

# PRIVACY AND AUTONOMY

Control over information as an essential modulator for autonomy

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## INTRODUCTION

The distinction between public and private life of which Aristotle first spoke is still influential today. Aristotle made a clear distinction between the political or public realm and the domestic or private realm.<sup>1</sup> This dichotomy of public versus private echoes in more recent works about privacy and in the contemporary debates. In one of the first works advocating a right to privacy in the United States of America by Warren and Brandeis this dichotomy is clearly recognizable.<sup>2</sup> The example Warren and Brandeis use is about being protected from gossip in newspapers: “*which can only be procured by intrusion upon the domestic circle.*” This example also illustrates what triggered their work on the topic of privacy: not the intrusion itself but its dissemination to the public making use of newspapers. In political philosophy, this dichotomy is also common. Philosophers are still using the dichotomy of public versus private such as Tavani, who proposes the Restricted Access/Limited Control (RALC) theory of privacy. “RALC defines privacy in terms of protection from intrusion and information gathering by others”.<sup>3</sup> This demonstrates a view where you have to protect what is yours against the outside world.

I do not think a dichotomous conception of privacy captures its complexity. Especially in our contemporary society where technology changed the distribution of information to something immediate and of a global scale. Let me elaborate with an example I borrow from Schoeman: Oliver Sipple was a veteran living in San Francisco, originally from Detroit.<sup>4</sup> In San Francisco he was a “prominent figure” in the gay community. His family and his employer did not know he was a homosexual. On September 22, 1975 Sipple interfered with an assassination attempt on President Gerald Ford which made him a hero. While Sipple had hoped to keep his homosexuality secret for his family, the media presented him as a “gay hero”. As a result his family found out about his sexual orientation and his mother disparaged and disowned him when she found out. The result of all the attention Sipple got from this incident led him to develop psychological problems and committing suicide ten years later.

This example shows that the value of privacy is far from easy to capture by a dichotomous concept. Sipple could not have been a “prominent figure” in the gay community if his sexual preference was a secret within said community. His sexual preference was something which was shared within the context of his life in San Francisco while keeping this information from his family back in Detroit. The example of Oliver Sipple shows that simply keeping information to yourself or to your “domestic circle” lacks the granularity to determine where information should or should not flow. Schoeman transcends the dichotomy of public versus private and explores the effect of different social spheres on the individual. Throughout this thesis I will lean heavily on his work. I want to explore the concept of privacy and see how we can make it fit with the complexity of our multi-faceted social lives.

The example of Sipple shows there are multiple social spheres in which personal information has a different meaning and a different effect. In the social sphere of the gay community this information was known and probably a prerequisite to take part in this community in a meaningful way. Another social sphere was his family who disowned him after finding out about his homosexual preference. And there was the broad social sphere or even collection of social spheres of the public to which the media communicated about a “gay hero”. This demonstrates we take part in multiple social domains for different purposes which cannot be explained as a single public domain.

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<sup>1</sup> Aristotle. *The Politics*, translated by Benjamin Jowett in *The Basic Works of Aristotle*, ed. Richard McKeon (New York: Random House: 1941), 1127-1324.

<sup>2</sup> (Warren & Brandeis, 1890)

<sup>3</sup> Tavani – Philosophical Theories of Privacy p11

<sup>4</sup> (Schoeman, 1992) p154

I will elaborate on the role that information plays in our social relations and communities to which we belong. As soon as we have looked into the role of sharing information, we will see how this should be reflected in our concept of privacy. As socially active beings we partake in various social contexts. We can call these social context “social spheres”. We may have a private relation with our family where intimate details are shared, while we also have a private relationship with a lover where very different information is shared. We do not want all the intimate details we share with our lover to seep through to the domain of the family and vice versa as was the case with Oliver Sipple.

From this, we may conclude that private information (or privacy) and the weight or value this carries is determined by the social spheres which constitute our social lives. The opposite is also true. In order to associate ourselves with a certain social sphere it is required that we share information within this sphere. At least the minimum of information which is required to tie a group together, such as a sexual preference, should be accessible between members of the group. Within the group we associate ourselves with, certain behaviour is acceptable while other behaviour is not. So information of our person is used as a modulator to create social relations. We create social relations by sharing information about ourselves with the social sphere. The social sphere can be any person or a group of people who have shared goals and purposes. We share the information required to align with the group goals and purposes and thus create social relations. This shows that simply seeing privacy as protecting information about ourselves against the public doesn’t capture the actual use of information within social spheres.

The value of privacy is further complicated by the changing nature of informational channels. In 1890 the effects of slander and photography in newspapers triggered attention to privacy.<sup>5</sup> In our contemporary society dissemination and intrusion are getting harder to tell apart. Disseminating information about ourselves via a medium such as the internet makes it harder to distinguish who its target audience is and for whom such information should remain inaccessible. While with Sipple the geographical distance made it possible to keep his sexual preference a secret for his family in Detroit such distances are no longer relevant on the internet. The power to disseminate information to a broad audience is now under the tip of anyone’s finger using social media. There are also new opportunities for creating social relations. New social spheres can be created making use of the internet. The development of information technology creates an urgency to re-establish how we think of and deal with privacy issues. We cannot equate the internet with the public domain and leave it at that.

Once we leave the dichotomy of public versus private, sharing information can be viewed from a context dependent perspective. We have to explore what kind of contexts we as social beings take part in and how sharing information plays a role within these contexts. Being part of something such as the gay community requires that we share some information with this social sphere. The possibility of such information having a negative effect on our (potential) relationships with other social spheres makes deciding on what information to share with whom complex. Sharing information is both an enabler and a disabler for social relations. The same piece of information which helped Oliver to make close friends and develop as an individual with a homosexual preference in San Francisco destroyed the ties he had with his family.

The goal of this thesis is to investigate the concept of privacy, especially in a contemporary interpersonal context. As I have illustrated with my example, information influences our social relations. Therefore, we need to take that dimension into account for developing an adequate account of privacy. Giving more depth to the concept of privacy should elucidate our deliberations about sharing information. We have to appreciate the interconnectedness of the individual and the different social spheres he or she takes part or potentially takes part in.

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<sup>5</sup> (Warren & Brandeis, 1890)

This new view on privacy will help us deliberate and choose which information we share to effectuate social relations with social spheres. I will add to Schoemans notion of social freedom the informational component and the mechanisms in place to evolve and extend the multitude of social spheres. Our social autonomy is made up of the options to create social relations and the influence we have on choosing and creating these relations. These two factors are both influenced by sharing information for which we require a concept of privacy which is social context dependent: multi-faceted versus dichotomous. I will show how social autonomy depends on our understanding of privacy in an interpersonal context.

## CHAPTER 1: WHAT IS SOCIAL FREEDOM

Before we can investigate how privacy affects our social freedom, we must have a clear grasp of what this freedom means and see how it relates to individual autonomy. Classical interpretations of autonomy neglect the social dimension of autonomy. The critique on these classical interpretations of autonomy is that they are far too individualistic. To enrich the individualistic interpretation with the social embeddedness of the person the term “relational autonomy” was coined.<sup>6</sup> Classical accounts are broadly compatible with relational autonomy because they do not reject social impact on the agents autonomy.<sup>7</sup> These classical accounts focus on how an individual is autonomous as long as he is self-directed, while ignoring his social context or, in Mill’s case, by seeing it as harmful. The autonomous individual sets goals which he deems relevant to the direction of his life. A prerequisite for setting goals which are relevant is that they are formulated consciously and uncoerced. The relevancy for the individual agent’s life incorporates his value system, beliefs and desires. The agent is able to act in ways to pursue the goals he sets.<sup>8</sup> In this chapter we will investigate how the individual can be free in a social context.

### SOCIAL DOMAINS

The contemporary debate on privacy focusses largely on protecting the individual from governmental overreaching – we limit the control the government has over our lives. The way we look at our constitution and laws always contains the assessment whether the state is not getting too deep into our private lives.<sup>9</sup> But the social domain remains largely unexplored. Mill voiced his concern about this social domains overreaching, formulating it as a bigger threat than governmental overreaching. As Schoeman points out, Mill differentiates between the social domain versus the governmental domain based on their possibilities to overreach by means of social pressures versus legal coercion respectively.<sup>10</sup> The social overreaching affects the development of the individual and his value orientation. The governmental overreaching works on the individual with his value orientation as a given and thus keeping it intact. For Mill the legally coerced can assess its situation whereas the socially engineered cannot engage in rational assessment.

In Schoemans critique on Mill, Schoeman is the first author I have found who transcends the dichotomous approach of a single public sphere and a single private sphere. This more fine-grained approach appeals to me because it does more justice to the way we shape our lives. Moreover, it fits the opportunities arising from modern information technology such as virtual online social spheres or communities.

The conclusion we may draw from such the distinction introduced by Schoeman, is that the principles which apply to privacy or freedom in a governmental context are different from the ones we should apply to social contexts. Mill’s main concern is that influences from outside the individual threaten the individual rationality.<sup>11</sup> He thus treats social influence as a harmful factor to the individual. This suggest a new dichotomy where the private individual has a public social influence. This public-private distinction is analogous to the dichotomy in the governmental context where we have a private life, which is the domain of the individual and the public life, which is the domain of the government. Due to the threat the public sphere and its influence are to our freedom for Mill, freedom in the social context is essentially freedom *from* the social context.

If we look at classical interpretations of autonomy, we recognize a dichotomous perspective. It is the view of the individual interacting with the outside world. His actions come from within the individuals’ deliberation. There is no room for interaction with other individuals to reach a conclusion. Other people are either a threat

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<sup>6</sup> (Mackenzie & Stoljar, 2000)

<sup>7</sup> (Baumann, 2008)

<sup>8</sup> (Oshana, 1998)

<sup>9</sup> (Schoeman, 1992) p2

<sup>10</sup> (Schoeman, 1992) p25

<sup>11</sup> (Mill, 2015) Chapter 1

to the individual or not relevant altogether. The mechanism of private deliberation and public action are strictly separate. Autonomy is only guaranteed if the private sphere is not contaminated by influence from the monolith of the public sphere. Depending on the interpretation the threats in the public sphere are either from the government or from social pressure.

Schoeman points out that such classical interpretations of autonomy and the view of the social domain as a threat to individuality is too narrow an interpretation. Social freedom for Schoeman is not being completely disengaged from social pressure. In this interpretation the point is not to disengage but to enhance the web of relations. Social freedom for Schoeman means making choices between relationships and the possibilities of differentiation between relationships, the possibility of building deeper and more intimate relations with some and not with others.<sup>12</sup> He argues that, contrary to what classical interpretations of autonomy tell us, we are not less free if we are influenced by what we see around us.

Mills view of the isolated individual's development, which is threatened by social influences, suggests a very demanding process intellectually, emotionally, and socially.<sup>13</sup> If we are to develop autonomously, we should bootstrap ourselves without the help of the people around us. The beliefs and values of the individual should be explained by this individual without reference to the evaluations of others. This means that relying on cultural heritage is out of the question for Mill. Schoeman calls this criterion of Mill "articulated rationality": the agent who has a evaluation should articulate the basis for his judgment; he must be able to defend his beliefs. Instead, we align goals with a group based on overlap in value system. This way we join a group based on values which are important to us while we adopt other values which we hadn't given as much thought. This puts the articulation in the joining of groups instead of on each individual value which makes it a less demanding task.

To further differentiate between the governmental context and the social context, Schoeman maintains that social control mechanisms, which would be illegitimate for the state, can be appropriate for the social context. For Schoeman, social freedom is available when there are options among associative ties, which in turn form social relations. The protection from social and political overreaching depends on participation in associations. One social sphere protects you from the pressure of others. The internal working of a sphere depends on the survival and effectiveness of its internal associations. These require means to establish and maintain group norms and conformity to those norms.<sup>14</sup> This means that social pressures required within a social sphere help protect you from pressure from other spheres. Recognising this aspect not only differentiates the social context from the governmental context. It also shows that the dichotomous concept of the classical autonomy (for example as we have seen with Mills "articulated rationality") preclude these advantageous workings (such as protection from sphere-external pressure) of our social context, which incorporate forms of social pressure and conformity.

In order to better understand both Schoemans condition for social freedom as the availability of options for association and to better grasp why Mill's concern about the dangers of the social domain let us take a look at the historical context. The availability of the social domain and diversity of associational options evolved over the years. A social relation can be understood as a collective (with the smallest collective being two persons in a relationship) of individuals who associate themselves by sharing information with which they align their goals and purposes. Functions of the group such as a collective goal and purpose are for Schoeman the reasons control mechanisms need to be in place in order to reach the goals and purposes of the group.

The family is an association where individuals associate themselves with each other. If we look at the role of family life in sixteenth century England and nineteenth century (or contemporary – but Stones work does not

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<sup>12</sup> (Schoeman, 1992) p21

<sup>13</sup> (Schoeman, 1992) p25

<sup>14</sup> (Schoeman, 1992) p3

cover that) England we can illustrate this point. The family in the early sixteenth century was not an intimate environment with special meaning. The important unit was the line of kin, not the sub-unit of the family. As Stone points out in his research: "Marriage was not an intimate association based on personal choice. Among the upper and middling ranks it was primarily a means of tying two kinship groups, of obtaining collective economic advantages and securing useful political alliances".<sup>15</sup> This shows that within this historical setting, the social group was necessary for development as a human being or worse, simply required for survival. In other words, the shared goal of the social sphere was survival. We conclude that there was a very strong connection between the individual and this monolithic social sphere where the stakes were high.

When the dependence of people on this large-scale social relational context decreased this created room for smaller social relations. Within these smaller social relations, people could have an impact on their immediate environment. Something which barely occurred before that because interdependence or intimacy where a waste of time and effort with the uncertainties and death rates of the time. Smaller groups and less dependency on one large group created choices for people about which spheres they would associate themselves. The society as a social group that was required for survival made place for family as we know it today. Where investing in our relationship to children or siblings was not a divestment anymore because they would now survive, in contrast to earlier times when more than half of them would pass away. The result was diversification of social spheres. From now on there were more spheres available from which the individual could choose and no longer a single sphere with a shared and ultimate purpose of survival.

This development shows how diversification of social spheres gave rise to the possibility of social freedom in the sense that Schoeman describes. Because of this diversification, we are able to create diverse social relations with which we associate ourselves with different people or groups of people for different purposes. Therefore, we now have both more options to associate ourselves with and more purposes besides the initial single purpose of rudimentary survival. With these choices the first condition of social freedom, something to choose from, is met. But this shift starting from the early 16<sup>th</sup> century to the 19<sup>th</sup> century may also help us understand the fear Mill voiced with regard to social influence. If social influence is part of the framework you require to survive it makes it inescapable. Thus, questions about social freedom were a dichotomous matter back then where there was just one social sphere for the individual.

## SOCIAL INDIVIDUALS

As we have already seen in the previous section, we cannot ignore the social dimension of the individual. Instead of focusing on the individual's autonomy in isolation, we should consider its role in a social context. To understand why this social context is relevant and a better fit, I will explore how social interactions play important roles in our development and existence as human beings. We as human beings live our lives as part of multiple social spheres. These social spheres play a role in the decisions we make. We make decisions about whom we associate ourselves with and in turn, the people we associate ourselves with influence our decisions. Even we should see social influence as a threat, to deny our social context would further expose us to this alleged threat. There is no denying the social relations in which the individual takes part. As Schoeman points out, being unaware of external factors, which have causal relevance in our rational process, makes the individual less autonomous than would be the case if we did take them into account.<sup>16</sup>

All we have to do is figure out what role our social relations plays in our deliberation, our autonomy and our privacy. If we look for example at how modern scientific knowledge is expanded, we must acknowledge the social factor making this expansion possible. While the expansion of scientific knowledge is a rational process, it is accepted that the individual scientist does not have to start from scratch. He has a body of knowledge available, which is the accepted theory with which he may work. Of course, this does not mean scientists

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<sup>15</sup> (Stone, 1977) p4

<sup>16</sup> (Schoeman, 1992) p59



should put blind faith in existing theories. As Aristotle taught us: “there are three kinds of disposition, then, two of them vices, involving excess and deficiency respectively, and one a virtue, viz. the mean”.<sup>17</sup> We should proceed from the body of knowledge until we have reason to question it. Because we are able to do so, we can, as a human race, advance knowledge that goes beyond the lifetime of a single individual.

If we just look at how we raise our children we see plenty examples where we prefer the collective knowledge over that of an individual. It does not make much sense to let my child discover that the hemlock in the garden is toxic. Teaching our children is widely considered good practice or even prerequisite for them to develop into autonomous agents. It is even suggested that culture is a prerequisite to fully develop as men. As Geertz put it: “We are, in sum, incomplete or unfinished animals who complete or finish ourselves through culture-and not through culture in general but through highly particular forms of it”.<sup>18</sup> This perspective suggests that social cohesion and practices play an important role in our development and deliberation. It is in this social context that I will position this research.

To put it more strongly in Schoemans terms: “Conformity uncompromised is mindless. But autonomy uncompromised is sociopathic”.<sup>19</sup> He challenges classical interpretations which are in line with Mill’s “articulate rationality”. He proceeds to show that in practice we rely heavily on our social context in everyday judgment because the rational faculty is simply insufficient to bootstrap itself in the way Mill supposes. It is more natural for us to ground moral judgment in our culture than to try and come up with reasons of our own. The individual is social and makes use of his social context to save his limited rational faculty, as has been exemplified in this section.

## RELATIONAL AUTONOMY

Besides Schoeman who incorporates the social dimension of the individual in his concept of social freedom, other authors have coined the term “relational autonomy” for this purpose. Relational autonomy according to Mackenzie and Stoljar is an “umbrella term” used to cover the interpretations of autonomy which share the assumption that “persons are socially embedded and that agents’ identities are formed within the context of social relationships and shaped by a complex of intersecting social determinants, such as race, class, gender, and ethnicity.”<sup>20</sup> These theories add to classical interpretation the social embeddedness of the agent.

Relational approaches of autonomy depend on two claims.<sup>21</sup> The first claim is rejection of individualist assumptions about agency. Instead they propose a socially embedded conception of agency. As social agents we are shaped in part by the social environment we take part in. It is this social embeddedness of the agent which Mill warns us about. The danger of shaping our identity based on our social context is that we lack articulated reasons for the values we adopt.<sup>22</sup>

Mill’s warning takes us to the second claim. The second claim is to view autonomy as a socially constituted capacity which can be impaired by an oppressive social context. This socially constituted capacity is interpreted differently based on what one considers to be “impaired” autonomy. *Substantive* accounts of relational autonomy hold that there are prerequisites for autonomy which relate to the interpersonal or social environment of the agent. Without these prerequisites the agent’s autonomy is lost. While *procedural* accounts are content neutral: autonomy itself still resides within the agent and the social environment in this

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<sup>17</sup> (Aristotle)

<sup>18</sup> (Geertz, 1973) p49

<sup>19</sup> (Schoeman, 1992) p 66

<sup>20</sup> (Mackenzie & Stoljar, 2000)

<sup>21</sup> (Mackenzie, 2008)

<sup>22</sup> (Mill, 2015)

view plays a causal role in the development of autonomy. The agent is autonomous as long as drives and values are critically reflected upon and this reflection does not result in a feeling of alienation.

Before we can fully grasp how these different accounts of social autonomy treat impairing and negating of autonomy differently we must take a closer look at both. Let us first look at the procedural account developed by Christman.

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#### CHRISTMANS PROCEDURAL ACCOUNT

Christmans procedural account contrasts with Oshana's account in that it is content neutral. This means that the autonomy of the agent can be judged by the inner workings of the agent's reflection and is not dependent on the interpersonal or social environment of the agent. This is not to say that he disregards the social context. It is just that for his conception of autonomy we do not depend on specific social context in order to be autonomous. Christman's account focusses on how values and drives come into being. This is done by adequate critical reflection of the agent. In order for reflection to count as adequate two conditions must be met. The condition of competency and the condition of authenticity.

The competency condition requires a person to be minimally rational: he should have a set of motivational and cognitive states which does not involve manifest contradictions. Contradictions would be conflicts among the agents beliefs and desires if brought to consciousness. He must be self-aware: the agent does not suffer from grave self-deception where beliefs and desires are "cover stories" for other (contradicting) beliefs and desires. This includes that the agent needs to be free from afflictions which debilitate decision making function. For example: neuroses such as anxiety disorders, drugs, overwhelming emotions and intimidation. On top of the competency conditions which are familiar to us from classical interpretations of autonomy Christman suggests that the agent needs additional capacities in order to be competent as an autonomous agent in a social context. These conditions for competency in interpersonal relationships such as intimacy, empathy and social cooperation are crucial for the agent who is by his nature part of social structures. Moreover, the process of reflecting on the agent's beliefs and desires is also shaped in part by the social structures in which the agent partakes.

The authenticity condition states that the values and drives of the agent are truly his own. This doesn't mean that Christman wants the agent to transcend his socialization, on the contrary. Christman considers the beliefs and desires of the agent to be authentic if he upon sustained reflection on those beliefs and desires would not feel deeply alienated. This reflection should take into account the formation or history of the belief or desire. Based on the evaluation of how the set of beliefs and desires came to be the agent may feel alienation and should then be able to revise his beliefs and desires accordingly. For Christman this also includes that the agent is able to imagine alternative choices. The options need not actually be available to the agent but only have to be part of his reflection. In Christmans account the agent's autonomy for this condition is decided subjectively by the agent himself.

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#### OSHANAS SUBSTANTIVE ACCOUNT

Let us take a look at the substantive account proposed by Oshana. Oshana's complaint about the procedural account of Christman is that these accounts are exclusively subjective: they always depend on the judgment of the given individual in his social context. According to Oshana, the historical and structural character of the agent's judgments and preferences is not enough to ensure autonomy.<sup>23</sup> This suggest that the individual agent has some essential element which is independent of the world which safeguards autonomy. This element can be described as the "inner citadel" of an agent which represents the "true self". Because of this element two people in entirely different circumstances can be equally autonomous or non-autonomous. Oshana thinks

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<sup>23</sup> (Oshana, 1998)

talking about personal autonomy in reference to this inner citadel isn't helpful to our understanding of the concept of personal autonomy.

Using case studies Oshana illustrates where according to her the procedural accounts such as Christmans fails. One of these cases describes the situation of a woman living under a Taliban regime in Afghanistan. This woman used to be a physician and lived an independent life. But she decided to subject herself to a life of dependence and subservience to her husband and religious leaders. She purposefully and willingly abdicates independence and embraces subservience out of reverence, a sense of purpose, and an earnest belief in the sanctity of this role as espoused in certain passages of the Qu'ran.<sup>24</sup> Suppose this choice was made meeting all of the requirements of the procedural account. According to the procedural account this woman would be considered autonomous. Oshana instead focuses on the socio-relational status of this woman and concludes that she is effectively governed by others and therefore not autonomous. What Oshana does is take into account the actual socio-relational status of a person to determine by means of external factors if the agent can be considered autonomous. Her externalist intuition is that autonomy is incompatible with constraint- even where constraint is selfchosen and reflects a free, rational choice.<sup>25</sup>

This means that for Oshana a person can only be regarded as autonomous based on a specific socio-relational status. The individual can be regarded as autonomous if he is in control of his life and occupies a social position of authority over matter of fundamental importance for the direction of his life.<sup>26</sup> The first two prerequisites on this substantive account show similarities to those Christman proposes: Critical reflection and procedural independence. While the other two introduce explicit reference to the external world which procedural accounts lack: access to a range of relevant options and social-relational properties. Taking a closer look at the conditions Oshana requires we see that the social aspect is interwoven in all four conditions.

Oshanas requirement of critical reflection requires the agent to be capable and competent for critical reflection which overlaps with the minimal rationality or competence of Christman. However, Oshana requires that this should be evaluated from a third person perspective adding evaluation of the social environment. Authenticity of the agent motivations depend on assessing from a third person perspective the motives, actions and environment of the agent. If the agent's assessment shows he cannot identify these motivations as his own they are not authentic and up for revision. So on top of competence and authenticity, Oshana adds the environmental factor which Christman excludes as a prerequisite for personal autonomy.

Oshanas procedural independence is more stringent than what Christman and similar procedural accounts propose. Oshana incorporates specific constraints on the environment which harm the psychological integrity of the person or disable the person in his relations to others. Again Oshana doesn't disagree with Christman on the content except that the social environment has to be added. Oshana makes explicit that the agent can mistakenly judge himself to be independent from his environment. Because the subjective agent can be mistaken external factors must weigh in. The environment of the agent may not contain factors which destroy the psychological integrity of the person. The social environment must be non-coercive and nonmanipulative.

Oshanas third condition comprises access to a range of relevant options. For Oshana the choice of nonsubservience must be available to the agent. This is different from what is meant by competence where, for instance, substance dependence devoids the possibility of choice for the agent. What Oshana means here is the social environment of the agent offers an assortment of options which the agent can hope to achieve and are relevant for the agent's development. The options should not just be survival but meaningful activities so that the agent can employ his body and mind "variously and creatively"<sup>24</sup>.

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<sup>24</sup> (Oshana, 2003)

<sup>25</sup> (Oshana, 1998)

<sup>26</sup> (Baumann, 2008)

The last condition Oshana offers are social-relation properties. This condition breaks down in four additional conditions about the position within the social environment of the agent. These conditions are again distinct from the psychological freedom which Christman takes into account. The agent must be able to defend himself against psychological or physical assault. The agent must be able to defend himself against deprivation of civil and economic rights. The agent shouldn't need to take responsibility for another's needs, expectations and failings unless it is reasonably expected due to a particular function. The agent be able to have and pursue values, interests and goals different from his environment without risk of reprisal which would result in deterring the pursuit of those values, interests and goals<sup>24</sup>.

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## SOCIAL EMBEDDED SELF

Both procedural and substantive accounts of social autonomy overlap in that they add the social aspects of the agent's autonomy: the agent as socially embedded. Procedural accounts such as Christmans stay relatively close to the original conception of autonomy as an individual and subjective capacity. Substantive accounts such as Oshana's extend the concept of autonomy with objective preconditions in the environment of the agent. When these preconditions are not met the agent can't be autonomous despite himself. These substantive accounts are thus contrary to Christmans account not content neutral: there are objective conditions independent of the view of the agent which determines if and in what degree he is autonomous. This changes the direction of evaluating the agent's autonomy from inside out to outside in.

We have already seen one critique on the procedural account by Oshana in the example of the woman who subjects herself to the Taliban and her husband. This example fits in a category of examples where the agent distances himself from his autonomy: cases of contended slaves. According to Christmans criteria the "contended slaves" would qualify as autonomous agents. The difference between the procedural and substantive account is what they are aiming for. While Oshana wants an account which is compatible with our intuition in certain cases such as the Taliban woman, Christman is interested in the role of an agent in a political context. Within such a context it would be harmful to exclude an agent as non-autonomous. It is precisely the people who are according to Christman autonomous but suffer from coercive regimes who require our attention. And if the people under a certain regime are happy with their situation upon reflection the substantive account may be paternalistic for them.

Paternalism is thus a critique on the substantive account. Christman formulates this as follows: "viewing non-authoritarian relations as constitutive of autonomy implies that certain values – egalitarian ones of this sort – are valid for individuals even if they (ex hypothesi) authentically and freely reject them".<sup>27</sup> This clearly suggests that the "contended slave" retains his autonomy. If we look at Christmans requirement of critical reflection which may not lead to non-alienation this doesn't seem too problematic. This would mean that the agent would think back to the point where he didn't subject himself yet and feel that this was his wholehearted decision. The problem arises when this critical reflection is no longer truly the agents own but strongly influenced by his environment.

For Christman, the view that a person is not autonomous under certain environmental influences doesn't help in evolving liberal political societies. For in Oshanas view the agent in coercive regimes is disqualified as non-autonomous. He cannot correctly judge how and if his environment is harmful to him. Because of this the agent in a coercive regime would always require help from the outside. But taking into account that the agent cannot understand what is wrong with his position due to his environment we either have to disconnect him from the environment or alter his social environment in such a way that it is no longer coercive. This implies that the external arbiter must enforce his cultural imperialism in order for the coerced agent to understand that he was in such a dire position before.

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<sup>27</sup> (Christman, 2004)

As Baumann points out, the intended purpose of an account on autonomy should be taken into mind to prevent criticising an account because it is incompatible with your own purpose.<sup>28</sup> This is an easy way to sidestep the discussion about which account is best. For the purpose of this thesis it is enough to understand that the social aspects of the agent play a role in determining his autonomy. Moreover, being autonomous is for both the procedural and substantive account only possible if we act as social beings and are able to create and maintain meaningful social relationships. Both accounts view autonomy as something gradual and not black and white, the difference is mainly how we judge that autonomy is impaired absolutely.

## CONCLUSION

In this chapter, I have explored the concept of social freedom and the related concept of relational autonomy. These concepts incorporate the social dimensions of our everyday lives into our existing concept of autonomy. I have illustrated the social sphere as an opportunity and not a threat. We use social influences to reach goals that would either be unachievable or take too much from our limited rational faculty. The possible relations we can create determine our social freedom. In the next chapter, I will investigate how information influences these possible relations and thus our social freedom.

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<sup>28</sup> (Baumann, 2008)

## CHAPTER 2: SOCIAL FREEDOM AND INFORMATION

The account of “relational autonomy” lacks dimension which are crucial to a contemporary understanding of the socially constituted individual. The first lacking dimension is the absence of regard for the multitude of social relations available and the fact that these interact. Relational autonomy speaks in term of a single monolithic social force, which influences the individual. In reality, we develop relations with diverse groups of people sharing different goals within each of these social relational spheres. The second lacking dimension in the account of relational autonomy is that there is no attention for the role of flows of information, which underpin social relationships. The informational aspect sheds light on how different social spheres can exist with a different influence on the individual based on the information that is relevant to the given social context. In this chapter we will use Schoemans conception of social freedom to look at the role of diverse social relational contexts. Within these diverse social relational contexts, we will look at the role of information in relation to the accessibility of social relations and thus the impact on social freedom.

### DIVERSE RELATIONS

As we have seen in the previous chapter, having options available for which social communities we relate to is a prerequisite for Schoemans conception of social freedom. In our contemporary age this diversity is a given. The diversity of relations and communities available to us is visible if we take a closer look at our culture. We have different spheres available focussing on a shared purpose and value systems such as religion, sexual preference or a shared love for extremely hot peppers. These are just a few examples on what kind or sub-cultures and groups are available to us in western society. When Christman or Oshana refer to the social aspect or culture, they seem to think of it as a monolithic homogenous set of values. However, in reality there is a great diversity in values per person (and thus social spheres) we meet in our everyday lives. This eliminates part of the threat which Mill identifies in social pressure, and also Oshanas if we return to her Taliban example. This diversity provides us with alternatives to choose from.

Let us look at the case of Oliver Sipple to illustrate how in the United States one person has relations with two social spheres with two very different evaluations, in this case, of homosexuality. Oliver Sipple was related to his family where homosexuality was regarded as wrong. He became a gay rights activist in California, creating a social relation with the people in this community. Despite the fact that his family regarded homosexuality as wrong, Oliver Sipple developed an alternate evaluation. This different evaluation of homosexuality was the core of what tied the group of gay rights activists together. The availability of a social sphere where homosexuality was valued differently, with whom Oliver could associate, makes it easier to escape pressure of the evaluation from the other social sphere: his family who regarded homosexuality as wrong.

This takes us directly to what Schoeman illustrates as one of the conditions of social freedom: “When these social pressures of any particular association are limited by alternative sources of support for individuals and their projects, by the presence of alternative associations, then we have met one of the conditions of social freedom.”<sup>29</sup> As we have already seen in the previous chapter for Schoeman, some forms of social pressure are necessary to the health of social contexts in order to be maintain structure, direction and effectiveness. Due to the fact that we can escape the pressure of one group by joining another (which propagates the same goals), we achieve social freedom. This shows that social pressure up to a limit has a function that is necessary for the existence of social spheres. Pressures we can escape as long as alternatives are available.

Up to this point Schoeman and Oshana are in accord because they both regard the availability of alternatives as a prerequisite. The difference between Oshana and Schoeman is that Schoeman then comes up with the Oliver Sipple example. This shows that alternative spheres with contradicting evaluations and judgments are available concurrently. It is only when the information about Oliver Sipples homosexual preference reaches his

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<sup>29</sup> (Schoeman, 1992) p98

family that he is judged and excluded from this social context. This exemplifies the role information plays in the options that are prerequisite for the account of relational autonomy and the account of social freedom. Unfortunately Schoeman doesn't make this informational component explicit after the Sipple example.

Schoeman's notion of privacy isn't focussed on the informational component but with what we may achieve with it. For Schoeman there are two forms of privacy: one that encourages self-expression, while the other does not. The example for privacy as not promoting self-expression Schoeman uses is defecation. Although this is typically a private activity in our society the privacy afforded a person for defecation is not to promote self-expression but instead manifests a rigid and internalized form of social control.<sup>30</sup> Western society pretty much forces us to defecate in a certain way: namely in private. It is another type of privacy which gives individuals and social communities unsupervised self-expression which relates to the possibility of social freedom. We will focus on this last type of privacy because we are interested in the self-expression of the individual.

Here Schoeman distances himself from dichotomous approaches of privacy. Even though privacy is the protection of our private lives from social overreaching it is relative to the social context.<sup>31</sup> If the doctor asks you something, you do not feel he oversteps your privacy while if a colleague asks the same question he would be overreaching. And thanks to the evolution of social contexts from monolithic structures to fine grained highly specialised social structure the privacy and thus role of information has become equally fine grained.

## PRIVACY AND INFORMATION

In order to understand privacy in the context of a multitude of fine grained social structures, let us revisit the Sipple case. Sipple was aware that the information about his homosexual preference was harmful to his relation to his family. He was also aware that this same information was necessarily shared in order to participate in the social community of gay rights activists. This shows that to limit the scope of judgment of a social context we can keep from this social context the information that will lead to judgment. This works as long as the information does not seep through to the other social context where it was not intended to go. Once this happened with Oliver Sipple, he was disparaged and disowned by his mother.

Fortunately, even with a social context where information is valued in a certain way, there is room to share this information without having to face judgment. As Schoeman points out: "Judgments in private spheres are made in situations where continuing relationships must be taken as the dominant end".<sup>32</sup> The mini social sphere that we call friendship has as one of its aligned ends the continuing of the relationship. Keeping the relation and friendship in place is more important than most other evaluations we may adopt or share with other social spheres. Because of this, we can share secrets, which it is in the interest of both parties to keep. Even if the other party has a negative evaluation of the shared information, the end of maintaining the friendship will discourage acting on the evaluation. This shows that within a social context, an individual association makes room for difference in evaluation by making friends in that context.

The evolution of social contexts towards more room for individual outlook and more diversity in terms of individual association create a broader scope for privacy.<sup>33</sup> The role of the community in the shaping and survival of the individual is spread to a finer grained set of smaller communities. Each of these communities have their own "private" scope where information is valued. This means that special groups have a special information requirement. Because of the differences in scope for each of these communities the scope of relevance of information is affected. For the gay community of which Sipple was an active member the

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<sup>30</sup> (Schoeman, 1992) p15

<sup>31</sup> (Schoeman, 1992) p108

<sup>32</sup> (Schoeman, 1992) p179

<sup>33</sup> (Schoeman, 1992) p111

information about sexual preference is essential. This same information was not required for his association with his family, on the contrary, it was harmful. To some groups information may be neutral. You do not put your sexual preference on your résumé because it has no relevance either good or bad for the professional relation you are trying to achieve. So with the rise of smaller more specialised social groups, the information requirement of these groups also becomes smaller.

Due to the narrowing scope of social contexts and the higher availability of more and different social contexts, the demands of the social group on the individual members also diminishes. We are no longer bound to the group for our own survival. This also means that the group itself loses importance. If we can do without the group, the importance is lower and thus the value is lower. If the value of the group is lower the price we are willing to pay in terms of information or in accepting social pressure is also lower. Because the survival of the social group is no longer as necessary as before, the pressures it may employ to ensure the integrity and health of the social structure also lose necessity. As Schoeman puts it: "As it becomes less critical for social viability that others be able to control various dimensions of an individual's life, then forms of control that were legitimate become illegitimate."<sup>34</sup> This is also reflected in the diminishing amount of information we have to share with the groups. As we have seen in the previous paragraph the amount of information as a social currency required for specialised groups is lower.

Schoeman continues to show that in social contexts that are monolithic and critical for survival the result is that little information of individuals will be inaccessible to this social context. Thus, the privacy of the individual vis-à-vis the group is low. This shows that privacy and individuality is only feasible and desirable depending on the context and the availability of alternative social groups. There is a supply and demand at work. If individuals exist with privacy needs and goals this will spawn groups with privacy needs and goals.<sup>35</sup>

The availability of social relations and information related to the role within a certain relation also plays part in role sensitive judgment. Our neighbour may be the priest of our religious community. In this role, we view him only in an abstract way, separating certain information about him as being tied to his role while other information is tied to his person (our neighbour). For someone in our religious community who does not know him outside the religious community as we do because he is our neighbour, our judgments will differ. Judgment is passed more easily in public spheres on public roles than it is in private spheres.<sup>36</sup> So if at a gathering of our religious community the priest is drinking a lot of wine, people may judge this improper for a priest. While when valuating this information with regard to him as a person, people may think it is normal or accept that they do not have sufficient information to come to a conclusion if this amount of wine should result in a negative evaluation.

Concurrent with this differentiation between the person as a neighbour and a priest is also the scope in which we have regard for the privacy of the individual. In his more public role as a priest, we evaluate the information we share about the priest as different from the privacy we grant our neighbour. This shows that the role we have within a certain social context determines how this social context valuates and treats information pertaining to the public role. Information on public figures is more easily disseminated because it is regarded as public.

Another dimension of privacy that Schoeman discusses is exchange of information by means of gossip. For him this type of information sharing helps the norm enforcing and thus the structural integrity of a given social context. For Schoeman "Gossip in some sense is like a secret too, often used to modulate and measure whom we are close to and where our loyalties lie".<sup>37</sup> Gossip works in such a way that it can be seen as a first line of

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<sup>34</sup> (Schoeman, 1992) p111

<sup>35</sup> (Schoeman, 1992) p114

<sup>36</sup> (Schoeman, 1992) p176

<sup>37</sup> (Schoeman, 1992) p146



defence to create compliance with group norms. If a person acts in a certain way, he knows that people will talk about him behind his back. As long as this information about his behaviour remains in the domain of gossip, no public action will be taken and the information is in this way still a private matter. As soon as it becomes public the person is exposed to either public ridicule or direct and explicit pressure. As long as the information is disseminated as gossip the people in the group do not confront the person with this information.

Schoeman points out that sharing information does not necessarily invade a person's privacy. The example he uses is of a small office community where a colleague is having an affair with a secretary. If we were to broadcast this information to the group at a meeting this would violate norms of privacy. However, if we were to disseminate the same information by means of gossip, confiding the information to each of our colleagues individually until everyone is informed, this would not seem as a serious violation. There would be a serious violation if the information is used to act on it publicly to the detriment of the colleague or the secretary.<sup>38</sup> When that happens the information is no longer disseminated by gossip but formal group sanctioning is starting to take place. This shows that in Schoemans view there is a clear distinction between the sharing of information about another person and violating the person's privacy in which the intention and means of sharing information play an important role.

## CONCLUSION

In this chapter I have explored the interrelation between information and our social relations. Sharing of information is both a requirement as a risk for current and future relations. This shows that looking at privacy as a dichotomous limiting of access to information will lead to social isolation. Some information is relevant to a social context while other information is not. Sometimes information is not relevant but may harm our relation if the given group had access to this information. This means we have to think about which information is shared with whom in order to create and maintain social relations. In the next chapter we will look more closely how we can use information as a social currency and remain in control of our social relations by modulating the information we share within different contexts.

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<sup>38</sup> (Schoeman, 1992) p147

## CHAPTER 3: INFORMATION AND SELF

As we have seen in the previous chapters, we as socially embedded individuals can relate to a broad range of diverse social groups and structures. This building of relationships necessitates the sharing of information. We need to share information with a given social sphere in order to create a relational tie. You share information with your family because you grow up in their vicinity. But the woman you meet in a bar you can only relate to if you actively start sharing information. Moreover, information can break social relations, as was the case with Oliver Sipple and his mother. Information is thus a modulator for social relations. In this chapter I will investigate how this sharing of information takes place and illustrate the dynamics of privacy between different social spheres.

### INFORMATION AS A SOCIAL CURRENCY

Let us look more in depth how sharing of information is the social currency required for relationships. A social sphere can be understood as a collective of individuals who relate to each other by sharing information with which they align their goals and purposes. The smallest social sphere is a relationship between two people. If we meet somebody on the street and we just say hi to each other there is not yet a social relation. But if we share information such as our name with somebody this could be the beginning of a social relation. In some cases, such as wanting a job, we are very well aware of the fact that we are picking and sharing information to create a social relation. We respond to a vacancy by sending our résumé. The résumé contains all sorts of information which should match the company. It should at least show that with your skill-set, the goals of the company can be helped reach and vice versa, we want to work for a certain company because it fits with our own individual goals and ambitions. We share the information required to establish that such alignment of goals is in place and we may land ourselves a job at the company. Without sharing this information, the chance that you are invited for a job interview is close to zero. In this context the social currency is “payed” by means of the information on the résumé based on our evaluation of the information and what we intend to gain.

Another every day example where information is the social currency which underpins a relation is meeting somebody at a party. Imagine a party with a diverse population. By coincidence two persons with a homosexual preference start talking to each other. At this point they know nothing about each other yet, contrary to when we want a job and know for which purpose we have to share which information. They do not have a shared goal yet and no intention of sparking an intimate relation. At some point the story of Oliver Sipple comes up and they both share the view that his mother should have accepted his homosexual preference. They now start sharing more intimate details about their view on life, including their sexual preferences. Their sexual preferences are aligned and they share the goal of sharing experiences with each other. As their relation grows and they share experiences and information with each other their social relation grows stronger. This way the investment of our social currency, information, affects the strength and scope of our relationship.

Information is required to create a relation. In some cases, as with the potential employer, we know our purpose and share the information which should help us reach this purpose. While at the party we just share information without such a goal or direction which creates the opportunity for a relation. The more information is shared on the party between the two persons, the stronger their relation becomes. This is exactly what we mean when we talk about intimate relationships. There is always an informational component to these relationships and the more is shared within a social sphere and not without, the more intimate we regard the relation. My view on information is in a broad one: if two persons share an experience they both have knowledge of this experience but it is not communicated verbally or explicitly in any other way. I regard shared knowledge of an experience in this way as information. If the information we share with our lover is something we share with our family and religious community as well, this may decrease the value of the

information, which may weaken the intimacy and the social relation with our lover. In this view, information is a very delicate modulator of social relations.

It is this informational aspect Schoeman does not elaborate on in his account of privacy and social freedom. It is information as a social currency and the way it modulates our (potential) relations which I am interested in. If information is scarce and exclusive or private to a certain sphere it has a higher value. This also depends on the goals and purpose of the social sphere. If we want to associate with a company we want to work for, the information about our sexual preference is normally something that is not shared in this context. If the company has a neutral evaluation of homosexuality, this information is entirely irrelevant to the context (apart from recent trends that companies try to be diverse and thus want to tell the world that they also hire homosexuals). While within our homosexual community this information is relevant and essential for the association ties, it is harmful to our ties with the people in certain religious social spheres. But on a dating site for all sexual preferences it helps to share the information about our homosexual preference. That way we can filter the people with whom we have aligned goals (in this case homosexual relationships) and put effort into creating a relationship with them and not invest in relationships with people with other goals.

This illustrates that in order to create social relations information has to flow between the individual and the members of the social sphere. If less people have access to some information, this can be used to increase its value and thus intimacy. This way, access to information modulates the level of intimacy. However, the example of Oliver Sipple also shows that sharing information about our sexual preference may disrupt or even break the social relation. In these cases, access to information modulates the accessibility of social relations.

These aspects of information as a social currency which may alter the relations available to us and alter the strength and intimacy of these relations are especially important in our contemporary age of digitalized information. Information can be disseminated in a worldwide fashion instantaneously. In addition, this information does not disappear automatically and a new dimension of real-time access to historical information of the individual is available. When dealing with our social relations these new aspects must be kept in mind. In the Sipple example a few decades ago the off chance of being published about in a national newspaper was the culprit. Nowadays anyone can disseminate such information worldwide. So what happened to Sipple can more easily happen to us.

The dimension of digital information sharing creates opportunities for new social spheres. The internet enables self-expression without risk of exerted social pressure to the actual individual. Because a person can create a new identity online which is constructed of the information he chooses to use. With such a constructed virtual identity, he can become a member of congruent online social spheres. A homosexual may create an identity online with which he tries to find likeminded people. As long as his online identity cannot be traced to his person in the real world, he is safe from the (potentially lethal) judgment of his real life social sphere. This way a person who is isolated in the social sphere he is born in can escape virtually by constructing online identities. So additional social freedom arises because we can virtually join and create online social spheres.

Unfortunately, there are also downsides of the rising possibilities of information technology, which make deliberation about sharing information more complicated. The first problem this poses to our deliberation is the fast pace at which information technology is evolving. We cannot predict the possibilities new technology will enable ten years from now. Even if we focus on the current status of the internet, the permeation of information can be so infinitely great that it is impossible to keep track of all the flows and possibilities. With the development of modern technology, we must assume more information will keep coming available at faster rates more often without human intervention. This introduces unknown variables which we have to incorporate in our deliberation, and thus puts a larger strain on our rational faculties with a larger degree of uncertainty.

Information on the internet is not as influenced by a context of time as information we share when we speak to people or when we are with them while performing certain actions (which result in information – shared knowledge of the event). This difference in influence of time on information is a second problem for our deliberation posed by the information technology. Information does not fade on the internet, as it will in the collective memory. If we do something stupid at a party when we are 24 and we talk about this later with our friends at the age of 34 the memory will have faded. We may even look back on this earlier time-slice of our self as a different person altogether. The people who were there will take a relative stance on the stupid act and say “that was such a long time ago” or something like “we have all grown so much”.

However, this erosion of time does not take place if the boss of the job I am having an interview with tomorrow finds the picture of our 24-year-old self, dancing naked on the table. He has a direct evaluation of the stupidity and may not be aware that it took place a long time ago. Even if he does, he is not able to relativize this with the 10 years that passed since, because he was not part of this. For all he knows this is still in our nature and thus it may have a very negative impact on our job interview. This shows that the internet, or any modus of propagating information, has influence on how information is connected to a person. A vague recollection of something stupid which happened years ago has a different impact if that same information reaches us as a video on the internet. The modus of propagating information may connect old information to your current self.

The information about Olivers homosexual preference only became accessible nationwide when he became a hero. Information technology may help disseminate information that we once held tight in a social sphere and leak to other spheres. A local newspaper of our hometown may be accessible via the internet for the entire world, even years later. The lack of control we have over information directly affects the social relations available to us and thus the measure of social autonomy we may exercise. As we have seen we can leverage this both to gain access to more social relations in the same way that it may block access to certain relations instantaneously and worldwide.

We have seen the possibilities of information and the means in which it can be shared to our social freedom. We have also seen how we are confronted with difficult deliberation about when and how to spend the social currency. Sharing information in a social context today may lead to its seeping out to another social sphere thus excluding us from creating relationships there. This proves that information can diminish our options for social relations and thus harm one of the prerequisites of social freedom.

## CONTROL OF INFORMATION

One aspect of social freedom which Schoeman does not discuss is the influence of the agent on the associational options. As we have seen with the Sipple example, not having control over how the information of his sexual preference seeped from one social context into the other robbed him of his relation with his family. Moreover, as we investigated in the previous section, information itself plays a vital and fine-grained role in the available social relations and thus on the value of privacy in an age of information technology. I believe by not being in control of information your influence on the relations available to you diminishes, and thus your social freedom diminishes. This extension to social freedom means we have to adopt an additional pre-requisite: first, there must be something to choose from. We need options just as Schoeman and Oshana propose in order to achieve social freedom. Secondly, we must be able to influence our options by controlling information. In this section I will explore how controlling information affects our (potential) relations and factors of sharing information which complicate the control we have over the dissemination and its potential effects.

As we have seen in the previous chapter, associating ourselves with society used to be the only option for survival. This does not really amount to much influence of the agent if we assume the agent needs to survive in order to be an agent at all. In such a case, there is no social freedom. As soon as the dependence on a single

monolithic social sphere decreased, the self-governance increased. Once the issue of survival is taken care of, the individual is able to direct his effort to other goals and purposes. In turn, he is able to choose and create social relations with likeminded people with whom he shares goals and purposes. The shared goals and purposes which tied the monolithic group together are now the basis to associate ourselves with the smaller and more diverse social spheres.

Because of the choices between different social spheres, there is a bidirectional way of creating social relations. We can, as an individual, set goals and associate ourselves with matching social spheres. The other way around is also possible. Social spheres may inspire goals and purposes in us which in turn makes us want to associate with the spheres propagating those. The flow of information required for this is also bi-directional. In order for Oliver Sipple to find a group which has or may inspire in him the possibility of homosexual relationships, this information about the gay rights activists must reach Sipple. The other way around was also true as we have seen earlier: Sipple needs to share his gay preferences with the activist group.

On top of the relations with social spheres we create by choice, there are always initial spheres of which an agent is a member. You are born within a family which is part of a community. The size and dependence on this community may vary. In some countries there is a prevailing nationalistic sentiment tying a people strongly together. While in other countries the social relations to these initial national spheres may be barely noticeable. As long as there are different spheres available, the agent can associate with some more strongly than others and even leave his initial sphere. This choice and the influence the individual has on these make up the prerequisites for social autonomy. This choice is affected by the availability of information. Our default spheres may have a lot of information about us because when we grow up in a modern family, experiences are shared and thus information is created and retained. This explains why such “default” spheres tend to have a strong relational tie: a lot of information is shared over a long period of time. Oliver Sipple had such an initial relation with his family, which was destroyed by information he did not intend to reach his family.

This shows that in order to have control of the effects of information, you must also have the required knowledge of what its effects may be. Social freedom here means taking all these factors into account when deliberating on which actions we should or should not perform, in this case, which information should be shared in a given social sphere. This shows that a lot of input is required for the agent to enable his deliberation on which information he should or should not share. Further complicating this deliberation is that, as we have seen with gossip in the previous section, some evaluation of information by the group may be more easily altered than others. Assessing the impact of the information we share requires understanding of the evaluation mechanism of the group. Without this assessment we may share information which unintendedly breaks relations to groups or makes access to groups no longer possible.

But as we learn from the case of Oliver assessing which information to share is not enough. Because he performed a heroic act, which put him in the spotlight of nationwide media, the information he kept local was spread to a much larger public. It is highly unlikely that when he saw the person with the gun, the possibility of information about his sexual preference being disseminated was part of his deliberation which resulted in acting and taking away the gun from her. Just as it is highly unlikely that he, when sharing the information about his sexual preference in San Francisco, took into account that if he ever did something heroic this information would spread across the country. This shows it is very easy to share information which has unforeseen effects when seeping through to an unintended social sphere. On top of this the flow of information is not always predictable. Under “normal” circumstances the information may be kept in the sphere for which it was intended but absolute control is unfeasible.

Information is a volatile currency and hard to control. In order to be in control the agent has to deliberate on the evolution of the information: what context is maintained and what different meaning may it get if this informational context is eroded. On the other hand the agent has to think about the evolution of consequences. These factors pose complexities over time in our contemporary society for the agents

deliberation on when and how to share information. I will explore these threats to our social freedom from a privacy point of view in more depth.

The first threat is that sharing information in the current social sphere with its current norms may not be a problem today, but may become one in the future. For a contemporary homosexual his sexual preference may be perfectly accepted by the social spheres he takes part in. Because of this he shares the information of his homosexual preference freely. But over time this information becomes accessible to social spheres who do not accept it. Think of him traveling to a country with a different culture or if a different culture becomes prevalent in his vicinity. The information of his sexual preference now get a different evaluation due to a shift in social spheres, and sanctions which the person had not foreseen may be imposed. This shows that we have to assess more than our current social spheres and their evaluation when we share information. Potential spheres and potential evaluation of current and future spheres will impact the options available and thus our social freedom.

The second problem is that dissemination of information removes or changes context. Pieces of information are disseminated separate from their original context. Take for instance the example of dancing naked on a table ten years ago. From the looks of it, we suspect the dancing person had a little too much to drink. But maybe this was a strip act on a bachelor party you had to perform because you lost a bet. This contextual information may lead to a different evaluation of you as a person based on the picture. This would mean that you are not someone who drinks in excess and then goes ahead and does something silly, but rather someone who does as he promised. If we then also have the information available that the bet was something almost unlosable this would also boost our esteem of the person a bit. A single picture of a person dancing on the table can have so much context and this context may be included with the transferred picture in various degrees. These degrees determine the evaluation of the information and because these degrees are numerous we are confronted with deliberation over a multitude of possibilities. This shows that in order to be able to control information, which helps protect our social freedom, we must take new possibilities of sharing with degrees of context into account. These possibilities are not available in the dichotomous conception of privacy and provide new input for our deliberation.

In this section we have seen how control of information has an important impact on the development and possibilities as an individual. Our deliberations on sharing information should be focused on which relations we want to create or disconnect from, both now and in the future. Over time both the information and its meaning changes or erodes and the way information is regarded by (potential) relations evolves. Once information leaves a sphere we did not intend it to leave, certain relations may become impossible for us or existing relations may break. Information is the modulator that enables or disables social options. As a result, the cornerstone of social freedom is the control the agent exercises on information flows.

## MAINTAIN SOCIAL FREEDOM

Schoeman looks at the history that gave rise to the current notion of privacy and the availability of options to choose from social spheres, which are prerequisite for social freedom. What is missing in this account is how we can protect and maintain this diversity and thus our social freedom. If evolution leaves us with a single monolithic social sphere again we are without social freedom. Seeing the role social freedom plays in the self-expression and thus the well-being of the individual, this is something we have to look into. In this section I will investigate the available mechanisms which impact the number of social spheres available to us.

If for example information about sexual preference is shared with all social spheres, judgment is passed by all spheres according to their norms. This may lead to a majority voice and thus a converging of social spheres. In such a situation the lines between spheres may begin to blur because the judgement of the largest group exerts not only pressure on the judged individual, but also because it projects the evaluation of this particular piece of information on the other social spheres. Western countries show how such a re-evaluation of spheres

about homosexuality happened in favour of acceptance. It is not hard to see how this acceptance can be reverted. If such a social sphere gets enough momentum and is able to pass judgment in a pervasive manner due to the lack of control of information, convergence completes and we are back to a situation with a single social sphere. In such a scenario the first precondition for social autonomy is no longer met: we will not have any options to choose from apart from defecting which may result in death.

This shows that pervasive judgment and effective overreaching by the social sphere is only possible if we cannot control what information reaches them. If we are to keep information which we know to be judged from the social sphere, we may prevent judgment in the same way as Oliver Sipple did for a long time with his family. He had a relation with his family until the information about his sexual preference reached his family beyond his control.

I have already illustrated in a previous section how information technology can be used to create virtual social spheres. This is an important safeguard against the risk of having a pervasive monolithic social sphere, which enforces certain evaluation. An alternate social sphere online can start a discussion on group evaluation. This can in turn affect the evaluation of other groups. But if a group of likeminded people who have detached this online identity from their real person want to affect the real world and form a social sphere in real life they have to connect to each other. In such cases information can be shared to probe the reaction of those in your real-life social sphere. The risk you run here is that you give away your evaluation to a person who will act upon it to your detriment. Anonymity on the internet can thus be used to spark evolution of how information is valued without risks to the physical person who starts with his deviant evaluation.

It is also interesting to note that once there are very specific social spheres for small groups, this may in the end impact larger social sphere values. If we look at how some western societies evolved from having no respect for homosexuality whatsoever we see that specific gay rights movements came into being. Only after such movements have become a success in changing evaluation of homosexuality in society, other social groups adopt this evaluation. This shows that slowly a small social sphere can have a large impact on possible overreaching evaluation from majority spheres.

We have seen earlier that you may confide information to persons within a social sphere even if the norm of the social sphere would be to deter the behaviour conveyed by this information. An exception, which we have illustrated earlier, is gossip. Schoeman illustrated how information can be shared without invoking judgment. What Schoeman suggest is that by talking about the norm deviation the norm itself is reinforced within the community.<sup>39</sup>

Schoeman does not realise that this mechanic also works the other way around: instead of reinforcing the norms it offers an opportunity for change by eroding the norm. Apparently, the norm deviation is not considered so severe that direct sanctions need to be applied to the deviator. This shows a sort of weakness in the norm. There may be potential to change the norm altogether. People may reflect on the norm deviation and come to the conclusion that it isn't all that big of a deal. This shows that gossip has a function in the possibility of evolving group norms. This can be leveraged by the individual to protect his social freedom by either creating new spheres or altering the evaluation of the existing one.

Another effect can be that instead of turning into public judgment or sanctioning for the norm deviation, likeminded people will voice their support to the deviating individual. Therefore, the informal disseminating of information within a single social sphere by way of gossip may spark a re-evaluation. The grey-zone where information is being disseminated by means of gossip is thus an area where evaluation occurs in local interactions within the sphere and is not necessarily just an application of group norms without critical reflection. So instead of parroting group norms, gossip creates an opportunity to re-examine the merits of the

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<sup>39</sup> (Schoeman, 1992) p150

norm by which evaluation of information takes place. If re-evaluation takes place the gossip ceases because the information exchanged is not notable any longer. This mechanism enables evolution of values within social spheres and society as a whole. Think again of our western civilization in which homosexuality was not acceptable anywhere and in which gay rights activists have accomplished acceptance. This shows that social spheres have mechanisms which enable the creation of options which is a prerequisite for social freedom.

## CONCLUSION

In this chapter I have explored the role of information in relation to privacy in our contemporary information technology era. Information is the social currency which can be used to create social relations but at the same time break (possible) other relations. The importance of this informational component to our social freedom led us to the importance of being in control. Due to the both creative and destructive force of information we need to be able to use it to our advantage and share the right information with the right social spheres. Modern information technology further leverages the power of information. The scope in which social relations become accessible, and others inaccessible, grows along with the speed with which information can be collected and spread with modern technology. Modern technology also enables us to create virtual identities within both virtual and non-virtual communities with which new options for social spheres are created. The advantage of this is that as long as physical identity is separated from the virtual identity the physical identity is protected from sanctioning. Control of information enables not only the relation to social spheres but also enables the evolution of existing and potential social spheres. Re-evaluation of group norms can be initiated by using gossip or virtual online communities, thus creating more diverse social spheres. This causes a lower dependency which safeguards both prerequisites of social freedom: possibilities to choose from and the means to influence the choices.



## CONCLUSION

Popular notions of autonomy do not fit our everyday lives as socially embedded actors. They disregard the importance of social context for our development and self-expression as individuals. Due to this disregard they misrepresent the weight on individual rationality as something isolated, preferably protected from social influence.

Notions such as relational autonomy and Schoemans social freedom include the social context of the individual in several degrees. Relational autonomy acknowledges the social embeddedness of the person, but treats the social context as something which is potentially harmful for the autonomy of the individual or threat it as a single monolith. Schoeman goes on to show us that social pressure is necessary for functioning of social groups and a fine-grained set of social groups disarms the harm of monolithic social overreaching. But Schoeman does not explain the role of information as a modulator or explore the mechanisms which can be used to ensure we maintain a fine-grained set of social groups.

Due to our acting in social contexts we relate to a group where our goals and purposes are aligned so that it promotes our self-expression. If no such group is available, we relate to like-minded people, which in turn gives birth to new social spheres for others to join. The availability of social spheres to choose from is essential to the social freedom of the individual. The evolution of social spheres towards highly contextual and specialised groups curbs the possibility of social overreaching. I have shown how mechanisms such as gossip, friendship and information technology help giving rise to new groups or evolve the value system in existing groups.

Underpinning the possibility of social spheres is the informational dimension, which is not elaborated thoroughly in the accounts of relational autonomy or social autonomy. It is because of sharing information that we can create relations and thus create social spheres. But as we have seen in the case of Oliver Sipple, the same information which improves the relation with one sphere, disconnects us from another. Information as the social modulator cuts both ways.

Fortunately, sharing information in the context of social actors also has the power to reduce the complexity of our deliberation. We may even go so far to eliminate deliberation on certain topics and just rely on the group norm. This way we can focus our limited rational resources for deliberation on choices, which are fundamental to us. We leave the interpretation that as agents to be autonomous we require articulate rationality which may not incorporate social or cultural norms. We align goals with a group and match its value-system articulately for those goals and values with prevalent importance to us, which enables us to adopt the values for things we have no strong opinion about and thus forego the effort of articulated rationality.

Privacy in a social context relies on information as a social currency which we as autonomous agents must learn to spend wisely in order to enjoy and protect our social freedom. Privacy can not be viewed as a dichotomy where we have to protect our information from outside intrusion. We must learn when to share information in order to create relations and think about which options it will take away from us. On top of this, we have technology available which can be used to disconnect information from our physical person. But the same technology can be used to link the information to us in ways that it won't be forgotten and any relevant context may be lost.

To protect our social freedom we must learn to control the flow of information. By doing this correctly we can advance social freedom because we can create new social spheres. These in turn impact the evaluation of others and deter social overreaching. In this way, evolution of social spheres is maintained and we can protect ourselves against converging social spheres which would be harmful to our social freedom. Learning when information can be discussed instead of being judged against the norms of a social sphere is a fundamental skill if we are to leverage such evaluative capacities of social structures. We can practice this skill by creating

online identities which, when done correctly, disconnect the information from our person so that we may see how it is judged in the virtual online community.

Social freedom consists of the options we have available and the influence we have on these options. In addition to this conception of Schoeman we also need control of information as the tool which enables us to influence the options available both positively and negatively. Social freedom without this control becomes a coincidence, which can not be maintained or protected. Information is the modulator of social freedom, the currency we sometimes spend and sometimes save in order to maximise social freedom.

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