

# Privacy

PPE Capstone

## ***The Right to Privacy: What is it?***

Judith Jarvis Thompson once said, "perhaps the most striking thing about the right to privacy is that nobody seems to have any very clear idea what it is." Consider the following vignettes:

Judith Jarvis Thompson, "The Right to Privacy," *Philosophy & Public Affairs*, 4(4), 1975

1. **Loud Fight.** You and your roommate are having a fight. You are both shouting at each other as loudly as you can. You haven't thought to close your windows, so anyone walking by can easily hear what you are saying. Maxwell stops to listen.

*Has your right to privacy been violated?*    yes    no

*Explain your answer:*

2. **Quiet Fight.** You and your roommate are having a fight. You are arguing in hushed tones, windows tightly closed. Maxwell uses an amplification device in order to hear what you are arguing about.

*Has your right to privacy been violated?*    yes    no

*Explain your answer:*

3. **Loud Neighbors.** You have very loud neighbors. They talk at such a loud volume that you can hear what they are saying and know what they are doing. They cook strong foul-smelling food.

*Has your right to privacy been violated?*    yes    no

*Explain your answer:*

4. **Paparazzi.** You are famous. People are very interested in your coming-and-goings. Consequently, you are constantly followed around by a gaggle of photographers when you are in public.

*Has your right to privacy been violated?*    yes    no

*Explain your answer:*

5. **Gossip.** An acquaintance of yours, who learned some personal information about you, gossips about you to some people you don't know.

*Has your right to privacy been violated?*  yes  no

*Explain your answer:*

6. **Explored Mail.** You send some personal photographs to a friend. The mail is intercepted by Maxwell, who uses a special X-Ray machine to look at that the sensitive photographs.

*Has your right to privacy been violated?*  yes  no

*Explain your answer:*

7. **Shopping Secrets.** Maxwell discreetly follows you around all day, every day. He records where you go, who you talked to, and (most importantly) what you've purchased. He gives this information to an ad agency so that they can better tailor their advertisements to your interests.

*Has your right to privacy been violated?*  yes  no

*Explain your answer:*

### ***The Right to Privacy: Why Is it Valuable?***

If you have nothing to hide, why worry about surveillance?

James Rachels argues that privacy has value even when we have nothing to hide. He says,

We regulate our behavior according to the kinds of relationships we have with the people around us. If we cannot control who has access to us, sometimes including and sometimes excluding various people, then we cannot control the patterns of behavior we need to adopt (this is one reason why privacy is an aspect of liberty) or the kinds of relations with other people that we will have.

What is he getting at?

### ***The Right to Be Forgotten***

Do we have a right to be forgotten?

"If you have something that you don't want anyone to know, maybe you shouldn't be doing it in the first place, but if you really need that kind of privacy, the reality is that search engines including Google do retain this information for some time, and it's important, for example that we are all subject in the United States to the Patriot Act. It is possible that that information could be made available to the authorities." *Eric Schmidt, CEO of Google.*