

Privacy and Psychology

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Thank you for inviting me to participate in this conference on privacy. Before turning to my topic, privacy and psychology, permit me to frame a larger context for my comments. Based on my reading of the privacy literature over the past decade, there has been increasing scholarly and popular interest in privacy as a social issue, and often the foci are threats to privacy, the seriousness of these threats, and if and how the threats should be addressed. By comparison, a relative indifference among psychologists to privacy, as a theoretical and research interest, continues, at least in the "serious" journals and handbooks. In sum, although some psychologists, myself included, are interested in privacy, as a theoretical and research interest, that interest is not broadly shared. Unfortunately, I cannot explain this indifference.

Having said this, allow me to outline my presentation. I will discuss four topics. First, I will discuss what psychologists think privacy is, that is, what it might mean, then, second, what privacy does, that is, its costs and benefits, hence its importance. Third, I will ask what psychology and other behavioral disciplines tell us about the importance of privacy. Fourth, I will comment on some unanswered questions about privacy. I will cap my comments with final thoughts.

What Privacy Is: Issues in Defining privacy

Privacy is an elastic concept (Allen, 1988). It subsumes a range of meanings. Although there is variability in conceptual and everyday definitions (e.g., Newell, 1995; Golan & Justa, 1976; Kupritz, 1998; Newell, 1998; Wolfe, 1978; Worsley & Finighan, 1977; Note 1), these meanings appear to emphasize a limited-access view of privacy (Allen, 1988). The limited-access view proposes that privacy represents control over unwanted access, or, alternatively, the regulation of, limitations on, or exemption from

scrutiny, surveillance, or unwanted access (Allen, 1988; Margulis, 1977b). The limited-access view also is consistent with common (tort) law conceptions of privacy in U. S. courts [Note 2] and with the Fourth Amendment of the U. S. Constitution [Note 3].

Some time ago, I examined the aforementioned variability in definitions of privacy, primarily in psychological analyses of privacy (Margulis, 1977b). From it, I inductively derived a formal definition, that is, "an abstract skeleton" of the means and ends of privacy. I proposed that "[p]rivacy, as a whole or in part, represents control over transactions between person(s) and other(s), the ultimate aim of which is to enhance autonomy and/or to minimize vulnerability" (Margulis, 1977b, p. 10). Now I would amend that proposal by adding that control over transactions usually entails limits on or regulation of access to self (Allen, 1988) and that others can include individuals, both real and imagined (Margulis, 1979), as well as small groups (cf. Altman, 1975). A few theorists might ask me to add even collectivities such as organizations (e.g., Westin, 1967). Because I inductively derived the formal definition from a wide range of examples, it follows that the variation in the examples reflects how the terms, and the relationships among terms, in the formal definition were interpreted within those examples. The variation also reflects the additional concepts and relationships found in the source definitions. For example, in my formal definition, "control" has been interpreted as social power (Kelvin, 1973) and as personal control (Johnson, 1974). Johnson's (1974) distinction between direct and indirect personal control illustrates a use of an additional concept.

What Privacy Is: Lessons from Two Theories of Privacy

One way to examine the core of privacy is to compare the commonalities and differences in theories of privacy. I will focus on two theories, Altman's (1975) and Westin's (1967). I have selected these two because they have stood the test of time. For example, in the 1970s, 1980s, and 1990s they figured prominently in major reviews of privacy. And they clearly have influenced researchers and theoreticians (Note 4).

What are the commonalities in their analyses? Both ascribe to the limited-access view of privacy, that is, both emphasize how individuals and groups control or regulate access to themselves. Both theories describe our need for privacy as a continuing dynamic of changing internal states and external conditions, to which we respond by regulating privacy, in order to achieve a desired level of privacy. Both argue that achieved privacy, in turn, can affect internal states and external conditions. Both agree that attempts to regulate privacy may be unsuccessful: We may achieve more or less privacy than we desire. Both agree that privacy has universal characteristics but that privacy can take many forms. Both agree that privacy can support legitimate and illegitimate goals. Both differentiate the forms (or the how's) from the functions (or the why's) of privacy. Both agree that the functions of privacy include opportunities for self-evaluation and that privacy contributes to self-identity and individuality.

There are two principal differences. First, Altman's theory is relatively inclusive; its focus is social interaction; Westin's theory is less so; it tends to focus on personal information. Second, Altman (1975) emphasizes process over classification whereas Westin emphasizes classification, that is, his states and functions of privacy, over process issues.

Because two independent theories, well-supported by research, share so much in common suggests, I have concluded that they provide a reasonable foundation for understanding the fundamentals of privacy as a psychological concept (Margulis, 2003c).

What Privacy Does: Some Benefits and Costs

Having addressed what privacy is, let us turn to what privacy does, expressed as benefits and costs.

The benefits of privacy.

The psychological benefits of privacy reflect privacy's functions. Privacy supports social interaction which, in turn, provides feedback on our competence to deal with the world which, in turn, affects our self-definition (Altman, 1975). From Westin's (1967) perspective, privacy provides opportunities for self-assessment and experimentation. It is a basis for the development of individuality. It protects personal autonomy. It supports healthy functioning by providing needed opportunities to relax, to be one's self, to emotionally vent, to escape from the stresses of daily life, to manage bodily and sexual functions, and to cope with loss, shock, and sorrow. In sum, privacy is important because it is posited to provide experiences that support normal psychological functioning, stable interpersonal relationships, and personal development.

The costs of losing privacy.

You can lose privacy through its invasion or violation. Invasions occur when initial conditions for privacy are not achieved. Examples include being surreptitiously overheard or being unable to prevent physical access to self. Violations of privacy occur when recipients of our personal information, which we intentionally shared with them or which we lost through an invasion of privacy, disclose our information to others.

Examples include gossip and whistle blowing. Invasions and violations of privacy can have anticipated and actual costs because having one's "private" information or physical self is now in the "wrong hands." Costs can vary considerably, depending on many factors, especially the content of the information (Margulis, 1979; cf. Note 7].

Studies of social stigma illustrate privacy-related costs. Stigma can be bodily, such as deformities, characterological, such as homosexuality, and demographic, such as "race" (Note 8). Stigma that are not socially unacceptable can result in costs such as being devalued, accorded lower status, and being a target of negative stereotypes, prejudice, and discrimination (Crocker, Major, & Steele, 1998).

Of particular relevance is the distinction between being discredited, that is, having a stigma that is either known or evident to co-present others, and being discreditable, that is, having a stigma that is not known or evident to others (Goffman, 1963; Note 9). In public, discredited individuals experience invasions of privacy because the non-stigmatized treat them as if it was legitimate to approach, touch, stare at, and interrogate them at will. If they fail to manage their social interactions, they experience embarrassment and feeling unwanted (Archer, 1985). For example, Val Derlega and his associates (Derlega, Winstead, Greene, Serovich, and Elwood, 2002) studied the potential "double whammy" of failure to manage information about HIV and AIDS status, a discreditable stigma. They found that the greater a seropositive adult's belief that the public stigmatized HIV, the more strongly these infected adults endorsed reasons, such as such shame and fear of rejection, for not disclosing their status to a parent, intimate partner, or friend. However, concealing one's HIV status is highly stressful and stress encourages HIV progression (Leary & Schreindorfer, 1998).

Losses of privacy have the potential for life-and-death costs when a person must conceal his or her intentions, as with moles and double agents (Richelson, 1995), or his or her identity. For example, Joe Stevens (Stevens, 2001) was a young Jewish male in Europe during World War II. To stay alive, he passed as a Catholic and concealed his true identity from the Nazis, for whom he worked during the day, and an anti-Semitic, anti-Nazi Polish underground group, with whom he collaborated at night.

In sum, the benefits of privacy arise from achieving its functions and its costs arise from failures to achieve its functions. Unfortunately, the benefits and costs, with few exceptions, are predicted or potential, rather than demonstrated.

Is privacy important?

That observation notwithstanding, behavioral studies do provide surprising support for the importance of privacy.

Behavioral science support for the importance of privacy

A number of studies, taken together, suggest that privacy may be a cultural universal. The strongest and most controversial psychological support is Altman's (1977) conclusion, based on his review of cross-cultural data, that privacy may be a cultural universal. In this regard, Ford and Beach (1951), in a cross-cultural survey of sexual behavior, reported that in 189 of 191 societies, people usually sought seclusion for sexual relations. Also, privacy is not only a Western value. It also is relevant in Asian (e.g., Chan, 2000; Iwata, 1988) and African societies (e.g., Idehen, 1997; Newell, 1998). Finally, Moore (1984) reached a more limited conclusion: Privacy could be a universal in nonliterate societies (Note 10). In sum, forms of privacy are found throughout the world.

Going further, Klopfer and Rubenstein (1977), in a review of animal studies, concluded that privacy might be a "universal" in birds and non-human mammals. As independent support of this conclusion, studies of a wide range of species of how prey avoid detection by predators concluded that managing information about internal states and future intentions had real survival (Krebs & Davies, 1993). Thus, privacy just might be a universal in human and certain non-human species.

There are other indicia of importance. In a study of social rules, the three most widely applicable rules across relationships, such as spouse, friend, and teacher, were respecting other's privacy, not discussing what one is told in confidence, and looking others in the eye during conversations (Argyle, Henderson, and Furnham, 1985; Note 11). A cross-validated factor-analysis of human rights attitudes, as represented in the United Nation's Universal Declaration of Human Rights, reported four factors, one of which emphasized a right of privacy (Dias-Veizades, Widaman, Little, & Gibbs, 1995; Note 12). In a third study, on preferences for generic places, such as an art gallery, hospital, or university, three criteria, one of which was privacy, were the bases for preferences (Kräemer, 1995; Note 13). Finally, if Altman (1975) and Westin (1967) are correct that privacy provides opportunities for experiences that promote normal psychological functioning, healthy personal development, and stable interpersonal relationships, that too would be evidence for the importance of privacy. In sum, privacy appears to be important across a range of behavioral areas, societies, and species (Note 14).

The status of privacy in psychology

Privacy may well be behaviorally important but is it important to psychologists?

To answer this question, I will briefly describe the status of privacy in the three areas of psychology most closely associated with privacy: Social psychology, industrial/organizational psychology, and environmental psychology. Ellen Berscheid (1977) concluded that social psychologists have studied many topics that address privacy-related issues "but which are often overlooked as privacy related" (p. 85). She included social facilitation, attitude formation and change, social influence, deindividuation, and social comparison processes, among other topics. I would add self-disclosure, deception, and psychological control. Disclosure has been linked to privacy for almost three decades (e.g., Derlega & Chaiken, 1977; Derlega, Metts, Petronio, & Margulis, 1993). And Bella DePaulo and her associates (DePaulo, Wetzel, Sternglanz, & Walker Wilson, 2003) and Andy Johnson (1974) have made persuasive cases, respectively, for linking privacy and deception and privacy and psychological control. Nevertheless, it appears that Berscheid's conclusion, that privacy has been overlooked by social psychologists, is as true now as it was then. For example, in the most current Handbook of Social Psychology (Gilbert, Fiske, & Lindzey, 1998), privacy received scant notice -- four references to "privacy" and "private" in the indexes -- and usually passing coverage in the text.

Similarly, Stone and Stone (1990), in their major review of privacy in organizations, concluded that industrial and organizational psychologists continue to neglect privacy. By comparison, environmental psychologists have had a sustained interest in privacy (Altman, 1975; Margulis, 2003b; Newell, 1995). Nevertheless, two major issues remain contentious: How privacy should be conceptualized and how the

environment should be conceptualized to best understand its potential influence on privacy (Margulis, 2003b; Note 15).

That behavioral scientists interested in privacy and those interested in other psychological phenomena and processes could profit from fertilizing each other's fields -- if you will permit that metaphor --, that largely remains a promissory note (cf. Margulis, 1977b).

Two Final Thoughts

On theory building

I will close with two final thoughts, one is a wide-ranging discussion of theory building and the other is a focused discussion of privacy as a value. Some years ago, I applied three distinct but, in practice, overlapping stages in concept development to privacy in particular (Margulis, 1977b). In the first stage attempts to demonstrate the value and viability of a concept. For privacy, this stage has been completed (Note 16).

The second stage accepts the legitimacy and value of a concept and turns to systematic explorations of its meaning and relationships to other concepts. Much of what has been and is being written about privacy is in this stage.

In the third stage we find systematic explications of the whys and how's of privacy. For me, well-developed theories are internally consistent, systematically related sets of statements some of whose logical implications are testable and, in the best of all possible worlds, so rigorously stated that research can not only confirm but also disconfirm the theory. I do not feel that the major extant theories of privacy have achieved this stage (e.g., Altman, 1975; Kelvin, 1973; Laufer & Wolfe, 1977; Newell, 1998; Petronio, 2002; Westin, 1967). Rather, I would describe current theories of

privacy as orientations, that is, as "a general approach to the analysis and interpretation of behavior" that provides a framework for the development of fully explicated theories (Shaw & Costanzo, 1970, p. 8). Admittedly, some of these orientations are quite systematic. Nevertheless, I am disappointed that, after nearly 30 years (Margulis, 1977b), the stage of theory development for theories of privacy has not significantly improved.

Unanswered questions about theories of privacy

Initial and boundary conditions

In well-developed theories in the physical sciences, phenomena and processes have initial conditions. Broadly speaking, these are conditions under which one can expect the phenomenon to happen or the process to work. Well-developed theories also state or imply boundary conditions. That is, they indicate the limits of applying a concept.

What are privacy's initial conditions? For example, within the limited-access approach, presumably a precondition for privacy is having some degree of control over or some capacity to successfully regulate or limit or exempt oneself from, scrutiny, surveillance, and unwanted access. But would you say that a person adrift at sea or in solitary confinement, with no control over scrutiny, or surveillance, or wanted or unwanted access, has no privacy? If you believe in an omniscience god, do you have no privacy vis-à-vis your god?

What are privacy's boundary conditions? For example, in environmental theories of privacy, is the relationship between privacy, territoriality, crowding and personal space necessary or contingent? Is the answer species-specific? And what is the relationship

between privacy and secrecy, a cognate concept? There is no consensus on the answer. The concepts have been treated as synonymous, overlapping, and as mutually exclusive. Although I once concluded they are overlapped (Margulis, 2003c), I have doubts when I considered the contentious debate over how each should be defined. Simply put, establishing boundaries between fuzzy concepts is inherently problematic.

The four costs model. In this regard, I noticed four consequences of limiting and protecting access to personal information. These four consequences provide a heuristic for establishing boundaries between privacy and cognate concepts like secrecy and censorship. I will call this heuristic the four costs model.

One consequence is reducing one's own vulnerability, hence costs. For me, this is a core of privacy (Margulis, 1977b). From this perspective, the opportunities, freedom, or autonomy associated with privacy are consequences of reduced vulnerability (Margulis, 1979). A second consequence is reducing the costs of others. One example, censorship, focuses on the vulnerability of others. Historically, the Roman Catholic Church banned books that could harm a believer's faith because the believer was presumably ill equipped to handle the information. A third consequence is increasing the cost to or of others. This is the prototype of military secrecy and a counter-intelligence tactic. The idea is to keep accurate information from your enemy or to provide disinformation to your enemy in order to make it more difficult, that is, more costly, for your enemy to predict your behavior or understand the real intentions behind your actions. The fourth, and most problematic, consequence is suggested by the other three. It is to raise your own costs. I cannot name the applicable concept but I can illustrate it.

A principled refusal to confess or disclose information, even in the face of coercion, is an example.

In sum, the four costs model suggests two dimensions that, together, represent a boundary between four forms of information management.

Levels and scope of analysis

To what levels of analysis does privacy apply? Altman, for example, applies the concept to individuals and groups. There is reasonable consensus in the privacy literature on these two levels of analysis, especially if groups mean small groups. Westin, however, extends privacy to organizations. Extending privacy beyond the individual level concerns me when groups and organizations become actors. When this identification is stated uncritically, it smacks of reification and anthropomorphism, or reduces to metaphorical or short-hand usage, all of which simplify scientific communication but at the price of theoretical clarity (Note 17).

There is a corollary concern. Theorists can take an inclusive or less inclusive approach to privacy because definitions and theories of privacy vary in comprehensiveness (Shaw & Costanzo, 1970). Comprehensive or inclusive approaches, such as Altman's dialectical theory of privacy (1975), attempt to subsume most or all of the phenomena associated with privacy. By contrast, less inclusive approaches, such as Petronio's (2002) communication privacy management theory, tend to focus on social communication, thus excluding a range of interactional phenomena. The latter are less inclusive because social communication is a subset of social interaction (Margulis, 1977b). Whichever is selected, I am not convinced that less inclusive theories will be

any easier to explicate than inclusive ones and I am sanguine that inclusive theories will actually be able to subsume the less inclusive ones (Note 18).

Is privacy a positive value?

My second thought can be posed as a question: "Is privacy a positive value?" The answer can draw on the behavioral sciences, history, and axiology. We are currently in a period in which privacy norms are valued (cf. Etzioni, 1999; Westin, 2003). In this context, Carol Warren and Barbara Laslett argue that privacy "protects behavior which is either morally neutral or valued by society" (Warren & Laslett, 1977, p. 44). However, others, like Irv Altman and Alan Westin, view privacy neutrally. For them, privacy supports both legitimate activities and illegitimate ones, such as misuse of a public office, vandalism, and morally dubious behavior like lying and deception (Altman, 1975; DePaulo et al., 2003; Derlega & Chaikin, 1977; Westin, 1967) (Note 19). And even those who emphasize its positive features, like Amatai Etzioni (1999), stress that privacy, as a social value, should not be regarded as an unmitigated good. For example, from a communitarian perspective (Etzioni, 1999), to be safe and secure without government intrusion a community may require its members to sacrifice some of their privacy to allow needed surveillance and social control (Note 20).

In closing....

In closing, these remarks are not a complete, not even a comprehensive, survey of the psychology of privacy (Note 21). At worst, my choice of topics tells you more about me than about the psychology of privacy. At best, the topics will whet your appetite and prompt dialog. If that is the case, let's get to it.

Footnotes

1. In spite of differences in instructions and populations, five "meaning" studies reported meanings that emphasized being free of interruptions, intrusions, and/or distractions; two shared other meanings: Being alone, managing access to personal information, and managing access to spaces (Golan & Justa, 1976; Wolfe, 1978). All of these meanings are consistent with the limited access approach in the behavioral domain. There also is evidence, in Kupritz (1998), Newell (1998), and Worsley and Finighan (1977) for specific linkages between definitions/meanings of privacy and the environment (see Margulis, 2003c).
2. Common (tort) law conceptions of privacy which cover protection from public disclosure of private facts, direct intrusions upon a person's seclusion, solitude, or personal affairs, the appropriation of another's name or likeness for personal (e.g., commercial) advantage, and casting someone in a false light (Miller, 1972).
3. According to McWhirter (1004), the Fourth Amendment protects the privacy of people suspected of having committed a crime by limiting the police, during criminal investigations, from making unreasonable searches. In privacy terms, this means that people's expectations of privacy for their person and property, as defined by the courts, must be respected. Therefore, the police cannot search a person or his or her property unless the police can demonstrate a good reason (called probable cause) for invading a person's privacy (that is, a judge issues a search warrant). However, the court's view of people's expectations of privacy has changed over time. More to the point, these legally defined expectations do not necessarily correspond with psychologically defined expectations of privacy (Kagehiro, 1990). By comparison, privacy as a

constitutional/legal concept, at least in the United States, and especially the post-1965 constitutional right of privacy, emphasizes decisional privacy, that is, the freedom to decide and to act in public or private as one deems appropriate, without government interference (Allen, 1988; Etzioni, 1999). The limited-access and decisional domains, although analytically distinct, may be conceptually related (Allen, 1988). Westin (1967) discusses decisional autonomy as an aspect of privacy and Margulis (1977b) argues that privacy, by reducing personal vulnerabilities, increases a person's decisional options.]

4. See Margulis (2003c) for a detailed review.

5. There are also sociopolitical benefits. In political democracies, privacy provides opportunities for political expression and criticism, political choice, and freedom from unreasonable police interference; it provides opportunities for people and organizations to prepare and discuss matters "in private"; it allows non-political participation in family, religion, and in other forms of association (Westin, 1967).

6. In a sense, there also are the costs of not obtaining privacy. Not obtaining privacy could result in the loss of opportunities that the functions of privacy provide. They are lost because people, for physical or cognitive reasons, fail to psychologically control privacy-related behaviors (Johnson, 1974) or because people are in settings, such as an adult in a closed institutional setting or a child in a family situation, in which powerful others control or try to control the person's privacy (Goffman, 1961; Wolfe & Laufer, 1974). Short-term consequences of these losses include learning the limits of autonomy. A long-term consequence is coming to believe that certain opportunities for privacy are simply not available (Wolfe & Laufer, 1974). For example, in psychiatric settings, long-term consequences include de-individuation and dehumanization, which undermine

rehabilitation, and losing the ability after release to successfully reintegrate into ordinary life (Goffman, 1961; Ingham, 1978). Unfortunately, it appears that relatively little has been published about developmental aspects of privacy and about if and when the consequences of not obtaining desired privacy are reversed by later opportunities for privacy.

Many theories of privacy posit that psychological control is a precondition for obtaining and maintaining privacy (e.g., Altman, 1975; Johnson, 1974; Wolfe & Laufer, 1974). It follows that privacy failures include costs arising from failures of control as such. These costs could include stress (Johnson, 1974; Stone-Romero, Stone, & Hyatt, 2003) and negative feedback about personal competence.

7. See Johnson, 1974, for a discussion of losses of privacy with favorable outcomes.

8. See Alpert (2003) on the discrediting potential of genetic markers. I have put "race" in quotes because it is more a social construction than a useful scientific concept.

9. Psychologically, the key social problem for the discredited is managing social interaction and for the discreditable it is managing information about the stigma (Archer, 1985).

10. Also see Nucci (1997, p. 18).

11. More specifically, th33] social rules, Argyle, Henderson, and Furnham (1985) studied 33 social rules across 22 types of relationships.

12. Most, but not all of the items in the privacy factor addressed a right to privacy. The other three factors were civilian constraint (the acceptability of limiting individual civil and political rights), equality (equal access to basic rights by all), and

social security (access or entitlement to an adequate standard of living) (Dias-Veizades, Widaman, Little, & Gibbs, 1995).

13. Kräemer's (1995) other two criteria were the function of places (e.g., residential, service) and the specificity of the function (whether functions were obligatory or additional).

14. A case can be made for the importance of privacy from a comparative political perspective. Clearly, privacy is not a political universal. Political systems differ in their patterns of government-citizen relations (Fijnaut & Marx, 1995; Westin, 1967). In general, totalitarian systems favor citizen disclosure to government officials and government surveillance of citizens. By contrast, democratic systems protect citizen privacy and limit both citizen disclosure to the government and government surveillance (Westin, 1967). That is because of the sociopolitical benefits that privacy can provide, which I mentioned earlier. Moreover, just as the behavioral forms of privacy are culturally contingent (Altman, 1977), the importance of privacy to citizens is socio-historically contingent (Etzioni, 1999). Currently, privacy is perceived as important, at least in studies of U. S. respondents (see Katz & Tassone, 1990, and Westin, 2003, for reviews). For example, 78% of American respondents agreed with the statement "If we rewrote the Declaration of Independence today, we would probably add 'privacy' to the list of 'life, liberty, and the pursuit of happiness' as a fundamental right" (Lou Harris, 1990). I would add that although Americans rate privacy as "very important" and are "very concerned" about threats to their personal privacy, there is little evidence that they will sacrifice to protect it (Lou Harris, 1990; Katz & Tassone, 1990). Interpretations of these findings vary.

15. See Margulis (2003b) for a discussion and additional references.
16. For me, Erving Goffman is the most significant figure at this stage, especially in the first half of his career, and even though he never uses the term "privacy" in his books.
17. In groups sufficiently small that all members participate in group decision-making, a group decision is a reasonable statement. But when some decide for others, issues of who really represents a group or organization arise. For example, organizations in which power and politics are important factors in decision making underscore the potential confusions arising from equating an individual with an organization. At that level of analysis, organizational-level concepts would probably be required.
18. Another theory construction issue is whether theories of privacy ought to build on, systematically incorporate, or be derived from extant psychological concepts. As a rule, this has not been the case. However, there have been notable exceptions. For example, Peter Kelvin (1973) derives privacy from social power (for him, it negates the social power of others). Andy Johnson (1974) demonstrated how to systematically integrate then current thinking about control into privacy orientations. Yet privacy theorists continue to fail to integrate the currently rich literature on psychological control (e.g., Weary, Gleicher, & Marsh, 1993) into their theories of privacy.
19. DePaulo et al. (2003) go further and argue that lying and deception, in turn, can be used to protect privacy.
20. I should add a comment about research trends. Based on an admittedly desultory search of databases for relatively current research on privacy, I found articles scattered far and wide in journals. I had the impression that a number of articles addressed what are called "privacy needs" of special populations, like the institutionalized elderly,

Internet privacy, and the effects of public versus private, where "private" often meant "anonymous," responding on survey responses. While these are worthwhile topics, these studies had a decided "applied" bent. Unfortunately, they do little to advance our understanding of privacy and, additionally, I wonder whether they will impact policy or decision makers (cf. Margulis, 2003b).

21. For example, one topic I have only mentioned in passing that is a central psychological concern is privacy as an individual difference variable. Westin's (1967) analysis of types and functions of privacy is a major contribution, and an influential contribution, to this literature (see Margulis, 2003c, for a review). Moreover, Westin's (2003) empirical differentiation of the High-Privacy, Balanced-Privacy, and Limited-Privacy positions, which are another example of privacy preferences, has its counterpart in clearly three ideological positions on privacy that are at the heart of the contemporary debate about privacy.

The High-Privacy position is represented by what Lyon and Zureik (1996c) call the surveillance or surveillance theory perspective. Stating this perspective's core assumptions is problematic because the perspective may actually be a new social science discipline (Lyon & Zureik, 1996c) or it may just be an interest shared by certain scholars (G. T. Marx, personal communication, July 22, 2001). Nevertheless, for me, the surveillance perspective emphasizes surveillance (i.e., the changing nature of social control) as intentional, surreptitious, malevolent, and dystopic (Agre, 1994). It is also about real-time and close monitoring of people (e.g., Staples, 1997), about lack of trust, about the Foucauldian [??] idea of disciplinary practice (Lyon & Zureik, 1996c), about the use of personal information to authenticate identity, predict behavior, and make

decisions about how to treat people (Gandy, 1993), and it is about the counter-measures we use to protect our identity and undermine social control (e.g., Marx, 2003). One proposed goal of surveillance research is to understand the world in order to change it (Gandy, 1993). Surveillance, rather than privacy, is the starting point because surveillance provides a better vantage point for understanding the broader, and technological, forces shaping the modern world (Bennett, 1995). That is, surveillance threatens privacy and diminished privacy threatens autonomy and freedom. Proponents of this perspective seem to have ignored social-psychological studies of surveillance (e.g., Strickland, Barefoot, & Hockenstein, 1976; also Collins & Raven, 1969, who review studies on social power and surveillance). I personally believe this reflects the operation of disciplinary blinders. Bennett (1995) provides a scholarly introduction to the surveillance perspective.

The Balanced-Privacy position is represented by Westin (1967) and Etzioni (1999). Though we may think of surveillance as a contemporary issue, in 1967 Westin clearly articulated the costs, to individuals, groups, organizations, and governments, of threats to privacy and autonomy from increasingly sophisticated surveillance technologies (Westin, 1967, pp. 365-367). In response to this threat, Westin proposed a balanced-privacy position, which he based on his observation that "a deliberate concept of balancing competing interests was at the heart of American privacy law" (Westin, 1967, p. 369). "[A]ny process of balancing competing values ... [requires] a structured and rational weighing process, with definite criteria that [can be applied] in comparing the claims for disclosure or surveillance ...with the claims for privacy[,]" if privacy is to be protected (Westin, 1967, pp. 370). In other words, Westin's concern is building

"institutional and cultural barriers against the comprehensive monitoring of private life" (Bennett, 1995, p. 10). Westin (1967) has discussed the steps or bases for creating "a structured and rational weighing process" (pp. 370-377) and he has examined how these steps can achieve control of surveillance technology (pp. 377-384). Westin emphasizes the importance of both private responses (pp. 377-384) and governmental (executive, legislative, and judicial) responses. The five major private forces for establishing privacy norms in democratic societies are moral consciousness; scientific counter-measures, intra-organizational rules and decisions, private agreements, and professional ethical standards. Moral consciousness means that privacy norms and the public valuation of privacy are historically situated. We are currently in a period in which privacy norms are valued (cf. Westin, 2003; Etzioni, 1999, p. 188). Scientific counter-measures include technologies to protect the military, diplomats, and corporations against surveillance technologies. Although these technologies, then and now, have had limited impact on the average citizen, Marx (2003) and others (e.g., Jennings & Fena, 2000, on protecting against on-line security) discuss how citizens can and have protected themselves from surveillance. Intra-organizational restraints refer to organizational policies to limit surveillance in general and invasions of privacy of employees and, in investigative organizations, like newspapers, of investigative targets, such as public figures. (Also see Margulis, 2003b, on employer-employee privacy on electronic performance monitoring.) Private agreements include private contract, collective bargaining agreements, arbitration systems, and industry codes. For example, unions have used arbitration to successfully challenge employer television surveillance of assembly line workers at work (Westin, 1967, p. 382). In this regard, Westin (1967, p. 377) believed that legislation alone could

not contain surveillance although legislation might be suited to controlling extreme examples and to stimulating non-legislative forces to control surveillance, in part by providing them with the moral authority to act.

Etzioni's (1999) communitarianism compares the competing values of individual privacy and the common good, specifically, the community's interest in maintaining public safety and health. Etzioni's approach to limited-access privacy, his focus, is normative: Privacy is the societal realm in which we have a license to act without disclosure or accountability to others (Etzioni, 1999, p. 196). Although privacy is a necessary condition for a free society, hence valued, our favoring privacy over the common good has resulted in societal harm. Consequently, we require a new balance between privacy and the common good. To this end, Etzioni proposes four criteria for determining when privacy threatens the common good. Specifically, is individual privacy a threat to the common good? Can the threat be handled without restricting privacy? If not, can privacy restrictions be minimally intrusive and will steps be taken to treat undesirable effects of needed privacy-diminishing measures"? (Etzioni, 1999, p. 13).

A major disagreement between the surveillance and balanced-privacy perspectives is whether balancing privacy against corporate and governmental demands for information is a sufficient answer in an era of pervasive, often intrusive, demand for personal information and the use, misuse and abuse of collected information (Bennett, 1995).

Marx (1985) calls this the era of surveillance societies. At the very least, surveillance-theory advocates regard Westin as too optimistic about solving surveillance problems (e.g., Rule, McAdam, Stearns, & Uglow, 1980) because surveillance theorists

regard surveillance societies as malevolent and dystopic (Agre, 1994). Nevertheless, surveillance theorists also have addressed some of Westin's balancing-position issues: See Davies (1996) for a system to measure surveillance, in order to inform the public and government about threats to privacy, and see Marx (1999) for a trenchant analysis of criteria for "weighing" surveillance and threats to privacy – both of which complement Westin's analysis – but see Raab (1999) for a critique of the balance concept.

The Limited-Privacy position is often associated with libertarian critiques of government surveillance of citizens combined with an equally spirited defense of commercial intrusions into the privacy of individuals as consumers. See Singleton (1998) for an example.

References

The only full citations are to Margulis (1977a,b, 2003a, b, c). Most of the other citations in this reference list are from those five sources.

Agre (1994)
Allen (1988)
Alpert (2003)
Altman (1975)
Altman (1977)
Argyle, Henderson, and Furnham (1985)
Bennett (1995)
Berscheid (1977)
Chan (2000)
Collins & Raven (1969)
Crocker, Major, & Steele (1998)
Derlega & Chaiken (1977)
Derlega, Metts, Petronio, & Margulis (1993)
Derlega, Winstead, Greene, Serovich, and Elwood (2002)
DePaulo, Wetzel, Sternglanz, & Walker Wilson (2003)
Dias-Veizades, Widaman, Little, & Gibbs (1995)
Etzioni (1999)
Fijnaut & Marx (1995)
Ford and Beach (1951)
Gandy (1993)
Gilbert, Fiske, & Lindzey (1998)
Goffman (1961)
Goffman (1963)
Golan & Justa (1976)
Idehen (1997)
Ingham (1978)
Iwata (1988)
Jennings & Fena (2000)
Johnson (1974)
Kagehiro (1990)
Katz & Tassone (1990)
Kelvin (1973)
Kräemer (1995)
Klopfer and Rubenstein (1977)
Krebs & Davies (1993)
Kupritz (1998)
Laufer & Wolfe (1977)
Leary & Schreindorfer (1998)
Louis Harris & Associates (1990)
Lyon & Zureik (1996)

- Margulis (1977a) (Ed.). Privacy as a behavioral phenomenon. *Journal of Social Issues*, 33 (3).
- Margulis (1977b). Conceptions of privacy: Current status and next steps. *Journal of Social Issues*, 33 (3), 5-21.
- Margulis (1979)
- Margulis (2003a) (Ed.). Contemporary perspectives on privacy: Social, psychological, political. *Journal of Social Issues*, 59 (2).
- Margulis (2003b). Privacy as a social issue and behavioral concept. *Journal of Social Issues*, 59 (2), 243-262.
- Margulis (2003c). On the status and contribution of Westin's and Altman's theories of privacy. *Journal of Social Issues*, 59 (2), 411-430.
- Marx (2003)
- McWhirter (xxxx)
- Miller (1972).
- Moore (1984)
- Newell (1995)
- Newell (1998)
- Petronio (2002)
- Raab (1999)
- Rule, McAdam, Stearns, & Uglow (1980)
- Richelson (1995)
- Shaw & Costanzo (1970)
- Singleton (1998)
- Staples (1997)
- Stevens (2001)
- Stone and Stone (1990)
- Stone-Romero, Stone, & Hyatt (2003)
- Strickland, Barefoot, & Hockenstein (1976)
- Weary, Gleicher, & Marsh (1993)
- Westin (2003)
- Wolfe (1978)
- Worsley & Finighan (1977)
- Westin (1967)
- Wolfe & Laufer (1974)