

Benedict Rumbold and James Wilson

## Background

This graduate level seminar examines the right to privacy. It is often claimed that privacy is now under threat as never before: Facebook and Google each hold, and seek to exploit for commercial advantage, detailed profile information on well over a billion persons. But things are a little less clear-cut than they seem: Google designs algorithms to place adverts based on a statistical model about the browsing habits associated with a particular account. There may be no human individual who is able to see what you have been searching for. Is your privacy breached by such an algorithm, and if so, why? We will begin by looking at some classic philosophical work on the right to privacy. We then turn to questions of privacy and information control in healthcare, focusing particularly on the challenges that “big data” creates for traditional ideas of consent and anonymisation, and how to balance the potential benefits of big data (such as massively accelerated medical research, and significantly improved ability to detect and control infectious disease outbreaks), against risks to privacy.

Each week we will read and discuss a key paper on privacy. The first half of the course discusses some core philosophical aspects of the right to privacy, while the second half focuses on privacy issues related to big data. It is run by Benedict Rumbold and James Wilson, and meets on Mondays 11-1pm in the first floor seminar room, Philosophy Department, 19 Gordon Square, UCL. The module is assessed by one 4500 word essay, to be submitted on 11 January 2016. The organisers would be happy for those involved with the i-sense project to attend some or all of the seminars without submitting an essay.

### Part One: The Philosophy of Privacy

#### 1. **5th October.** Thomson and the redundancy approach to privacy

Thomson, J. J. (1975). The right to privacy. *Philosophy & Public Affairs*, 4 (4): 295-314.

Scanlon, T. (1975). Thomson on privacy. *Philosophy & Public Affairs*, 4 (4): 315-322.

#### 2. **12th October.** Moore, A. (2003). “Privacy: Its Meaning and Value,” *American Philosophical Quarterly* 40: 215-227.

#### 3. **19th October.** Marmor, Andrei (2015). "What Is the Right to Privacy?" *Philosophy & Public Affairs* 43(1): 3-26.

#### 4. **26th October.** Blaauw, M. (2013). The epistemic account of privacy. *Episteme*, 10(02), 167-177.

#### 5. **2nd November.** Nagel, T. (1998). “Concealment and Exposure,” *Philosophy and Public Affairs* 27

### Part Two, Big data, privacy and consent

#### 6. **16th November.** Reiman, Jeffrey H. (1995). "Driving to the panopticon: A philosophical exploration of the risks to privacy posed by the highway technology of the future." *Santa Clara Computer & High Technology Law Journal* 11: 27ff.

7. **23rd November.** Barocas S. and Nissenbaum H. (2014). "Big Data's End Run Around Anonymity and Consent", in Lane, J., Stodden, V., Bender, S., & Nissenbaum, H. (Eds.). (2014). *Privacy, big data, and the public good: Frameworks for engagement*. Cambridge University Press.

8. **30th November.** Tavani, Herman T. (2007). Philosophical theories of privacy: Implications for an adequate online privacy policy. *Metaphilosophy* 38(1):1–22.

9. **7th December.** Nissenbaum, H. (2011). A contextual approach to privacy online. *Daedalus*,140(4), 32-48.

10. **14th December.** Manson, N. and O'Neill, O. (2007). *Rethinking Informed Consent in Bioethics*.

Chapter 5 - Informational privacy and data protection pp. 97-129

#### Background readings

Allen, Anita, "Privacy and Medicine", *The Stanford Encyclopedia of Philosophy* (Fall 2015 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/fall2015/entries/privacy-medicine/>>.

Arneson, Richard (2000). Egalitarian Justice versus the Right to Privacy? *Social Philosophy and Policy* 17 (02):91-.

Draeger, John. "What Peeping Tom Did Wrong." *Ethical theory and moral practice* 14.1 (2011): 41-49.

DeCew, Judith, "Privacy", *The Stanford Encyclopedia of Philosophy* (Spring 2015 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/spr2015/entries/privacy/>>.

van den Hoven, Jeroen, Blaauw, Martijn, Pieters, Wolter and Warnier, Martijn, "Privacy and Information Technology", *The Stanford Encyclopedia of Philosophy* (Winter 2014 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/win2014/entries/it-privacy/>>.

Parent, W. A. (1983). Privacy, morality, and the law. *Philosophy & Public Affairs*, 269-288.

Rachels, J. (1975). Why privacy is important. *Philosophy & Public Affairs*, 323-333.

Reiman, J. H. (1976). Privacy, intimacy, and personhood. *Philosophy & Public Affairs*, 26-44.

Schoeman, F. (1984). Privacy: philosophical dimensions. *American Philosophical Quarterly*, 199-213.

Solove, Daniel J. "A taxonomy of privacy." *University of Pennsylvania law review* (2006): 477-564.

Tavani, "genomic research and data-mining technology: implications for personal privacy and consent", *Ethics and information technology*

Warren, S. D., & Brandeis, L. D. (1890). The right to privacy. *Harvard law review*, 193-220.