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Defining Secrecy—Some Crucial Distinctions

Sissela Bok wrote one of the most popular books on lying. She followed it up with this book on secrets.

Lying and secrecy intertwine and overlap. Lies are part of the arsenal used to guard and to invade se-crecy; and secrecy allows lies to go undiscovered and to build up. Lying and secrecy differ, however, in one important respect. Whereas I take lying to be prima facie wrong, with a negative presumption against it from the outset, secrecy need not be. Whereas every lie stands in need of justification, all secrets do not. Secrecy may accompany the most innocent as well as the most lethal acts; it is needed for human sur-vival, yet it enhances every form of abuse. The same is true of efforts to uncover or invade secrets. A path, a riddle, a jewel, an oath—anything can be secret so long as it is kept intentionally hidden, set apart in the mind of its keeper as requiring con-cealment. It may be shared with no one, or confided on condition that it go no farther; at times it may be known to all but one or two from whom it is kept. To keep a secret from someone, then, is to block infor-mation about it or evidence of it from reaching that person, and to do so intentionally; to prevent him from learning it, and thus from possessing it, making use of it, or revealing it. The word "secrecy" refers to the resulting concealment. It also denotes the meth-ods used to conceal, such as codes or disguises or camouflage, and the practices of concealment, as in trade secrecy or professional confidentiality. Ac-cordingly I shall take concealment, or hiding, to be the defining trait of secrecy. It presupposes separa-tion, a setting apart of the secret from the non-secret, and of keepers of a secret from those excluded. The Latin secretum carries this meaning of something hidden, set apart. It derives from secernere, which originally meant to sift apart, to separate, as with a sieve. It bespeaks discernment, the ability to make distinctions, to sort out and draw lines: a capacity that underlies not only secrecy but all thinking, all intention and choice. The separation between in-sider and outsider is inherent in secrecy; and to think something secret is already to envisage potential conflict between what insiders conceal and outsiders want to inspect and lay bare. Several other strands have joined with this defin-ing trait to form our concept of secrecy. Although they are not always present in every secret or every practice of secrecy, the concepts of sacredness, in-timacy, privacy, silence, prohibition, furtiveness, and deception influence the way we think about se-crecy. They intertwine and sometimes conflict, yet they come together in our experience of secrecy and give it depth. Too exclusive an emphasis on the links between the secret and the sacred can lead one to see all se-crecy as inherently valuable. And those who think primarily of the links between secrecy and privacy or intimacy, and of secrets as personal confidences, have regarded them as something one has a duty to conceal. Negative views of secrecy are even more common. Why should you conceal something, many ask, if you are not afraid to have it known? The aspects of secrecy that have to do with stealth and furtive-ness, lying and denial, predominate in such a view. We must retain a neutral definition of secrecy, rather than one that assumes from the outset that secrets are guilty or threatening, or on the contrary, awesome and worthy of respect. A degree of concealment or openness accompanies all that human beings do or say. We must determine what is and is not discred-itable by examining particular practices of secrecy, rather than by assuming an initial evaluative stance. It is equally important to keep the distinction be-tween secrecy and privacy from being engulfed at the definitional stage. The two are closely linked, and their relationship is central. In order to maintain

the distinction, however, it is important first to ask how they are related and wherein they differ. Having defined secrecy as intentional concealment, I obvi-ously cannot take it as identical with privacy. I shall define privacy as the condition of being protected from unwanted access by others—either physical access, attention, or access to personal information. Claims to privacy are claims to control access to what one takes to be one's personal domain. Privacy and secrecy overlap whenever the efforts
at such control rely on hiding. But privacy need not hide; and secrecy hides far more than what is pri-vate. A private garden need not be a secret garden; a private life is rarely a secret life. Conversely, secret diplomacy rarely concerns what is private, any more than do arrangements for a surprise party or for choosing prize winners. Why then are privacy and secrecy so often equated? In part, this is so because privacy is such a central part of what secrecy protects that it can easily be seen as the whole. People claim privacy for dif-fering amounts of what they are and do and own; if need be, they seek the added protection of secrecy. In each case, their purpose is to become less vulner-able, more in control. When do secrecy and privacy most clearly overlap? They do so most immediately in the private lives of individuals, where secrecy guards against unwanted access by others—against their coming too near, learning too much, observing too closely. Secrecy guards, then, the central aspects of identity, and if necessary, also plans and property. It serves as an additional shield in case the protection of privacy should fail or be broken down. Thus you may assume that no one will read your diary; but you can also hide it, or write it in code, as did William Blake, or lock it up. Secret codes, bank accounts, and retreats, secret thoughts never voiced aloud, personal objects hidden against intruders: all testify to the felt need for additional protection. Similarly, groups can create a joint space within
which they keep secrets, surrounded by an aura of mystery. Perhaps the most complete overlap of privacy and secrecy in groups is that exemplified in certain secret societies. The members of some of these societies undergo such experiences that their own sense of privacy blends with an enlarged pri-vate space of the group. The societies then have identities and boundaries of their own. They come into being like living organisms, vulnerable; they undergo growth and transformation, and eventually pass away. It is harder to say whether privacy and secrecy overlap in practices of large-scale collective secrecy, such as trade or military secrecy. Claims of privacy are often made for such practices, and the metaphors of personal space are stretched to apply to them. To be sure, such practices are automatically private in one sense so long as they are not public. But the use of the language of privacy, with its metaphors of personal space, spheres, sanctuaries, and boundar-ies, to personalize collective enterprises should not go unchallenged. Such usage can be sentimental, and distort our understanding of the role of these enterprises. The obsessive, conflict-ridden invocation of pri-vacy in Western society has increased the occasions for such expanded uses of the metaphors of privacy; so has the corresponding formalization of the profes-sional practices of secrecy and openness. At times the shield of privacy is held up to protect abuses, such as corporate tax fraud or legislative corruption, that are in no manner personal. While secrecy often guards what is private, there-fore, it need not be so, and it has many uses outside the private sphere. To see all secrecy as privacy is as limiting as to assume that it is invariably decep-tive or that it conceals primarily what is discredit-able. We must retain the definition of secrecy as intentional concealment, and resist the pressure to force the concept into a narrower definitional mold by insisting that privacy, deceit, or shame always ac-companies it. But at the same time we must strive to keep in mind these aspects of our underlying experi-ence of secrecy, along with the

others—the sacred, the silent, the forbidden, and the stealthy. Secrecy is as indispensable to human beings as
fire, and as greatly feared. Both enhance and protect life, yet both can stifle, lay waste, spread out of all control. Both may be used to guard intimacy or to invade it, to nurture or to consume. And each can be turned against itself; barriers of secrecy are set up to guard against secret plots and surreptitious prying, just as fire is used to fight fire. Conflicts over secrecy—between state and citizen, or parent and child, or in journalism or business or law—are conflicts over power: the power that comes through controlling the flow of information. To be able to hold back some information about one-self or to channel it and thus influence how one is seen by others gives power; so does the capacity to penetrate similar defenses and strategies when used by others. To have no capacity for secrecy is to be out of control over how others see one; it leaves one open to coercion. To have no insight into what others conceal is to lack power as well. In seeking some control over secrecy and open-ness, and the power it makes possible, human beings attempt to guard and to promote not only their au-tonomy but ultimately their sanity and survival itself. The claims in defense of this control, however, are not always articulated. Some take them to be so self-evident as to need no articulation; others subsume them under more general arguments about liberty or privacy. But it is important for the purposes of considering the ethics of secrecy to set forth these claims. The claims in defense of some control over secrecy and openness invoke four different, though in practice inseparable, elements of human auton-omy: identity, plans, action, and property. They con-cern protection of what we are, what we intend, what we do, and what we own. Some capacity for keeping secrets and for choosing when to reveal them, and some access to the underlying experience of secrecy and depth, are indispensable for an enduring sense of identity, for the ability to plan and to act, and for essential belongings. With no control over secrecy and openness, human beings could not remain either sane or free. Against every claim to secrecy stands, however,
the awareness of its dangers. Secrecy can harm those who make use of it in several ways. It can debilitate judgment, first of all, whenever it shuts out criti-cism and feedback. The danger of secrecy goes far beyond risks to those who keep secrets. Because it
bypasses inspection and eludes interference, se-crecy is central to the planning of every form of injury to human beings. It cloaks the execution of these plans and wipes out all traces afterward. It enters into all prying and intrusion that cannot be carried out openly. While not all that is secret is meant to deceive—as jury deliberations, for instance are not—all deceit does rely on keeping something secret. And while not all secrets are discreditable, all that is discreditable and all wrongdoing seek out se-crecy (unless they can be carried out openly without interference). Given both the legitimacy of some control over
secrecy and openness, and the dangers this control carries for all involved, there can be no presump-tion either for or against secrecy in general. Secrecy differs in this respect from lying, promise break-ing, violence, and other practices for which the burden of proof rests on those who would defend them. Conversely, secrecy differs from truthfulness, friendship, and other practices carrying a favorable presumption. The resulting challenge for ethical in-quiry into the aims and methods of secrecy is great. Not only must we reject definitions of secrecy that invite approval or disapproval; we cannot even begin with a moral presumption in either direction. This is not to say, however, that there can be none for par-ticular practices, nor that these practices are usually morally neutral. I shall rely on two presumptions that flow from
the needs and dangers of secrecy that I have set forth. The first is one of equality. Whatever control

over secrecy and openness we conclude is legitimate for some individuals should, in the absence of special considerations, be legitimate for all. My second pre-sumption is in favor of partial individual control over the degree of secrecy or openness about per-sonal matters—those most indisputably in the pri-vate realm. Without a premise supporting a measure of individual control over personal matters, it would be impossible to preserve the indispensable respect for identity, plans, action, and belongings that all of us need and should legitimately be able to claim. Such individual control should extend, moreover, to what people choose to share with one another about themselves—in families, for example, or with friends and colleagues. Without the intimacy that such shar-ing makes possible, human relationships would be impossible. At the same time, however, it is impor-tant to avoid any presumption in favor of full control over such matters for individuals. Such full control is not necessary for the needs that I have discussed, and would aggravate the dangers. It would force us to disregard the legitimate claims of those persons who might be injured, betrayed, or ignored as a result of secrets inappropriately kept or revealed.