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# DECONSTRUCTING THE PRIVACY NARRATIVE: SOCIAL MEDIA, SURVEILLANCE AND NORMATIVE ETHICS

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## Deconstructing the Privacy Narrative: Social Media, Surveillance and Normative Ethics

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Investigative journalist Glen Greenwald's recent revelations about the US government's monitoring of its citizens' email and telecommunications traffic have generated a great deal of outrage and disillusionment. Based upon reportage by Greenwald's fellow journalists, and opinion polling data, the public takes extreme exception to what they regard as unjustified invasions into the privacy of ordinary citizens. Counterarguments referencing the ubiquity of social media seem spectacularly unpersuasive, as evidenced by the absence of a discernible decrease in the use of Facebook, Twitter and other social media since Greenwald's reporting made Edward Snowden one of the world's most famous (or infamous) names.

There appears to be a difference between how Americans regard the use of private information acquired by the organs of commerce and that acquired by the organs of the state. This paper posits that the bright lines the public seem willing to draw between private information as marketing data, private information as national security data, and private information for the purposes of enforcing normative ethics criteria (e.g., drug and genetic testing in athletics) are for the most part imaginary. The voluntary submission of privacy information to Facebook, for example, permits a sense of control that is clearly not present when the government monitors phone calls or reads its citizens' emails. But control is quite different from a "sense of control." Facebook's privacy policies are "opt-out," meaning that the company's default privacy settings offer essentially no privacy whatever. Furthermore, Facebook's relationship to what historian, author and former US Army officer Andrew Bacevich has termed the "national security state" remains a matter of dispute.

Facebook is not unique in this regard, but its overwhelming popularity — despite a relationship to privacy issues that may seem to fall somewhere between cavalier and exploitative — affords a line of inquiry into a meta-narrative that distinguishes not between governmental and non-governmental data acquisition protocols, but between private citizens and celebrities. It is a generally accepted premise, in the US at least, that celebrities have a much lower expectation of privacy (at a level approaching zero) than does the general public. And one of the great attractions of social media is they offer users the ability to manufacture their own celebrity — a scenario anticipated with

extraordinary prescience by Andy Warhol in his legendary “fifteen minutes of fame” aphorism.

The broad acceptance of diminished privacy expectations for celebrities also provides insight into an almost universal acceptance of incursions into the privacy of athletes. There is an ongoing debate among journalists, commentators, and scholars of sports ethics and bioethics about whether performance enhancing drugs should be allowed or not, but blood and urine testing as invasions of privacy are rarely terms in the debate. So, regardless of what such individuals might think of the merits of the test results, the practice itself is a given. This makes it hardly surprising that genetic testing, an inevitable next step, is now well established in Olympic sports when someone is suspected of “gender fraud,” as in the case of South African runner Caster Semenya, whose victory in the 800 meters at the 2008 Summer Olympics was suspended until genetic testing could verify that she was “authentically” female.

The privacy concerns that have caused such consternation in American society are of course long-standing facts of life elsewhere in the world. If, however, the current global conversation on such matters is to have enduring merit, it will be necessary to interrogate the ways in which national security data, marketing data, and the biotechnological enforcement of ethical norms are similar, rather than how they are different.