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August 31, 1989

Dial 'P' for Privacy in New Phone Technology

To the Editor:

Your otherwise thoughtful article on a new phone service ("Harassing Calls Show Decline When Phones Identify Callers," front page, Aug. 5) implies that this decline is a direct causal result of the new service. No such inference is warranted.

Correlation is not the same thing as causality. The caller-identification service was offered simultaneously with several other services, such as "call block" and "call trace." The available data do not permit disentangling their independent effect. In addition, broad statistical inferences based on one locality, at one point in time are risky. We need to know if there was any change in the rate of reports of unwanted calls in similar areas where these services were not offered. We also would need to see if the pattern held up over time.

But even if the data for causal inference had been ideal, the basic issue with this controversial service is not one of efficiency, or even legality (although some experts believe that nonconsensual caller identification may violate state wiretap and Federal privacy legislation). Rather, the issue is fairness and balance.

Originally, when all calls had to be made through an operator, the identity of the caller was known. With the invention of automatic electromagnetic switching, it became possible to make calls anonymously. The caller could then, unfortunately, invade the privacy of the person called at will. However, there were also some advantages, such as greater openness in communication over hot lines and greater privacy and social maneuverability for the caller. The recent development of computerized switching can now help redress the imbalance by offering privacy protection for both parties.

But most phone companies propose to move from one imbalance to another. They wish to take all privacy away from the caller by making it possible for the person called always to know the number and site of the person calling. Mandatory caller identification will reduce the value of an unlisted number. The advantages of being unlisted could be maintained only by having two phones and never calling out on one of them.

The new system will also put certain categories of people at greater risk, like abused women in hidden shelters. In chilling some harassing phone calls, it may also chill other forms of

communication, such as calls to tip and help hot lines and to controversial political organizations. Those calling for information about goods and services may find their privacy invaded when they receive unwanted phone and mail solicitations, particularly if their names and numbers are sold to, and by, mass marketing companies.

Too often we hear only of how technology destroys privacy, not of how it can also protect it. Fortunately the technology offers a way to protect the legitimate privacy interests of both callers and receivers of calls.

The switching software has a blocking mechanism. A person making a call who did not want his or her number disclosed could do this by entering a special code. The person called would then see a "P" for private on the display terminal, rather than the number of the caller. The called person is of course free to accept or reject the call. But for reasons that have never been made clear, most phone companies do not wish to offer blocking. Public utility commissions should require that the new service be offered with a blocking option.

With respect to new communications technology, we are now in the twilight zone that Justice William O. Douglas wrote about in arguing that the protection of our basic values is not self-executing and that "As nightfall does not come at once, neither does oppression. In both instances, there is a twilight when everything remains seemingly unchanged. And it is in such twilight that we all must be most aware of change in the air -however slight - lest we become unwitting victims of the darkness." One could as well argue that we are in a sunrise zone and that we must be aware of change in the air to insure we all profit from the sunshine.

Appropriately applied, new communications technology can serve the legitimate privacy and related interests of callers and receivers of calls. GARY T. MARX Cambridge, Mass., Aug. 15, 1989

The writer, professor of sociology at the Massachusetts Institute of Technology, is engaged in research on technology and privacy.

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