SELF-DETERMINATION AND INFORMATION PRIVACY: A PLOTINIAN VIRTUE ETHICS APPROACH

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Introduction

The emergence of advanced mobile technology, social networking and sophisticated ICT surveillance tools leads to a philosophical reconsideration of our social life and ethical values. The Internet is the new *cyberagora* where the netizens of a *cyberpolis* exchange goods and ideas in *cyberspace*. Internet users experience a *cyberlife* oscillating between the private, the public and the global sphere. The ontological unity of the self is pluralized in digital representations of our selves in virtual environments. The *cyberself* is a new digital identity involved in novel forms of ethical practice and human selfhood.

The ethical issue of privacy lies at the core of computer ethics and cyber ethics inquiry. In the information economy sensitive data and personal information are the most valuable commodity. Personal data are used and freely distributed for economic or security reasons and in some cases unverified, without the knowledge of the individuals and the groups involved in the procedures. The extensive and unrestricted use of personal information poses a serious threat to the user's right of privacy not only at the level of a user's data integrity and security but also at the level of a user's identity and freedom.

In contemporary studies, the problem of information privacy (DeCew, 2006) has been closely related to informational self-determination and the claim or the ability of individuals and groups to determine for themselves when, how, and what kind of information about themselves is shared with or communicated to others (Westin, 1967). The normative approach of informational self-determination focuses on the action of moral agency and the evaluation of ethical decision. However, a self-directed virtue ethics approach of self-determination has not been acknowledged in modern discussions.

Plotinus' notion of human freedom and self-determination is toward this direction: to be self-determined means to take steps towards our inner-self and to discover our own principles of thought that govern our intellectual freedom and autonomy. In this paper I shall argue that Plotinus' approach of self-determination could be enlightening in computer ethics and cyber ethics inquiries of information privacy and human freedom. Plotinus' notion of self-determination moves the emphasis of information privacy from the nature of the action and the possible consequences of our moral decisions to the quality of the self and the virtue of the moral agent. A virtuous moral action is initially based before the action in the character-based quality of the agent who performs the action in voluntariness, self-knowledge and intellectual autonomy.

Information Privacy

The problem of privacy as a social value has attracted the interest of scientists, legislators and philosophers. As Alan Westin (1967) observes in the opening words of his influential book *Privacy and Freedom*: "few values so fundamental to society

have been left so undefined in social theory or have been the subject of such vague and confused writing by social scientists". Modern studies usually distinguish between *descriptive notions* of privacy (i.e. a description of what is protected as private) and *normative notions* of privacy (i.e. defending the value or the right to privacy and the extent to which it should be protected) (DeCew, 2006). However, divergent views have been expressed about the moral and legal right of privacy. The most important of these views have been discussed and summarized by DeCew (1997 and 2006).

On the one hand, critics of the privacy right have questioned the importance of privacy. As Thomson (1975) states, "it is a useful heuristic device in the case of any purported violation of the right to privacy to ask whether or not the act is a violation of any other right, and if not whether the act *really* violates the right at all" (313-314). Moreover, excessive forms of privacy such as *anonymity* may protect the guilty, cover deception and fraud and so may appear dangerous to personal life and social stability. An example of this is the feminist critique of the use of privacy to cover up abuse and control of women (MacKinnon, 1989).

On the other hand, supporters of privacy accept the importance of privacy as a moral value that paves the way to human freedom and social stability. It has been argued that privacy should be defended on the grounds of control over our personal information (Parent, 1983). Privacy has also been regarded as essential for human dignity (Bloustein, 1964), intimacy (Innes, 1992; Gerstein, 1984), human freedom and independence (DeCew, 2006). Finally, privacy is considered as a social value with moral significance, fundamental to individual integrity and personal autonomy (Bloustein, 1964), as well as to the self-development of the individual in interpersonal relationships such as love, friendship and trust (Fried, 1970; Gerstein, 1978).

Privacy has also been analyzed as an *intrinsic* value (i.e. privacy desired for its own sake) and an *instrumental* value (i.e. privacy desired as a means to other ends) (Tavani, 2007). While privacy has been considered as an instrumental value that serves the intercultural core value of security (Moor, 2001), it has also been regarded as an intrinsic value necessary to achieve important human ends such as trust and friendship (Fried, 1997). Privacy is an intrinsic value that promotes democracy and social goods (Regan, 1995). However, it has been argued that privacy should not necessarily be regarded as a universal value of equal importance and significance for all cultures and societies (Westin, 1967).

Alan Westin (1967) considers privacy as a human value related to four human rights: solitude (i.e. the right to be alone), anonymity (i.e. the right to have no public identity), intimacy (i.e. the right to act in private) and reserve (i.e. the right to control your personal information). Herman Tavani (2007) further distinguishes among three definitions of privacy: accessibility privacy (i.e. privacy defined as the freedom from unwarranted intrusion into one's physical space), decisional privacy (i.e. privacy defined as freedom from interference in one's personal affairs, choices and decisions), information privacy (i.e. privacy defined as control over the flow of personal information). The right of privacy is also related to different forms of personal protection and identification such as territorial privacy (i.e. protects domestic, professional, civil and recreational environments); location privacy (i.e. privacy of an individual's location); bodily privacy (i.e. respect of an individual's body); personal privacy (i.e. protects an individual's personal identity); communication privacy (i.e. protects an individual's personal communication); information privacy (i.e. determination of an individual's use and dissemination of personal data) (Stamatellos, 2007).

Information privacy is closely related to the rise of modern technology and it is noteworthy that this issue has been emphasized since the late 19th century. Warren and Brandeis in their 1890 paper 'The Right of Privacy' emphasized the importance of privacy protection against such new technological inventions and practices as the snapshot photography used in newspaper journalism, especially without the knowledge of the individuals photographed. Warren and Brandeis (1890) observed a moral problem in the rise of new media technologies that cause not only a threat to the private life of the individual but also to the morality of society as a whole. With Warren and Brandeis, the right of privacy as the *right to be alone* is developed into the right of information privacy, that is, *the right to one's own personality* (DeCew, 2006).

The problem of information privacy in the digital age has been particularly discussed and evaluated in terms of the *amount* of the gathered personal information, the *speed* of transmission of personal information, the *duration* of time that personal information is retained and the *kind* of personal information that can be transferred (Tavani, 2007) as well as the accessibility, availability and storage of personal information in social networks and distributed databases (Stamatellos, 2007). ICT methods of information privacy violation may include *information intrusion* (i.e. wrongful entry, seizing, or acquiring possession of property that belongs to another person), *information misuse* (i.e. illegal use of information for unauthorized purposes), *information interception* (i.e. unauthorized access to private information or communication), *information matching* (i.e. information combined, compared and collected from two or more electronic sources) (Stamatellos, 2007).

The ICT involved in information privacy threats may include surveillance technologies such as *database surveillance* (e.g. black list databases, database mismanagement, data theft), *internet surveillance* (e.g. 'cookies' that track user's web preferences), *video surveillance* (e.g. CCTV cameras in public places), *satellite surveillance* (e.g. GPS technology), *mobile surveillance* (e.g. 3G mobiles using high definition video and pictures), *card surveillance* (e.g. smart cards, e-passports, biometric technologies) (Stamatellos, 2007). As Jerry Kang (1998) observes, various surveillance technologies, especially those applied in cyber-activities, present a serious threat to information privacy. Another noteworthy case is the problem of information privacy threats in advanced genetic research and database medical records. Judith DeCew (2004) discussed this issue in her paper 'Privacy and Policy for Genetic Research' emphasizing the importance of protecting the privacy of sensitive medical and genetic information by suggesting a hybrid synthesis of governmental guidelines and corporate self-regulation.

Plotinus on Self-determination

Plotinus' discussion of self-determination is mainly exposed in the first part of his *Ennead* VI.8 *On the voluntary and the wish of the One*. Particularly, in the first seven chapters of the treatise Plotinus exposes his arguments on the nature of human freedom. Plotinus uses the term *autexousios* in order to denote one's own power to be self-governed and self-determined. Another key Enneadic term for the analysis of human freedom and self-determination is the notion of *eph' hēmin* (i.e. what is in our power or what depends on us). Plotinus criticizes the Stoic and Aristotelian notions of *eph' hēmin*: an action depends on us not only through rational deliberation of and decision about the facts related to the action but also through normative knowledge of what we ought to do or what we ought not to do in the situation. A virtuous action is not carried out for the sake of external situational facts but for the sake of the inner

perfection of the soul. Whereas Aristotle conceives human freedom as related to the problem of choice and contingency, Plotinus conceives human freedom as related to the true freedom of the self (Leroux, 1996). Human freedom is not necessarily defined by voluntary choice but is manifested in the virtuous life of the soul (VI.8.1-7).

Plotinus wonders: "Is there anything in our power?" "What do we mean when we speak of 'something being in our power' and what are we trying to find out?" (VI.8.1). We could falsely regard our actions as voluntary if we consider that we are not obliged to act, while we could falsely regard our actions as knowledgeable if we follow uncritically the path of reason. In both cases, an action may not depend on us and if it does not depend on us it is not free and ethical. An action depends on us only if the agent establishes himself as a self-determined principle (III.1; VI.8.3.20-26). Hence Plotinus distinguishes between internal determinations (i.e. what depends on us) and external determinations (i.e. what is not dependent on us) (Remes, 2006; Eliasson, 2008). Something depends on us when we are purely self-determined by internal conditions. However, self-determination alone is not sufficient nor is it an unqualified positive term. An "empty" self-determination might incline the soul to what is better but also to what is worse (III.2.4) and may cause individuation and fragmentation to the self (IV.8.8). The eph' hēmin is not a "mere word" (III.1.7.15), but signifies the intellectual autonomy and virtue of the soul. The virtuous moral agent acts autonomously in inward determination and not in heteronomous outward actions determined by external factors and conditions (VI.8.6.19-23).

In modern Plotinian scholarship, divergent interpretations arise from the notion of self-determination in the *Enneads*, oscillating between an action-centered interpretation (i.e. self-determination refers to the agent's power of choice) and a self-centered interpretation (i.e. self-determination refers to the human agent itself and the perfection of the soul).

Graeser (1972) interprets Plotinus' notion of self-determination in the light of the Kantian distinction between the empirical self and the non-empirical self. Whereas the quality of our actions (*praxis*) is dependent on our own power and our empirical self as the real subject of choice (the case of *eph' hēmin*), man's liberty is not determined by the power of choice - in Aristotelian or Stoic terminology – but by our self-determination of the non-empirical self (i.e. the case of *autexousios*).

However, as Remes (2007) warns us, a Kantian approach to autonomy may be problematic for ancient literature. A modern conception of autonomy carries within itself a Kantian and post-Kantian conception of self-legislation and individualization (i.e. a moral action is carried by an individual who binds himself to universal rules) (180). Whereas the Greek notion of autonomy (*autonomos* = living by one's laws) was used both for states and persons, "treatises on moral autonomy are hard to find in ancient literature" (179). However, this gap in the literature does not mean "that ancient philosophers did not have opinions on what it means to be an agent, when an action is free or what makes an agent responsible for his actions" (179).

Leroux (1990) interprets Plotinus' notion of self-determination in relation to the concept of *eph' hemin* as having the connotation of a faculty describing either the *quality of action (eph' hēmin)* or the *agent himself (to eph' hēmin)*. Erik Eliasson (2008) further distinguishes between an inclusive notion of *eph' hemin* (i.e. the moral action has its origins in the agent) and an exclusive notion of *eph' hemin* (i.e. the moral action has its origins in rational decisions and judgments not necessarily determined by the agent). For Plotinus, mere voluntariness and awareness of an action is not enough for an action to be dependent on us. An action depends on "an agent if and only if it happens because of a wish coming through the thought and

contemplation of virtue" (205). As Remes (2007) states: for Plotinus "truth, goodness and even freedom exist independently of human activities" (181). The action of a free and self-determined moral agent reflects his true inner freedom and the perfection of the soul.

Plotinus suggests three conditions for a free and virtuous action: an action must be (1) voluntary (i.e. we should not be forced to act), (2) conscious (i.e. we should have knowledge of what we are doing) and (3) self-determined (i.e. we should be masters of ourselves) (Eliasson, 2008). With the third condition of selfdetermination Plotinus moves the emphasis of a moral action from action to the self, from outward activity to inner activity, from praxis to the psyche. A noble action should not be based on the action itself in a duty-based ethical perspective, but the quality of the agent in a virtue ethics perspective. Plotinus stresses the fact that there is no practical or outward action that is purely dependent on us: "in practical actions self-determination and being in our power does not refer to practice and outward activity but to the inner activity of virtue itself, that is, its thought and contemplation" (VI.8.6.20-22). Being in our own power does not belong to the realm of action but to that of the intellect at rest from actions (VI.8.5.35-37). Only virtue itself – as an innerself intellectual activity - purifies and frees the soul: virtue has "no master" and so intellectualizes the soul through its own self-recognition, self-constitution and selfdetermination. (VI.8.5.30-37).

Plotinian self-determination and information privacy

In modern discussions of information privacy the importance of self-determination has been explicitly identified. Alan Westin's (1967) definition of privacy puts a strong emphasis on self-determination: "Privacy is the claim of individuals, groups, or institutions to determine for themselves when, how, and to what extent information about them is communicated to others" (7). Moreover, David Flaherty relates privacy to the right of informational control: individuals have the right to exercise the same control over their personal data as they exercise over themselves (Flaherty, 1989). The right of self-determination is regarded as integral to a free society: as Richard James Severson (1997) states, "we must learn to think of personal data as an extension of the self and treat it with the same respect we would a living individual. To do otherwise runs the risk of undermining the privacy that makes selfdetermination possible." (67-68) The right of informational self-determination has been also defined with reference to natural and legal persons and the right of individuals and groups to control the release of their personal information as well as to know the processes through which their personal data are communicated (Lopez, Furnell, Katsika and Patel, 2008).

Nevertheless, a conflation of privacy with freedom and autonomy has been questioned and criticized (Wacks, 2010). However, Rafael Capurro (2010) had argued that in the light of the Kantian criticism of Aristotelian metaphysics, contemporary biotechnology and information and communication technologies bring the new challenge to reconsider the Kantian moral subject as a unique metaphysical quality of dignity and autonomy. The new cyberspace of artificial agency blurs the boundaries between the human and the natural realm and leads to a philosophical reflection on ethics, law and practical policies. An intercultural perspective is also fruitful in the understanding of privacy and the self in relation to human freedom and autonomy in cyberspace and the mass media (Capurro, 2006). It has been successfully maintained that a concept of the self as empowered to determine the life of an individual is

requisite for acting autonomously in a moral and social perspective of privacy (Kupfer, 1987).

Plotinus' notion of self-determination is towards this direction: it is related to human freedom, intellectual autonomy and independence of the soul as well as connected to a self-centered virtue ethics and moral psychology. In a recent paper, I have supported the view that Plotinus' self-directed virtue ethics of intellectual autonomy and self-determination are relevant to cyber ethics and, in particular, the character-based moral act of moral selfhood applicable in computer education and netizenship (Stamatellos, 2011).

It has to be noted, however, that a systematic treatment of the problem of privacy cannot be found in ancient literature. Some first attempts towards a philosophical discussion of the notion of privacy in terms of a distinction between private life and public life may be sporadically indentified in ancient thinkers. For instance, Democritus underlined the importance of measure and self-control in the serenity both of the private (*idie*) and the public (*ksine*) life (fr. 3). In his *Republic*, Plato offers an analogy between the soul (*psyche*) and the city-state (*polis*): the inner structural form of the city-state is analogous to the individual soul. As the human *psyche* consists of three parts (i.e. desire, spirit, reason), equally the *polis* consists of three classes (i.e. producers, guardians, rulers) (Wright, 2009). However, for Plato there is no clear-cut distinction between the private and the public sphere. Political life is an extension and fulfillment of the life of the individual activated in the community. Aristotle moved a step further in his *Politics* and attempted a comparison between the public sphere of the *polis* and the domestic sphere of the household (*oikia*) i.e. the basic social unit of the *polis* (Nagle, 2006).

Plotinus follows Plato and describes the human psyche as a "double city": the higher self as a city above, self-ordered and self-organized, and the lower self as a city below, "set in order by the powers above" (IV.4.17.30 ff.). Plotinus conceives two aspects of the self: the intelligible inner-self and the corporeal outer-self (Remes, 2007). Plotinus' inward turn towards the self (epistrophē pros heauton) is a novel direction in Platonic ontology and metaphysics. Plotinus' notion of the inner self plays a significant role in the philosophical development of the notion of the self as an inner and private space. As Remes (2007) notes, it moves from Plato's shared intellectual vision of the eternal Forms, to an inner contemplation of an eternal realm in our selves, and then to St Augustine's private inner space of the soul contemplating God, to John Locke's private inner space of an individual subject differentiated from the outside world (p. 6, n. 21). However, in Plotinus, as Remes (2007) observes, "the inner realm is still only private. If the turn is accomplished with success, the inward turn will ultimately reveal objective realities and infallible knowledge" (6-7). Plotinus conceives the self not as a private realm of subjectivity, fragmentation and individuality but as an intelligible unified self were the 'I' discovers the 'We'.

The moral and philosophical significance of privacy in one's personality and inner self has been stressed by Shoeman (1984) while Robert Gerstein (1978) traces back the notion of intimacy and privacy to Plotinus' ecstatic experience of the inner self. However, Plotinus' notion of self-determination is not an ecstatic, ascetic, individualistic or even egotistic self-directed morale of disclosure. The issue of regarding privacy in terms of disclosure has already been underlined by Westin (1967) in terms of modern technologies. The Plotinian self is not disclosed nor detached from the public sphere (Stern-Gillet, 2009; Remes, 2006). The Plotinian wise is not isolated, unfriendly or inconsiderate but renders to "his friends all that he renders to himself, and so will be the best of friends as well as remaining intelligent"

(I.4.15.23-25); nor does he aim to have advantage over "private persons" (*idioton*) (II.9.9.1-5). The private life should not be regarded in terms of a cloistered life or as detachment from the public sphere: "for one must not [live] in a *private manner*, but like a great combatant be in a state to ward off fortune's blows" (I.4.8.24-26). The term *idiotikos* in this passage is usually translated as 'untrained' (Armstrong, 1966; McGroarty, 2007), "languid" (modern Greek *nothros*: Kalligas, 1994) or 'in a commonplace way' (Sleeman, 1980). My suggestion is that the term *idiotikos* in I.4.8.24-26 also entails a criticism of the private life as disclosed or alienated life (other uses of entry *idiotikos* in LSJ). Whereas the private life could be related to an 'untrained' person, Plotinus' aim is not so much to criticize an untrained way of living but a passive or detached way of living - probably related to some Stoic or Gnostic ethical trends of his era – contrasted to an active, virtuous and courageous way of life followed consciously by the wise.

For Plotinus, to determine our selves is not to alienate or dehumanize the self but to free the mind from heteronomous affections, passions and reasons. If self-determination is used as disclosure it leads to dehumanization and alienation. If self-determination is used for self-knowledge, self-control and self-constitution it leads to the unity, perfection and virtue of the soul. Virtue leads to the soul's self-development, self-recognition and self-knowledge. We have to *become what we are*: to "sculpt the statue of ourselves" and care for our soul in a continuous process of self-improvement through the *purification of virtue* (I.6.9). Virtue purifies the soul in its noetic ascent (I.4) and leads the soul to the understanding of the others through contemplation of our inner self (VI.9.11).

Plotinus' notion of self-determination could also be seen as a motivational rather than a cognitive approach. As Deci and Ryan (1990) support, in a motivational approach to self, intrinsic motivation is experienced as truly self-determined, that is, what one wants to do, with a sense of freedom of choice, not controlled even by internalized rules that one experiences as coercive. As Plotinus puts it: "for everything is a voluntary act which we do without being forced to and with knowledge [of what we are doing], and in power which we are also competed to do" (VI.8.1.32-34). Whereas the voluntariness and knowledge of an action can be undermined by external conditions, it is only our knowledge of self-determination that makes an action dependent on us. An involuntary action leads away from the good and towards the compulsory (VI.8.4). What depends on us is not a simple expression but signifies our self-determination, ethical autonomy and freedom (III.1.7). A person who acts in accordance with virtue should be guided by internal and autonomous self-determinations and not by external and heteronomous predeterminations (VI.8.6).

Plotinus' virtue ethics is a self-directed theory (Dillon, 1996; Plass, 1982; Smith, 1999; Stern-Gillet, 2009). In this virtue ethics approach of information privacy, self-determination is relevant to online communities and social networking, where the act of self-determination is a necessary prerequisite and demand by the online users (Stamatellos, 2011). A virtue ethics information privacy act should be protected not only by privacy policies or online commands and rules but also by encouraging user's education, self-development, and self-awareness (Grodzinsky, 2001). As Castoriadis has supported, an autonomous society is not only self-instituted but also promotes and enforces self-awareness and responsibility in its members (Tasis, 2007). People who are educated in autonomy and self-justice become self-aware of their own values and rights (Castoriadis, 2000).

Thus, the importance of Plotinian self-determination lies not in the action alone but in the ethical quality of the moral agent who performs the action. For

Plotinus, the best actions derive from ourselves who act in accordance to our own thinking and will and not by not being hindered or by being allowed; a "breathing space" (anapneusosi) to decide our actions cannot justify the nobility of our actions (III.1.10.10-15). Freedom is not that which the others permit us but how we free ourselves through our will and through thinking without predeterminations. An act of self-determination privacy in cyber ethics should also include a virtue ethics self-directed perspective: privacy should derive from the users themselves as virtuous agents who act in voluntariness, knowledge of their actions and informational self-determination.

Conclusion

Plotinus' notion of self-determination makes us rethink the importance of a computer agent's privacy, intellectual autonomy and freedom in the information society. We have to reevaluate the importance of our privacy in the information age not in terms of disclosure but in terms of freedom to determine our own life and self. To be selfdetermined should not be merely an "ability" or "claim" of an individual to determine when, how, and what kind of personal information is shared with others. Informational self-determination must primarily focus on the ethical quality of the individuals and groups to know why information about themselves should or should not be shared with or communicated to others. Plotinus puts an emphasis not on moral action but on the ethical virtue of the self who performs the action. Virtuous actions derive from ourselves when we know ourselves and act in accordance to our own thinking and will and not because we are hindered or allowed to act. This form of self-awareness enforces the unity, dignity and knowledge of the individuals both in private and public life. The universality of the Plotinian self and the self-deterministic notion of information privacy reestablishes the moral subject in an intellectual autonomy and virtue necessary in the multi-divergent global sphere of the cyberself.

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