Chapter 1: Privacy

Discussion case #1

Maria is a college student with an Instagram account with about 200 followers, consisting mostly of friends and classmates. Her account is flagged as "private," which means that she has to approve people before they can see her posts. She posts a heartfelt story about ending a long-term relationship with her boyfriend, Curtis, including a few vague but emotionally intense reflections on how hurt she was by his actions. She does not name Curtis, but her friends and many mutual classmates know who he is without any ambiguity.

One of her followers, Adam, takes a screenshot of the story and posts it (with some commentary and editorialization) to his TikTok account (without any privacy settings enabled), where it quickly gains traction. Within days, the post has been shared thousands of times, and Curtis starts receiving hateful messages from strangers online.

Maria didn't intend for her post to leave her circle of friends, and she is shocked by the viral spread. Curtis accuses her of defamation and emotional harm. Adam claims that he had a free-speech right to re-post the story and that if Maria didn't want the story to get out, she shouldn't have posted online in the first place.

1. Was the privacy of Curtis or Maria, or both, violated? If so, by whom?

2. Is there any truth to Adam's claim that Maria shouldn't have expected her privacy to be respected, since she posted?

3. To what extent, if at all, should people be held morally responsible for content that they didn't create but merely re-posted?

Discussion case #2

Consider a large political protest in a major North American city: thousands of people gather peacefully to march and demonstrate their support for some cause. Among them is Scott, a college student who shares real-time updates on his public X account, tagging his location and using popular protest hashtags. He also uses a fitness-tracking app that automatically stores location data about his walking route in the cloud.

A week later, a data analytics company publishes an interactive map showing the movements of protesters based on anonymized mobile data. No names are included, but the information is detailed enough that some journalists and social-media users can sift through tweets, posts on other sites, and location data to identify individuals, including Scott, using a process akin to data mining.

Scott soon receives messages from people who disagree with the protest, including threats. He also learns that a potential employer found his location data online and called him out on his political views.

1. What would the RALC model of privacy say about this case?

2. Is it morally permissible to use data mining in such a case?

3. Is there anything wrong with the way X or data miners are treating Scott?