on page 80 and 81.\textsuperscript{37} So, if a customer were to have visited the above example URL, Bell and their tools could determine that a customer is generally interested in sports, and specifically interested in professional ice hockey. Bell then assigns these customer interests to the customer profile, which are retained for up to one year.\textsuperscript{38}

Now placed into the relevant profile, these interests will be ranked (to determine what a customer is most interested in) and enhanced. To do this, Bell relies on two augmentation techniques, \textit{Application augmentation} and \textit{URL augmentation}. Application augmentation involves Bell assigning further interest categories on the basis of mobile application usage. It follows that heavy-usage of the music streaming service, Spotify, would cause Bell to assign “music” interest categories to the customer profile, and heavy usage of mobile games like Pokémon Go, or Candy Crush, would cause Bell to add the category “video games” to one’s interests, or receive a higher ranking if the interest has already been revealed. URL augmentation involves referencing URL information, this time adding key word and search terms which pertain to the pre-determine interest categories. So, searching “NHL news” on your phone’s mobile browser would lead to “news” and “hockey” being added to (or ranked higher on) one’s customer profile. This means that

\textsuperscript{35} Ibid.
\textsuperscript{36} \textit{“IAB Tech Lab Content Taxonomy.” IAB - Empowering the Marketing and Media Industries to Thrive in the Digital Economy}. Interactive Advertising Bureau, 09 Jan. 15. Web
\textsuperscript{37} Ibid.
repeated searches, or frequently used applications strengthen the customer’s “interest score”; for lack of a better word. These customer profiles are continuously updated for all customers, as network information is collected. Now, the customer profile is functional, and ready to be matched with relevant advertisers and their ads.

The final point worth mentioning here is Bell’s disposal of perceived sensitive information. This is done to prevent cases where embarrassing and/or personal and identifying information would lead to receiving embarrassing advertisements. To avoid scenarios like this, where the user is offended, or made uncomfortable by the targeted ad Bell marks some of the pre-determined categories as “sensitive”. These sensitive categories do not get added to any customer profiles. Some reasons a category may be deemed sensitive are that those categories are related to adult, pornographic material, or contain information about serious and life-altering health conditions (i.e., HIV/AIDS, cancer, diabetes).39 Those categories which are likely to be of interest to children (such as animation) are also discarded as to avoid targeting children with their advertisements.

This system is far from fail-safe, however, and fundamentally sensitive information can be used to designate non-sensitive interest categories. This is made clear in PIPEDA-2015-001 where it states that “a URL related to a certain type of cancer could yield the interest categories ‘Cancer’ and ‘Men’s Health’. Bell would discard ‘Cancer’ as a category it deems to be sensitive, and assign the non-sensitive category of ‘Men’s Health’ to the customer profile.”40 One reason some sensitive information may leak into a customer’s

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40 Ibid.
profile is due to the lack of effective oversight in monitoring the discarding of sensitive information. Again, the OPC report is valuable, claiming that “prior to approving an ad-profile, a management-level employee would … manually review any URL specified by the [relevant] advertiser to ensure it does not contain sensitive information.”\textsuperscript{41} Further complicating this issue is the fact that Bell had no documented criteria or procedure to manually determine and remove sensitive information.\textsuperscript{42} In this way, while Bell’s intent to protect a customer’s sensitive information from being used in BTAP is commendable, their practices are not.

Again, on the next page, the reader will find another conceptual model of the second phase in BTAP titled Model 3. This brings us to the final step, where Bell and their advertisers match customer profiles to advertising profiles, and send them the relevant ad.

\textsuperscript{41} Ibid.  
\textsuperscript{42} Ibid.
Model 3: BTAPs Interest Categorization & Profile Augmentation
Section 2.2.3 – Profile Matching & Ad Delivery

In this final stage of BTAP, Bell targeted their customers with relevant advertisements and facilitated the delivery of those behaviour-relevant ads. This matching and sending of the ad represents the culmination, and purpose of BTAP. However, before this can occur, the advertisement itself is needed. Bell receives these ads from various advertisers, who create corresponding ad profiles which are composed of several parameters, which correspond to types of customer information found in their profile (i.e., search terms, webpages visited). In other words, an ad profile defines which customers are best suited for its ad. So, an expedia.com advertisement, trying to sell you a trip to Paris, would likely define its target audience as those who have made recent searches including the words “France”, or “Eiffel Tower” and “travel costs”. Thus, it is through this ad profile, where advertisers state their desired kinds of customers, and those most relevant to its product and message. At this point, Bell does its due-diligence in reviewing the proposed ad profile, ensuring that it does not target too precise a group (~1000 customers). Ad profiles which meet Bell’s standard are then approved, ready to be matched with Bell mobility customers.

With an approved and complete ad profile, Bell takes charge and approves ad profiles with their enhanced profiles. Thus, the music fans get ads for tomorrow’s rock concert, and the gardener gets an advertisement for his favourite brand of top soil. Having matched profiles, Bell sends the appropriate advertisers two things, a temporary customer ID (TCID) and a customer profile number (CPN). This allows Bell to anonymize the

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43 Ibid.
customer, and deliver the **targeted ad** to the **user** without identifying them. When the targeted ad appears on the relevant customer’s phone, the program has fulfilled its purpose – at least in one instance. Model 3, on the next page, provides a conceptual-semantic representation of this final stage.

This process is important to know because it is Bell’s goal to capture your identity – who you are, what you think, and of course, what you will buy – in the customer profile. Thus, an accurate and detailed customer profile, composed solely of information, is an equally accurate representation of that person, theoretically. But, if Bell is not effectively modelling their customers, then they are not accurately representing you. This would be problematic, since Bell is purporting to understand your interests and mobile behaviour, but are misrepresenting you. This is known as misidentification, and will be discussed more in depth in Chapter 4. But, for now, it helps show that IE, and an informational understanding of our identity is relevant in analyzing the Ethics of BTAP.
Model 4: BTAP’s Profile Matching & Ad Delivery
Chapter III – Information Ethics

Section 3.0 – Chapter Outline and Methodology

This third chapter will explain Information Ethics (IE), the moral framework I employ to assess the ethics of BTAP. My application of IE to Bell, BTAP and its processing and handling of information serves as my thesis’ methodology. I have chosen to ground my analysis in IE, because it helps us clarify ethical problems or situations involving or related to information. IE is especially applicable in our digital-information age, where ethical issues related to information, like censorship, hacking and surveillance are abundant.44 This is because of IE’s unique focus on information and “the relationship between creation, organization, dissemination and the use of information, and the ethical standard and moral codes governing human conduct in society”.45

This framework will help answer critical moral questions in the next chapter, like whether it is wrong to engage in the trading of sensitive information, and whether it is right to profit from other people’s identity. Thus, IE proposes answers to questions about how information ought to be handled and used. Given that BTAP is a system designed to compile, categorize and distribute people’s information, IE’s relevance should be apparent. There are three aspects of IE which are pertinent to my project, all of which are intended to shed light on the informational nature of BTAP and the moral concepts of consent, autonomy, privacy and identity. The first aspect of IE worth mentioning is the informational level of abstraction, or LoAi. Understanding LoAi, and the method of

abstraction allows for a more complete understanding of BTAP as an informational system. It also bridges the gap between IE and BTAP, by showing that both operate on an informational level, and model individuals in terms of their informational features, thus conceptualizing people as information entities. Secondly, I will discuss the life cycle of information (LCI), and the role that Information and Communication Technologies (ICT) have in that cycle. Understanding LCI is crucial because if we accept SCP then we must understand the ability to regulate one’s life cycle of information as the means to protect one’s privacy and identity. So, one’s ability to control their information amounts to their informational autonomy. The final concept worth discussing is SCP, which demonstrates that because we are our information, our privacy must be entangled with our identities. I will also show how such a drastic shift in the understanding of our identities both calls for a shift in how we understand ourselves, and provides strong justification to safeguard our privacy and identity from the harms of BTAP.

In sum, IE provides both a comprehensive explanation of the rights and wrongs of information usage, and clarity in determining exactly how Bell’s actions affect their customers’ privacy and identity. For these reasons, IE serves as the moral backbone of my thesis, and helps explain why the problems of BTAP were of a moral nature, rather than bad security practices. Paradoxically, to fully understand and appreciate IE, and its application to BTAP, we need to first understand what people commonly mean when they think or speak of privacy and identity.
Section 3.1 – Pre-defining Moral Concepts

At this point, it is important to come to a basic understanding of the moral concepts of autonomy, privacy and personal identity, since these are the primary areas of focus for my thesis. While each of these terms will be defined in terms of IE late in this chapter, it is important to consider what the everyday person typically means when they invoke these terms. This is important since public concerns and complaints were unlikely informed by IE’s informational descriptions of privacy. A second reason these terms will be defined first in their basic-sense and then with respect to IE, is because this enriches our understanding of IE and sheds light on IE’s purpose and strengths. But, this will be more evident in the following sections, where IE is spelled out in greater detail.

Privacy is defined as by the Oxford English Dictionary as “The state or condition of being alone, undisturbed, or free from public attention, as a matter of choice or right; seclusion; freedom from interference or intrusion.” The important feature of privacy here, is one’s freedom from interference or intrusion, as a matter of right or choice. This is because this is what Bell customers likely had in mind when thinking about Bell and BTAP. This is because Bell left their customers no other option but to participate in BTAP, given its use of an opt-out system, and the further decision to prohibit customers from opting out of the developing of customer profiles and interest categorization. We also know that the majority of individuals do not want these kinds of tailored ads. So, it is safe to say that

a fair number of Bell customers would find BTAP to be intrusive, or believe the advertisements somehow interfere with their mobile browsing.

Autonomy is defined as “[t]he condition or right of a state, institution, group, etc., to make its own laws or rules and administer its own affairs; self-government, independence.”49 The important point worth mentioning about autonomy is the ability to self-govern, and stake claim to independence. This is important since it allows us the right to choose, and act on what we know to be in our best interests. In this way it is related to consent as well, because we “consent” to those things we accept, and refuse consent when we are against, or do not accept something. For example, a person who chooses to sign-up with Bell Mobility, and consents to their terms of agreements, exercises his or her autonomy since they are independently deciding which telecommunications company, amongst all others, best suits their needs. In many ways, autonomy is also related to our privacy because of their emphasis on the ability “to choose”. I would be acting autonomously, for example, if I chose to relinquish my privacy by opening my window curtains, and exposing myself and my living room to the public. It does not matter whether I have reduced my privacy or not, because the key to autonomy is one’s ability to choose for themselves. So, if my mother forbids me from opening the window curtains as I wish, she is not respecting, but is rather stifling my autonomy. With respect to BTAP, we will see that autonomy is relevant because customers need a choice about whether they want to take part in BTAP. And, with respect to BTAP and IE, that someone is autonomous when they control their information, and the life-cycle of that information.

The final concept worth mentioning here is that of personal identity, which is defined by the Oxford English Dictionary as: “The sameness of a person or thing at all times or in all circumstances; the condition of being a single individual; the fact that a person or thing is itself and not something else; individuality, personality.” In many ways then, this refers to a sense of “self”, and the essential attributes of a person that contribute to that self. So, questions related to personal identity include “Who am I?”, “What am I?” and “What makes myself different from other selves?”

Section 3.2 – Information Ethics and its Application

In this section I will lay forth the aspects of IE which are relevant to an ethical analysis of BTAP. Specifically, we will be looking to IE’s usage of: the life cycle of information, an informational level of abstraction, and of course, the self-constitutive theory of privacy. These will also help shed light on the moral concepts of privacy, autonomy and identity, which are essential to an ethical evaluation of BTAP. In summary, this chapter provides first, a comprehensive explanation of the rights and wrongs of Bell’s information usage, and second, clarity in determining exactly how Bell’s actions affected their customers’ privacy and identity. This will help explain why the problems of BTAP were of an ethical nature, rather than just bad security practices.

Section 3.2.1 – Information Communication Technologies and the Life Cycle of Information

Information is, and has always been, valuable. It is this thirst for knowledge and information which explains why as toddlers we ask about the colour of the sky, and barrage

our elders with questions about what something is and how it works. In this sense, information is a resource, which provides new opportunities and affordances in decision making-processes. Consequently, when new, relevant information about something is revealed, our judgements ought to change accordingly. This is made clear by Floridi when he writes about moral decision-making, claiming:

“Moral evaluations and actions have a large epistemic component, since Alice may be expected to proceed ‘to the best of her information’ … we normally expect an agent to avail herself of whatever information she can muster in order to reach [better] conclusions about what we can do or ought to do.”

BTAP relies on information-as-a-resource, as is evidenced by looking to the stated purpose of BTAP which claims “by providing targeted (and thus more relevant) ads to users and more powerful and effective functionality to advertisers Bell can … better compete in a global advertising market … and ultimately generate greater advertising revenue.” This makes it clear that customer information is used to leverage their position with relevant advertisers, and generate additional revenue streams. But, to understand the value of information we must reflect on the LCI and the role of ICTs in that cycle.

ICTs are those technologies which are capable of transmitting, storing or receiving information from another ICT or human end-users. We can further distinguish between two kinds of ICTs – analogue and digital. Analogue ICTs deal with physical information.

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address, driving qualifications) to an end-user be it myself, or the police officer who pulled me over for speeding. However, today many of our ICTs are digital, and communicate information, not only to human end-users, but to other ICTs. These digital ICTs process digital information too, meaning they can make use of the data it is working with (i.e., the auto-brake feature in a car may automatically pull the brakes without human intervention). Many of these ICTs, like smartphones, and global positioning systems have been mass-produced and found their ways into our daily-lives. But, less obvious examples like vehicle sensors and motion-sensored cameras have also secured increasingly important roles in our modern-day societies. In thinking about how digital ICTs differ from their analogue counterparts, it is important to note that digital ICTs are not only able to process information, but they also allow for more rapid, and seamless communication between devices and users. Specifically, we can say that digital ICTs allow for greater control of the information life-cycle.

The LCI is a concept useful for dissecting BTAP because it describes how information is generated, processed and consumed. Typically, LCI can be broken down into seven parts: Creation, collection, recording, processing, transmission, usage and recycling. And, as we will soon see, it is the advent of digital ICTs, and their increased, efficient control of the information life-cycle, which has propelled us into the information age. But first, we need an explanation of what the life cycle of information is, and the role which ICTs play in that cycle.

54 Ibid.
55 Ibid.
The cycle, and its seven steps are best explained through illustration. Accordingly, we can look at LCI as it pertains to Bell, and how information is generated, used and recycled in BTAP. So let’s assume that a person, Adam, uses his Bell mobile phone and their network to search for the score to last night’s Toronto Maple Leaf game. To do this, assume that Adam searches for “TSN” in his desired search engine. In doing so, Adam creates the information that he searched for TSN, and is said to be the author of his information. This information is then collected by Bell, fulfilling the second phase of LCI. This information is also recorded in a number of ways, like in one’s browsing history, but for my thesis, the only recording that matters is Bell’s recording of information to one’s customer profile. Ditto But, Bell also processes Adam’s information after it is collected. This would involve looking at his other searches, and mobile application usage and performing their application and URL augmentation techniques. This information is now ready to be matched with ad profiles, and when this happens the information undergoes the transmission phase of LCI. When Adam’s profile is matched with an advertiser’s, and the relevant ad is sent to him, the information has been used. The final step in LCI is the recycling of information. So, after 90 days passes, and Bell removes that search, and instance of information from their system the information is erased. But, if Adam were to make another search for “TSN” after the fact, the information would re-enter BTAP, and undergo its operations, and thus LCI, once again.

This is important, because our new and improved ability to manage and communicate information with one another has had deep and pervasive impacts on our

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56 For NUI, information processing occurs after the information is recorded in a customer profile. I recognize this contrary to the LCI, but this is an exception to the rule.
modern societies. And now, thanks in part to a very real digital-ICT takeover, “human progress and welfare [has] begun to be not just related to, but mostly dependent on the successful and efficient management of life cycle of Information.” This is important to understanding IE’s informational level of abstraction, and reveals the informational nature of the world, and IE’s relevance in the information age.

Section 3.2.2 – Modelling via an Informational Level of Abstraction

There should be little question that our world is informationally rich. But, when considered from the proper perspective, it becomes clear that our world is quite informational itself. The informational nature of our world, Floridi claims, is unveiled when we consider our environments at a LoAi. While Floridi argues in favour of a ‘maximal infosphere’ where he commits himself to “a [level of abstraction] that interprets reality … informationally,” I do not think this in my best interests – given my projects’ scope. Instead, LoAi and a maximal infosphere can help us grasp what it means to think about other concepts, like identity and privacy, at an informational level. It also helps us to understand BTAP as an information system which models individuals based on their informational attributes.

Again, I think the best way to come to terms with LoAi is by considering its place within BTAP. To do this we need to understand the method of abstraction. Throughout, I have been saying that Bell engages in the modelling of their customers, and now I will show precisely how this occurs.

As individuals, each person is made up of a number of unique qualities such as our DNA, our socio-economic background, behaviours and beliefs, all of which contribute to who I am, and thus my personal identity. Of course, not all of this is relevant to Bell and BTAP either because the information cannot be accessed by them (the kind of car I drive) or because it does not help advance the goals of BTAP. So, to reduce those features which are not needed to fulfill the purposes of BTAP, Bell reduces their customers to only the information collected through Bell’s mobile networks. This is said to be the “reduction feature” in Bell’s model of a person.\textsuperscript{59} This is because Bell customers are considered only by the information they provide to Bell, as is evidenced by the fact that one’s customer profile contains nothing but relevant customer information. The purpose, or pragmatic feature of Bell’s model, then, is to better understand their customers’ online behaviour, and thus serve them with relevant ads.\textsuperscript{60}

In the end, this provides Bell with “a [level of abstraction] that qualifies the levels at which a system is considered.”\textsuperscript{61} In this case, that system and its processes are defined at an informational level. Thus, BTAP is a function of its customers’ information, since it considers only their customer’s mobile information to represent their customers as a whole.\textsuperscript{62} In other words, they are abstracting customer information from the customer. BTAP’s system is one that considers its customers only on the basis of demographic and network usage information, and thus produces a model of that customer that is based purely on information in the form of a customer profile. This means that Bell by adopting LoAi,\textsuperscript{59} Kühne, Thomas. What is a Model?. Internat. Begegnungs-und Forschungszentrum für Informatik, 2005. pp, 2.
\textsuperscript{60} Ibid.
“commits itself to the existence of some specific types of observables characterizing the system and constituting the LoAi”⁶³. This makes it clear that BTAP is an informational system which takes up LoAi, and thus considers its users as informational entities, for the purposes of serving them with relevant advertisements. The conceptual models in Chapter 2 do this as well, since it describes BTAP in terms of information processes.

This is exactly how LoAi is achieved in IE as well. The difference being that IE is concerned with considering the world, and the entities and objects within it, through their informational attributes and properties. The fact that IE and BTAP both take up an informational approach is important because “different analyses can be correctly compared, provided they same the share LoAi.”⁶⁴ This justifies my application of IE to BTAP, because it bridges the two. Remember, IE’s focus is on “the relationship between … the use of information and the ethical standard and moral codes governing human conduct,”⁶⁵ and BTAP is an informational system, whose processes are inherently information-related. But, it is also necessary to consider the relevant moral patients (Bell and their customers) at the LoAi as well. After all, both Bell and IE are committed to viewing people as informational entities. This is done though SCP and the enmeshing of our privacy and identities.

**Section 3.2.3 – The Self-Constitutive Theory of Privacy**

Given our position in an increasingly information-reliant society and world, and the LoAi that both BTAP and IE ground themselves in, there should be little surprise that our

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privacy is best thought of in terms of information as well. What may be startling, though, is that IE calls for our identity to be thought of in these same terms. This is known as the self-constitutive theory of privacy, or SCP. This section will address SCP and the entanglement of our identity and privacy. SCP is of extreme importance, because it will be relied on heavily in my next chapter, where I examine and critique the ethics of BTAP.

SCP is worth considering, not only because of the informational level which IE and BTAP operate at, but also because of our location during a digital revolution. Floridi puts this best, writing that “privacy requires an equally radical re-interpretation, one that takes into account the essentially informational nature of human beings, and of their operations as informational social agents.” Enter SCP. 66

Sticking with Floridi’s language, SCP is achieved by “considering each person as constituted by his or her information … and hence by understanding a breach of one’s informational privacy as a form of aggression towards one’s personal identity.”67 And while this quote is quite succinct, it is dense and requires explanation.

Firstly, it needs to be understood that Floridi is claiming that identity and privacy are non-distinct – I am an informational entity; I am my information. In terms of a “self” or “identity” this means that “entities [like you and me] will be described as clusters of data, that is, as informational objects, more precisely [any existing entity] will be a discrete, self-contained, encapsulated package…” 68 As informational entities then, our identity is composed of information, though more specifically it is composed of “the appropriate data

67 Ibid.
structure which constitutes the nature of the entity … and its attributes”69 as well as the “operations, functions and procedures which are activated by various interactions or stimuli … and correspondingly define how the object behaves or reacts to them”.70

Notwithstanding the language, this understanding of our identity is intuitive. One journalist learned this the hard way, by submitting only his first and last name to a private investigator, Sam. The result, in the “victim’s” own words was that:

“[w]ithout even talking to anyone who knows me, Sam … had found out quite a bit … the value of my home, my salary, and the amount outstanding on my mortgage. He knew my address, my phone number, my partner’s name, my mother’s name and address … He knew my neighbours’ names”.71

This example shows how identity is composed of bits of information, since the more information is revealed about a person, the more of their identity is revealed. So, if somebody knows that I am an M.A student at Trent University, they already know quite a bit about me. They would know for example, that I am a Master’s student at a particular school, and they could infer that I graduated from high school, and already have some kind of undergraduate degree. SCP also accurately describes identity theft as something that occurs through the stealing of a person’s information, like their social insurance number or credit card. But, even on a biological level it is clear we are information. After all, DNA is one’s genetic information; the “code” of our being.72

69 Ibid.
70 Ibid.
The second major consequence of SCP, and the uniting of privacy and identity, is that violations of privacy now amount to attacks on one’s identity. After all, they are one in the same. This provides excellent justification to protect our privacy from unwanted attacks or threats. This is important because “[L]ooking at the nature of a person as being constituted by that person’s information, enables one to understand the right of informational privacy as a right to personal immunity from unknown, undesired and unintentional changes to one’s identity as an information entity.”73 This quote makes it clear how privacy ought to be defined in terms of informational control. So, privacy is understood in IE as the ability to manage and control the information life-cycle of that information which is relevant and encapsulated in one’s identity. Practically, this means that when people or corporations handle and manipulate (i.e., collect, copy, transmit, or store) a person’s information they are violating one’s privacy by engaging in essentially the stealing, cloning and trading of one’s personal identity.74

Therefore, by recognizing, that one is composed of their information, the unwanted capturing and trading of one’s personal information become morally unacceptable. This is because as informational entities, individuals “enjoy an initial, overridable and minimal right to exist and develop in a way appropriate to [our] nature.”75

74 Ibid.

Privacy allows us to do exactly this, since it provides the opportunity to discover our talents and desires, navigate our ever-changing identities. This is the value of privacy. Warren and Brandeis make this clear too, stating the value of privacy “is in the peace of mind, or the relief afforded by the ability to prevent publication.” This is why many people keep secret offline journals or diaries, to allow themselves to safeguard their information from others, and navigate their complex lives without fear of persecution or judgement from others. This principle then is not founded on the value of secrecy (though, it is certainly related) but instead ought to be understood “as part of the more general right to the immunity of the person, the right to one’s personality.” In many ways then, privacy is related to our autonomy, since every day, a person is afforded the ability to become a different or better person, and privacy simply allows us the freedom to do just this.

At this chapter’s conclusion, the reader should now feel comfortable with the general principles of IE, SCP, and the informational nature of ourselves and BTAP. Concretely, this means understanding that both IE and BTAP model individuals on the basis of their information, and the great justification that IE and SCP provide for in answering the question of why we ought to protect our privacy, given its relation to identity and autonomy. This prepares us for the next chapter, where I take aim at the heart of my thesis, and examine BTAP and show how its implementation undermined customer privacy, stifled user-autonomy and finally exploited their customers’ identity.

78 Ibid.
Chapter IV: An Ethical Analysis of Bell’s Targeted Ad Program

With an understanding of BTAP, IE and SCP, it is now possible to start examining BTAP, and show how Bell undermined customer privacy, disrespected user autonomy and harmed customer identity. This will be accomplished by applying IE and SCP to BTAP as an information system designed to model their customers’ identity. It is in this section where I argue for Claims 1-8, laid out in Section 2.1. As a reminder, these Claims are:

1. Bell undermined and violated customer privacy by including and compiling personal information within their customer profiles.
2. Bell violated customer privacy by sharing customer information with “The Source”.
3. Bell did not exercise diligence in protecting their customers’ privacy.
4. Bell’s implicit opt-out system was ineffective in obtaining meaningful customer consent.
5. Bell’s use of an opt-out system stifled customer autonomy.
6. Bell harmed their customer’s identity through misidentification.
7. Bell harmed their customer’s identity through typification.

I will also employ an updated version of Model 1, which highlights where Issues 1-8 occur within BTAP. It also demonstrates that the many of BTAP’s ethical Issues and harms came about by information processes. Model 5 can be found on the next page.
Model 5 – The Ethics of BTAP
This model also provides insight into where specific ethical Issues arise, and clearly identify the information process causing these Issues. For example, the model can show that misidentification occurs through interest categorization, which is informed by Bell’s augmentation processes.

As per the layout of my chapter, the first section will focus on Issues 4 and 5, and show that Bell’s opt-out system was not effective in obtaining meaningful consent, and stifled user autonomy. My second section will highlight how Bell disrespected and violated their customers’ privacy by mishandling and mismanaging their information. The third and final section of this chapter will focus on Bell’s harming of customer identity through the misidentification and typification of customers, and the exploitative commodification of identity.

Section 4.1 – Bell’s Use of an Implicit Opt-Out System

The first and most prominently discussed problem in the OPC’s investigative report was Bell’s implementation of an implicit opt-out system. Therefore, this first section will home in those Issues emerging from BTAP’s use an opt-out system. This section is discussed first because, as the reader will soon learn, Bell’s use of an opt-out system exacerbated many of the Issues arising from BTAP, such as the mishandling of customer information, and problems revolving around identity commodification. This section therefore addresses Claims 4 and 5, which emphasize the ways Bell stifled their customers’ autonomy, and failed to obtain their customers’ consent.

The first order of business here is to discuss the ways in which Bell notified their customers and the public about BTAP. This is because customers must be properly
informed about BTAP to give meaningful consent. Bell notified their customers starting in
August 2013, through several avenues including email, news releases and text messages.
The ~6 page email notice Bell sent, for instance, said that Bell would “begin using certain
information about your account and network usage for select purposes such as continuing
to improve network performance and product offers through new business and marketing
reports, making some of the ads and marketing partner offers you see more relevant to
you.”

This notification, also found online on Bell’s website is problematic because it does
not fully explain what specific kinds of customer information are used in BTAP. They
simply state that network and account information will be used, leaving it up to the
customers to fill in the blanks. There was no mention of the use of credit scores or full
postal codes. Furthermore, Bell outright lied to customers in this email stating that they
would not share identifying information, despite their sharing of information with “The
Source.” The fact that Bell did not explain that they would share customer information
with their subsidiary retailer shows how Bell failed to adequately inform their customers
about BTAP. So, Bell’s descriptions of BTAP were opaque, inaccessible, and in some
cases, untrue. In fact, Bell makes little reference to any behaviour-based advertising,
notifying customers only of “…product offers through new business and marketing reports,
making some of the ads and marketing partner offers you see more relevant to you”. This
suggests that Bell would be using aggregate marketing techniques to develop ads and

80 White, Geoffrey. Bell’s Use and Disclosure of Customer Information for Marketing. Ottawa, Ontario:
81 Canada. Office of The Privacy Commissioner of Canada. Results on the Commissioner Initiated
Investigation into Bell’s Relevant Ad Program. Office of the Privacy Commissioner of Canada, 7 Apr. 2015.
82 White, Geoffrey. Bell’s Use and Disclosure of Customer Information for Marketing. Ottawa, Ontario:
reports based on large segments of Bell customers. This does not reflect the nature of BTAP as a system based in the tracking and processing of customer-specific behaviour. If customers are not adequately informed about the program, they cannot provide meaningful consent, since one cannot agree to participate in something about which they have little to no knowledge of.

This lack of transparency in explaining BTAP, complicates their already problematic use of an implicit opt-out system. An implicit opt-out system meant that by default, all Bell mobility customers were included into the program, and those who did not want to participate, would have to go through Bell’s opt-out procedure. In order to do this, Bell customers would either have to act immediately on the text message they received from Bell Canada in August 2015, notifying the customer about program. The contents of this text message can be found below.

“Free Bell Msg: We’d like to make ads more relevant to you, acct & usage info will be used. For details or to opt out http://bell.ca/ads”83

If the customer had deleted this message, or ignored it entirely, they would have to go navigate through Bell’s website to find the webpage where they could choose to opt-out from just the receiving of targeted advertisements. Of course, Bell customers who joined Bell after this text notification may have no other choice but to navigate Bell’s website or contact Bell directly. And still, this assumes the customer has knowledge of the program, and their ability to opt-out from receiving of targeted ads from advertisers..

83 Ibid.
This lack of transparency in explaining BTAP, complicates their already problematic use of an implicit opt-out system. An implicit opt-out system meant that by default, all Bell mobility customers were included into the program, and those who did not want to participate, would have to go through Bell’s opt-out procedure. I argue that this system was unethical and inappropriate because it unjustly limits customer autonomy. This is not only because of Bell’s failure to sufficiently inform Bell customers about BTAP, but also because of their customers’ privacy expectations and their dual-role as a telecommunications network provider and an information-trader.

Customer expectations are relevant here, because Bell and their customers have an existing and continuous business relationships since they are paying monthly bills for Bell’s services. But, BTAP alters the nature and spirit of that existing relationship. This is because Bell customers agreed to, and signed up with Bell for their telecommunications services, and not to any sort of relevant ads program. People do business with Bell for access to their networks and home services. But by installing BTAP, Bell took up a new, secondary role as an information trader and behaviour profiler, which customers did not expect or consent to. Certainly, we can say that Bell customers did not sign up with Bell services for BTAP. So, by implementing BTAP, Bell overstepped the boundaries of their existing business relationship. This helps demonstrate again that the consent obtained by Bell from their customers was implicit. This undermines customer autonomy, as existing customers were not given a choice but to participate in BTAP, and accept Bell’s new, unexpected business role.

Bell’s dual-role as an information broker and mobile service provider directly stifled customer identity as well, due to the fact that Bell customers were unable to avoid
or circumvent BTAP by changing their online behavior. This is important because “consumers may intend to divide their web browsing into different subjective contexts (e.g. shopping, work, play, education).” Conventionaly, targeted ads programs are installed by social networking sites, or search engines like Facebook and Google. So, they are often website and web-page based. This means that customers concerned about their privacy, or worried about the use of OBA programs, can choose not to sign up, or use their services. So, a Facebook user could choose another social media platform, or deactivate their account. This is not possible under BTAP, since it is connected to Bell’s mobile networks and devices. To wholly avoid BTAP, a concerned customer would have to cancel their Bell mobility, pay cancellation fees, and find a new mobile provider. This is especially tricky for customers with bundled services, who may have to cancel their internet and satellite services as well.

This is a significant conflict of interest for Bell between their roles as a mobile service provider and an information profiler to advertisers. Because, on one hand, it is in Bell’s interest as a telecommunications company to protect customer information, from unwarranted access and data breaches. But, on the other, to ensure the success of BTAP, Bell must assemble, compile and sell large amounts of personal and network information. Foster et al. put, and raise the question the best: “if they [Bell] protect the privacy of their customers, are they undermining the goals and objectives of the company and ultimately affecting the ability of the company to be profitable?” This gives reason to be suspicious

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of Bell’s activity, or at the very least gives insight into why Bell customers were distrusting of BTAP. Further cause for concern is the fact that Bell customers were unable to fully opt themselves out of BTAP. I say “fully” because Bell would not stop the collection of customer information or the building and developing of customer profiles. This means that all Bell mobility customers had customer profiles developed for them, regardless of whether they went through the opt-out process. This harshly undermines customer autonomy, and shows great disrespect towards the customer’s decision to withdraw their consent. This exacerbates many other problems in BTAP too, like identity commodification and the mishandling of information, because it does not allow Bell customers to defend themselves from these moral harms. Thus, Thesis Claims 4 and 5 are shown to be true. Bell could not obtain meaningful customer consent because they failed to adequately inform and their customers about BTAP. They also did not recognize that an opt-out system was inappropriate for BTAP, given their varied roles and conflicting interests. Furthermore, Bell undermined their customers’ autonomy, by disregarding the choice of those customers who chose to opt-out, and providing no means for customers to avoid BTAP.

One method of alleviating the harms associated and emerging from BTAP is by granting Bell customers greater degree of autonomy and choice. And, as will be explained in the next chapter, this requires giving Bell customers greater control of their information, and how it is used in BTAP. Since we are our information, according to IE, Bell must grant customers, at minimum, the ability to fully remove themselves from BTAP. By not doing so, Bell unquestionably wronged their customers, and did not give them meaningful control
over their privacy or identity. Plainly, this is counter to the guiding principles of IE. Thus, Bell’s use of an implicit-opt out system undermined customer autonomy.

**Section 4.2 – Bell’s Handling and Managing of Customer Information**

It is only reasonable that when examining the ethics of BTAP, we start by reflecting on the kinds of information Bell would collect, and how they handled that information within BTAP. After all, the collection of information is the first step in BTAP, and Bell cannot process information they do not collect. Thus, this section focuses chiefly on the moral problems arising from Bell’s use of personal information, and the ways in which Bell failed to respect their customer’s privacy. As discussed in Chapter 2, personal information is crucial to BTAP and the serving of relevant advertisements. One type of personal information used by Bell was full postal codes. They are of special concern because full postal codes are inherently personal, meaning they provide identifying information about a customer. This is because a full postal code can be used to pinpoint the location of one’s home. This is a problem because it provides a means for customers to be identified at a very precise level. Of course, it is unlikely that a person would be identified solely on their full postal codes, but the problem arises due to the other sorts of personal information compiled in one’s customer profile, like age-range and gender. This means a customer profile would not only inform advertisers that “this customer lives at K9H 3B4”, but that “he is an 18-25 year old male living at K9H 3B4”. This gives advertisers a direct path to identify and target Bell customers on an incredibly precise level. No doubt, this is possible given the mobile technologies and the kinds of information used

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87 Ibid.
for BTAP.\textsuperscript{88} This is especially worrying because “as information technologies become more and more common in our lives, and the more they become an extension of our very selves, the more sensitive and revealing subscriber identification information becomes”.\textsuperscript{89} This is made abundantly clear by the OPC who writes “All account/demographic and network usage information collected and used by Bell for the purposes of the RAP is individual-level data linked to a specific Bell Customer and therefore constitutes personal information…”.\textsuperscript{90}

This represents a serious privacy risk for Bell customers, since IE defines privacy as the “right to personal immunity from unknown, undesired and unintentional changes to one’s identity as an information entity”.\textsuperscript{91} In this case, Bell did not violate their customers’ privacy, since no information was altered or changed. But, the reader should recognize that it only takes positive efforts from a single relevant advertiser to identify a user for one’s privacy to be violated. To this extent, it is evident that Bell did not exercise due-diligence in protecting and securing their customer’s privacy at an individual level. This shows the Claim 3 of my thesis to be true, that Bell did not exercise adequate diligence in protecting customer information. And, given Bell’s noted lack of clarity in describing BTAP to their customers, this embodies a serious moral problem. This is because it is probable that Bell customers were uninformed and unaware about the specific kinds of information used in BTAP and disclosed to various relevant advertisers. Consequently, Bell is engaging the trading and selling of large aggregates of personal customer data without their permission,

\textsuperscript{89} Office of The Privacy Commissioner of Canada, \textit{What an IP Address Can Reveal About You} (May 2013).
and possibly without their knowledge. This is especially risky in the digital-information age, where the rise of ICTs allow for the seamless processing, exchanging and collection of information.²

However, customers are not all innocent. This is because customers often do not take the steps required to inform themselves about these programs. They may, and do, may simply dismiss a message from “Bell” as spam, or irrelevant to them. We are all guilty, of reading terms of service without having read them. Still, a balance must be struck, companies need to create an environment, or method, where customers are willing to make the effort to inform themselves. Customers, in other words, while not accountable for having been imposed into BTAP, are responsible for informing themselves about Bell’s services.

Admittedly, the Claim that Bell’s lack of due-diligence in safeguarding their customers’ privacy resulted in privacy violations is speculative at best. But, this does not mean that BTAP did not violate their customers’ privacy in other ways. One way in which Bell customers definitely had their privacy violated was through Bell’s decision to share customer information with their subsidiary retailer “The Source”. Again, this is because they engaged in the unwanted handling and distribution of customer information. So, by failing to obtain customers’ meaningful consent, and then proceeding to willfully share information with parties not disclosed to those customers, it is clear that Bell disregarded their customers’ right and ability to control their information life-cycle. Exacerbating this problem further was the fact that Bell “was unable to explain why it would need access to

such information.”\textsuperscript{93} So, it appears Bell was unwilling to explain their reasoning for sharing customer information with The Source, or it was done in order to leverage The Source’s position as an electronics retailer, and as a corporation owned by BCE.\textsuperscript{94} Thus, Bell is shown to have violated their customers’ privacy by willfully sharing that information with “The “Source”.

Section 4.3 – Misidentification, Typification, Identity Commodification

If we acknowledge as SCP does, that our identity is rooted in our information, then not only is Bell violating one’s privacy, but they are attacked one’s identity as well. Thus, this section focuses on those Issues related to our identity. Here, there are three matters worth discussing: misidentification, typification and the commodification of identity. Within this section, it will become apparent that these Issues are inherently related to Bell’s refusal to respect customer choice, and impose BTAP onto them. This intensifies identity Issues because there is no means for Bell customers to control their identity, and how Bell represents them in their models of them, even if they are misrepresented. So, it is important to the focus on the identity aspect of BTAP and these profiles. The first Issue worth discussing is that of misidentification. Misidentification occurs when a person or thing is unintentionally and falsely associated with information. In this way, it is grounded in the


\textsuperscript{94} Ibid.
phenomenon is misinformation. This can happen slightly, such as when someone mistakes your name or age, or more severely, when one is falsely accused of a crime.

Misidentification in BTAP then occurs whenever false information is integrated into a customer profile, or when a customer profile misrepresents a customer’s interests and behavior. To give a practical example, we can think about cases where a child consistently uses their parents’ mobile devices to play video games. In these cases, BTAP is ineffectively modelling the parents’ identities, because their child’s behaviour is being associated with their customer profiles. Thus, if one SIM card or device has multiple users then Bell is actually modelling multiple identities, and compiling them into a single customer profile. There are also cases where the collected information is inaccurate, such as when an application or website is open for several hours, but is only actively used intermittently. Either way, the result is the serving of irrelevant advertisements to misidentified customers. This also brings to light an interesting point: customer profiles are better described as device profiles, since they cannot discern the end-user of that device. This is problematic because Bell purports to know who you are, and further claims that they can reflect your online behaviour within customer profiles. Surely, in most cases, Bell is accurate in representing our interests, because phone owners are often their primary users. But, Bell is always accurately representing the information of that device, and the searches I make on that device. BTAP can only distinguish my online behaviour and online

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interests. This leaves Bell unable to discern who I am outside of BTAP, and prone to misidentification.

To give a rather banal and personal example, leading up to the release of a new Kanye West album, I spent a lot of time surfing the web for news and updates concerning the CD’s release. But, since the release of his album, I have been accosted by targeted news articles (in this instance, from Facebook) concerning Mr. West’s and his family’s personal life and celebrity gossip, which I truly do not care about. In this way, Facebook’s system misunderstood (and thus misidentified) my interests – taking me to be interested in Kanye West’s celebrity status rather than Kanye West, the artist. This leads to me feeling offended, or insulted by the advertisements I see. While this example is admittedly trivial, issues of misidentification gain moral significance when we consider non-trivial cases, like the son or daughter who receives advertising for “Eldercare” shortly after their mother has passed away, and would feel grief and sorrow upon seeing the ad. Self-conception is important to people, and people are offended when identified as something they are not. At the very least, this is certainly something Bell would want to avoid. Making their customers sad, or upset is certainly no moral gain. And, given SCP and IE, I am afforded the right to control the life-cycle of my information, and develop myself in the way I see fit. This, of course, includes my ability to determine my own identity, and prevent the publishing and sharing of false information about myself. Thus, Bell customers have a right to prevent themselves from being misidentified.

Another reason misidentification is a moral harm is because of its intimate relationship with typification, the phenomenon wherein individuals begin to feel classified
as members of a type or group.⁹⁸ This happens often to digital goods – like music files – when the token is no better than its type. When something is typified, it is interchangeable, and in many ways perfectly cloneable.⁹⁹ In this way, the token is devalued. When people are typified, they may conceptualize themselves as intersections of types or categories, rather than independently and uniquely-interested individuals.

This is an ethical problem because, individuals do, and ought to, consider themselves as ends, with distinct interests and goals, located in unique socio-cultural contexts. So, when Bell assumes my interests are more appropriately described by the interest category “Celebrity Fan\Gossip” instead of “Music”, they are making assumptions about my identity, and are not treating me as a unique and uniquely interested individual. With respect to BTAP, Bell is not giving customer the opportunity to explicitly state their preferences, in a program reliant on determining customer interests. By not doing so, Bell customers are typified, and not given the freedom to express themselves. This may explain why customers are so quick to be offended by irrelevant ads. Remember, BTAP is designed to segment customer and audiences, and categorize individuals with groups of people with similar interests, all of whom provide equal value to their advertisers. And considering the inclusion of minor categories like as “weight loss”, “ethnic specific” and “news”¹⁰⁰ were used for BTAP, we have reason to be wary about our associated categories. This shows that Claim 6 and 7 of my thesis are true as well, and BTAP is guilty of misidentifying and

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⁹⁹ Ibid.
¹⁰⁰ “IAB Tech Lab Content Taxonomy." IAB - Empowering the Marketing and Media Industries to Thrive in the Digital Economy. Interactive Advertising Bureau, 09 Jan. 15. Web
typifying its customers. These problems cannot be resolved unless the customer can correct these mistakes, or explicate the complex nature of their interests and disinterests to Bell.

The most egregious way in which Bell harmed their customers’ identity and privacy was through the commodification of our identities. We live in an informationally rich world where individuals and companies are reliant on information-as-a-resource in order to grow, improve their well-being, and of course, turn a profit. The stated purpose of BTAP is “to better compete in a global advertising market with strong international players and generate greater ad revenue.”101 By engaging in the selling and trading of our information, Bell is engaging in the exploitation and commodification of our identities. Companies are not merely collecting and categorizing information, they are mapping, trading and selling our identities – identity trafficking if you will. This is an obvious moral harm, since SCP claims that the “collecting, reproducing and manipulating … of one’s information now amounts to stages of stealing, cloning, or breeding someone else’s personal information.”102 This is because by sharing peoples’ information, BTAP was essentially trading their identity. In a similar vein, the stealing of one’s information, like a social insurance number or credit card, results in identity theft.

This commodification is exploitative as well since customers are not truly reimbursed for the harnessing of their informational resources, and the surrendering of their identity. One may argue that customers receive the targeted advertisement in exchange for their information, but the fact that customers who attempted to opt-out still have their

information collected and branded without receiving any targeted ads shows this is not the case. In fact, Bell mobility customers pay for their telecommunication services and connection to Bell’s network. So, Bell customers are, in a sense, paying Bell to (among other things) capture and profile their account and network information.

Bell customers are produsers, which is to say they are involved in BTAP both as the producers of information and targeted end-user. Concerning targeted advertising in particular, BTAP is exploitative “because audience power is produced, sold, purchased and consumed, it commands a price and is a commodity … audience members contribute [their] unpaid worktime and in exchange receive the program material and the explicit advertisements.” This represents a drastic shift in capitalism towards “the total commodification of human creativity,” behaviour, and identity.

In this way, Bell is refusing to grant Bell customers control over their informational resources, since they do not afford the ability to determine how and to what extents their information and identity is used for the purposes of BTAP. A customer who is able to determine which categories of advertisements, though, would not be exploitative, since it turns the produser into the prosumer. A prosumer being both the producer of the goods, and the consumer of those goods. So, for BTAP customers can be elevated to the role of prosumer since they generate the information required to develop customer profiles while concurrently receiving the ads which they were matched with on the basis of their

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information. In this way there is a “blurring of the line that separates producer from consumer”\textsuperscript{106}. So, this grants the prosumer ability to determine the kinds of advertisements they are reimbursed with while simultaneously avoiding categories they deem sensitive, or offensive.

As should be clear, not only in this chapter, but throughout my thesis, Bell’s greatest failure was not granting their customers control over their information within BTAP. Given that IE, above all else, demands that we have a great deal of control over our information life cycle in order to protect our identity.\textsuperscript{107} This is especially important given the contexts of an information society, where “information technologies become more and more common … and … become an extension of our very selves.”\textsuperscript{108} This lack of informational control, and undermining of customer autonomy informs many, if not all, of the ethical Issues I have raised about the Bell’s relevant ad program. This includes Bell’s use of an implicit opt-out system, their usage of sensitive customer information, problems with misidentification and of course, and the exploitation of identity via its commodification. While this certainly problematic, it is fortunate that most of the problems stem from a single point, and can be rectified by offering Bell customers greater control over their information. This provides the means to introduce an ethically-aimed version of BTAP, where customers are treated with respect, and afforded the ability to exist and flourish in the way the customer desires.

Chapter V – Conclusion and the Future of BTAP

Section 5.0 – Chapter Outline

Having examined the ethics of BTAP, and showing that it was morally impermissible, it is now possible to make recommendations to Bell about ways in which they could implement an ethical BTAP, which alleviates the eight ethical problems discussed in Chapter 4. Thus, this chapter will focus on wrapping up my thesis, and looking to the future of BTAP. In other words, this chapter will demonstrate Thesis Claim 9 – that a two-stage opt-in would mitigate Issues surrounding customer privacy, consent, autonomy and identity. To do this, I must first explain what a two-stage opt-in (TSOI) is and involves. This will allow me to demonstrate how the implementation of TSOI corrects the ethics of BTAP. I will also, in this section, ground my justification for TSOI within business philosophy and ethics as well by showing how TSOI is grounded within the marketing strategy of relationship marketing, or RM. It is also compatible with the principles of privacy by design (PBD), a concept with the intentions of combatting the pervasive, systemic threats of rapid ICT dissemination.109 With knowledge of TSOI and its ethical relevance and power it is then possible to discuss how Bell could introduce an ethical BTAP by respecting the proposals and recommendations forwarded in this thesis, and by the OPC in their investigative report. By following this combination, Bell would be capable of introducing an OBA program which is morally permissible and appeals to their customers.

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Section 5.1 – A Two-Stage Opt-In

As has been made clear from Chapters 3 and 4, many of BTAP’s ethical problems are caused or worsened by a lack of customer autonomy, and informational control. Given IE however, it may be more appropriate to speak about one’s control over their information life-cycles. Protecting against the problems emerging from BTAP requires that Bell grant their customers greater control over their information, and respect that autonomy. This can be accomplished by introducing a TSOI, wherein Bell customers consent to BTAP first, and then to the specific interest categories customers want associated with their customer profile. This means that Bell customers give their consent to Bell twice through TSOI. In some ways, this is like the new “Hide ad topics” option that Facebook is currently testing. The key difference though is that customers must first opt-into BTAP in order to “hide” specific categories. This means that any user who opts-into BTAP is necessarily aware of their ability to select specific interest categories. This is unlike Facebook’s strategy which requires customers to navigate to and through their ad settings to opt-out of specific categories, and is quite onerous and demanding of customers.

At the first stage of TSOI, the relevant Bell customer is offered the opportunity to opt-into the whole of BTAP. By doing so, the customer is offered the opportunity to collect and categorize their information, so that they can be served with advertisements relevant to them. So, any customer who opts into the first stage agrees to the general principles, goals and processes of BTAP. But, any customer who declines to opt into this first stage would not have their ADI and NUI collected, categorized, sold or used for the purposes of

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110 https://www.facebook.com/ads/preferences/?entry_product=ad_settings_screen
BTAP. Accordingly, customers who opted-out would not have customer profiles developed about them either. This gives those customers who do not want to participate in BTAP an inevitable and direct path to avoid BTAP. This is because through TSOI, customers are not by default included within BTAP. Rather, Bell customers, by default, are excluded from BTAP. This ensures that anyone opting into BTAP grants their meaningful consent, since they **have** to opt-in if they want to participate in BTAP. It is worth mentioning that Bell and Bell Mobility would still collect customer information for reasons outside of BTAP, and are required to fulfill their role as a telecommunications provider.\[111\]

Those customers choosing to take part in BTAP would then be directed to the next opt-in phase of TSOI. Here, BTAP participants can choose which IAB major/minor interest categories they feel are relevant to them, and want added to, and associated with their customer profiles. This provides customers who are concerned with receiving irrelevant or embarrassing advertisements the option to remove themselves from those kinds of ads. It is easy to imagine scenarios where people do not want to receive ads they do not want to see, perhaps from financial institutions or dating services, so these customers’ desires ought to be met.

However, customers may also choose not to opt-out of any categories at all. In these cases, BTAP would function as originally intended, with a few key alterations, which will be discussed in the next chapter. In sum, this second opt-in affords a great deal of customer control of one’s informational privacy, and concretely sets limits on what aspects of one’s

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identity can be modelled and acted upon by Bell. In this way, stage two of TSOI allows for a greater control over one’s identity within BTAP. Thus, it undermines Issues of typification and misidentification. This is because the customer has control over how they are represented within their customer profiles. This second stage also mitigates the problem of identity commodification, because it grants customers control over their informational resources, and how they will be compensated for taking part in BTAP; on the one hand, because the customers can decide when which kinds of ads and offers they will receive; and on the other because Bell customers are not forced to participate within BTAP, thanks to TSOI’s first stage.

To implement TSOI in an ethical manner, Bell must also sufficiently inform their customers about BTAP, its goals and its operations. This would then include informing them of the specific kinds of information used in BTAP. So, it is necessary to talk about how Bell can be more transparent and informative when notifying Bell customers about BTAP. The best means to contact and notify Bell customers is through a variety of electronic mediums – much the same way as they did in August 2013.112

One way to do this is by changing Bell’s notifications. So, instead of sending a message to their customers that reads:

“Free Bell Msg: We’d like to make ads more relevant to you, acct & usage info will be used. For details or to opt out http://bell.ca/ads”.

The message could read:

112 Ibid.
113 Ibid.
“Free Bell Msg: We’d like to make mobile ads more relevant to you, account and mobile usage information will be used. For details and/or opt in http://bell.ca/ads”

This message could also direct users to the first opt-in page which will allow customers to opt into the program. This page would also describe BTAP, and the specific kinds of information used in BTAP, in adequate detail, in order to allow their customers to make an informed choice about their participation. Any customers who choose to opt-in at this point would then be directed to the second opt-in page which displays all of the IAB major/minor interest categories. At this page, the user would choose which interest categories they want associated with their customer profile. This allows them to state their interests and preferences, and allows them to determine which aspects of their identity are allowed to be modelled by Bell within their customer profiles. So, a person recently diagnosed with a potentially embarrassing medical condition could choose to opt oneself out of the categories related to that ailment if that category makes them feel uncomfortable. This reduces ambiguity over what counts as a “sensitive category”, since it is up to the customer to define what is sensitive, and not, and then adjust their profile accordingly. This demonstrates again that TSOI allows Bell customers the opportunity to take control over their information and identity, which in turn diminishes ethical Issues one through eight of my thesis.

Section 5.1.1 – TSOI and its Ethical Value

An increased control over one’s LCI within BTAP is the key to eliminating many of the Issues raised in my thesis, included the unwanted usage of information, identity commodification and typification. It eliminates problems with being targeted by offensive advertisements for example, because it is up to the individual Bell customer to define what
they take to be offensive, and opt-out of those categories. But, TSOI also helps prevent the way in which BTAP, in its original instantiation, undermined their customers’ privacy and identity. This is because customer privacy is reinforced in the same way as customer autonomy if we understand our privacy in terms of one’s ability to control their information, and their LCIs, as IE does.

It should be clear by now how TSOI increases customer autonomy -- after all, the choice to take part in BTAP now rests solely with them. And, given the inherent informational nature and connection between autonomy and privacy, then it seems as if privacy matters are solved as well. After all, Bell cannot violate a customers’ privacy, by collecting and categorizing their customers, if they are giving Bell permission to do so. But, identity Issues are also relieved. This can be shown by looking at each of the three identity Issues discussed in this thesis (misidentification, typification, and identity commodification).

The problem of misidentification is almost entirely removed from the program. This is because it is the customer who is in control of defining themselves, and determines the limit of the ways they are portrayed to advertisers in their customer profile. Concretely, this means that if Bell sends a customer a “gardening” ad, it is not only because Bell received enough information to assume that the customer is interested in gardening, but also because the customer agrees to let Bell define them in this way. Or, in cases where the customer decides to opt-in to all IAB major/minor categories, the customer states their lack-of-preference and sensitivity, Bell customers agree to allow Bell define and identify them as they see fit. In this way, it also curbs problems of typification, since Bell would be respecting the customer as a unique individual, with unique ends and interests. This is
because the second opt-in stages provide a platform for the customer to define themselves, and express their own unique and nuanced interests. In this way, Bell recognizes the unique aspects and qualities of that individuals, or at least the right to define and describe their unique interests. This means that TSOI would relieve typification since customers would be treated as unique individuals, who would not be conceived of like replaceable and anonymous replaceable information entities.\textsuperscript{114} Of course, some categories are vague, like “Men’s Health”. In these cases, Bell could provide a brief sentence-long descriptor of the category. Even better, Bell could provide customers the ability to submit category ideas, which could be implemented to provide feedback and insight into how customers use BTAP.

TSOI also helps mitigate the harms of identity commodification. This is because it furthers the customer’s ability to take control of their informational resources, and capitalize on them with increased efficiency. It is important to reiterate that users gain from these services as well – in the form of information about products and deals found in the targeted ads themselves or even the service gained from the company itself. This means that customers who participate in BTAP are no longer having their identity mapped against their will, but are freely exchanging their informational resources for advertisements, to maximize the potential of their informational selves. No longer are they consumers, but prosumers, who produce and consume capitalized information.\textsuperscript{115} So, under TSOI, Bell customers are not forced to take part in BTAP, nor do they have to pay for BTAP’s services. Instead, customers are asked to collaborate with Bell, and provide them customer


information which is then used to send relevant marketing reports to those customers. Moreover, customers are able to specify which kinds of information they want to provide to Bell, and what kinds of ads they will receive. This in this way BTAP is no longer primarily using customers and their information to build additional revenue streams, but aimed at collaborating with their customers to deliver them a service. Through collaboration then, rather than exploitation, BTAP can relieve concerns about the abuse of identity via its commodification. And at the very least, there should be little question as to how TSOI makes BTAP less exploitative.

So, TSOI is designed, above all else, to empower consumers by giving them control over their generated information, and determine which kinds of information Bell is able to use and profit from. It is through this increased control that the two-tiered opt-in system protects users from some of the prevalent moral harms of BTAP, like Bell’s disrespecting of their user’s choice to opt-out. Remer, there is strong moral justification for TSOIs installation given IE and SCP. For these reasons, the use of TSOI in BTAP would greatly benefit both Bell and their customers’ privacy interests. But, TSOI is also grounded in advertising and business philosophies as well. Specifically, it is based in the philosophy of relationship marketing, or **RM** as well as the principles of privacy by design (**PBD**).

**Section 5.1.2 – Relationship Marketing & Privacy by Design**

RM is a conceptual marketing approaching aimed at the construction and maintenance of long-term, mutually beneficial relationships between businesses and
consumers.\textsuperscript{116} The motivating force behind it is that “value of future deliveries will always be greater than the value of any existing transaction.”\textsuperscript{117} Therefore, these relationships must be mutually satisfying for the business and customers, and are forged out of good-faith. This is important because it establishes trust between customers and businesses. Bill Pollard emphasizes these claims when he writes “Unless you build relationships of truth with your customers, listen, learn and respond to their changing needs … you will not establish an environment for long-lasting customer relationships”.\textsuperscript{118} Ergo, the relationships informed by relationship marketing are founded, at least to some degree, on ethical principles.

Murphy et al. propose exactly this, when they argue that relationship marketing is most effective when supported by the virtues of trust, commitment and diligence.\textsuperscript{119} But, for the purposes of my thesis, we need only speak about trust. We are well served thinking of trust as the foundation for RM because it ensures that companies will not act maleficently towards their clients, and take advantage of their vulnerabilities. In marketing, trust would involve working cooperatively with customers in order to achieve their business goals, rather than treating them like a resource which profits can be extracted from.\textsuperscript{120} With respect to Bell then, this would prohibit Bell from using full postal codes

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\textsuperscript{118} Pollard, C. William. \textit{The soul of the firm}. Zondervan, 1996. 74-75
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within BTAP, and sharing customer information with “The Source”. The crux of RM is that it makes space for both customer and business interests, so both companies and customers can realize their goals cooperatively. This is especially relevant for BTAP and OBA, which undermine customer autonomy and privacy and may cause harm to their identity.

TSOI can also improve BTAP’s chance of success because it reduces customer “reactance”. Reactance, according to Catherine E. Tucker, is defined as “a motivational state in which consumers resist something they find coercive by behaving in the opposite way to that intended.”\textsuperscript{121} TSOI reduces reactance because it gives customers perceived control over their information, so Bell appears (and is) to be more transparent and less coercive.\textsuperscript{122} Using Facebook as an OBA, Tucker showed that personalized ads were more effective after Facebook allowed users to take control over their information.\textsuperscript{123} To be precise, after users were granted greater autonomy, users were twice as likely to click on the relevant, targeted ad.\textsuperscript{124} So, while TSOI may negatively impact the total population of customers participating in BTAP, since customers are now required to opt-in to the program, rather than being forced into it, those who do take part in the program are genuinely interested in BTAP. This means even if Bell customers choose to opt-out of the program, the ones that accept BTAP are likely to provide greater value to the program. From a business perspective then, TSOI appears to force Bell to consider whether it is better to have a large population of BTAP participants, the majority of which are

\textsuperscript{122} Ibid.
\textsuperscript{123} Ibid.
\textsuperscript{124} Ibid.
uninterested in targeted ads, and may not even be aware of their role in BTAP, or whether
it advantageous to have a smaller population, composed wholly of informed and willing
customers, eager to fulfill their role in BTAP.

Reinforcing the point that TSOI is not only a system designed to increase the
ethicality of BTAP, but an effective business strategy as well, is its compatibility with the
concept of PBD. As stated previously, PBD is a certification program intended to promote
customer privacy in cases where customer information is handled and managed by
corporations and organizations. In total PBD has seven foundational and guiding
principles. These are:

1. Proactive not reactive.
2. Privacy as the default setting.
3. Privacy embedded into the design.
4. Full-functionality
5. End-to-end security; full lifecycle protection
6. Visibility and Transparency
7. Respect for user-privacy

So, to show how TSOI works hand in hand with PBD, we can look and show how TSOI
takes on and embraces to each of these principles. Concerning, the first principle of
proactivity, TSOI is proactive in the sense that it anticipates many of the moral Issues that

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would arise out of BTAP, and already did in BTAP’s previous instantiation. TSOI also includes privacy as the default setting, unlike the previous iteration of BTAP. This is because customers, by default, are excluded from the program, and must opt-in to the program in order to participate. As PBD puts it “no action is required on the part of the individual to protect their privacy – it is also built into the system”.¹²⁶

TSOI is also embedded into the design of BTAP, and ensures end-to-end protection of information. This is because of the second stage in TSOI which has customer’s opt-in to specific interest categories, and sets specific limits on which kinds of information can be used within BTAP, and which kinds of advertisements the user deems offensive or embarrassing. Furthermore, TSOI does not limit BTAP either, and ensures its full functionality. In fact, as just demonstrated by Tucker’s research, TSOI may actually provide a competitive advantage to Bell and BTAP.

Concerning the principles of transparency and respect for user-privacy, while TSOI helps promote transparency and a user-centric approach to BTAP, these principles can be secured with positive efforts from BTAP. This is because transparency requires Bell to adequately inform their customer about BTAP. So, it lies outside the scope and mechanics of TSOI. A respect for user privacy also lies outside of the capabilities of TSOI. While TSOI does offer the ability for customers to opt-in and out of BTAP, it is up to Bell to respect their decision, and ensure that Bell follows their customer wishes, and only act on those categories which they have opted into.

Section 5.2 – Concluding Remarks and Future Work

¹²⁶ Ibid.
In my thesis, I have ethically analyzed BTAP and Bell’s use of OBA, and shown how BTAP violated their customers’ privacy, stifled customer autonomy and harmed customer identity. My analysis was completed by applying IE, and the moral concepts of autonomy, privacy and identity to BTAP and its processes. In order to do this, I used my first chapter to set out the concrete objectives of my thesis, and forward the eight arguments that would prove my overall thesis. These being:

1. Bell undermined and violated customer privacy by including and compiling personal information within their customer profiles.
2. Bell violated customer privacy by sharing customer information with “The Source”.
3. Bell did not exercise diligence in protecting their customers’ privacy.
4. Bell’s implicit opt-out system was ineffective in obtaining meaningful customer consent.
5. Bell’s use of an opt-out system stifled customer autonomy.
6. Bell harmed their customer’s identity through misidentification.
7. Bell harmed their customer’s identity through typification.

I chose IE as the moral framework to judge BTAP, as explained in Chapter 3, because both IE and Bell are engaged in the modelling of identity on the basis of personal information. For, Bell, they are concerned with modelling Bell customers on the basis of ADI and NUI. While, for IE, Floridi is concerned with modelling the whole of our reality in information terms. So, IE is an appropriate because Bell and IE both operate at the same
information level of abstraction, and IE is designed to evaluate moral issues which process and manipulate information, as BTAP does.

By using IE to demonstrate the above points, I was able to argue my major conclusion, that Bell’s implementation BTAP was morally unacceptable. These arguments were forwarded in my fourth chapter, where I demonstrated the ways in which Bell’s inappropriately handled and used customer information in ways that led to the violation of customer privacy, the stifling of customer consent and autonomy, and the exploitation of customer identity. Furthermore, it allows me to recommend TSOI and show that the implementation of TSOI would protect Bell customers from the moral issues emerging from BTAP. Which, remember, we have excellent grounds to do so in light of SCP and the entangling of one’s privacy with identity. At this point, I showed that TSOI, by providing greater control of one’s LCI and autonomy within BTAP provides a mechanism to protect us from the ethical issues emerging from BTAP like misidentification, the violating of our privacy.

But, in thinking about the future of BTAP, if they so choose to return to the world of OBA, it needs to made clear that TSOI cannot stand alone. In fact, for Bell to introduce a truly ethical BTAP, they must take notice and conform to the recommendations made by the OPC in PIPEDA #2015-001, such as their suggestion to contractually prohibit advertisers from identifying customers via their customer profile, and the recommendation that they stop using customer credit score information in BTAP. Following these recommendations are important because the OPC’s report focuses on a few already solved problems not discussed within in my thesis either because they are too obviously problematic, or lie outside the scope of my paper.
But, my thesis and its arguments need not be limited to the study of BTAP in particular. This is because IE can be applied to any OBA program, given that they are engaged in the modelling of customer identity on the basis of their online information. This means that one can use IE, and the relevant concepts of autonomy, identity, privacy and SCP to reveal and confront the ethical problems of other OBA programs like that used by Facebook or Google. Others can also model these OBA programs as I have done as well. Of course though, the specifics of the model will change based on the specific OBA program being studied and analysed, but the methodology rings just as true.

This because as long as we understand that OBA programs are necessarily involved in the modelling of customer identity on the basis of their information, then we have strong grounds to consider these OBA programs at an informational level. This allows us to model and understand various OBA programs as information systems containing many informational processes which collect, categorize, manipulate and rank one’s online behavior. And of course, given IE and SCP, we have strong moral justification to examine other OBA programs because they are not only violating and undermining our autonomy and privacy, by also harming their customers’ identity. OBA does not seem to be going away anytime soon, and improved technologies and data analytics are making OBA exponentially more promising, and easier to implement. So, even though BTAP is not currently functional, it would be a mistake to think that OBA programs are not morally relevant.

It is important to remember that, while BTAP in its original form was morally impermissible, OBA is not inherently wrong. However, there is a right and wrong way to implement an OBA program, and Bell falls into the latter category. This does not mean
BTAP cannot be salvaged though. We ought to remember that BTAP is designed to enrich a customers’ online experience, and thus is valuable to customers as they may learn about products and services they were unaware of. Despite the economic value of BTAP, there are many moral problems which leave the public anxious, and Bell customers unwilling to participate in BTAP. This is not to say that Bell did all wrong. Bell’s use of profile anonymization, the limiting of customer profiles, and the disposal of sensitive information are all examples of Bell aiming at an ethical BTAP. But, there are still many hurdles to overcome for BTAP to reach its full potential, many of which I have laid-out in my thesis. These include issues of obtaining meaningful customer consent, misidentification and identity commodification. As I have shown, many of these hurdles can be overcome through the installation of a two-stage opt-in system in any future implementation of BTAP. Thus, Bell’s best chance to revive BTAP in an ethical way that will appeal to their customers is to take the ethical problems discussed in my thesis seriously, and re-consider the impact that BTAP had on its customer’s privacy, autonomy and identity.
Bibliography


[16] "IAB Tech Lab Content Taxonomy." *IAB - Empowering the Marketing and Media Industries to Thrive in the Digital Economy*. Interactive Advertising Bureau, 09 Jan. 15. Web


Appendix

IAB Content Taxonomy 1/2

IAB Content Taxonomy 2/2
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Table 4 – IAB Content Taxonomy 2/2