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Personal Data: Changing Selves, Changing Privacies

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Abstract. We first use Medium Theory to develop the tension between print and digital media, i.e as contrasts between *literacy-print* and the *secondary orality* of contemporary online communication. Literacy-print facilitates high modern notions of *individual* selfhood requisite for democratic polities and norms, including equality and gender equality. By contrast, *secondary orality* correlates with more *relational* conceptions of selfhood, and thereby more hierarchical social structures. Recent empirical findings in Internet Studies, contemporary philosophical theory, Western virtue ethics and Confucian traditions elaborate these correlations, as do historical and contemporary practices and theories of "privacy." Specifically, traditional conceptions of the relational self render individual "privacy" into something solely negative: by contrast, high modern conceptions of autonomous individuals render individual privacy into a foundational positive good and right. Hence, the shift towards relational selves puts the conception of selfhood – at work in current EU efforts to bolster individual privacy – at risk.

Nonetheless, contemporary notions of "hybrid selves" (conjoining relational and individual selfhood) suggest ways of preserving individual autonomy. These notions are in play in Helen Nissenbaum's theory of privacy as contextual integrity [1] and in contemporary Norwegian cultural assumptions, norms, and privacy practices.

The implications of these transformations, recent theoretical developments, and contemporary cultural examples for emerging personal data ecosystems and user-centric frameworks for personal data management then become clear. These transformations *can increase* human agency and individual's control over personal data. But to do so further requires us to reinforce *literacy* and *print* as fostering the individual autonomy underlying modern democracy and equality norms.

Keywords. Relational selfhood, data privacy, literacy-print, medium theory, gender equality

Introduction

As the Yearbook call for papers makes exquisitely clear, our core notions of selfhood, privacy, and other rights affiliated with democratic processes, which have defined high modernity, are inextricably rooted in the "information infrastructure of the printed word". Or, as conceptualized in Medium Theory, these notions and practices are prime correlates of the communication technologies of *literacy* and *print*. What the call for papers identifies as a tension between print and digital computing systems is explored in Medium theory as the continuities and differences between the technologies of *literacy* and *print*, on the one hand, and on the other hand, the "secondary orality" (and secondary textuality) of "electronic media" – most especially including the multiple

forms of computer-mediated communication which increasingly form the mediated environments of our daily lives.

In Medium Theory as well, these technologies are affiliated with nothing less foundational than our core conceptions of selfhood and identity. Most briefly, the technologies of *literacy-print* correlate with high modern conceptions of the self as a primarily *individual* self – in Charles Taylor's terms, a "punctual" or radically disengaged self [2]. Such an individual self, understood as a *rational autonomy*, and the modern liberal democratic state seem non-accidentally suited to each other. By contrast, both *orality* and *secondary orality* correlate with more *relational* conceptions of selfhood.

We begin here with these correlations from Medium Theory as our first conceptual foundation (Section 1.1).[1] We then bolster these correlations – specifically, the predicted turn towards more relational conceptions of selfhood in the contemporary age of electronic media – by way of empirical findings drawn from Internet Studies (Section 1.2) and recent philosophical theories (Section 1.3).

As we unfold in Section 2, however, for all of their benefits and affordances, such relational selves tend to be highly dependent on social hierarchies and non-democratic forms of polity. Essentially, relational selves – as explored here in terms of both Western virtue ethics and Confucian traditions – thereby stand at odds with the high modern artefacts of democratic processes and norms, including equality and gender equality (Section 2.1).

More specifically, we will take up as the red thread and primary focus of our paper the implications of these modalities of communication and shifts in understanding of selfhood for our conceptions, expectations, and practices of "privacy."[2] Briefly, strongly individual conceptions of selfhood – emerging contemporaneously with the Enlightenment and in conjunction with literacy-print media – correlate with modern understandings of "privacy" as *individual* and as something inherently positive (with the status of being both desirable and a right). Indeed, individual privacy and affiliated rights – including current rights to personal data protection – are often argued to be foundational to modern democracies and norms.[3] *Par contra*, more relational selves are conceptually and historically correlated with conceptions of individual privacy as predominantly *negative* in moral and legal terms. The implications of this contrast for current EU efforts to protect individual privacy even more robustly are clear: the shift

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[1] We stress here *correlation* only. That is, an early – and well-justified – criticism of Medium Theory was that it fell too easily into a technological determinism, one that would claim, e.g., that literacy-print (inevitably) *caused* the emergence of strongly individual conceptions of selfhood and thereby democratic polities. In general, any such mono-causal claim must be immediately rejected: the emergence of both distinctive conceptions of selfhood and democratic polities entails a complex of contributing factors, beginning with the material realities of increasing wealth through industrialization that literally afford new possibilities for individual spaces and thus individual privacies previously available only to the very wealthy. Moreover, to state the obvious, correlation is not causation. Given these critical caveats, however, we take these correlations to be substantive and significant – sufficient to provide at least an initial framework for the analyses, questions, and reflections we seek to raise here. (See also footnote 7, below.)

[2] We will note below that "privacy," as discussed and conceptualized in Denmark and Norway in terms of *privatlivet* (private life) and *intimsfære* (intimate sphere), thereby invokes more relational understandings of selfhood, in contrast with strongly individual conceptions. It appears that more individual conceptions have historically defined privacy in European and U.S. traditions, but it is outside the scope of this paper to argue that point in detail. ([3, pp. 125–136], details central aspects of notions of privacy in a data protection context; for one illustration of the plurality of meanings that can be made to hinge on the term, cf. [4, Chapter 2].) Presuming the distinction holds, however, we then place "privacy" in quotation marks in order to signal this ambiguity.

[3] Cf. [5].

towards relational selves, as fostered by electronic media, is treated as a threat to the conception of selfhood at work in those efforts.

All is not lost, however. On the contrary, Section 1 introduces us to examples of hybrid selves – selves that conjoin both individual and relational emphases – beginning precisely with feminist notions of “relational autonomy” [6]. Moreover, we show there how Nissenbaum’s theory of privacy as contextual integrity [1] builds upon James Rachels’ conceptions of such a hybrid self – one that is relational while simultaneously maintaining a strong sense of individual agency and control [7]. Lastly, we argue that these more hybrid conceptions of selfhood and privacy are already in play in cultural assumptions, norms, and privacy practices exemplified by contemporary Norway (Section 2.2).

Taken together, then, these first two sections build what we argue to be a framework of empirical, conceptual, historical, cultural, and legal observations that are supplementary to one another in mutually reinforcing ways. This framework then prepares us to turn in the concluding section to the question: What are the implications of these transformations and new theoretical developments for emerging personal data ecosystems and user-centric (or, as we prefer, human-centric) frameworks for personal data management? Here we first argue that these developments *can* – and certainly *ought* to – work to *increase* human agency and control over personal data. Here we highlight Norway’s research ethics guidelines as an extant example which at least hints at what a more relational sense of selfhood and privacy ethics as developed by Nissenbaum would look like in practice. But second, we recall that the historical affiliation of relational selves with more hierarchical, if not frankly authoritarian social structures and practices, thus represent a potential challenge to classic modern notions of autonomous selves as foundational for democratic societies and norms, including equality and gender equality. Returning to Medium Theory, we argue that this risk thus sharpens the urgency of our careful choices regarding media usages. Specifically, Medium Theory would urge us to reinforce the facilities with *literacy* and *print* that foster the individual autonomy underlying modern democracy and equality norms, vis-à-vis our ever increasing use of electronic media.

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1. Changing Media, Changing Selves

1.1. Medium Theory

Medium Theory emerges with the work of Marshall McLuhan, Harold Innis, Elizabeth Eisenstein, and Walter Ong; more recent work, for example, by Naomi Baron [8] helps develop the applications of Medium Theory to contemporary electronic media – most notably, the multiple modalities of communication made possible by computer networks, including Internet-facilitated communication increasingly taken up through mobile devices (cf. [9]).

As elaborated more fully elsewhere [9], Medium Theory highlights a number of key differences between the communication modalities of *literacy-print* – i.e. the conjunction of literacy with the emergence of print-facilitated communication, ca. 1453 to present (e.g. [10]) – and those of electronic media, beginning with radio, film, and then TV. For our purposes, the most important of these differences is the notion of *secondary orality* affiliated with electronic media [11]. Medium Theory specifically

highlights how each of the communication modalities fosters specific sorts of selfhood and identity. Most briefly, *literacy-print* correlates with a (high) modern sense of *individual* selfhood – including the strongly rational and autonomous senses of selfhood affiliated with early modern philosophers such as John Locke and Immanuel Kant. By contrast, *secondary orality* – echoing the primary orality affiliated with earlier societies and cultures – fosters the (re-)emergence of more *relational* senses of selfhood and identity [9]. As we are about to see in a number of ways, such senses of identity and selfhood turn on the multiple *relationships* that are taken to define precisely who one is – e.g. the child of two particular parents, the sibling of a particular brother or sister, parent to particular children, and so on.

The key point here is that Medium Theory thus predicts that the shift from *literacy-print* to *secondary orality* will be accompanied by a shift from more individual towards more relational senses of selfhood. We can see that this is so in two important domains of scholarly inquiry, namely: Internet Studies and contemporary philosophy. We will see, in particular, that this shift further correlates with fundamental transformations in our understandings and practices of "privacy".

1.2. Internet Studies

The literatures of Internet Studies have demarcated this shift towards focusing on more relational senses of selfhood across a range of Internet-facilitated communication venues. As a first example: within the first decade of public access to Internet-facilitated communication, Barry Wellman and Caroline Haythornthwaite documented the rise of "the networked self." Such a self is recognizably individual; but at the same time, the networked self is defined precisely by the extensive webs of relationships facilitated and instantiated by the whole range of networked communications – ranging from email to participation in online communities and virtual worlds – that are thereby incorporated into one's sense of identity [12]. This notion of a networked self is now robust enough to justify, for example, arguments for radical revisions of modern notions of legal agency and responsibility – i.e. notions based precisely on more atomistic conceptions of selfhood ([13]; see [14, 118f.]).

These empirical findings are further coherent with the prevailing theoretical frameworks taken up in Internet Studies – namely, *social* theories of selfhood that emphasize the primary roles of diverse relationships in defining our sense of identity. These include Georg Simmel's notion of the "sociable self" [15,16] and G.H. Mead's "social theory of consciousness" [17, p. 171]. Perhaps most prominent in contemporary Internet Studies is Erving Goffman's notion of selfhood as enacting and performing the diversity of relationships that define such a self [18]. As both the theories and the studies based on these theories document (e.g. [19]), relational selfhood appears to be the primary affordance of contemporary digital technologies – most prominently, Social Networking Sites (SNS) that instantiate precisely the Goffmanian performative self, i.e. one that is focused on establishing and sustaining (through role-appropriate performance) the diverse networked relationships that define its identity and possibilities for agency. As we will explore below, whether or not such a self can retain the strong sense of individual identity and agency as established in high modernity emerges as a critical question.

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1.3. Contemporary Philosophy

1.3.1. Emerging Philosophical Conceptions

This question is further illuminated by recent philosophical work on online identities and their relationships to offline identities. On the one hand, some contemporary philosophical work reinforces more high modern notions of identity as unitary and consistent over time, in contrast especially with 1990s' emphases on postmodern conceptions of identity as multiple, fluid, and ephemeral [20]. On the other hand, a range of recent theoretical developments in feminism and Information and Computing Ethics emphasise relationality in various ways. These emerging understandings include C. Mackenzie [6] and others' work on "relational autonomy," Judith Simon's work on distributed epistemic responsibility [21], and Luciano Floridi's account of distributed morality and distributed responsibility [22]. More broadly, virtue ethics has re-emerged as a stance within moral theory during the last decades, not least by contrasting itself with approaches that have tended to take as their basic premise the individual as an entity considered in abstraction from defining relations like family and friends. (For a classic and influential argument to this effect, cf. [23]; cf. also [14]. We will explore this more fully below by way of Alasdair MacIntyre as a primary example.) Both individually and together, these accounts instantiate a shift towards more clearly relational understandings of ethical responsibility and agency – i.e. understandings appropriate to relational selves more than strongly (high modern) individual selves.

1.3.2. Nissenbaum's Theory of Privacy as Contextual Integrity

It seems quite clear that the emergence of modern notions of strongly individual senses of selfhood and moral agency correlate with high modern notions of *individual* privacy (e.g. [14, 62f.]). Broadly speaking, the rise of networked communications has issued in multiple efforts over the past several decades to develop robust law and procedures for protecting individual privacy by way of protecting personal data – what philosophers such as Herman Tavani (among others) identify as *informational privacy* [24, p. 136].

Perhaps the perspectives afforded by thinking in terms of personal data management (PDM) can help us begin to see more clearly how narrowly conceived issues of privacy constitute a fuzzy zone in a sea of widely differing relations. As the terms signify, PDM concerns *personal* data management, that is, the entire flow of data that together constitutes important dimensions of the individual's life. At the same time, however, the notion of PDM might be said to highlight, more starkly than talk of privacy, a particular challenge for any ethically responsible handling of personal information: it must find ways of dealing with all those settings where the information, and/or the identities to which the information contributes, are shared in defining relations. We here have occasion merely to note this issue without being able to suggest strategies for solving the dilemmas that follow from it.

Recent developments in European Union data privacy protections demarcate efforts to provide individuals with greater individual privacy in the form of individual data protection [25,26]. At the same time, however, the ongoing shifts towards more relational senses of selfhood immediately imply profound transformations in our expectations and practices regarding privacy. Most briefly, it is clear across a range of online behaviours – most especially in social networking sites – that we are witnessing a shift from an individual sense of privacy to what some have called "publicly private"

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and "privately public" senses of privacy, i.e. privacy as defined more for specified groups of either close- and/or weak-tie relationships [27].

Within philosophy, these shifts have inspired a number of efforts to reconceptualise privacy in ways more appropriate to more relational senses of selfhood. The most significant of these is Helen Nissenbaum's account of privacy as a matter of "contextual integrity". Nissenbaum develops a definition of privacy as a right to an "appropriate" flow of information as defined by a specific context [1, 107ff.]. Contexts here can refer to the marketplace, political life, education, and so on. *Within* a given context, a specific set of *informational norms* define the usual or expected flows of information.

What is striking – but not, to our knowledge, otherwise emphasised either by Nissenbaum or those we've seen take up her work, is that a core element in defining a context is what we have seen previously as the relational self. That is, Nissenbaum identifies three parameters as defining a given context, beginning with the *actors* involved. In addition, the attributes (types of information) and "transmission principles" of a context then determine "the constraints under which information flows" [1, p. 33]. Nissenbaum's example hints here at the *relationality* of the actors involved: she describes a fictive case of medical information shared between patients and their doctors. What she denotes as the patient – what we denote as the (agent as) patient[4] – expects this information, as highly personal and sensitive, to remain confidential. At the same time, the (agent as) patient recognizes that such information can be appropriately shared as needed with other medical professionals – in our terms, other (agents as) medical professionals. By contrast, were the (agent as) physician to sell such information to a marketing company – to follow the informational norms of the market – the (agent as) patient's expectations of appropriate information flow "would be breached" and "we would say that informational norms for the health care context had been violated" (*ibid*).

We use this slightly clumsy circumlocution of (agent as) patient, etc. in order to highlight what Nissenbaum makes more explicit elsewhere: namely, in her understanding of the *actors* who define a given context, Nissenbaum assumes a strongly relational sense of selfhood – one defined by the wide range of relationships and thereby roles that we take up with one another. This becomes clearest as Nissenbaum invokes the earlier work of James Rachels, who first of all highlights the connection between given *roles* – "businessman to employee, minister to congregant, doctor to patient, husband to wife, parent to child, and so on" – and specific expectations regarding privacy ([7, p. 328], cited in [1, pp. 65, 123]). In addition, in his account of privacy, Rachels articulates a close connection between our *agency* and our *relationality*: "there is a close connection between our *ability to control* who has access to us and to information about us, and our *ability to create and maintain different sorts of social relationships* with different people" ([7, p. 326], cited in [1, p. 65]; emphasis added, CE, HF).

Again, as we read them, neither Rachels nor Nissenbaum explicitly identifies their understandings of human identity in terms of *relational* selfhood. But Rachels clearly highlights our social relationships as critical to defining privacy: in doing so, he equally clearly points to the relational or social selfhood we recognize from Mead, Simmel, and Goffman, for example. So it seems safe to say that Nissenbaum's account of pri-

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[4] We use the formulations "the (agent as) patient" and "(agent as) physician" etc. in order to highlight how a singular self, capable of choice and agency, at the same time is highly relational, precisely as it takes up and interacts with others along the lines defined by specific social roles.

vacy as contextual integrity – where contexts are defined first of all in terms of *actors* and their roles – and thereby on Rachel's explication of social relationships, is highly appropriate to the relational sense of selfhood we have seen come to the forefront in the age of networked communications. At the same time, Rachel's account of the relational self highlights the agency of the individual involved in creating and sustaining the diverse relationships contributing to one' sense of identity; it further emphasizes this agency in terms of the interest in *controlling* one's information within a given context. This suggests a "hybrid" self – one that is both individual and relational.

Indeed, we can note here that such a hybrid self is precisely what at least one contemporary researcher has documented to be at work in the communicative processes of a prominent Danish blogger and her audience. As we saw above, Stine Lomborg is an example of contemporary researchers who draw on theories of selfhood as relational and social – in her case, the work of Georg Simmel. Moreover, in her empirical analyses of the communication between the author of *Huskebloggen* and her readers, Lomborg describes a process of negotiation that recognizes the boundaries of *individual* privacy in conjunction with the creation of a shared "personal space", which is neither fully individual nor fully public, but squarely relational [19]. As we will see below, this analysis of privacy in the Danish context holds further interest in that the primary concepts and language for "privacy" in play here – namely, *privatlivet* and *intimsfære* – are fully relational terms. In both Danish and Norwegian, *privatlivet* – "private life" – connotes not only the life of a given individual, but a *social* private life constituted precisely by one's close family, friends, and other close relationships. Similarly, *intimsfære* – "intimate sphere" – demarcates precisely the shared space that is neither fully individual nor fully public, but is typically articulated on the close relationships contributing so profoundly to one's individual sense of identity.

We will argue more fully below for this affiliation between these individual-relational senses of selfhood and identity and the sense of the "individual agent as relational" that we see at work in Rachels' and thereby Nissenbaum's account of privacy.

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2. Future Selves, Privacies, Data Controls?

What are the implications, in both theory and practice, of these foundational transformations for more relational conceptions of selfhood and privacy – especially for our emerging conceptions of how human beings may appropriately exercise agency and control over their personal data?

In this section, we develop further background for broadly addressing this question by first reviewing the implications of relational selfhood for our social and political practices (Section 2.1). Here we draw primarily on the work of communitarian and virtue ethicist Alasdair Macintyre to show the ways in which relational selves – as Medium Theory initially makes clear – can tend to correlate with non-democratic social structures and practices. This point is reiterated in a brief discussion of the relational self in Confucian traditions. Both examples thus highlight the risks to (high) modern commitments to democratic processes and norms, including basic norms of equality and gender equality, that emerge alongside the rise of the relational self as fostered by contemporary electronic media.

We then turn to Norway as a possible example of how relational selfhood may remain inextricably interwoven with solidly high modern individual notions of selfhood

(Section 2.2). This becomes apparent with the ways in which "privacy"[5] is conceptualized and discussed – namely in the terms of *privatlivet* and *intimsfære*. Moreover, the law and practice of research ethics in Norway provides an example of how such individual-relational privacy can be conceptualized as an object of protection. Finally, contemporary Norway offers a concrete instance of how the anti-democratic potentials of more relational selves can indeed be avoided in practice – at least given specific *media choices*.

2.1. The Risks of Relational Selfhood: MacIntyre

We have seen how our sensibilities, practices, expectations, and performances – most especially online and most especially with regard to privacy – demarcate a shift towards more relational senses of selfhood and identity in multiple ways. Here we emphasize that such selves are thereby far more dependent upon their networks of relationships, first of all to define their own identity. It is no surprise to discover then, that historically such selves are at home in social and political structures marked by hierarchy and the non-democratic exercise of power.

As we have now seen, in multiple ways and contexts, relational selves are selves that exist and are defined through the relations into which they enter. The functioning and identity of such a self are inherently co-determined by these inter-individual relationships. Several desirable qualities can be attributed to such a state of affairs. A tendency to promote harmonious social practices is one of the central assets associated with it: if the self already has others as parts of itself, and is part of those others, the potential for social conflict is reduced as compared to settings where more atomistic selves are in play.

However, there are attributes which are sometimes seen as intimately related to such relational harmoniousness, but are not for that reason considered desirable in themselves. One family of claims, which is often brought up in the discussions of relational selves, amounts to a criticism of its anti-democratic tendency. Two main expressions of this tendency, putatively inherent to relational selves, are the existence of rigid social hierarchies and a risk of overt corruption or nepotism.

Hierarchical structures, it is claimed, tend to correlate with relational selves because their relational status entails dependence and a corresponding recognition of dependence. While this dependence might, in the abstract, be thought of in the form of interdependence, that is, a mutual recognition of community, in practice differences in resources and power may lead to a social system where only a few rule, but all see themselves as obliged to respect the decisions of those in power.

Nepotism and downright corruption can easily follow from this state of affairs, because the perspective of those in power is not gainsaid, but respected by all. The claim is thus not (or at least not primarily) that the ones wielding power are corrupted in the sense of developing egotistical motives because they are in a position to do so, but that their perspective comes to be treated as representing everyone in spite of the fact that the majority of individuals involved have not even voiced their opinion. The corruption consists in the ones in power illegitimately taking their own perspectives (which will tend to support their own sense of values, need, and self-worth) to be the voice of reason *tout court*.

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[5] See footnote 1, above.

But let us be more concrete. This potential shortcoming, suspected of being inherent to relational selves and to the corresponding social realities, has been remarked upon in very different contexts. Among other things, the tendencies in question have been said to inhere in Confucianism and in Communitarianism. As these two schools of thought are also representative of, respectively, Eastern and Western traditions, they constitute a fruitful pair with which to start diagnosing and evaluating the nature of the claims made.

If one had to choose a *Grundschrift* for Communitarianism, the main contender would probably be Alasdair MacIntyre's *After Virtue: A Study in Moral Theory*, first published in 1981. Not least the concept of a tradition which he expounds, and which has been highly influential in Communitarianism more generally, is of interest in detecting elements that can be (and have been) the subjects of attacks on the counts spelled out above. At the same time, since MacIntyre's framework forms part of and has been important to the development of some strands of virtue ethics, this analysis brings out a relational potential in much virtue ethics as well.

MacIntyre introduces his notion of a tradition in the context of expounding the narrative self, which is also a self where "the story of my life is always embedded in the story of those communities from which I derive my identity" [28, p. 221]. To MacIntyre, the self is constituted in its very core by specific types of relationships. This also means that each of us approaches the specifics of our lives:

> as bearers of a particular social identity. I am someone's son or daughter, someone else's cousin or uncle; I am a citizen of this or that city, a member of this or that guild or profession; I belong to this clan, that tribe, this nation. Hence what is good for me has to be good for one who inhabits these roles [28, p. 220].

The import of the multi-relational identity explained by MacIntyre is perhaps clearest in his discussion of *practices*.[6] In order to qualify as a practice, a set of interrelated activities has to possess a high degree of complexity, and doing well in those activities has to be an achievement requiring long and manifold training. To give an idea of the sort of requirements and potentials involved, MacIntyre's first examples of practices are football, chess, architecture, farming, physics, chemistry, biology, the work of the historian, painting, and music [28, p. 187].

Now part of the trick for the individual being socialized into such a practice, which to MacIntyre is the place where virtue can be developed and sustained as those human qualities required to obtain the goods internal to the practice, is to reach a point where the practice ceases to be merely a means, and acquires the status of an end for that person. Given the complexity of a practice, this is the only way to obtain its goods, as an absence of such understanding excludes one from the sort of effort required to realise virtue, or even to see those goods properly.

What is most interesting for our purposes is the fact that, in order to make oneself part of a practice in this way, one has to *submit* to it:

> A practice involves standards of excellence and obedience to rules as well as the achievement of goods. To enter into a practice is to accept the authority of those standards and the inadequacy of my own performance as judged by them. It is to subject my own attitudes,

[6] MacIntyre defines a practice as "any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended" [28, p. 187].

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> choices, preferences and tastes to the standards which currently and partially define the practice [28, p. 190].

To temper the perhaps even totalitarian impression one might get from the above formulations, MacIntyre adds:

> Practices, of course […], have a history: games, sciences and arts all have histories. Thus the standards themselves are not immune from criticism, but nonetheless we cannot be initiated into a practice without accepting the authority of the best standards realized so far [28, p. 190].

Now such submission must importantly include submission to individuals deemed authoritative by those already part of the practice. In other words, the very logic of the thing includes reference to a hierarchical system where some get to decide what counts as the better way of carrying out the practice. And while one might submit that, as one progresses, one develops a sense of judgement for the products and goods of the practice, it remains true that the entire undertaking is built on inequalities and quiescent submission. Furthermore, one's mindset is attuned to such hierarchical thinking and judgment as a premise for even getting started, and for one's entire advancement in the practice. And correspondingly, as one reaches the upper echelons of the practice, one has already been taught in no uncertain terms (in fact: in practice) that this is where authority resides. There can be little doubt – whether we confine ourselves to the argument or look to real-life instantiations of practices – that the risk of hierarchical structures and mindsets bearing fruits of corruption is a real one.

It definitely bears notice that this stern view of the relation between tradition and the individual talent is not MacIntyre's invention. Its perhaps greatest influence has been through hermeneutics, itself a tradition of enormous importance to the last couple of generations' academic work and self-understanding in the west. Hans-Georg Gadamer's *magnus opus* (originally published in 1960), *Truth and Method*, proffers a similar understanding of understanding (as has been pointed out by, e.g. Jürgen Habermas). In a passage clearly echoed by MacIntyre, Gadamer writes that

> Admittedly, it is primarily persons that have authority; but the authority of persons is ultimately based not on the subjection and abdication of reason but on an act of acknowledgement and knowledge—the knowledge, namely, that the other is superior to oneself in judgment and insight and that for this reason his judgment takes precedence – i.e. it has a priority over one's own. […] It is true that authority implies the capacity to command and be obeyed. But this proceeds only from the authority that a person has. Even the anonymous and impersonal authority of a superior which derives from his office is not ultimately based on this hierarchy, but is what makes it possible [29, p. 281].

Characterising the claims of such authority as being in principle discoverable as true, Gadamer adds that this "is the essence of the authority claimed by the teacher, the superior, the expert" [29, p. 281]. Undermining the Enlightenment stance as one which has set up a false dichotomy between tradition and reason is one of Gadamer's main ambitions with the book. In ethics as in other fields, tradition is nothing less than the ground of its validity [29, p. 282]. And so for Gadamer, no less than for MacIntyre, submission to the authority of tradition, as incorporated in other individuals and expressed (in a well-functioning system) through their positions as well as their activities, becomes the only way to learn, to cultivate oneself, to belong to a field, and of course to reach a position of authority in it.

Similar criticism has often been voiced against Confucianism. One expert on Confucian tradition and scholarship, citing a host of scholars, states that "[t]he common

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view […] is that rights do not find a congenial home in Confucianism because of its emphasis on community" [30, p. 32]. And while his own more recent work modifies this picture by bringing in a qualification in the form of "the *germ* of an argument in the idea that the common good is sustained by recognition of a duty to speak" [30, p. 36], this does nothing to alter the basic tendency to see in Confucianism's advocacy of respect for elders and figures of authority also the germ of anti-democratic, hierarchic thinking and practice. In particular, this means, as the Confucian scholar Mary Bockover has summarised, "Western values of free expression, *equality* and free trade as well as the idea of *personal and political autonomy* are incompatible with Confucian values" ([31, p. 170]; cited in [32, p. 168]; emphasis added, CE, HN; see [33, pp. 94–97]).

Our intention here is not to criticise "Eastern" or "Western" conceptions and practices. Rather, these observations bring us to a core point: what does "privacy" mean for such relational selves? Most briefly: just as relational selves appear to challenge high modern commitments to individual autonomy, equality, and democratic processes – so such selves stand completely opposed to high modern conceptions of individual privacy as a positive good. As we have seen, it is just such individual privacy that current EU regulations are at pains to protect. By contrast, however, in societies constituted by relational selves, such individual privacy is understood solely in negative terms. For example, until recently in China – reflecting at least in part a strong Confucian tradition rooted in relational selfhood [34, 25ff.] – "privacy" (*yinsi*) was defined as something bad or hidden [35]. This is not surprising: if our sense of selfhood and identity is defined and enhanced by our multiple relationships; we would, it would seem, only seek solitude if we indeed had something to hide.

By contrast, we have seen above that more familiar notions of individual privacy as a positive good arise in conjunction with high modern notions of individual, autonomous selves (cf. [36]).[7] In this light then, it is no surprise that contemporary practices and expectations of "privacy" in online networked environments demonstrate the shifts we have noted away from strongly individual toward more "publicly private/privately public" notions [27]. Especially where individual privacy is a defining concept and value of modern democracies, then its potential loss in our shift towards more relational selves may be in lockstep with a threat to affiliated democratic norms and values, including basic commitments to equality.

Happily, however, we do not think that these shifts must inevitably end in such losses. On the contrary, we will now argue – by way of the example of Norway – that our futures can include hybrid selves which, as they conjoin individual with relational senses of selfhood, can thereby sustain high modern ethical norms and political commitments.

2.2. Example: Norway

Norway stands as something of a middle ground between what may otherwise appear as opposite poles. That is, Norwegian culture and society have long fostered a sense of

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[7] This is of course not to say that privacy, seen as something positive, and Modern atomistic individuality logically imply each other. As one of our reviewers pointed out, certain religious practices for example, might include positive evaluations of privacy without the selves involved being atomistically Modern. And correspondingly, at least in theory, we can imagine a thoroughly Modern self with no eye for privacy. However, the general trend, both historically and conceptually, seems to have been their co-production and coordination.

individual selfhood that is at the same time resolutely relational. In doing so, Norway appears to succeed in sustaining high modern conceptions of individual identity, privacy, equality, and democracy alongside conceptions of more relational identity.

This is apparent first of all in the ways "privacy" is conceptualized, discussed, and regulated. To begin with, individual privacy, as an exclusively *individual* concern and right, is certainly understood and protected. Norway is not a member of the European Union, and the suggested national implementation of the EU's Directive 2006/24/EC occasioned a heated and critical public debate about the prolonged storing of personal information. The directive was none the less passed by the Norwegian Parliament. The Norwegian NDP (Data Protection Agency) Director has, on the other hand, expressed sympathy for the notion of a "right to be forgotten" that has come into play in the now ongoing debate about a new European data protection regulation.

At the same time, however, "privacy" is discussed and understood partly in terms of *privatlivet* (private life) and sometimes the *intimsfære* (the intimate sphere) – meaning, the sphere of close relationships critical to an individual's own identity and personhood. These terms and concepts thus closely echo and reinforce the analysis of *privatlivet* and *intimsfære* we saw in the Danish example [19]. As a reminder, these concepts represent precisely the conjunction of the individual and relational selves, including the correlative practices of holding together respect for individual privacy in conjunction with shared or personal spaces (online and off) that are neither purely individual nor purely public.

This conjunction of individual with relational emphases of selfhood can further be discerned in the justifications given for Article 100 of the Norwegian Constitution – an Article that introduced dramatically expanded (high modern) rights to freedom of expression and freedom of speech. One of the primary arguments offered here turns on the principle of autonomy, defined as "the individual's freedom to form opinions…" – a freedom further based on a concept of a "mature human being":

> This is neither the collectivist concept of the individual, which states that the individual is subordinate to the community, nor the individualistic view, which states that regard for the individual takes precedence over regard for the community. The conception of "the mature human being" can be said to embody a third standpoint which transcends the other two and assumes that a certain competence (socialization or education) is required in order to function as an autonomous individual in the open society [37, p. 18].

Such a mature human being, we suggest, is thereby at least in part an individual-relational self.

Secondly, these conceptions appear to underpin extant research ethics guidelines. Consider the heading of § 13 of the Norwegian *Guidelines for research ethics in the social sciences, law and the humanities*: "The obligation to respect individual's privacy [*privatliv*] and close relationships" [38, p. 17]. Seen in this light, this Norwegian research code seems to imply that researchers are obliged to protect the privacy and confidentiality of not simply their *individual* research subjects, but also the privacy and confidentiality of their close relationships – the relationships that help constitute *privatlivet*. A concern with a level transcending the individual as ethically central might also be gleaned from the same guidelines' § 22, "Respect for vulnerable groups", which singles out groups in addition to persons in stating that "[v]ulnerable and disadvantaged individuals and groups will not always be equipped to defend their own interests" [38, p. 22].

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In slightly different terms, we can see here an example of what Nissenbaum's account of privacy as contextual integrity might "look like" in practice. That is, the NESH guidelines appear to address the core importance of the individual-relational self, maintaining control over information flows within a close circle of relationships (recall [7]). In any event, while there is generally a gap between theory and practice, both of these ethical requirements are of interest mainly because they articulate theoretical descriptions of how ethical practices tend to work – as it were, in practice – whenever relationality is acknowledged to form a mainspring for them.

In considering the Norwegian example, we would further suggest that the emphasis on relationality apparent in the ways outlined above is balanced by exceptionally strong commitments to individualism and the equality of individuals. As a basis for social interaction, the notion of a basic equality, irrespective of (centrally) class, income, or gender, has rather strong foothold on much of the population. This is not of course to say that Norwegians are egalitarians through and through, or that they are so in a systematic or rationally coherent manner. It is to say, however, that the equality of individuals is apparent in a striking range of ways. As a primary example, consider Norway's GINI coefficient. The GINI coefficient demarcates distribution of wealth and income within a society: a GINI coefficient of 0 would mean perfect equality, while a GINI coefficient of 100 would mean complete inequality. The GINI coefficient for Norway is 25 – the third lowest in the world (alongside Denmark and Slovenia: [39, p. 80f.]) Moreover, Norway is "considered to be one of the most gender equal countries in the world" ([40], http://www.gender.no/Policies_tools).

Finally, these concepts and practices are strongly coherent with what Medium Theory would predict. That is, in media terms, Norway represents a very strong balance of literacy-print and digital technologies. For example, Norway has one of the highest literacy rates in the world – including very high production and consumption of print media such as newspapers and books. For example, UNESCO reports that newspaper circulation in the United States in 2004 averaged 193 per 1000 inhabitants;[8] in the same year, the average circulation in Norway was 516 per 1000 inhabitants.[9] At the same time, the use of digital media in Norway – supported for decades by strong state investment in infrastructure, etc. – is also among the highest in the world. For example, Internet penetration is measured at 97.2%, second only to Iceland (97.8%); by comparison, the U.S. – despite being the birthplace of the Internet – is ranked 27th in the world with 78.3%.[10]

To be sure, there are many other cultural, historical, and political factors that make these accomplishments possible. But our central point is that the Norwegian example suggests the possibility of holding together the communication technologies of literacy-print and the secondary orality-textuality of electronic media – alongside notions of selfhood that are resolutely individual *and* intrinsically relational – with the legal and political correlates of individual and close-relationship privacy protections and ongoing commitments to high modern understandings of democratic processes and the norms of equality and gender equality.

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[8] http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=124&IF_Language=eng&BR_Country=8400&BR_Region=40500

[9] http://stats.uis.unesco.org/unesco/TableViewer/document.aspx?ReportId=124&IF_Language=eng&BR_Country=5780&BR_Region=40500

[10] http://www.internetworldstats.com/top25.htm

3. Concluding Remarks

3.1. Implications for Human-Centric Frameworks for Personal Data Management?

Given that the Norwegian example indeed instantiates a notion of an individual-relational self, one that is thereby closely attuned to Nissenbaum's theory of "privacy" – it thereby provides an initial sketch of what our control over personal data might look like in the years to come.

To begin with, the primarily *individual* notions of selfhood, agency and privacy, affiliated with high modernity and strongly protected within current and pending EU guidelines, need not disappear as we shift towards more relational selves. To be clear: we do not believe that the risks of such a loss – and thereby, affiliated losses of democratic rights and norms, including equality and gender equality – should be minimized. Nonetheless, in Rachels' and Nissenbaum's theory of privacy, Lomborg's analysis of online negotiation processes, and the exemplified Norwegian conceptions of and codes for protecting *privatlivet* and the *intimsfære*, we see notions of relationality that retain an emphasis on individual agency in the control of one's information, precisely as that information is shared within specified contexts defined by specific relationships. Again, such agency – as rooted in high modern notions of autonomy intertwined with *literacy-print* – cannot be assumed or taken for granted, most especially in the face of ubiquitous pressures to render everything digital in an increasingly hyperconnected "onlife" world [43]. Nor, we would argue, should we let efforts made in good-faith to protect individual privacy in more instrumental ways – e.g. "privacy by design" (http://privacybydesign.ca/) – allow us to become complacent in the assumption that technological design coupled with carefully crafted regulations will be sufficient to protect individual privacy. Rather, alongside such important initiatives and projects, *becoming* a relational self that simultaneously maintains individual agency and control over privacy and *privatlivet* requires both individual initiative and nothing less than the intentional and sustained support of the wider society. This is made clear precisely in the Norwegian example, whose account of "the mature human being" is exactly that of an autonomy inextricably interwoven with larger social communities and infrastructures, including those of education.

3.2. Implications for Choices Concerning Our Media Usage?

Indeed, both Medium Theory and the Norwegian examples make clear that our future – in terms of our identities, our privacies and private lives, and our polities – will, in no small measure, turn on choices we make regarding media usage and media literacies. Medium Theory highlights the correlations between *literacy-print,* high modern conceptions of individual selfhood and privacy expectations, and high modern emphases on democratic processes and norms, including equality and gender equality, on the one hand, and, on the other, *secondary orality* and a relational self at home in hierarchical, if not authoritarian, structures and regimes. In this light, if we aim to sustain and enhance a high modern understanding of selfhood, privacies, and democratic norms and processes, we would thus be well served to preserve and foster the communicative skills and abilities affiliated with literacy-print. Doing so, as we have seen in the Norwegian example, is compatible with developing a hybrid self that conjoins strongly individual notions of agency and autonomy with more relational sensibilities. Failure to

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do so, however, especially in the face of multiple pressures to further develop and expand "digital literacies" – i.e. the abilities and skills affiliated primarily with electronic media and thus secondary orality – would seem to include a risk of turning our future away from the balances and equalities required for democratic norms and practices, towards more hierarchical and potentially more authoritarian social structures and regimes.

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