



Lecture 5-1

Privacy

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Participation Quiz

Last class we did a headcount. 93 people voted in the participation quiz, but only 87 people were physically present. What best describes your opinion?

- A. This is unethical; Kevin should seek to identify both the people who got clicker credit without being present and the people who used more than one clicker in class
- B. This is unethical; Kevin should seek to identify only the people who got clicker credit without being present
- C. This is unethical but Kevin should do nothing about it
- D. This is ethical, but I'm unwilling to explain my reasoning
- E. This is ethical, and I'm happy to explain my reasoning

Getting Started with Privacy

- What is Privacy?
 - Work in a group.
 - Come up with the best definition of the term you can.
 - Try to think of
 - The example least like privacy that is still captured by your definition
 - The example most like privacy that fails your definition
 - (We're not worried at this point about whether privacy ought to be a right; that's our next topic)

Defining Privacy

- Privacy is related to the notion of access
 - Physical proximity to you
 - Knowledge about you
- Byrne: Privacy is a “zone of inaccessibility”
 - your ability to deny others access to you
- Bloustein: Privacy violations are an affront to human dignity
- Too much individual privacy can harm society
 - *Can you think of examples?*
- Key question: Where to draw the line?

Benefits and Harms

Harms of Privacy

- Cover for illegal or immoral activities
- Burden on the nuclear family
 - With less privacy comes more broadly shared responsibility
 - Relatedly, allows dysfunctional families to remain hidden
- Ignored people on society's fringes
 - cursed with too much privacy

Benefits of Privacy

- Individual growth & responsibility
 - Individuation, a key psychological stage, requires privacy
 - Without privacy, you can't be considered free, hence held responsible
- Freedom to be yourself
 - not having to act as though others are watching, maintain a public persona
 - Focus your thoughts on a creative (or religious) task without interruption
- Development of loving, trusting, caring, intimate relationships
 - inconceivable without the "moral capital" of privacy

Is There a Natural Right to Privacy?

- Morton Levine: Privacy rights stem from property rights: “a man’s home is his castle”
- Warren and Brandeis: An explicit “right to be let alone”
 - Noted that libel and slander laws don’t prevent people from saying mean, true things about you
- Thomson: violations of “Privacy rights” are necessarily also violations of other rights
 - So, we don’t need to treat privacy separately
- Benn and Reiman: Some amount of privacy is necessary for people to be autonomous, moral agents, to develop healthy relationships, and to act as free citizens.
- *Discuss:*
 - *Is privacy a right?*
 - *Is it a “prudential right”?*
 - *worth recognizing for the good of society, though not a natural right*
 - *Or do we have no such right at all?*