MEMORANDUM

TO: Coworkers at Agora[1]
FROM: Political Advisor Office
SUBJECT: Lessons from "Privacy as Contextual Integrity"
DATE: 02/12/2023

Theories Abstraction

To address the discussion relating to privacy amid the era of revolutionary innovation and ever-changing technology, Nissenbaum (2004) claims the existence of gray area under the the guidance of current three principles and re-examining the justifiability of the public surveillance within the existing framework. To clarify the ambiguity and enrich the conversation, Nissenbuam (2004) brings in the concept of "contextual integrity" which can be evaluated by the norms of appropriateness and norms of flow or distribution with flexibility of changing and adding of more common values.

Enabled by the development of technology, the government may be able to digitize all the public records and publish them online; the platform may extract user data for targeting advertisements and even spying is facilitated by RFID tags. However, how the progress of information technology affects the existing institutionalized value and different social groups in society need to be examined. Before proposing a new framework, Nissenbuam (2004) revisits the consensus society develops upon: individual privacy prioritizing above government intervention, restriction on access to intimate space, curtailing intrusions to places regarded as personal, and states these three fundamental principles could not provide unambiguous answer to above problems.

"Contextual Integrity" reflects on value rather than the preference, and reinvigorating the three principles by incorporating norms of appropriateness and norms of flow or distribution. While the former emphasizes the unstated social agreement on the boundary of sharing private

---

[1] Agora is a conceptual platform based on Decentralized Social Graph Protocols, aiming to promote the rational discussion of social discourse between different social groups, breaking the echo chamber, and healing the fragmented society: https://oliz0808eth.substack.com/p/what-if-we-have-an-digital-agora

information, the latter recognizes the information's approximation as a public good which has externality on the macro level. The balancing between norms are sensitive to specific conditions which are subject to the certain common values such as autonomy and freedom, information inequality, prevention of informational harms, etc.

Strength and Weakness

One of the most significant contributions of Nissenbaum (2004) is to recognize the importance of norms on shaping our expectation towards social interactions, and the reevaluation of the boundary between private and public sphere in a traditional landscape. In addition, the information as a contract between peer-to-peer relationships, and as a common good has the potential to influence the interest of the whole society are being profoundly discovered in norms of appropriateness and distribution respectively. To be more case specific and not favor status-quo, "contextual integrity" refuses to provide a universal answer to any case, and provides a list of common values we could possibly strive for at the end.

While Nissenbaum (2004) does offer more layers of perspective to the space, it may fail to recognize the intertwining relationship between norms and technology. It's undeniable that norms are directing social behavior and revising norms in a post-change world is essential, but technology or the features of technology are also shaping the behavior and thinking pattern of the individual without explicit statement. For example, people would not expect to see a stranger dancing with music before Tiktok, and would not prepare to use Twitter as a common tool for learning news around the world before Twitter. In other words, there is another layer of recognition about the reversal relationship for technology to affect norms. Also, how the part about common values existing long before the digital revolution are going to adapt and fit into the post-change world is missing. Undoubtedly, the digital space should honor the principles such as no information harm, information inequality, autonomy and freedom, preservation of important human relationships. However, the value embedded in technology can be amplified by

the nature of people who use it, which is unforeseeable and unpredictable. Lastly, the unequal power dynamic of different interest groups facing the massive technology adaptation can be discussed more.

Suggestions and Implementations

Twitter, Instagram and Tiktok have successfully create a space to connect user in a digital space using the engagement-based algorithm with the ownership of user's data and social graph, which led to concerns regarding the data privacy and individual sovereignty, and the "excessive entertainment" of the content, formation of echo chamber by the information bubble. As a platform aims to serve as an aggregator of public opinion, Agora needs to understand the argument of "contextual integrity", since how to draw a subtle line between individual posts and public opinion would be central to our platform. The value such as preservation of important human relationships and autonomy can be a valuable reference to the ownership of social graph – instead of monetizing it, Agora should return the ownership of the social graph to the user itself, meaning creators would decide how to use its distribution power and broadcast network.

However, despite the capability to create a sense of closeness between friends and like-minded people, digital space also has the potential to be a public sphere for the rational debate about social discourse, as the norm of distribution may imply the public good nature of the network. Discussion and content around public discourse may be viewed as an exceptional case of complete privacy in which users have full control over its distribution. Regarding norms of appropriateness, decision on which content has the externality and should be public discourse, how it should enter the public sphere and the separation system between private and public circulation need to be carefully considered.