**Ethics, Compliance and Risk Management ECR775**

**Assignment - 2**

**Submitted By: Arun Bains  
Subject: ECR775  
Section: NAA  
Email: abains11@myseneca.ca**

1. **Do you agree with Judith Jarvis Thomson that every “privacy right” violation is a violation of another right? Explain your position.**

Discussions regarding privacy revolve around the concept of access, which refers either to physical proximity or knowledge of a person. There is a tug of war between a person's wishes, rights, and commitments for restricting access to himself and the wishes, rights, and commitments of outsiders for gaining access.

There is indeed a bunch of rights that come with privacy, just as there is a bunch of rights associated with property and with one's physical self, according to Thomson. Every violation of a privacy right, however, is also a violation of a right in another cluster. Since this is the case, there is no need to exactly define privacy or decide where to draw a clear line between privacy violations and acceptable behavior.

I agree with Judith Jarvis Thomson that every “privacy right” violation is a violation of another right. This can be explained by the following example when entering a public place such as a movie theatre, stadium, etc. where a security guard at the door checks our belongings in the bag and touches us using a metal detecting device. The guard violates our privacy by opening our bags and violates the rights of our decision on who should touch us.

Suppose there is a person who is watching someone in the other house using binoculars, he is for sure violating the privacy of the person being watched but he is not violating property rights or bodily rights, yet he is violating the right to be left alone. This example shows that violating privacy rights is a violation of some other right one way or the other.

**Kantianism and privacy**

According to Kant, all moral agents must value their own and others' privacy and individuality. Kantianism states, for example, that tracking all phone calls in the workplace cannot always have acceptable reasons, whereas some businesses, such as private banking and real estate care services, require a great deal of personal information security. All telephone calls may contain highly specific personal and sensitive details. Moreover, companies use employees to achieve their benefits more easily, such as financial and time savings. As a result, monitoring phone calls in the workplace is unethical and violates the right to privacy.

**Social contract and Privacy**

Individuals in society agree to a system of ethical rules that govern how people should treat one another for mutual benefit, according to Social Contract Theory. Since most businesses perform background checks, people believe that the benefits of doing so are mutual. Moreover, jobs are frequently offered on the condition of a background check. As a result, using the Social Contract Theory to conduct background checks is ethical. This means that conducting background checks is not a violation of any policy, but it is not the case as per Kantianism.

1. **Name several ways that a typical unmarried 20-year-old may have more privacy now than an unmarried 20-year-old would have had 200 years ago.**

It's difficult to think of a time when women didn't have many of the rights they have today, but it wasn't all that long ago.

The truth is that women's privacy has not always been on their side. When the right to privacy was defined as protecting the sanctity of households and the right to be left alone inside one's homes, it was not for women's privacy. With a large number of women reportedly killed every day around the world by a fellow family member, and the majority of women worldwide have faced physical and/or sexual violence by their partner, the phrase "the right to be alone" takes a dark turn.

Some of the practices that were there a long time back that stated that women did not have any right to privacy are as below:

**Contraception and Abortions**

In many cultures, women did not have the right to choose the level of privacy they desired and rejected. Childbearing rights and freedom, in particular, have played a significant role in boosting women's privacy by allowing them to choose when and also how many children to have. Contraception and abortion were also prohibited, depriving women of control over their own bodies and denying them the right to privacy. It was considered immoral if a woman became pregnant outside of marriage and was imprisoned for attempting to get an abortion. Women have subjected to so much humiliation during those times that life was unimaginable.

**Women denied right to privacy**

Women were deprived of the right to walk alone on public streets, beaches, parks, and forests. When they were alone in public, they must continue to consider the time of day or night, as well as what they were wearing. Women were denied their right to privacy in public places because strangers posed a serious risk of invading their private space and bodily integrity. Women were not permitted to wear their preferred clothing in some countries.

**Sexual assaults**

If a woman reports a non-consensual sexual encounter, she will almost certainly be made subject to an invasive physical exam to verify that she was raped. She will also be exposed to interrogation by law enforcement and prosecutors. The victim could also face unwanted and humiliating publicity because of the rape and her actions leading up to it. Eventually, if the case goes to trial, the rape victim will almost certainly be subjected to prying, aggressive, and humiliating questioning by the accused's attorney, which many sexual abuse victims have mentioned as being raped again. While there are more legal safeguards against public scrutiny and questioning now than before, the judicial system continues to be highly intrusive of a rape victim's privacy.

**Mill’s principle on women’s privacy**

Mill's principle formalizes a hugely controversial theory of life's meaning, which holds that even the most basic goal of a human being is self-definition. Even if private sex acts between consenting adults are not criminally punishable, this takes no account of the rights of gay women. The principle is completely consistent with widespread discrimination. One can believe that certain gay women's sexual behavior is immoral and that the state should punish citizens who engage in it, even though such behavior, when private and between consenting adults, falls outside the scope of the state's legitimate criminal jurisdiction. There were no privacy rights for gay women at the time.

**Social contract theory and women’s privacy**

Contracts do not allow men and women to enter equal-opportunity cooperative relationships. Rather, they serve to legitimize male dominance under the guise of equality. The valid assumptions assumption that men have lawful power over and unrestricted sexual access to their wives and female servants is accepted by social contract theory, and thus male entitlement based on male sex rights is accepted. And it tries to demonstrate that, if this authority is not natural, it is founded on women's consent in a sexual contract.

**3) Describe three modern information technology devices and how they may be used to decrease privacy.**

The three modern technology devices that may be used to decrease the privacy are:

**Smartphones**

Smartphones are useful pocket assistants. This is because they are outfitted with a variety of sensors. And some of those sensors’ users may never consider — or even be aware of. They detect light, humidity, pressure, temperature, and other environmental factors.  
  
Stolen pics and sounds are obvious invasions of privacy. However, even relatively harmless sensor data can broadcast sensitive data. The motions of a smartphone may disclose what a user is typing. It could also reveal someone's location. With increasing altitude, barometer readings shift subtly. This could reveal which floor apartment you are on. While revealing location data may appear to be relatively harmless, it is still an invasion of privacy.

Smartphone cameras, on the other hand, pose a security risk because they can be enabled and used to spy on the owner. Every smartphone has a mic, which is an additional security risk. While many of us are concerned about someone listening in on private conversations, microphones could also be used to collect data.

**Drones**   
  
The current generation of drones has FPV features that allow operators to fly drones up to eight kilometers away from the operator's location, both automatically and manually. Furthermore, advanced drones are very small, reaching speeds of up to 65 kilometers per hour and carrying up to six kilograms. The skills identified by industry and used to motivate this sector to accept drones for numerous legitimate purposes have also been recognized by malicious entities that use drones for breaching someone’s privacy.   
Drones' cutting-edge technology and low cost made them affordable to people, leading to an increase in drone sales; this is what has caused privacy threats and increased the number of drone-related incidents significantly in recent years.

**Black Boxes**  
  
Many people are familiar with the term "black box" in the context of airplanes, which refers to devices that record the conditions in the planes just before a crash. Many automobiles have black boxes, renowned as Event Data Recorders (EDRs). Most of the population is unaware that they have an EDR in their vehicle. Approximately two-thirds of Americans are unaware that cars can have event recorders at all. Consumers who tamper with their cars' EDRs will also interrupt the signals that tell airbags to deploy or seat belts to adjust during a crash. Because seat belts are required, attempting to disable EDRs may be illegal. Since seat belts are required, attempting to disable EDRs may be illegal. Car owners are unaware that EDRs are installed in their vehicles, consumers do not have the option to disable EDRs, and there are no guidelines restricting who can access EDR data or even what it can be used for. EDRs pose several privacy risks. EDRs are considered as evidence instead of self-incrimination, which can result in criminal and civil liability. ERDs are also vulnerable to changes in insurance policies.

**Utilitarianism theory in the modern world.**

Utilitarianism holds that an action is morally right (or wrong) to the level that it increases (or decreases) the total happiness of the parties affected. Employers are required by law to conduct background checks to determine whether a job applicant's resume contains misleading info about academic attainment, employment record, similar topics, sexual offender convictions, felony conviction records, and other issues. Because the total happiness of the affected parties decreases, it is unethical for companies to perform background checks.

**Social Contract Theory and technology**

According to Social Contract Theory, an action is good if it follows a moral rule that rational individuals would collectively recognise as binding because of the benefits to the community. Employees agree to electronic surveillance and monitoring when they sign their joining papers, according to this theory. Organizations have an information policy that specifies how employees are expected to act and the actions that must be taken, and professionals are required to read and accept these conditions upon hiring. Using the work phone for personal uses is a violation of organizational policy as well as the employee-employer agreement. As a result, phone monitoring is ethical under the Social Contract Theory, even though it violates privacy.

**References**

Allen, A. (n.d.). An Ethical Duty to Protect One’s Own Information Privacy? An Ethical Duty to Protect One’s Own Information Privacy? <<https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1450&context=faculty_scholarship>>

<<http://dusk.geo.orst.edu/ethics/papers/Quinn_Chapter_5_Privacy.pdf>>

The Right to Privacy. (n.d.). Philosophy Talk. <<https://www.philosophytalk.org/blog/right-privacy>>

Kruikemeier, S., Boerman, S. C., & Bol, N. (2019). Breaching the contract? Using social contract theory to explain individuals’ online behavior to safeguard privacy. Media Psychology, 23(2), 269–292. <<https://doi.org/10.1080/15213269.2019.1598434>>

“Women and Privacy.” What-When-How.com, <<https://what-when-how.com/privacy/women-and-privacy/>>

Nassi, B., Shabtai, A., Masuoka, R., & Elovici, Y. (n.d.). SoK -Security and Privacy in the Age of Drones: Threats, Challenges, Solution Mechanisms, and Scientific Gaps. <<https://arxiv.org/pdf/1903.05155.pdf>>

DeMuro, Jonas. “8 Reasons Why Smartphones Are Privacy Nightmare.” TechRadar, TechRadar pro, 6 Mar. 2018, <[www.techradar.com/news/8-reasons-why-smartphones-are-privacy-nightmare](http://www.techradar.com/news/8-reasons-why-smartphones-are-privacy-nightmare).>

‌ Cuny.edu, 2022, <<https://provost.baruch.cuny.edu/wp-content/uploads/sites/5/2019/11/BriloffPrizeUG10-3authors.doc>>

‌