Facebook Cambridge Analytica Scandal: Determining Moral Responsibility With Actor-Network Theory and the Conditions for Holding Individuals Responsible

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Mackenzie Nguyen

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On my honor as a University Student, I have neither given nor received unauthorized aid on this assignment as defined by the Honor Guidelines for Thesis-Related Assignments

Advisor

Benjamin Laugelli, Department of Engineering and Society

Introduction

The Facebook Cambridge Analytica scandal is one of the most high-profile cases regarding privacy violations where the personal data of over 87 million Facebook users were unethically shared and used by Cambridge Analytica, a political consulting company, to target voters for political advertising purposes (Zialcita, 2019). It led to billions of dollars in fines, an increase in data protection regulations, the shutdown of Cambridge Analytica, and many more severe consequences for the stakeholders involved (Henderson, 2019). Isaak (2018) argues that both Facebook and Cambridge Analytica are at fault for the incident since they are responsible for keeping user data safe. On the other hand, Rehman (2019) believes blame should be distributed across all involved parties with an emphasis on Facebook users as they should be responsible and accountable for the own personal data. However, these arguments fail to define what it means to be "at fault" and do not outline benchmarks for responsibility. The distinct role of each stakeholder and the connections between them should be taken into consideration for a more thorough analysis. A societal and agreed-upon understanding of how to hold people responsible for their actions can help us prevent future incidents like this from occurring. More specifically, it can help us identify who is at fault in order to make the appropriate repercussions and spread the importance of user data privacy and protection.

The Facebook Cambridge Analytica scandal is a complex case resulting from Facebook's ignorance towards user data privacy and protection; and Facebook is morally responsible because it meets all the necessary conditions for responsibility: wrong-doing, casual contribution, foreseeability, and freedom of action. To consider who could be morally responsible for the Facebook Cambridge Analytica scandal, I will first identify the actors involved with Actor-Network Theory and then analyze those actors against the conditions for

responsibility to determine who is at fault for the scandal. Actor-Network Theory outlines a network consisting of different elements that have relationships with each other and the conditions for responsibility consist of wrong-doing, casual contribution, foreseeability, and freedom of action. I will examine arguments and facts stated in peer-reviewed scholarly articles along with articles from varying sources to consider in my argument.

Facebook Cambridge Analytica Case Background

The Facebook Cambridge Analytica privacy scandal in 2013 involves the exploitation of over 87 million Facebook users' personal data by Cambridge Analytica, a British political consulting company (Zialcita, 2019). Aleksandr Kogan, a data scientist, developed an app called "This is Your Digital Life" through his company, Global Science Research (Zialcita, 2019). This app required users to log in with their Facebook accounts and through the app, users were paid to take a personality test (Zialcita, 2019). This application gathered personal data from not only users' Facebook profiles and posts, but also data from all of their Facebook friends. Kogan sold the data to Cambridge Analytica to help it support the 2016 presidential campaigns of Republican candidates, Ted Cruz and Donald Trump (Zialcita, 2019). In 2018, a whistleblower and former Cambridge Analytica employee spoke up and disclosed the misuse of data to the public (Chan 2019). As a result, the Federal Trade Commission imposed a $5 billion fine on Facebook, the largest penalty ever imposed on a company for consumer violation privacy violation (Henderson, 2019). Also, the United Kingdom's Information Commissioner's Office fined Facebook $663k for the same reasons (Zialcita, 2019).

Literature Review

Several sources have analyzed the Facebook Cambridge Analytica scandal to determine who is morally responsible for the incident. However, there exists no common agreement for

which stakeholder(s) should be blamed for the incident; the primary stakeholders include Facebook, Facebook users, Cambridge Analytica, and Aleksandr Kogan. Scholars have failed to outline what it means to take full responsibility for a situation as there are still many more key players and factors to consider in addressing the problem at hand. There cannot be a clear and widely accepted agreement on who is at fault if the criteria for being morally responsible are not defined.

According to Isaak (2018), Facebook and Cambridge Analytica are both at fault for the incident as both parties played a role in allowing Facebook users' data to be obtained and used unethically. Facebook was the one who held the information and allowed it to get into the hands of Cambridge Analytica to abuse. It is shown that both of their actions led to the scandal because "Facebook gave unfettered and unauthorized access to personally identifiable information (PII) of more than 87 million unsuspecting Facebook users to the data firm Cambridge Analytica" (Isaak, 2018, p.1). Ultimately, both Facebook and Cambridge Analytica have engaged in poor decision making and behaviors that led to the scandal.

On the other hand, Rehman (2019) argues the fault of the incident does not lie fully on one entity as all of the parties were involved in some way and could have taken different actions to prevent the situation from occurring. Mark Zuckerberg had stated that "This was a breach of trust between Kogan, Cambridge Analytica and Facebook. But it was also a breach of trust between Facebook and the people who share their data with us and expect us to protect it" (Rehman, 2019, p.7). He brought up the fact that consumers should ultimately be responsible for their data which is something that most scholars do not consider in their arguments (Rehman, 2019).

Isaak's argument blames both Facebook and Cambridge Analytica as the ones who allowed the scandal to occur out of irresponsibility towards protecting user data while Rehman's argument blames all of the parties involved with an emphasis on Facebook users since they should be responsible for protecting their own data. The current understanding treats stakeholders as individual entities, without considering the connections they have to each other and the network they all exist in. The arguments also lack a structured and consistent way to measure responsibility. While these sources bring up valid points and deep insight, it is essential to build off of these already existing arguments to gain a better understanding of the role responsibility plays in this case. The argument to come in this paper will utilize Actor-Network Theory and the conditions for responsibility to address the Facebook Cambridge Analytica scandal.

Conceptual Framework

My analysis of the Facebook Cambridge Analytica scandal uses Actor-Network Theory (ANT) to define the actors involved and identify the relationships between them. ANT focuses on a technology network formed by network builders made up of both non-human and human actors with a common goal in mind (Cressman, 2009). After these actors are outlined, I will assess who is morally responsible for the scandal by analyzing the actions of the actors against the 4 different conditions for responsibility shown in Figure 1 below from van de Poel and Royakkers (2011):

1. **Wrong-doing:** A norm has to have been violated or something was done incorrectly.
2. **Casual contribution:** An action or a failure to act and typically not just a single incident, but a range of casual contributions is required.
3. **Foreseeability:** The individual must have known what the consequences of the action taken would be in advance.
4. **Freedom of action:** The decision for action was not made under compulsion or coercion.

Figure 1 - Conditions for Holding Individuals/Groups Responsible

If these 4 conditions are met for any of the actors, then we can conclude they are morally responsible for the scandal. Analyzing responsibility and assigning blame in any given situation is a challenging task as there are many factors to consider; however, with benchmarks to judge the actors on, the argument can be better supported and collectively agreed on.

Analysis

Actor-Network Theory Analysis:

In depicting the Facebook Cambridge Analytica case as a network through the ANT framework, there are many actors and interactions between actors shown below:

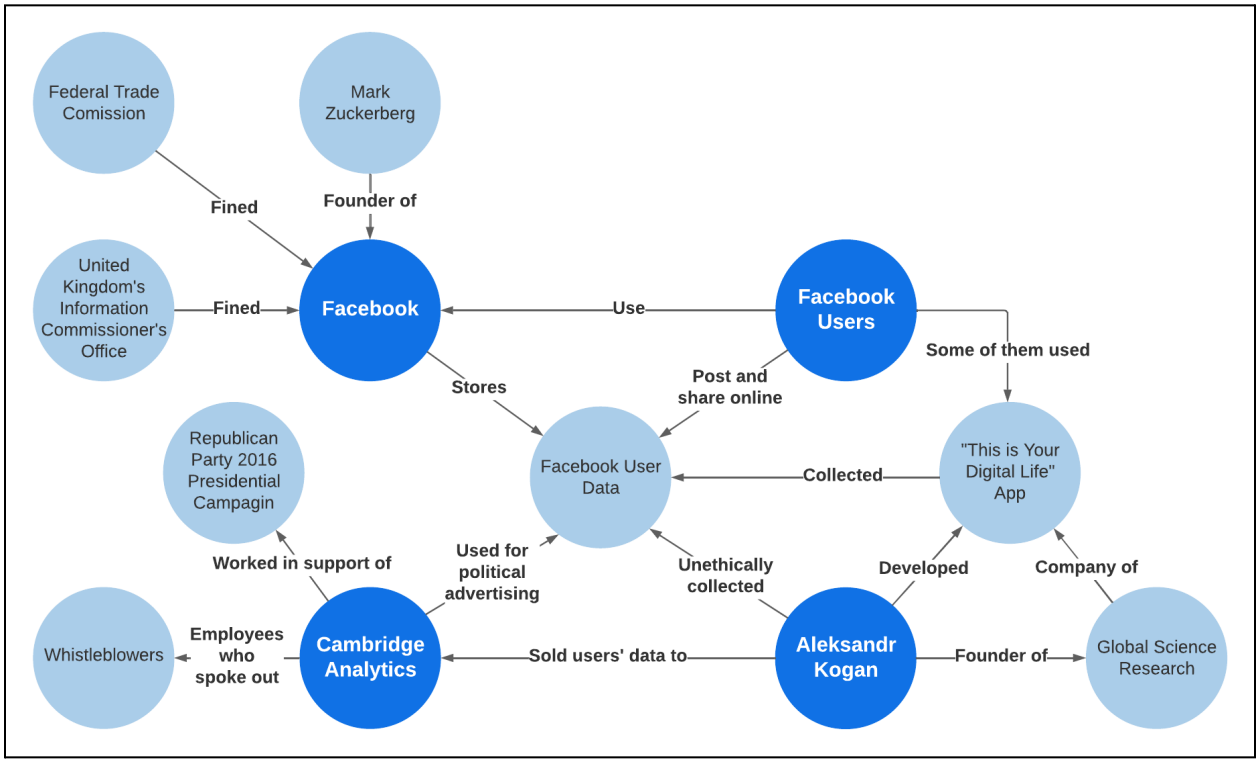

Figure 2 - Facebook Cambridge Analytica's Actor-Network

There exist 4 primary actors: Facebook, Facebook users, Cambridge Analytica, and Aleksandr Kogan. The entire network is revolved around Facebook user data, which is displayed in the center of Figure 2. As a result, Facebook is classified as the network builder since it is the

platform that stores and holds the information this case revolves around: Facebook users' data. In this next section of the analysis, I will be evaluating the 4 primary actors against the 4 conditions for responsibility:

Wrong-Doing:

Aleksandr Kogan and Facebook both engaged in wrong-doing as they disregarded the norms of protecting user data. If an actor violates a rule/regulation or takes action on something with innately bad intentions, they are engaging in wrong-doing.

According to numerous sources, the actions of Aleksandr Kogan certainly can be classified as wrong-doing since they break many rules and regulations set out by other actors. Facebook's developer policy states that developers cannot transfer or sell data acquired from Facebook users (Stahl, 2018). It is important to note that this policy has always been disclosed and Kogan had failed to abide by it by selling data to Cambridge Analytica. As a result, Kogan has admitted to his mistakes that the "core idea that we had – that everybody knows and nobody cares – was fundamentally flawed. And so if that idea is wrong, then what we did was not right and was not wise. And for that, I'm sincerely sorry", showing that he admits to his wrong-doing (Stahl, 2018).

As for Facebook's wrong-doings, it "allowed app developers to collect data from users' friends without the friends' knowledge or permission" which is how Kogan was able to unethically obtain user data without their consent ("Where did Facebook go wrong in the Cambridge Analytica scandal?", 2018). Kogan argued that "this was not a special permission you had to get. This was just something that was available to anybody who wanted it who was a developer"; therefore, this permission was a flaw behind Facebook's end as it enabled a feature for developers to gain access to personal data without user permission (Stahl, 2018). And in an

investigation, the ICO concluded that Facebook's failure to protect users' personal information broke data protection laws (Zialcita, 2019). Facebook's actions show that it failed to prioritize the privacy of user data with its numerous privacy scandals. Its focus is set on growing its company and acquiring data from users with monetary incentives in mind- advertising. Mark Zuckerberg, founder of Facebook, acknowledged that they "didn't take a broad enough view of our responsibility and that was a big mistake. And it was my mistake and I'm sorry" (Stahl, 2018).

Cambridge Analytica has "denied any wrongdoing and said they never used any of the information that they obtained from Facebook", so I argue it did not engage in wrong-doing as it did did not end up using the data to its advantage and it was also unaware that the data was unethically obtained ("Where did Facebook go wrong in the Cambridge Analytica scandal?", 2018). However, LeBret (2018) contends that Cambridge Analytica was in the wrong to possess the data in the first place without confirming and auditing that it was collected in accordance with Facebook's rules (para.12). Despite this evidence, I would still argue that Cambridge Analytica did not act maliciously in collecting the data since it "claimed that it only accessed and used data in authorized ways" to its knowledge, so it had no wrong-doing in the scandal (Li, 2018). It is crucial to know that Cambridge Analytica did not violate any rules and its lack of taking action to implement preventative measures could be considered its only wrong-doing. The only role Facebook users played in this scandal was granting permission for the app to have access to their data, which is not considered wrong-doing because it was not deliberately done with the intention of their Facebook friends' data to get leaked.

Out of the 4 primary actors discussed, both Aleksandr Kogan and Facebook conducted wrong-doings by either violating a regulation set in place or disregarding the importance of

protecting users' personal data and there is not enough evidence to conclude any actions of Cambridge Analytica and Facebook were wrong-doings.

Casual Contribution:

All of the primary actors, except for Facebook users, had casual contributions to the problem since they all intentionally contributed to the scandal, while Facebook users were unaware of the situation at the time. Casual contribution is met if an actor takes action (or lacks to take action) on something that contributes to the incident.

Aleksandr Kogan engaged in a casual contribution to the problem as he failed to disclose to the users of the app that he was acquiring their friends' data for Cambridge Analytica to use for political advertising (Stahl, 2018). This lack of transparency resulted in a huge violation of user data protection and privacy as users were unable to consent to their data being collected.

Facebook schemingly pretended to not know that giving developers the ability to link Facebook to its applications would allow it to gain access to data that users do not consent to, as shown by its lack of action taken on the situation to fix it (Stahl, 2018). In addition, Hassan (2018) suggests that Facebook "could have enabled different mechanisms to automatically limit third-party apps' access to user data after a period of inactivity or suspicious activities… it could have made it completely impossible for third-parties to access unnecessary information, such as a user's friends lists or posts unless the app developer goes through some sort of verification process" (para. 9). This is one example of Facebook's casual contribution to the problem as it knew a problem existed yet failed to address it, showing a lack of action taken. It should have implemented monitoring of the data so it could have control over and see what developers do with the data to prevent the scandal from occurring in the first place.

In determining if Cambridge Analytica's actions had a casual contribution to the problem, it is known that it used the unethically acquired data to create political advertisements to support the Republican party in the 2016 presidential election. Intending to use the data for political gain, it was contributing to the problem. Additionally, it was found that "the New York Times, the UK's Channel 4 and The Guardian—some of the world's most prestigious publications—all claim that Cambridge Analytica never did delete the Facebook user data they had gathered" (Hassan, 2018). The use of data to impact the presidential election and failure to act on deleting the data once it knew it was collected unethically, are all examples of Cambridge Analytica's casual contribution to the scandal.

Of the 4 actors, Aleksandr Kogan, Facebook, and Cambridge Analytica all meet the condition of having a casual contribution to the problem. Kogan failed to take action in notifying users of their full intentions with their data, Facebook failed to monitor what developers would be doing with its data, and Cambridge Analytica maliciously used the data for political advertising to gain an advantage in the election. Facebook users did not directly contribute to the problem because they could not have done anything on its own to prevent the scandal.

Foreseeability:

Facebook was the only actor that had foreseeability in the scandal as many concerns about its policies with user data were brought up, yet ignored. Foreseeability refers to an actor having preexisting knowledge of the problem and its consequences and continuing to make the same decision with that knowledge.

Facebook was fully aware of the consequences that came with granting third parties access to its data, but it chose to ignore the concerns. Years before Kogan built the app, many concerns from employees were brought up to Facebook executives about how third parties with

access to user data can easily abuse their access if better-established safety measures and monitoring are not set in place (Stahl, 2018). It is evident that Facebook pretended like it “did not know” about these privacy concerns and chose to ignore them so it could not be held liable and did not have to take action (Stahl, 2018). The consequences of Facebook’s ignorance resulted in the scandal since Facebook chose to not address them.

Aleksandr Kogan claims he did not have foreseeability in this case when he stated that: “if I had any inkling that what we were going to do was going to destroy my relationship with Facebook, I would've never done it. If I had any inkling that I was going to cause people to be upset, I would've never done it" (Stahl, 2018). He also admitted he did not know selling data was not allowed because he failed to read the developer policy where it was stated (Stahl, 2018). Therefore, Kogan did not have foreseeability because he showed guilt and remorse in his action, not entirely realizing the consequences to come with them, and he was not aware that selling user data was not allowed. Cambridge Analytica was not initially aware that Kogan’s actions and methods of collecting user data violated Facebook’s regulations (Ingram, 2018). Therefore, since it did not know that the data it would be acquiring was collected unethically, it did not have foreseeability in this scandal. Similarly, there was no way Facebook users could have known about this scandal at the moment it was occurring as they were uninvolved in any decisions made that contributed towards it.

Facebook was the only actor to have foreseeability as there had always been concerns about its decision to grant third parties access to its users’ data with little to no monitoring of how much data was collected, if the users consent to their data being collected, and what these organizations were doing with the data. While on the other hand, Kogan, Cambridge Analytica,

and Facebook users all did not have foreseeability because they lacked the information required to know of the consequences of their actions.

Freedom of Action:

All of the actors exhibited freedom of action since the decisions each actor made were fully made on their own. Having the freedom of action means that the actor made a decision or took action on something without any coercion or without consenting to it. Kogan said that if he knew of the consequences he would not have done it, showing that he decided to do it on his own (Stahl, 2018). There is no evidence that Facebook and/or Cambridge Analytica had any external factors or actors influencing the decision they made and actions they took, so they did have freedom of action. Facebook users are responsible for who they grant access to their data, suggesting that they have the freedom of action to do whatever they want with their personal data (Li, 2018). All of the actors had freedom of action as no external actors were impacting the way they acted.

Analyzing Responsibility:

The findings from above: the analysis of the primary actors Facebook, Facebook users, Cambridge Analytica, and Aleksandr Kogan against the conditions for responsibility: wrong-doing, casual contribution, foreseeability, and freedom of action have been summarized in Figure 3 below:

		Conditions for Responsibility			
		Wrong-Doing	Casual Contribution	Foreseeability	Freedom of Action
Primary Actors	Facebook	✓	✓	✓	✓
	Facebook Users	○	○	○	✓
	Cambridge Analytica	○	✓	○	✓
	Aleksandr Kogan	✓	✓	○	✓

Figure 3 - Table of Primary Actors and Conditions for Responsibility Met

As shown, Facebook is the only actor that meets all 4 conditions, so we can conclude that it should be held morally responsible for the scandal. Facebook users cannot be held responsible as they did not take any actions leading to the scandal and were not directly involved in the incident. Cambridge Analytica did contribute to the incident as it was uninvolved and more of an external entity that did not do anything wrong on its own, it was just wrongfully involved without knowing. Aleksandr Kogan was close to being defined as a morally responsible actor in this case; however, he was unaware of the implications of his actions and did not know that what he was doing was unethical.

Conclusion

Moral responsibility ultimately lies in the hands of the network builder, Facebook, in the Facebook Cambridge Analytica scandal because when analyzing its actions against the conditions for responsibility, it was found that it committed wrong-doing, engaged in casual contribution to the problem, had foreseeability of the consequences, and had freedom of action. Furthermore, it is evident that the other primary actors, identified in an ANT analysis: Aleksandr Kogan, Cambridge Analytica, and Facebook users all played a role in the scandal by making

decisions and taking actions that led to the incident, but they cannot be held entirely and individually morally responsible since they did not meet all 4 conditions for responsibility. Although Facebook did not act unethically in the way that Aleksandr Kogan did by acquiring the data without user consent and selling it to Cambridge Analytica, it is the one that created the system and stored users' data. Kogan was wrong to sell the data, but Facebook should not have allowed developers to gain access to the data of Facebook friends without their consent. Its ultimate mistake was failing to prioritize user data protection and privacy as shown when it did not monitor and audit third parties that have access to user data.

In today's digital age, the internet is an expansive space where your personal information is stored and you do not always know who has access to it. As a result of the scandal, Facebook stated "protecting people's information and privacy is a top priority for Facebook, and we are continuing to build new controls to help people protect and manage their information" (Zialcita, 2019). A specific example of this in play is that "Facebook will ban developers who do not agree to an audit, and an app's developer will no longer have access to data from people who have not used that app in three months" which is something that could have prevented the scandal if implemented earlier (Care, 2018). Therefore, with the endless number of online sources that collect our data, it is imperative that we as a society shift away from the perks of gathering user data for monetary gains, such as for advertising purposes, and pivot our focus towards an emphasis on implementing user data protection and privacy measures.

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