Privacy and the Common Good:
G. H. Mead and the Social Value of Privacy

Abstract

This article explores the social value of privacy and the intricate relationship between personal autonomy and societal cohesion within the realm of privacy. It contrasts George Herbert Mead's two models of social organization—hostility and integration—in terms of their impact on the interplay between individuals and society. The model of hostility envisions individuals and society engaged in a zero-sum game, resulting in diminished individuality and an atomistic view of autonomy. In contrast, the model of integration recognizes the interdependence of entities, fostering individuality and promoting a relational understanding of autonomy. Applying these models to privacy theory, the article argues that privacy has often been conceived in terms of hostility, pitting individuals against society. Instead, the article advocates for embracing the model of integration, in which privacy is seen as fundamental to a society where individuals maintain their uniqueness while pursuing a common good. The right to privacy, rooted in this integrative model, allows individuals to preserve their distinct social selves while participating in joint social organization. Furthermore, understanding privacy through the lens of integration highlights the importance of the common good as a necessary condition for both individuality and autonomy. This relational perspective positions privacy as an essential aspect of a democratic and moral society, where diverse individuals mutually constitute themselves and the broader social fabric. By presenting this view, the article offers a fresh understanding of privacy's social value and its implications for societal organization, democracy, and morality.

1. Introduction

We have in us both the desire to be unique, distinct, apart from others, as well as the desire to be part of something bigger than ourselves, to relate to others, to unite and find solace and support from others. The tension between these two poles is part and parcel of any human life. The former pole stresses the individual, the latter stresses society (in the general meaning of other people, not necessarily organized and coordinated).

In fact, the relation between the individual and others, — be they individuals, groups, or institutions of any form,— stands at the root of the entire panoply of privacy theories.[1] This relation has almost exclusively been understood in terms of a tension, even a power play, in

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[1] Ian Kerr has dubbed this "privacy's other" Ian Kerr, "Schrödinger's Robot: Privacy in Uncertain States," *Theoretical Inquiries in Law* 20, no. 1 (2019): 123–54.

which privacy is most often portrayed as the means of protecting the individual from the crushing, oppressive forces of society. Nonetheless, as multiple scholars have argued, privacy should be examined not only in terms of its value to individuals, but to society as a whole. As Daniel Solove contends: "Privacy is often cast as an individual right and balanced against the greater social good, which results in privacy being frequently undervalued in relation to many conflicting interests. I contend that privacy has a social value and that its importance emerges from the benefits it confers upon society."[2]

Elsewhere, I have argued for a relational conception of privacy and the right to privacy, and highlighted its effects on individuals. In this article, however, I aim to present privacy's social value, and specifically its fundamental importance for a thriving, pluralistic, and democratic society.

In her seminal work, *Legislating Privacy* (1995), Priscilla Regan argues that privacy is essential to democracy, inasmuch as it forms the basic requirement which enables diverse individuals and groups to come together. She contends that:

> Privacy may be essential to a democratic political system because some commonality among individuals is necessary to unite a political community and the development of commonality requires privacy. The more other people know about the details of one's personal life, communications, and thoughts, the more individual or unique one is considered and the more difficult it is to construct a "public" ... The more fragmented or differentiated people become, the harder it is to put them together in a society or body politic.[3]

Regan argues that we need not to know some things about others, or rather we need not to know how different people are from us, in order to be able to come together and form a body politic, and privacy serves that function. Robert Murphy has argued for a similar understanding

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[2] Daniel J Solove, *Understanding Privacy* (Cambridge, MA: Harvard University Press, 2008), 78–79
[3] Priscilla M Regan, *Legislating Privacy: Technology, Social Values and Public Policy* (Chapel Hill, NC: University of North Carolina Press, 1995), 226–27.

of privacy's role, claiming that "reserve and restraint are common, though not constant, factors in all social relationships. Society could not perdure if people knew too much of one another".[4]

On the face of it, this argument makes sense. When we feel that people are very different from us, it naturally follows that we find it harder to understand them, and hence it is much more difficult to reach agreements and create mutual trust. Privacy, on Regan's view, allows us to conceal, or at least to push to the background, our difference from others, and bring to the foreground   what we have in common.

Another phenomena, however, seems to point in an opposite direction. Studies have shown that social homophily, i.e. the tendency of individuals to group and interact based on common characteristics, tends to lead to radicalization and polarization (in the context of current social media networks, such clustering has been dubbed "echo chambers"). This effect seems to show that by hearing only our own opinions reflected back at us, by connecting with others only through what we agree on and have in common, people become more entrenched in their beliefs, less tolerant of deviation, and thus society becomes more polarized and fragmented.[5]

Hence, we cannot simply posit that people need not to know how different they are from others in order to be able to come together and form a unified polity. What we learn from the above is that when people only interact based on their similarity and what they have in common, they tend to react with greater hostility when they finally, and unavoidably, encounter those different from themselves. In other words, if privacy, as Regan argues, is supposed to allow

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[4] Robert F Murphy, "Social Distance and the Veil," in *Philosophical Dimensions of Privacy: An Anthology*, ed. Ferdinand David Schoeman (Cambridge: Cambridge University Press, 1984), 35.
[5] It should be noted that while the effects of homophily on polarization are widely accepted, the evidence for the role of online social media in creating echo chambers is far from conclusive. See, for example:
Pranav Dandekar, Ashish Goel, and David T. Lee, "Biased Assimilation, Homophily, and the Dynamics of Polarization," *Proceedings of the National Academy of Sciences* 110, no. 15 (2013): 5791–96 ; Fabian Baumann, et al., "Modeling Echo Chambers and Polarization Dynamics in Social Networks," *Physical Review Letters* 124, no. 4 (2020): 048301 ; Pablo Barberá, "Social Media, Echo Chambers, and Political Polarization," in *Social Media and Democracy: The State of the Field, Prospects for Reform* (Cambridge University Press, 2020), 34–55 ; Matteo Cinelli, et al., "The Echo Chamber Effect on Social Media," *Proceedings of the National Academy of Sciences* 118, no. 9 (2021): e2023301118 ; Amy Ross Arguedas, et al., "Echo Chambers, Filter Bubbles, and Polarisation: A Literature Review" (Reuters Institute for the Study of Journalism, 2022).

people to put away their differences and come together, it can also backfire and bring about polarization and fragmentation.

On the one hand, as mentioned above, it seems that too little privacy can distract us from seeing what we have in common with others. On the other hand, too much privacy may result in polarization and greater hostility towards difference, thus bringing about the same problematic result — undermining our ability to come together and form a body politic.

Importantly, for Regan and Murphy, as for many others, privacy is understood as the withdrawal and separation of the individual, or some aspects of her, from others. In this vein, privacy is often cast as a protection of the individual from the oppressive power of society or the state.

How, then, do we find the right balance? How do we foster both respect for difference, i.e. tolerance and pluralism, as well as a unified sense of community? How do we simultaneously avoid oppression and conformity, as well as a disintegration of commonality and unity? And what role does privacy play in all this? In this article I seek to explore these questions and to highlight privacy's social value, utilizing the seminal writings of George Herbert Mead.

Briefly, while privacy pertains to the relation between the individual and others, Mead's work offers us two models—hostility and integration—through which we can understand this relation. According to the former, the relation is seen as a zero-sum game, in which the individual and society oppose one another so that either of them must give way, one at the expense of the other. The latter model, however, sees both individual and society not as destructive of one another, but as mutually constitutive, inseparable phases of a dynamic and constructive whole. Unfortunately, privacy has almost solely been conceived in terms of the former, rather than the latter. The primary claim of this article is that, in order to present privacy's social value, we must employ the model of integration instead of that of hostility, and thus see privacy in terms of a society in which individuals are unique and different, yet at the same time integrated in pursuit of a common good.

The article is structured as follows. First, I very briefly introduce Mead's theory of the social constitution of the self, followed by my utilization of this theory to offer a relational understanding of privacy. Next, I present Mead's thought on the two models of social organization, as well as his underlying conception of autonomy. Finally, utilizing these models, I posit that privacy's social value is to be found by shifting our perspective from the model of hostility to looking at privacy through the model of integration. Doing so, I contend, furnishes us with an answer to the challenging questions mentioned above, providing a foundation for a democratic, pluralistic, and unified society.

2. Mead on the Social Constitution of the Self

George Herbert Mead (1863-1931) offers one of the most original, sophisticated, and nuanced accounts of the social constitution of selfhood, and its relation to society, to have ever been articulated. This section will present an extremely brief, and hence unavoidably partial, account of some of Mead's ideas regarding the social constitution of selfhood.

Mead's work is best understood against the background of the predominant view of selfhood which he aims to replace. According to this view, the individual, or the self, is atomistic, independent, autonomous, rational from birth, and disembodied. The individual is seen as atomistic inasmuch as it is conceived to be naturally distinct from its surrounding environment, and can be accounted for separately. In other words, the individual's relation to the world around it is one of interplay between separate, atomistic entities, whose interaction is not constitutive of who they are independently of each other. Moreover, this individual possesses from birth both rationality and autonomy, conceived as the ability to choose and thus direct one's course of action. Consequently, it follows that the above-mentioned tension between the individual and others, or society, is conceived in terms of a conflict in which the individual resists the influence and encroachment of others. Hence, a free person is one who can act as he wishes without any external influences and obstructions, that is, freedom according to this view is conceived as noninterference. Finally, the essence of this individual is usually reduced to a

disembodied consciousness which transcends its physicality, i.e. in an opposition of mind over matter, or soul over body.

Against this view, Mead's thought offers an alternative conception of the interplay between individual and society, showing the rich and complex interaction which constitutes both, and which grounds selfhood in a dynamic intersubjective, situated, and embodied process.

Fundamentally, Mead's work on the constitution of the selfhood aims to explain the nature of self-consciousness, which literally means consciousness of oneself as an object. In his words: "How can an individual get outside himself (experientially) in such a way as to become an object to himself? This is the essential psychological problem of selfhood or self-consciousness."[6]

The very first step in an investigation into the origination of selfhood must begin with an acknowledgement that from infancy, the backdrop of our developing consciousness is an ongoing social process. We are born into a society, language, and culture and develop our self-consciousness in certain social settings. This society is not a static entity - it is made up of individuals and groups who continuously and mutually effect each other, and their environment, in a dynamic and ever changing flow of interactions, a social process.[7]

Mead's work offers a detailed and subtle analysis of the intricacies of this social process and the way in which it gives rise to individual self-consciousness. For the purposes of this article, however, suffice it to say that Mead shows that self-consciousness is not pregiven, but "arises in the process of social experience and activity, that is, develops in the given individual as a result of his relations to that process as a whole and to other individuals within that process."[8]

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[6] George Herbert Mead, *Mind, Self, and Society: The Definitive Edition*, ed. Charles W. Morris, annotated edition by Daniel R. Huebner and Hans Joas (Chicago and London: University of Chicago Press, 2015), 138.
[7] In fact, according to Mead, our most fundamental approach to the world around us is social in nature, including not only other people, but even physical objects. For example, he argues that children do not initially recognize the difference between animate and inanimate beings. Rather, they treat any object in their environment as social beings, i.e. as beings with which they can communicate. This instinctual approach to the world may come to the surface at certain times even in adults who have already learned to treat some objects as inanimate, and therefore not social. Thus, for example, if you have ever stubbed your tow and kicked the culprit object back, or if you became upset and angry at some object that stopped working, then you have evinced this fundamental social approach.
[8] Mead, *Mind, Self, and Society*, 135.

Thus, according to him, the self is not something we are endowed with from birth. Instead, we acquire it through our interaction with other selves — what makes us human selves is our social interaction with the world around us.

Importantly, Mead does not simply state the age-old observation that humans are, by their nature, creatures who live in a society. What he shows, rather, is that our very consciousness, self-understanding, and agency are social all the way down. In other words, we are social first and individual only second, our individuality resulting from our social embeddedness. Hence, the self is fundamentally a social entity - a *social self*.

Essentially, Mead contends that self-consciousness arises as a result of a dialectical process in which the individual both assumes and responds to the attitudes, or roles, of others:

> It is just because the individual finds himself taking the attitudes of the others who are involved in his conduct that he becomes an object for himself. It is only by taking the roles of others that we have been able to come back to ourselves. [...] This is just what we imply in "self-consciousness." We appear as selves in our conduct in so far as we ourselves take the attitude that others take toward us, in these correlative activities.[9]

Mead characterizes the development of this self-consciousness in a child in terms of two stages: play and game. In the first stage, that of play, the child takes on, addresses himself and responds to, a specific role — she can "play" at being a parent, teacher, policewoman, etc. At this stage, the child takes only a single specific role at a time, and will pass from one role to the other consecutively as each role calls for a response of another. By internalizing such views of oneself from the perspective of others, taking on the attitudes of others in the child's environment, she begins to develop the capacity for self-consciousness. However, the full development of this capacity comes about only as the play becomes more complex. In the second

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[9] George Herbert Mead, "The Genesis of the Self and Social Control," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (London: Routledge, 2012), 80.

stage, in order to participate in a group game, the child must take not only a single attitude at a time, but to simultaneously integrate multiple and diverse roles into an organized unity. To do so she must realize the relations between the various roles and see how each and all relate to her own role.[10]

Thus, while one can internalize and respond to the attitude of a specific individual towards oneself, one may also internalize the total attitudes of an entire group. In order to participate in a game, or in any other complex social activity for that matter, one must be able to assume the roles of all actors involved as well as to realize the various relationships which each of these roles has with all others. Furthermore, in order to fully participate, one must also understand both the rules governing the game and the common ends of this joint activity. This organized whole is what Mead calls a "generalized other". To illustrate this, we can take as an example one's family, colleagues, or students. These groups all form aggregates of attitudes which one internalizes and responds to. While I have a different relationship with each of my coworkers, there is also something about the entire workplace in general, as an aggregate of attitudes common to the entire group, that I internalize and respond to.

What follows from all of the above is that in each social relationship we have, we assume and maintain a different social self. As Mead contends, the communicative interaction with other individuals shapes and results in the variety of social selves arising out of these interactions. Since every such intersubjective relationship is unique, the outcome is that each and every person holds a veritable multitude of social selves. Thus, one's self as a spouse differs from one's self as a boss, colleague, mother, etc. In each of these social interactions, one maintains a somewhat different self.   In Mead's words: "a multiple personality is in a certain sense

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[10] This distinction appears in a great many of Mead's writings. See, for example George Herbert Mead, "On the Self and Teleological Behavior," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (London: Routledge, 2012), 32 George Herbert Mead, "A Behavioristic Account of the Significant Symbol," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (Routledge, 2012), 68; Mead, "The Genesis of the Self and Social Control," 80–81.

normal".[11] Thus, even among a close knit group of friends, one always has a somewhat different relationship, and hence a somewhat different social self, vis-a-vis each friend.

Nonetheless, social selves might have different degrees of overlap between them, so that, in all likelihood, the social selves which arise from the relationships with one's close group of friends all have much in common. From these commonalities one abstracts a generalized other, responding to which would give one a social self in relation to the entire group and its common activity. Of course, just as there are multiple social selves arising from our relationships with specific individuals, there are also multiple social selves which arise from our interaction with various generalized others. One has as many generalized others as one has social circles or groups.Thus, I have a different social self vis-a-vis my friends, colleagues, bank, gym, religious community, government, etc.

Importantly, Mead explains, to achieve the fully mature formation of self, it is not enough that one take the attitudes of others towards himself or towards one another. Just as in the example of the group game, one must also take the attitudes of all those individuals towards the common, cooperative social activities in which they all participate together. Only through this process does one "develop a complete self".[12] Thus, it is only by internalizing the attitudes of the entire social group as a generalized other, that one gains a unity of self.

Furthermore, Mead contends that even our most fundamental faculties of thinking are socially derived. Thinking, for Mead, is simply the process in which we talk to ourselves: "Our thinking is an inner conversation in which we may be taking the roles of specific acquaintances over against ourselves, but usually it is with what I have termed the "generalized other" that we converse, and so attain to the levels of abstract thinking, and that impersonality, that so-called objectivity that we cherish."[13] Hence, just as the generalized other is the key to the unity of self, it also serves as the source of our rational, or abstract thinking. To be a rational being, for Mead,

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[11] Mead, *Mind, Self, and Society*, 142.
[12] Mead, *Mind, Self, and Society*, 155.
[13] Mead, "The Genesis of the Self and Social Control," 83.

is to act in accordance with this socially derived mechanism of thought: "Rationality means that the type of the response which we call out in others should be so called out in ourselves, and that this response should in turn take its place in determining what further thing we are going to say and do."[14]

3. Privacy and the Right to Privacy

Utilizing Mead's explanation of the social constitution of selfhood, I have elsewhere argued that privacy should be understood as a state, a condition of life, wherein one's diverse social selves are maintained distinct to the degree which the individual wishes and expects. Since this is obviously a subjective state, depending on one's unique wishes and expectations, the right to privacy cannot be stated in such terms. Hence, I contend that the *right to* privacy should be defined as the right to maintain one's state of privacy to the degree which one wishes and which reasonable expectation allows.[15]

The latter qualification is the means of introducing objective factors, to complement the subjective nature of privacy. In other words, determining the reasonable expectations is the key to being able to legislate and enforce the right to privacy, since it reflects society's norms and values. Importantly, however, my understanding of reasonable expectations is prescriptive, rather than descriptive (as it is often understood in the United States). By this I mean that reasonable expectations reflect not only the existing and entrenched norms and behaviors, but the desired values which society aspires to and which should be the guide for judging both existing and novel behaviors and norms.

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[14] Mead, *Mind, Self, and Society*, 149 ; See also Mead, "A Behavioristic Account of the Significant Symbol," 68 ; George Herbert Mead, "The Nature of Scientific Knowledge," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (Routledge, 2012), 131 ; Mead, *Mind, Self, and Society*, 138, 149, 334 ; George Herbert Mead, *Movements of Thought in the Nineteenth Century*, Ed. Merritt H. Moore (Chicago: The University of Chicago Press, 1936), 380–81.
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Conceiving privacy in this way allows us to see that it is not meant to isolate or form a protective bubble around an insulated individual. Contrary to conceptions of privacy which rest on an atomistic, illusory, understanding of selfhood, this relational view is grounded in the thoroughly intersubjective nature of self-consciousness. Furthermore, this conception of privacy allows us to see the tension between individual and society in a different light, not as diametrically opposed, but as interdependent entities.[16]

However, this is only part of the picture. While focusing on the relation between privacy and the social self highlights the value of privacy for individuals, we have not yet explored the value of privacy for society as such. To do so, we must explore other aspects of Mead's thought — on the method of social organization, and on autonomy. Mead does not contend himself with articulating the social constitution of individual selfhood, but explores the ways in which groups and societies organize themselves and bring together their individual members.

4. Privacy , Autonomy, and Social Organization

Claiming that individuals are constituted by the social process, i.e. the society of which they are part, might have been thought to entail that individual variation and uniqueness would be suppressed. Mead, however, in no way believes this is the case. He acknowledges the need of individuals to realize their peculiar, unique character, and their difference from others, observing that "we want to recognize ourselves in our differences from other persons".[17] He uses the term self-assertion to designate the way in which individuals act to assert their individuality and

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[16] Other theories which espouse a relational view of privacy include: Julie E Cohen, *Configuring the Networked Self: Law, Code, and the Play of Everyday Practice* (Yale University Press, 2012) ; Valerie Steeves, "Reclaiming the Social Value of Privacy," in *Lessons from the Identity Trail: Anonymity, Privacy and Identity in a Networked Society*, Ian Kerr et al. eds. (Oxford University Press, 2009), 191–208 ; Jeffrey H Reiman, "Privacy, Intimacy, and Personhood," in *Philosophical Dimensions of Privacy: An Anthology*, ed. Ferdinand David Schoeman., Cambridge University Press (Cambridge University Press, 1984), 300–316. Ferdinand David Schoeman, *Privacy and Social Freedom* (Cambridge University Press, 1992) ; Robert C Post, "The Social Foundations of Privacy: Community and Self in the Common Law Tort," *California Law Review* 77, no. 5 (1989): 957–1010 ; Paul M Schwartz, "Privacy and Democracy in Cyberspace," *Vanderbilt Law Review* 52, no. 6 (1999): 1609–1702 ; Lisa M Austin, "Privacy and Private Law: The Dilemma of Justification," *McGill Law Journal* 55, no. 2 (2010): 165–210 ; Solove, *Understanding Privacy*.
[17] Mead, *Mind, Self, and Society*, 205.

uniqueness over against others. Nonetheless, Mead reminds us time and again that the tension

between the individual and society is not something to be solved away, but an inherent part of

the dialectical nature of the self. On the one hand, individuals feel the need to assert themselves

over against others in order to realize themselves in their peculiarity, but on the other, Mead

stresses, those individuals gain this very realization only in and through society:

> The proudest assertion of independent selfhood is but the affirmation of a unique
> capacity to fill some social role. Even the man who haughtily withdraws himself
> from the crowd, thinks of himself in terms of an ideal community which is but a
> refinement of the world in which he lives. It is by assuming the common attitudes
> to each other, which an organized community makes possible, that we are able to
> address ourselves in the inner forum of our thoughts and private purposes.[18]

What, then, determines the relation between society and individuality? How is it that

some institutions and societies turn out to be oppressive while others are not? The answer, for

Mead, is to be sought in distinguishing between different methods of social organization. As will

be seen later on, applying these to privacy theory can enable us to articulate the social value of

privacy.

According to Mead, there are two methods, or models, of unified social organization,

based on two types of individual self-assertion: hostile and functional. Simply put, organization

by *hostility* consists in a unification against a common enemy, while organization by functional

differentiation, which Mead alternatively calls *integration* (in this article I will mostly use this

term), lies in cooperative action for a common good.

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[18] George Herbert Mead, "National-Mindedness and International-Mindedness," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (London: Routledge, 2012), 315–16.

4.1. The Model of Hostility

       The first type of self-assertion is hostility, that is, the instinctual tendency for survival, a reaction aimed at self-preservation against a threat. When taken by a group against a common enemy, hostility has a unique and powerful inherent result of unifying the group. As Mead explains, this unification has a dual effect: "Social organization which arises out of hostility at once emphasizes the character which is the basis of the opposition and tends to suppress all other characters in the members of the group... Just in proportion as we organize by hostility do we suppress individuality."[19] It is important to recognize both effects which Mead states here.

       First, the fact that the common enemy leads one to unite with others seems obvious. It stems from the fact that the enemy has the same threatening attitude towards each and every individual in society, hence they all share the interest to eliminate this threat. That is to say that the nature of the relationship between the enemy and every member of society is the same. This, in turn, can explain the second effect which Mead mentions. It is because we all share the same kind of relationship and interests with regard to the enemy, that hostility tends to suppress the differences and oppositions between individuals in the threatened group, i.e., those same oppositions and differences by which we normally distinguish ourselves from others. Hence, as Mead argues, organizing by hostility leads to suppression of individuality.[20]

       This kind of social organization can be found, according to Mead, in patriotic movements, in mob-consciousness, as well as in party politics.[21] For example, he contends that

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[19] George Herbert Mead, "The Psychology of Punitive Justice," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (London: Routledge, 2012), 273.

[20] Mead demonstrates this point in another way as well: "Recognition of differences and peculiarities brings out peculiar response. This gives a much more concrete idea. Concrete details are given which are entirely lost in the idea of identification. Concreteness depends on the individual expressing himself and his peculiarities. This brings us into relationship with others, a fitting together of those essentially different from each other. You cannot   have intimacies of social relation where people are all in a crowd. You may have feelings of identification with people in a crowd, but you do not have the sort of intimate relation involved in recognition of differences. In the first instance you have abstractions in everything except the common one, but no recognition of wider and more concrete relation." George Herbert Mead, *The Individual and the Social Self: Unpublished Work of George Herbert Mead*, edited with an introduction by David L. Miller (Chicago and London: University of Chicago Press, 1982), 94.

[21] As Mead states: "It is this temporary relief from the social frictions which attend upon all other co-operative activities which is largely responsible for the emotional upheavals of patriotism, of mob consciousness, and the

"In a political campaign that is fought on party lines the members of the party surrender themselves to the party. They become simply members of the party whose conscious aim is to defeat the rival organization. For this purpose the party member becomes merely a republican or a democrat. The party symbol expresses everything."[22] Unfortunately, this point seems as apt and poignant today as it was over one-hundred years ago.

At the most basic level, hostility entails a separation between individuals or groups (Mead often calls them cults or castes), which cannot assume the attitudes of one another, and hence ultimately strive to eliminate the other. It indicates that persons are not able to see themselves as part of a larger whole, to cooperate and work together towards common ends, since their interests and values are incommensurable. Instead, they remain in a state of continuing conflict, each attempting to preserve itself at the expense of others. Ultimately, resolution of such conflict through hostility entails the destruction of one group by another. Moreover, in this process, the internal unification of the different groups results in a suppression of the individuality of their members. Hence, hostility leads to oppression and conformity *within* the opposing groups.

Not only does organization by hostility suppress individuality within the different, conflicting groups, it also has a similar effect on the entire society. Just as each caste or cult organizes itself by its opposition to the others, so does the entire society organize itself in opposition to another society. Therefore, if a society organizes itself in this way, to avoid disintegration it must come together through what Mead calls a "leveling down", that is, by suppressing the individual uniqueness of its constituent parts, and making them conform to a specific type. In other words, unification is achieved through uniformity, i.e., unity through identity — "an undue recognition of that which is not only common but identical."[23]

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extremes of party warfare, as well as for the gusto of malicious gossiping and scandal-mongering." Mead, "The Psychology of Punitive Justice," 278.

[22] Mead, "The Psychology of Punitive Justice," 273.

[23] Mead, *Mind, Self, and Society*, 328.

According to Mead, organization by hostility goes hand in hand with an abstract and atomistic conception of selfhood and autonomy. As he states: "The individual who is defending his own rights against the trespasser is led to state even his family and more general social interests in abstract individualistic terms. Abstract individualism and a negative conception of liberty in terms of the freedom from restraints become the working ideas in the community."[24] When society is organized by hostility, its constituent and conflicting parts, both individuals and groups, are led to view each other as opponents to be overcome and mastered in a zero-sum game. Naturally, an atomistic conception of autonomy as independence and noninterference accompanies this view, since the struggle for mastery entails that one must gain power and standing at the expense of the opponent, who is conceived as a threat to one's autonomy. If I am autonomous to the degree that others do not interfere with my actions, then such others essentially become potential threats to my autonomy, and hence the model of hostility fits well with this view.

How does this relate to privacy? From theories which view privacy in terms of being let alone, through theories that equate privacy with secrecy or seclusion, to those which define privacy as control over the level of access or dissemination of information about an individual, all seem to imply a similar understanding of the tension between individual and society in terms of hostile opposition.[25]

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[24] Mead, "The Psychology of Punitive Justice," 272.

[25] For a broad overview of privacy theories see Solove, *Understanding Privacy*. Prominent accounts include Alan F Westin, *Privacy and Freedom* (New York: Atheneum, 1967)   Irwin Altman, *The Environment and Social Behavior: Privacy, Personal Space, Territory, Crowding* (Monterey, California: Brooks/Cole Publishing Company, 1975); Ruth Gavison, "Privacy and the Limits of Law," *The Yale Law Journal* 89, no. 3 (1980): 421–71; Charles Fried, *An Anatomy of Values: Problems of Personal and Social Choice* (Cambridge, MA: Harvard University Press, 1970); James Rachels, "Why Privacy is Important," *Philosophy & Public Affairs* 4, no. 4 (1975): 323–33; Reiman, "Privacy, Intimacy, and Personhood"; Post, "The Social Foundations of Privacy: Community and Self in the Common Law Tort";   Schwartz, "Privacy and Democracy in Cyberspace"; Schoeman, *Privacy and Social Freedom*; Helen Nissenbaum, *Privacy in Context: Technology, Policy, and the Integrity of Social Life* (Stanford, CA: Stanford University Press, 2010); Cohen, *Configuring the Networked Self*;   among many more.

To take, for example, the most popular of these theories—that of privacy as control,—we can see that the metaphor of control itself entails such an understanding. Control is construed in terms of a tradeoff, a zero-sum game, in which either one has control or others have it.[26]

In fact, even relational views of privacy, which recognize the intersubjective nature of selfhood, still tend to conceive autonomy and the role of privacy through the model of hostile opposition, in terms of noninterference or the prevention of influence by others.[27]

What all these seem to have in common, however, is not only an atomistic conception of autonomy, but also a view of privacy which is disconnected from any notion of a common good. If the individual and society are in hostile opposition, then it follows that a gain for society would be a loss for individuality and vice versa. Under this view, the individual good and the common good are pitted against each other, and social unity must entail uniformity and oppressiveness. Consequently, if we view the individual and society through the model of hostility, seeing them in antagonistic terms, and thus construe privacy as protecting the individual from influence or interference by others, then we are hard pressed to justify a social value for privacy, and are reduced only to an individual one. No wonder that the right to privacy is often conceived as being in opposition to social interests such as security. If privacy is only an individual value, how can it ever hope to stand in the face of interests which are presented in terms of their value for society as such?

Furthermore, as explained above, what follows from the false tradeoff between individual and society is a social organization that is achieved through a leveling down, reducing what is common to what is identical. In other words, the result of depicting society and individual as being at odds, and privacy as protecting the individual pole of this conflict, is paradoxical. What was meant to promote individuality and autonomy, in the end only leads to their demise.

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[26] While we can also speak of joint control over something, this still implies that others are excluded from this control. Furthermore, such joint control is not what is meant under the theory of privacy as control.
[27] Thus, for example, Julie Cohen argues that privacy is about "preventing the seamless imposition of   patterns predetermined by others. [...] Privacy's goal, simply put, is to ensure that the development of subjectivity and the development of communal values do not proceed in lockstep." Cohen, *Configuring the Networked Self*, 150.

We need not despair, however, for Mead offers an alternative model of social

organization and a different understanding of autonomy. The alternative model of *integration*,

accompanied by a relational view of autonomy, can serve as a foundation for a novel view of

privacy's social value.

4.2. The Model of Integration

How, then, can we unify society without resorting to conformity and suppression of

individuality? Relatedly, how can we conceive privacy in other terms than those of conflict and

opposition between individual and society?

Mead contends that while, historically, societies tended to organize first through hostility,

in the course of time such hostility may transform itself into another form of organization.

Instead of commonality through identity, that is, coming together through leveling down and

elimination of difference, there can arise a commonality based on another type of self-assertion,

namely, through a recognition of functional value. He argues that, over time, and especially in

the modern era, human society has tended towards greater and greater relational complexity and

integration, and hence growing interdependence.[28] Through this process, he contends, there is a

potential for coming together not via hostility but through a recognition of the whole, that is, a

recognition of the uniqueness and functional value of each individual or group for the whole

social process in which all are implicated. Notably, he says the following during the very height

of World War I: "The moral of this is, and one is certainly justified in emphasizing it at this time

of a profound democratic movement in the midst of a world-war, that advance takes place in

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[28] For example, Mead contends that "The interlocking interdependence of human individuals upon one another within the given organized social life-process in which they are all involved is becoming more and more intricate and closely knit and highly organized as human social evolution proceeds on its course. The wide difference, for example, between the feudal civilization of medieval times, with its relatively loose and disintegrated social organization, and the national civilization of modern times, with its relatively tight and integrated social organization (together with its trend of development toward some form of international civilization), exhibits the constant evolution of human social organization in the direction of greater and greater relational unity and complexity, more and more closely knit interlocking and integrated unifying of all the social relations of interdependence which constitute it and which hold among the individuals involved in it." Mead, *Mind, Self, and Society*, 310–11.

bringing to consciousness the larger social whole within which hostile attitudes pass over into self-assertions that are functional instead of destructive."[29]

Mead argues that a better alternative to organization through hostility can be found in organization through functional differentiation, which he alternatively call integration. Put differently, *instead of organization through a common enemy, there can be organization through a common good*. As societies become more complex and interdependent, i.e., as people become more interconnected, they realize that they have common goods and ends which underlie their relationships. These common goods, in turn, serve as the foundation of the emerging community, and consequently people adopt them as individual ends to be pursued. An example of this, Mead argues, can be found in the fact that "we have largely banished private warfare from the recognized methods of maintaining self respect in civil conflicts."[30]

The metaphor of a stone path might serve to illustrate the difference between the two models. When one gathers stones in order to build a path, one can go about it in several ways. One method can be to chisel them all into the exactly the same size and shape. In this way, all stones look alike, and are easily put together to form a path (Fig. 1). Another is to take the differently shaped stones as they are found, and fit them together somewhat like a puzzle. This method obviously takes more time and effort, but it preserves the stones in their unique form (Fig. 2). As will be shown later, this second method, which preserves the distinctive character of its constituent parts, can serve as a model for understanding the social value of privacy and its essential contribution not only to individual autonomy, but to a pluralistic and democratic polity.

It should be noted that organization by hostility is clearly the easier and more instinctual method of the two. This point, of course, has not escaped Mead: "The whole history of warfare between societies and within societies shows how much more readily and with how much greater emotional thrill we realize our selves in opposition to common enemies than in collaboration

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[29] Mead, "The Psychology of Punitive Justice," 267.
[30] Mead, "National-Mindedness and International-Mindedness," 322.

with them".[31] Mead recognizes that this alternative is much harder to come by, since it involves significantly more conflicts and relational complexities. While organization by hostility carries with it an instinctual unification, due to the identity in the interests and relationships between all individuals towards the common enemy, working for a common good entails no such identity of relationships or interests. For example, attempting to come together and work toward a shared ideal, often involves conflicts of interests which do not appear in the case of unification through hostility:

> While the most admirable of humanitarian efforts are sure to run counter to the individual interests of very many in the community, or fail to touch the interest and imagination of the multitude and to leave the community divided or indifferent, the cry of thief or murder is attuned to profound complexes, lying below the surface of competing individual effort, and citizens who have separated by divergent interests stand together against the common enemy.[32]

Working together toward the common good involves significantly greater challenges than joining together against the common enemy — inasmuch as in the former the very act of unification itself entails conflicts which do not emerge in the latter. Moreover, as a result of the recognition of a common good, hostilities do not disappear, but are diverted into more constructive avenues. Instead of attempting to eliminate the different other, recognition of the common good enables society to accommodate differences by focusing on their functionality. Put differently, recognition of the other's contribution to the common good, that is, the functional value and necessity of the other's work to advance the common goal both are pursuing, enables one to tolerate and accept the other, despite their difference. Such accommodation can advance even more, over time, turning from a grudging recognition of

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[31] Mead, "The Genesis of the Self and Social Control," 85.
[32] Mead, "The Psychology of Punitive Justice," 272–73.

necessary divergence of function, into a positive embrace of plurality and difference as means for progress and enrichment. As Mead states:

> Through rivalries, competitions, and co-operations men achieved the conception of a social state in which they asserted themselves while they at the same time affirmed the status of the others, on the basis not only of common rights and privileges but also on the basis of differences of interest and function, in an organization of more varied individuals. [...]
>
> This evolution reaches a still richer content when the self-assertion appears in the consciousness of social contribution that obtains the esteem of the others whose activities it complements and renders possible.[33]

Importantly, the two models of social organization are based on two, divergent, conceptions of individual self-assertion, and hence, on two different views of autonomy. While, the model of hostility goes hand in hand with an atomistic conception of autonomy, the model of integration is based, rather, on a relational understanding of autonomy.

The atomistic view of autonomy, while not uncommon, has nonetheless been exposed as illusory by many scholars. One of the finest such articulations is given in the following passage by Jennifer Nedelsky:

> [W]hile one cannot be autonomous without some feeling of autonomy, one can feel autonomous and not be so. One of the powerful markers of privilege in North American culture is a sense of being independent and autonomous. Autonomy is one of the highest values of the culture and the dominant conception of it links it closely with independence. Those in relative positions of power learn to see themselves as autonomous, which means learning to be blind to their multiple forms of dependence and interdependence. This can take the form of the "self-made man" blind to the infrastructure of society and the market that have

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[33] Mead, "The Psychology of Punitive Justice," 274.

made his economic ventures possible. Another form is the ordinary worker who decries those who live off the largess of others, dependent on welfare handouts, unconscious of his own dependence on publicly funded schools, highways, employment insurance, health and safety regulations. Or the corporate executive who attributes his success to his intelligence, hard work and ambition, blind to the facilitating role of class, race, and gender privilege as well as a system of laws that constructs not only his power but the very existence of the corporation as well. All of them may ignore the ways their lives are made possible by the unpaid labor and attention of their wives.[34]

As this searing critique shows, conceiving autonomy as independence is, at best, an illusion, if not willful ignorance. Moreover, Mead's entire work demonstrates the falsity of conceiving an abstract and atomistic self. Replacing the unrealistic notion of autonomy as freedom from the influence and interference of others, Mead offers a concrete and honest look at the complex and interdependent nature of our inherently social reality.

As he argues, not only our autonomy, but our rationality and self-consciousness are a product of our being born into a society of others. For him, thinking itself is socially derived, consisting in an "inner conversation" which we conduct, sometimes with specific others, but most often and crucially, with the generalized other. As explained above (p. @), it is through this internal conversation with the generalized other that we attain abstract thinking and thus rationality. Hence, for Mead, rationality itself is a socially derived mechanism of thought. In sum, the atomistic conception of autonomy is illusory, not only by virtue of our dependence on others to provide us with the conditions of our action, but also because our very capacity to deliberate and think is a product of our social nature.

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[34] Jennifer Nedelsky, *Law's Relations: A Relational Theory of Self, Autonomy, and Law* (New York: Oxford University Press, 2011), 138.

An alternative view of autonomy, as presented by Mead, recognizes and celebrates the fact of our interdependence. According to him, freedom is not something we gain as we draw away from others and their influence, but is intrinsically tied to the social environment in which we are embedded. For Mead, autonomy is not a lack of restraint on one's actions, but the ability to reflectively control and direct one's action, an ability that is not pregiven, but rather socially acquired. Our ability to critically examine and direct our own conduct essentially consists in our relation to the generalized other, that is, in adopting the perspective of others towards ourselves and towards our joint activities. To the hostile model, with its atomistic view of selfhood and autonomy, which opposes the individual and society in a zero-sum game, Mead offers an alternative in which the relation of individual and society is constructive instead of destructive. Instead of seeing society as a limit on, and interference with, the freedom of the individual, he offers a novel understanding of the significance of "social control". Social control, for Mead, is essentially tied to both self-criticism and autonomy, since through it the individual changes himself, as well as society:

> the general social process of experience and behavior which the group is carrying on is directly presented to him in his own experience, and so that he is thereby able to govern and direct his conduct consciously and critically, with reference to his relations both to the social group as a whole and to its other individual members, in terms of this social process. Thus he becomes not only self-conscious but also self-critical; and thus, through self-criticism, social control over individual behavior or conduct operates by virtue of the social origin and basis of such criticism. That is to say, self-criticism is essentially social criticism, and behavior controlled by self-criticism is essentially behavior controlled socially. *Hence social control, so far from tending to crush out the human individual or to*

> *obliterate his self-conscious individuality, is, on the contrary, actually constitutive*
>
> *of and inextricably associated with that individuality*[35]

We are autonomous, not as we disengage from others, but rather through our socially acquired ability to reflect and control our conduct. It is through social control and self-criticism, the latter simply being an internalization of the former, that we direct our conduct, i.e., exercise our autonomy. Returning to Mead's explanation of the origin of self-consciousness, we can now see another layer of meaning in his claim that "It is only by taking the roles of others that we have been able to come back to ourselves."[36]

According to Mead, the social constitution of selfhood is exactly that which gives the individual his autonomy by furnishing him with the ability to consciously control his conduct. Importantly, it is this same process of self-reflection and social control, which allows the individual to respond in her full particularity to the generalized other. By utilizing her socially derived mechanism of thought to respond to the situation in which she finds herself, the individual is able to assert her unique perspective on the ongoing social process, and thus to bring about a change in society (a change, which, in turn, will then affect her own self-consciousness, and so on in a perpetual, reciprocal cycle). As Mead explains, "the individual comes to realize himself just in so far as he can take the attitude of the group to which he belongs. He can approve or disapprove of himself in those terms. He stands on his own legs just in so far as he assumes his own perspective, criticizes it, and reconstructs it."[37]

For Mead, it is this final action— reconstruction, which he alternatively labels "reorganization" or "readjustment", —which is the quintessential autonomous action of the individual. It is through reconstruction that the individual adjusts her actions and responds to her environment, transforming both in this action.

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[35] Mead, *Mind, Self, and Society*, 255 emphasis added.
[36] Mead, "The Genesis of the Self and Social Control," 80.
[37] Mead, *Movements of Thought*, 415.

At the most basic level, reconstruction, for Mead, is a problem-solving method utilized, by individuals or groups, whenever a choice needs to be made. It entails a creative readjustment, or reorganization, carried out by reflection on a specific, concrete situation in order to determine what course of action to take. To do so, Mead argues, the individual should not pit the conflicting elements in opposition to each other, to find out which succumbs to the other, but should strive to give them all a voice in determining how action should proceed: "When it comes to the problem of reconstruction there is one essential demand—that all of the interests that are involved should be taken into account. One should act with reference to all of the interests that are involved: that is what we could call a 'categorical imperative.'"[38]

Reconstruction, then, serves as the fundamental principle of the model of integration, inasmuch as integration is achieved through reconstruction. Essentially, organization by integration consists in bringing individuals and groups together through the method of reconstruction, that is, through recognition of all the different interests, and the attempt to creatively find a common good in which they complement, rather than destroy, each other. As Mead explains, reconstruction enables us to achieve a "a larger social whole in terms of which the social conflicts that necessitate the reconstruction of the given society are harmonized or reconciled".[39] Hence, at least for the purpose of this article, integration and reconstruction are practically synonymous.

In sum, the measure of our freedom is not only the degree to which we can realize our peculiar differences from others, but also the degree to which we can bring these individual traits to bear an effect upon the society in which we live. Freedom, according to Mead, has to do with fruitful integration and inheres in the reconstruction of both individual and society.

[38] Mead, *Mind, Self, and Society*, 386.
[39] Mead, *Mind, Self, and Society*, 308.

Armed with this understanding of the model of integration, the next section will explore the ways in which this model can serve as a rich basis for understanding the value of privacy not only for individuals, but for society itself.

5. The Social Value of Privacy

In order to do justice to privacy's social value, we need a paradigm shift — we must abandon the hostile model and, instead, view privacy through the model of integration. As mentioned above, privacy is inherently tied to the tension between the individual and others. It is quite different, however, to see this tension in terms of the model of hostility than in terms of the model of integration. While the former view is adopted by most privacy theories, highlighting the latter is the purpose of this article. Furthermore, on the former view, the common good is absent, and we are left with an atomistic conception of individualism and autonomy. On the latter, the right to privacy is part and parcel of the common good, forming the bedrock of a pluralistic, democratic, and multifaceted society, in which unique individuality and relational autonomy flourish.

In this section I will argue first that the right to privacy serves as a fundamental condition of both democracy and morality, based on Mead's understanding of integration and its pivotal role. Second, that the right to privacy serves as the bedrock of pluralism, fostering tolerance of difference and peculiarity. Third, I will contend that it thus underlies the very process which brings us together as a society, without which society must either become oppressive—suppressing the individuality of its members and bring them together through uniformity—, or else disintegrate. Let us unpack these claims.

Democracy, for Mead, is an attitude and a way of life, guided by an ideal of participation and community engagement, deliberation, and action. Essentially, Mead believes that democracy is the ideal form of human society, one in which unique individuality and social participation are jointly attained. As such, this ideal is a manifestation of a full-fledged

integration of society. Since integration is achieved through the method of reconstruction, it follows that the latter serves as the organizing principle of society and politics in democracy.

Importantly, according to Mead, democracy is not to be understood as a political form of government in which power resides with the will of the majority. The basic principle of democracy, he posits, "is that there are common ends in which men are individually interested, and that these individual interests in community ends may be made the basis of government."[40]

Mead is aware of the fact that his is an ideal view of democracy, recognizing that there is a "chasm that separates the theory and practice of our democracy". Nonetheless, he goes on to argue that it is possible to bridge this gap: "It is the intensive growth of social interrelations and intercommunications that alone renders possible the recognition by the individual of the import for his social life of the corporate activity of the whole community. The task of intelligence is to use this growing consciousness of interdependence to formulate the problems of all, in terms of the problem of every one."[41]

The implication of democracy, for Mead, is not necessarily an oppressive pressure on the individual to conform to the majority's expectations and opinions, but rather accommodation of peculiarity and difference:

> It is often assumed that democracy is an order of society in which those personalities which are sharply differentiated will be eliminated, that everything will be ironed down to a situation where everyone will be, as far as possible, like everyone else. But of course that is not the implication of democracy: the implication of democracy is rather that the individual can be as highly developed as lies within the possibilities of his own inheritance, and still can enter into the attitudes of the others whom he affects."[42]

[40] George Herbert Mead, "On Nationalism, Industrial Rights, and Social Conflict," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (London: Routledge, 2012), 294.
[41] George Herbert Mead, "Scientific Method and the Moral Sciences," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (London: Routledge, 2012), 242.
[42] Mead, *Mind, Self, and Society*, 326.

Arguably, however, such agreement on the common problems, ends, and solutions can indeed be achieved through suppression of individual variety and heterogeneity, that is, through uniformity rather than diversity. In fact, Mead himself concedes that "[a]s democracy now exists" there is a "leveling-down, and an undue recognition of that which is not only common but identical."[43] Hence, it appears, common interest and consciousness of one's interdependence are not enough, in and of themselves, to ensure that society will be organized around a common which is shared rather than a common which is identical.

What is missing here, I argue, is the mechanism which would guarantee that unity will be achieved through integration rather than hostility - i.e. "unity in diversity"[44] as Mead calls it, instead of unity through uniformity. The right to privacy, I contend, serves to fill this gap.

While organization by hostility leads to conformity and suppression of individuality, organization by integration accommodates, and even encourages, maintenance of difference. Hence, while maintenance of difference is antithetical to social unification under the model of hostility, it is the *sine qua non* of the model of integration. This is where privacy comes in, since through it such difference is maintained.

It is through the right to privacy that society enables the individual to maintain her distinct selves and, consequently, to unify one's selves through integration rather than hostility. In other words, while hostility effectively suppresses one's individuality and collapses one's selves into one another, the right to privacy prevents such collapse, thus enabling one to maintain one's unique individuality and unite with others through integration. Privacy is thus a precondition of reconstruction, and hence, *ipso facto*, of integration.

According to Mead, reconstruction is a process in which "the individual functions in his full particularity, and yet in organic relationship with the society that is responsible for him".[45]

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[43] Mead, *Mind, Self, and Society*, 328.
[44] Mead, "National-Mindedness and International-Mindedness," 317.
[45] George Herbert Mead, "Scientific Method and Individual Thinker," in *Creative Intelligence: Essays in the Pragmatic Attitude*, ed. John Dewey et al (New York: Henry Holt, 1917), 227.

An essential condition of this full particularity, I contend, is the maintenance of one's distinct selves. Resting on this precondition, integration can then be achieved.

As explained above, at the individual level, this integration lies at the core of the shift from the developmental stage of play to the stage of game. As such, it serves a crucial function in the development of self-consciousness, marking the achievement of mature selfhood. It requires reconstruction of one's social selves so that they form a coherent whole — an integrated personality and self-consciousness.

Importantly, the integration of one's social selves affects not only the individual, but society as well. According to Mead, in reconstructing herself, i.e., in adjusting herself to the situation in which she finds herself so that her action may proceed, the individual reconstructs the society of which she is part. In other words, personal and social integration are two sides of the same coin. As Mead explains: "the relations between social reconstruction and self or personality reconstruction are reciprocal and internal or organic; social reconstruction by the individual members of any organized human society entails self or personality reconstruction in some degree or other by each of these individuals, and vice versa".[46] Hence, social change is brought about through the activity of individuals, that is, through personal reconstruction and integration, which, in turn, affects the society of which they are part (consequently affecting the individual again in the perpetual cycle mentioned above - Section 2). Furthermore, this intertwining of individual and social integration and reconstruction is the essence of social progress, according to Mead: "Human social progress involves the use by human individuals of their socially derived mechanism of self-consciousness, both in the effecting of such progressive social changes, and also in the development of their individual selves or personalities in such a

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[46] Mead, *Mind, Self, and Society*, 309. See also the following passage: "The reflexive character of self-consciousness enables the individual to contemplate himself as a whole; his ability to take the social attitudes of other individuals and also of the generalized other toward himself, within the given organized society of which he is a member, makes possible his bringing himself, as an objective whole, within his own experiential purview; and thus he can consciously integrate and unify the various aspects of his self, to form a single consistent and coherent and organized personality. Moreover, by the same means, he can undertake and effect intelligent reconstructions of that self or personality in terms of its relations to the given social order, whenever the exigencies of adaptation to his social environment demand such reconstructions." (Mead, *Mind, Self, and Society*, 309, n.19)

way as adaptively to keep pace with such social reconstruction."[47] The carrying out of these

processes to the full is what Mead sees as the democratic ideal. In other words, in Mead's view, a

democratic society is one in which integration at the individual level leads to integration at the

societal level. Importantly, both levels of integration entail maintaining their constituent

elements distinct. Since the right to privacy, as explained above, is exactly what guarantees this

condition, it thus becomes a societal interest *par excellence*.

Conceiving privacy in this way allows us to recognize the importance of the common

good, not as a opposed to, but as a necessary condition of unique individuality and autonomy. As

explained above, through the relational understanding of autonomy, we see that unique

individuality is not to be found only in one's difference and separation from others, but also in

the common society which serves as the basis for individual consciousness, action, and

expression.

Returning to the questions with which we began this article, we can now see that it is

only under the model of hostility that the individual interest in privacy is opposed to common

interests, such as security. When we recognize the interdependence of society and individual,

i.e., when we organize by integration, then we realize that both the individual and society have a

shared interest in the individual's privacy.

It is crucial to understand the nature of the common good to which Mead refers. When

we say that a political dissenter needs protection of her right to privacy from the oppression of

what society deems the common good, this does not imply that the common good opposes the

rights or interests of individuals. Instead, it signals that the "common" good in this case is

actually only the majoritarian good.

The common good, according to Mead, is not determined simply by the majority. Rather,

it results from the method of reconstruction, which takes into account *all* of the factors and

entities which participate in the conflict. It is not a matter of overruling or eliminating dissent,

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[47] Mead, *Mind, Self, and Society*, 309–10.

but of creatively bringing together all of the participants, joining them into a whole, based on a good which is common to all, not because all differences have been chafed off, but because through it all differences complement each other.

This might sound like an idealized or naive view to some. Mead himself recognized as much, arguing that "we are unwilling to surrender the ideal of such a government, if only for the sake of the exceptional occasions upon which it is realized, but more profoundly because we cherish the hope that the form of the institution in some way helps toward the realization of what it promises."[48] I agree with Mead, and believe that we ignore this ideal at our own peril.[49] The alternatives are either that we find a common denominator by leveling down, i.e. joining together through what is identical to all, thus ultimately suppressing unique individuality, or that we find no common good at all, and hence society breaks down. In other words, to reach the common good, we must utilize Mead's method of reconstruction, which leaves no interest unaccounted for, including that of the dissenter. Utilizing the model of integration, means that the dissenter's right to privacy should be protected in this case, not *from* the common good, but *for* the common good.

All this is not to deny that conflicts and tensions between individuals and groups exist, or that achieving integration is a simple and easygoing process. Rather, it is to emphasize that the way to approach and to solve such conflict is by consideration of the common good for which we all strive, and by recognition of our vulnerability to one another and the respect, and responsibility, which these entail for each of us in our dealings with each other.

Mead acknowledges that we all participate in different groups, i.e. creating multiple selves by taking the attitudes of various generalized others, and that we thus have divergent and

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[48] Mead, "Scientific Method and the Moral Sciences," 239.

[49] Furthermore, Mead's thought most assuredly cannot be charged as "armchair philosophy", supposedly reflecting the theoretical musings of a detached academic in his ivory tower. Throughout his life, Mead was active in a multitude of social initiatives and public roles bringing his philosophy to bear on practical issues. For a good account of Mead's social involvement, see Andrew Feffer, *The Chicago Pragmatists and American Progressivism* (Ithaca and London: Cornell University Press, 1993).

varying interests, values and goods. These groups and interests often come into conflict with one another, and hence the maintenance of the multiplicity of social selves which we have often proves a challenging task.

However, the conflict of interests, and hence the conflict between selves, is in no way necessarily a zero-sum game. If it was, then the only way to solve such a conflict would be through the suppression, or elimination and loss of a certain self and its interests at the expense of the other.[50] Instead, as Mead argues time and again, the conflict can and should be resolved through a reconstruction which harmonizes and accommodates the different selves and values into an integrated whole. As he states:

> At times the conservative decries enlightenment, and the idealistic revolutionary undermines public security; the aesthete condemns morality, and the moralist denounces art; the religionist assails science, while the highly trained analytical mind denies that there is or can be any positive good of any sort.
>
> These, then, are the two sides of the problem of values. Each social institution with the good that it subtends asserts and maintains itself but finds itself in that assertion in conflict with other institutions and their goods. [...]
>
> Unless men simply run amuck, the most peremptory assertion of their cherished goods is a demand for a world in which the competing goods shall have their proper place with due recognition of those in the interest of which they are fighting. A human community there must be, and there can be no human community unless it recognizes the values that are the goals of its strivings.[51]

Social organization through integration is Mead's solution to this problem. However, such integration has not only a political and societal dimension, but a moral one as well. In fact,

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[50] Mead recognizes this: "Such an organization as is one-sided, leaving parts of the nature unrepresented, naturally leaves behind the continuous conflict which thus becomes chronic and destructive instead of being a moment in a process of natural development." George Herbert Mead, "Suggestions Toward a Theory of the Philosophical Disciplines," in *G. H. Mead: A Reader*, ed. Filipe Carreira da Silva (Lodon: Routledge, 2012), 110.

[51] George Herbert Mead, *The Philosophy of the Act* (Chicago: University of Chicago Press, 1938), 497–98.

Mead describes morality in very similar terms to the way he describes the ideal implications of democracy : "Both of these are essential to moral conduct: that there should be a social organization and that the individual should maintain himself. The method for taking into account all of those interests which make up society on the one hand and the individual on the other is the method of morality."[52] In other words, reconstruction, the taking into account of all participating interests in any concrete problem and determining one's action accordingly, is at the core of morality as well as democracy, according to Mead.

As Joshua Daniel has argued, Mead's account of the social constitution of selfhood enables us to see that moral life and conscience inheres in the tension between different social selves: "constant negotiation between multiple ecologies of social roles and their norms of fittingness, rather than punctuated judgment, is the paradigmatic work of individual conscience."[53] Hence, he argues, individual conscience "involves resisting the collapse of social ecologies and their fittingness norms into each other, so that social life becomes flattened" because it "recognizes that contemporary social life cannot be sustained according to the norms of only one of the social ecologies that compose that life."[54]

The maintenance of distinct social selves, through the right to privacy, is thus a necessity for moral conscience as well.   Its function allows individuals to negotiate the diverse contexts, groups, and activities in which they partake, without collapsing or flattening them. It therefore enables and fosters a pluralistic society, reflecting the plural nature of the individuals who form this society.

Hence, while the right to privacy protects the individual from oppression and conformity, it would be mistaken to construe this protection in terms of the hostile opposition between individual and society. Rather, complemented by the relational understanding of both selfhood

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[52] Mead, *Mind, Self, and Society*, 389.
[53] Joshua Daniel, "Conscience as Ecological Participation and the Maintenance of Moral Perplexity," in *The Timeliness of Geroge Herbert Mead*, Hans Joas & Daniel R. Huebner (eds.), 291.
[54] Daniel, "Conscience as Ecological Participation and the Maintenance of Moral Perplexity," 292.

and autonomy presented above, we can now see privacy in a new light - as an integral part of a democratic and moral society, founded on the pursuit of a common good, and comprised of diverse and unique individuals who constitute and are constituted by the society of which they are part.

When we realize that our autonomy and individuality are not a result of our separation from others, but conversely, are constituted by our relationships with others, it follows that our privacy is similarly constituted. Simply put, this means that privacy is a thoroughly social affair, not only because it is *affected by* the relation between the individual and others, but because it *consists in* that relation. Our right to privacy inheres in the character of our relationships with others, in the attitude which others take towards us and toward the relationship. We are, so to speak, at the mercy of others. In other words, for one to attain privacy, one must be given it. This interdependent nature of privacy means that we must approach it on a societal level rather than solely on an individual one.

Importantly, this also enables us to realize the lateral effects of individual actions on the privacy of others. Most theories dealing with the right to privacy tend to focus on a specific agent whose privacy is at stake. For example, in order to determine whether a specific exchange of information between A and B is permitted, the relevant interests under consideration are those of A and B. Thus, to determine if Emma's right to privacy has been violated by the fact that a certain company has collected information about her, the relevant interests are those of Emma and the company. If Emma has agreed to the collection of information, we can likely determine that the information collection has not violated her right to privacy. However, this focus fails to account for the impact of such information collection on others who are not party to the direct information exchange. If Emma, for example, used the company's service to conduct a DNA test to determine her genetic ancestry, the information that the company gleans from her action implicates many other individuals beside Emma, such as her family members. Focusing solely on Emma's relation to the company fails to consider the collateral effect of Emma's exchange on the privacy of her different family members. This is not a unique case. To the contrary, in fact, it

has been argued that such collateral information collection is the norm rather than the exception, and that much of the data collection conducted by companies nowadays today concerns groups, and even entire populations, rather than individuals.[55]

As this example shows, it is imperative to widen our understanding of privacy beyond the dichotomy of individual versus society. We need a perspective through which we can analyze not only the value of privacy for individuals, but for society and the common good. The model of integration enables us to see that the common good is not opposed to individuality and autonomy, but underlies them both. Incorporating this insight into our conception of privacy provides us with a perspective from which we can see the role and impact of privacy not just for individual agents, but for others around them, enriching the debate on the role of privacy for the common good and for democracy.

6. Conclusion

The right to privacy has often been conceived as the protection of the individual from the oppressive forces of society. As such, privacy has often been understood to promote one's unique individuality and autonomy. However, the fact that privacy promotes unique individuality does not mean that the only, or even correct, way to do so is through separation from, and prevention of influence by, others. On the contrary, I argue that understanding privacy in this way ultimately undermines the very ends it aims to achieve. If, with Mead, we recognize the interdependence of individual and society, and the inescapably social constitution of selfhood and autonomy, we must conceive privacy in a different way.

The right to privacy, as I suggest we understand it, is based neither on an atomistic conception of autonomy, nor on a notion of protecting the individual from society. Rather, fully recognizing our social embeddedness, it emphasizes the interdependence of both individual and

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[55] For an insightful analysis of this issue in the context of data governance, see Salome Viljoen, "A Relational Theory of Data Governance," *The Yale Law Journal* 131, no. 2 (2021): 573–654.

society. It promotes unique individuality, not by shielding the individual from the influence of others, but by recognizing that one's relationships with others are constitutive of one's selfhood, and are the essential condition of one's autonomy.

Utilizing Mead's two models of social organization—hostility and integration—, I argue that privacy has unfortunately been understood almost exclusively in terms of the former. Reducing privacy and autonomy to this zero sum-game is a grave mistake, however. I contend that by conceiving privacy in terms of the model of integration we gain a much more accurate understanding of both privacy's role with regard to the individual, as well as, importantly, its role and value for society.

Instead of seeing the individual and society as antagonistic and destructive of one another, the model of integration enables us to view them as mutually constitutive phases of a dynamic and constructive whole. That is, in terms of a society made up of unique and different individuals, who are integrated and joined in pursuit of their common good.

Multiple implications follow from this model shift. First, it allows us to see more clearly both our power over others, and the responsibilities which follows from it. Second, it shows us the social value of privacy, not only to individuals *qua* individuals, but to society as such. Third, it enables us to realize that privacy is part and parcel of the common good, and that instead of separating us from others, it allows us to come together and form a pluralistic and tolerant body politic.

We can now find some answers to the questions with which we began — essentially, how can we bring about a society which is both unified and pluralistic, encouraging individuality and community at the same time, and what role does privacy play in this.

I contend that privacy, as the state in which one's social selves are kept distinct, forms the core precondition of the model of integration. The right to privacy, which safeguards and enables one to achieve and maintain this state, brings with it a pluralistic approach to the value of difference and peculiarity, thus serving as a core principal of a thriving and tolerant democratic polity. It enables us to maintain and develop our peculiar individuality, while helping us see that

such differentiation is not an end in itself, but must be complemented by a recognition of our social embeddedness and the common good which underlies both individuals and society. In the words of Mead, it brings us closer to the ideal in which "the individual functions in his full particularity, and yet in organic relationship with the society that is responsible for him".[56]

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[56] Mead, "Scientific Method and Individual Thinker," 227.

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