Privacy

Changing Definitions

Challenges in a Digital Environment
What is privacy?

Dictionary definitions

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 intrusion¹

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a : \text{the quality or state of being apart from company or observation} : \text{seclusion} \quad b : \text{freedom from unauthorized intrusion}²
\]

What constitutes an invasion of privacy?

How does the definition of privacy change depending on the context?

Is privacy a universal concept in all cultures and societies? If not, what does this mean in a networked, transnational context?

Your thoughts?


The legal environment

Is privacy a right?

4th Amendment to the US Constitution:
“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated...”

ECPA (Electronic Communications Privacy Act) was passed in 1986; primary criticism of this law is that it offers little consumer protection against government agencies’ requests for data
Social context

• How do you protect your personal information and still have a public presence?
  – What’s personal, anyway?

• Analog/Offline vs. Digital/Online
  – What’s the difference, with respect to your expectations and behaviors regarding privacy?
  – boyd, p. 18: “Information is not private because no one knows it; it is private because the knowing is limited and controlled.”
  – What about the “convergence culture” that she writes about?
  – How do online networks change the limits and controls on knowing?
Privacy in a digital, networked environment

• Website use tracking, cookies – for what purpose?
• Targeted advertising & differential marketing
  – Arguments for and against regulations (Marshall, p.949)
• Privacy policies & disclosure
• Mobile devices & location-based services
• What about the cloud?
• Driven by government regulations or corporate self-regulating? Or driven by users’ control over their own account settings?
Ethical aspects of privacy

• What about informed consent?
• Is it unethical to write privacy policies in very technical legalese and make them difficult to find on a website?
• What about site members’ use of content for personal, creative, professional uses without consent of other members?
  – Journalists, fiction writers, designers, etc.
For Wednesday, October 5

Discussion: Ethics: copyright, fair use, plagiarism, & open access

Reading: Isserman, “Plagiarism, A Lie of the Mind”

Center for Social Media Code of Best Practices, sections “Code” and “Principles” only

Viewing: Lessig on laws that choke creativity;
Faden, “A Fair(y) Use Tale”

Assignment: Write one reading response blog post; comment on at least one blog post