Lecture 5-1

Privacy
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?