Privacy in the United States:
Some Implications for Design

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In the United States, "privacy" largely centers on the degree to which an individual feels in control over the accessibility of whatever she or he feels is "private." I explore this conceptualization of privacy, drawing primarily on the work of U.S. scholars as well as an ethnographic study including 74 mostly middle and upper-middle class individuals who were interviewed from June 2001-December 2002. I examine the ways in which participants try to achieve privacy as they pursue the principle of "selective disclosure and concealment." I conclude that 1) the affordance of such selectivity may be a key element when it comes to objects, environments, services, and technological systems designed for the U.S., 2) it is important to use familiar (local), easily understood and manipulated mechanisms and metaphors when designing for privacy, 3) notions of privacy may vary widely, and if privacy is an important design consideration, deeper, local understandings of what it means and how it is normally achieved are necessary, and 4) at times, designers might benefit from focusing on the ways in which design features give preference to some stakeholders' interests at the expense of others' via the provision or denial of traditional forms of privacy.

Relevance to Design Practice - This article provides insight into the expectations of people in the U.S. regarding privacy, a key concept in many contemporary design problems. The importance of these expectations for user experience is illustrated through discussions of specific designs and users' reactions to them.

Privacy in the United States

Privacy is a socially gifted commodity. It comes in many forms, granted to or withheld from us by many types of people. These especially include the professionals who design objects, environments, services, and technological systems. In this paper, I present one way of thinking about privacy and argue for the importance of understanding not only how people conceive of it, but also how they actually achieve it. Comprehending the work of privacy – the ways it is normally achieved – can be of great importance if a designer's work is to be successful.

Privacy is an extremely cultured concept. My conclusions here are based only on insights drawn from the United States, during a 3-year study funded by Intel Corporation. This mixed method study included ethnographic observation of workplaces, homes, and public spaces; archival/historical research (based on academic and popular literature); content analysis of print media, including over 44,000 newspaper articles from 1985-2003; and 74 formal interviews that were 1-1/2 to 17 hours long each, of mostly middle and upper-middle class individuals residing in Chicago, Illinois.[1] These individuals were queried on the ways in which privacy is challenged and enabled in their daily lives. The argument put forth in this paper centers mostly on scholarly sources and the interview-based insights, collected between June 2001 and December 2002.

Controlled Accessibility

In the United States, privacy is inevitably a multifaceted concept, an outcome of the country's unique history as a geo-political entity (Smith, 2000). Yet today's sense of privacy largely centers on the degree to which an individual believes she or he has control over the accessibility of things that are "private." "Private things" might include anything from an aspect of the self (including one's body), a thought, a behavior, a relationship, a piece of information, a chunk of time, a certain space, or an object, for instance.

This conceptualization of privacy is evident in the comments of the following study participant. "David" is a 47-year-old husband, father, and engineer.

> **(Interviewer) What does privacy mean to you?**
>
> (David) Privacy to me means I can draw the boundaries around myself or my family or my job where I want them to be. It's the boundary between what is readily accessible to anyone and what I want to keep to myself and want to not have easily discovered or disclosed.
>
> **Okay. Do you think that control aspect is an important part of the definition?**

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I think it has to be. Because my experience with people suggests that the placement of the boundary is a highly personal decision.

It's about who I am and how much of myself I am prepared to disclose in a setting.

Okay. So, the next question is: What does it mean to you if something is private?

It means I own some part of it and can either want to or can control access by others. Primarily meaning limit and uh– I guess thinking about– I'm probably going to contradict my answer to the first question. I'm assuming that this is the way it's going to go (laughter).

Yep.

Um, I think it means that I– The areas that I consider private are the areas where I will exercise what I call fine judgment or extremely high levels of control over how I disclose information and circumstances.

Okay. Interesting. We might get back to that. (Laughter). Um, and the next question would be how would you define something that's public?

Sort of my analogy would be the exterior of my dwelling versus the interior. The exterior is completely public. Anyone can walk up to it. Anyone can view it. I choose when I draw the shades. I choose to whom I open the door. When someone comes in I choose how far in my dwelling someone goes and may see. So, that's sort of how I would choose– how I would define the opposite. It's the places where I legally, morally, legitimately cannot have control over access or viewing.

At any given time, David – or anybody else – might use different words, examples, or imagery to convey his thoughts on this matter, possibly emphasizing quite different aspects of privacy and related concepts in the process. Yet across all the participants' descriptions, the ways they think about these things are amazingly consistent with the work of recent scholars.

My own working definition of these concepts is a function of both sources. For me, privacy is a condition of relative inaccessibility. It is one conceptual end of a continuum of (in-) accessibility. Privacy is achieved through a dynamic boundary process that is socially constrained, interpersonally negotiated, and in which individuals feel they have a great deal of control over the degree to which something is private/public.

Numerous scholars have contributed to my formulation of this concept. In his work on time, Eviatar Zerubavel (1979) first proposed the idea of "privacy" and "publicity," "private" and "public" as the conceptual ideal-typical endpoints of a continuum of accessibility.

I propose that we view the relative degree of individuals' social accessibility at any given time as a proportion between two

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hypothetical constructs, *private time* and *public time*. …[L]ike privacy and publicity in general, these are the ideal-typical polarities of a hypothetical continuum, and do not constitute together a mutually exclusive dichotomy. Rather than view given time periods as either private or public, we ought to consider every moment of an individual's time as some combination of private and public elements, that is, as being located somewhere along that continuum. This would allow us to compare various degrees of social accessibility.

I propose that we view private time as a *niche of inaccessibility* which resembles both home territory and personal space in that one has far more control over one's accessibility to others within it than outside of it. (pp.41- 42)

In the U.S., private-public and privacy-publicity are semiotically-linked (Zerubavel, 1987), inversely related concepts. It is impossible to think about one without simultaneously referencing the other, which is its logical opposite. If we exclude their pure (and improbable) forms, privacy is the condition of relative inaccessibility while publicity is the condition of relative accessibility. Private things are relatively inaccessible while public ones are relatively accessible. These are not dichotomous variables at all, however; they are continuous ones, distributed along a sliding, analog scale rather than an either-or, digital one.

The theme of access underlies Anita Allen's (1988) definition of privacy, too.

Personal privacy is a condition of inaccessibility of the person, his or her mental states, or information about the person to the senses or surveillance devices of others.

…Privacy is best viewed as a kind of parent or umbrella concept to those p-concepts [privacy-concepts] that denote a person's conditions of inaccessibility to the senses and surveillance devices of others: …seclusion, solitude, anonymity, confidentiality, secrecy, intimacy, isolation, and reserve. (pp. 15-16, 18)

The idea of a continuum between what is "private" and "public" is supported in Edward T. Hall's (1968, pp.116-128) work on space or, perhaps more accurately, proxemics. There is a social logic to physical distancing between people, he argues. Depending on the closeness of their relationship with each other, individuals typically learn to arrange themselves according to four corresponding zones of spatial distances. This socio-spatial continuum begins with individuals separated by "intimate" distance on the one end, followed by "personal," "social," and finally "public" distances on the other.

Alan Westin and Irwin Altman focus more explicitly on the dynamic nature of privacy also alluded to by Zerubavel, and the fact that individuals constantly seek a balance between withdrawal from and connection to others. For example, Westin (1967) writes:

Privacy is the claim of individuals, groups, or institutions to determine for themselves when, how, and to what extent information about them is communicated to others. …[It is] the voluntary and temporary withdrawal of a person from the general society through physical or psychological means, either in a state of solitude or in small-group intimacy or, when among larger groups, in a condition of anonymity or reserve. …[E]ach individual

Privacy → Publicity

The condition of
(pure) inaccessibility

The condition of
(pure) accessibility

"Private" → "Public"

That which is
completely inaccessible
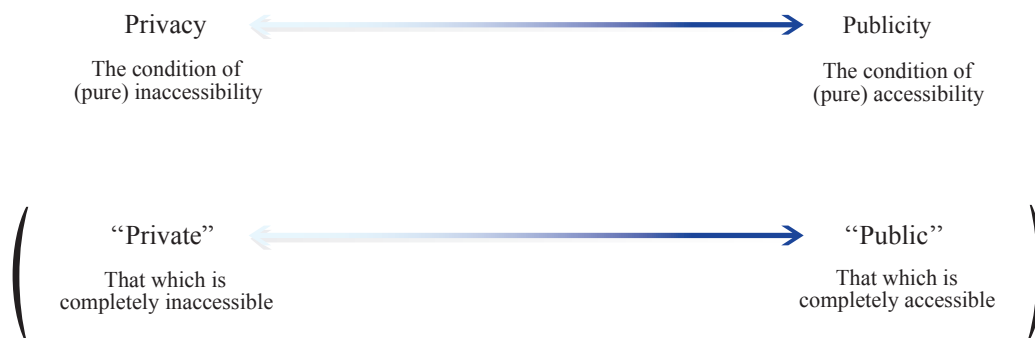
That which is
completely accessible

Figure 1. Working definition of privacy.

is continually engaged in a personal adjustment process in which he balances the desire for privacy with the desire for disclosure and communication of himself to others, in light of the environmental conditions and social norms set by the society in which he lives. The individual does so in the face of pressures from the curiosity of others and from the processes of surveillance that every society sets in order to enforce its social norms. (p. 7)

And Altman (1976) foreshadows David's insights by seeing this "personal adjustment process" as a boundary regulation process:

For my purposes, privacy will be defined as selective control of access to the self or to one's group.

…[P]rivacy is a central regulatory process by which a person (or group) makes himself more or less accessible and open to others…. Privacy is an interpersonal boundary-control process, which paces and regulates interaction with others. Privacy regulation by persons and groups is somewhat like the shifting permeability of a cell membrane. Sometimes the person or group is receptive to outside inputs, and sometimes the person or group closes off contact with the outside environment….Privacy is a dialectic process which involves both a restriction of interaction and a seeking of interaction. (pp. 3, 10-12, 18)

Both of these definitions provide the background for Amitai Etzioni's desire to focus on the socially, politically constrained nature of privacy as a negotiated realm or condition free from disclosure, accountability, or scrutiny. As in Westin's observation that privacy is achieved within a context of others' curiosity and surveillance, Etzioni (1999) also focuses on society's role in placing constraints on the individual. For him, privacy is

the realm in which an actor (either a person or a group, such as a couple) can *legitimately* act without disclosure and accountability to others. Privacy thus is a *societal license* that exempts a category of acts (including thoughts and emotions) from communal, public, and governmental scrutiny. (p. 196)

Barry Schwartz (1968) addresses the social nature of privacy from a slightly different angle than Etzioni by focusing on the ways privacy conventions manifest in recognizable, everyday behaviors. Schwartz looks to the realm of culture, personal practices, and the built environment for his view of privacy, which is

a highly institutionalized form of withdrawal…. [where] rules governing entrance into and exit from privacy are most clearly articulated on the level of the social establishment and are reflected in its physical structure and in proprieties concerning the uses of space, doors, windows, drawers, etc. (p. 741)

Writing in 1890 in response to increasing trespass by the press against the very institutionalized expectations for withdrawal that interest Schwartz, Samuel Warren and Louis Brandeis made famous another succinct definition, where privacy is "the right to be let alone" and, foreshadowing the disclosure element in previous definitions, "the right of determining, ordinarily, to what extent his [each individual's] thoughts, sentiments, and emotions shall be communicated to others." (p. 193)

Over a century later, Jeffrey Rosen (2000) weaves this disclosure element back into the accessibility thread, claiming that privacy is "our ability to control the conditions under which we make different aspects of ourselves accessible to others" (p.15). And Robert Ellis Smith (2000) does the same, with his telltale focus on the history of this concept in the U.S. For him, privacy is

The desire by each of us for physical space where we can be free of interruption, intrusion, embarrassment, or accountability and the attempt to control the time and manner of disclosures of personal information about ourselves.

In the first half of our history, Americans seemed to pursue the first, physical privacy; in the second half – after the Civil War – Americans seemed in pursuit of the second, "informational privacy." (p. 6)

Most interestingly, the latter includes (2000) "a principal of privacy that was to become crucial in the years from 1970 to 1990 – that personal information gathered for one purpose ought not be used for any incompatible purpose, without the consent of the individual" (p. 55). The wisdom of this last observation became especially evident in the definitions of privacy offered by the study participants. I turn to them now.

Toward the beginning of their interviews, a majority of participants were asked three questions:[2] "What does privacy mean to you," "What does it mean to you if something is private," and "How would you define something that is public?" These were warm-up questions, designed to help participants find a starting place. From here, they could continue to elaborate, fine-tune, and get more specific on the subject over the course of the interview.

Fifty-seven participants answered the first question. Three common themes emerged from their answers, reflecting the backbone of Americans' views of privacy. (A single response was coded into multiple categories if it focused on more than one aspect of privacy.)

What does privacy mean to you? (Total responses = 57)

1. The ability / power to control access to some thing, place, or piece of information and its dissemination
   (n = 45)
2. The condition of being: alone / without others' demands, interruptions, intrusions / secure, safe, at peace
   (n = 17)
3. The freedom to do / live / make decisions, without regulation / restriction
   (n = 7)

The most popular conception of privacy focuses on the ability to control the accessibility of something – anything that the participant wishes to be private. It is a managerial conception of privacy, built on the idea that there is nothing intrinsically, inherently "private." Anything may be accessed. Whether or not it is (or should be) depends on the situation and one's relationship with the potential sharer. The key to this sense of privacy is the extent to which the individual has the ability to decide whether or not someone else needs to have access to something and to have her or his wishes followed. This kind of definition is well represented by the following quotes:

Case 008

What does privacy mean to you?
Getting to choose the level to which people– Getting to choose the amount of and kind of information that is about your life that is available elsewhere, other than to you. You know– your own control.

Case 009

For privacy, I mean, in general, I think it means the same to most everybody. It is the ability to maintain control over what part of life that we call our own, however great or small that may be. Um, maintain that certain level of confidentially. Maintain the first level of, of being able to say, "No one else knows but me – or whoever I want to know – any particular business of mine.

Case 050

How would you define privacy?
I know it when I see it.

Or maybe when you don't see it.
(Chuckles) Privacy is the right to control information about yourself and your activities.

What sorts of things are private?
Everything. In an ideal world, everything would be private and I would have to give permission to use it other than in face-to-face interaction or in personal interaction on the telephone or something like that. I mean, it's nobody's business whether my hair is naturally brown, black, long, or non-existent, okay? And nobody should be able to use that information unless they have asked my permission to do so.

…The examples you just gave are about information about you.

And what I do. What books I read, what toothpaste I use. Nobody should be able to use that without my permission.

The second most frequently occurring definition refers to a more physical form of accessibility associated with seclusion and the sense of calm that comes from being alone without fear of interruptions. This aspect of privacy was mentioned most poignantly by women who were some combination of mothers, wives, and employees. They had little private space and constantly and unpredictably had to handle other people as part of their responsibilities.

Case 020

What does privacy mean to you?
The toilet and the shower, basically.

I mean, that's not my idea of what privacy should be, but I especially can remember when I was in graduate school and (Nancy) was younger, that the only place I felt that I didn't have demands being made on me, that I got, that I had privacy, was in the shower.

…Thinking about nothing. Not deliberately wanting to think about anything. And, actually, you get some of your best ideas in the shower because you are able to loose your brain and do nothing. So, I really thought since yesterday about how much privacy people create in public spaces and, you know, being on that beach at the ranch is a very private moment for me. And being, walking my dog up– when there aren't a lot of people there, if you go early enough in the morning – that's a very private moment for me. But, um– I would like my home to be more private than it is. And it isn't that it isn't a private space. Well, it's owned by someone else because we rent it. And they send these people into it to fix things and to comply with the electrical code. And I try to beat them out the door and– I feel a lack of privacy.

Case 075

Privacy means sort of an intimacy with one's own self and time alone.

Case 098

I think, privacy to me, means, um, being alone. Being, um, having a– no interruptions, and having time to sort of, I guess, turning off for a moment without interruption.

The last and least mentioned type of definition zeros in on the Libertarian tradition. Here, privacy is conceived as freedom from oversight, surveillance, or regulation, especially regarding decisional privacy. These answers not only reference inappropriate oversight by governmental agencies but also by friends, family, and businesses.

Case 099

What does "privacy" mean to you?
That's a really tough one to answer. I think– Trust and respect are certainly two words that come to mind. Respect for an individual's personal way of life and the freedom to live the way you choose to.

Case 003

No, well I think, um, privacy is, is really the ability of an individual to, to make personal decisions without public intervention or intervention on the part of even significant others in your own family, or friend, or group of friends. Um, the right to be left alone. You know, which occasionally everybody needs.

Case 094

I guess, after September 11th, privacy means a very different thing to me than it did initially. Um. I have for a long time been interested in the law, and interested in becoming a lawyer because of the strong faith I have in people's constitutional rights. Um. And rights that indirectly sort of, I guess, touch on what my conception of privacy is. Um. After September 11th, with the new laws that have been passed by congress, I think that their privacy– Privacy means a lot more to me because now I see how easily my privacy can be violated. But I guess what it means to me is the freedom to interact socially, economically, physically with my environment without worrying about someone being aware of my activities, without telling me, or without having the right to be aware of my activities, or judging them, or being able to monitor my activity in any sense of the word. Um. Without my, without my permission or without my knowledge. And I guess, post September 11th because I am an Arab-American, that is impossible now, technically. Which is pretty scary, and very disturbing.

Few things are more disturbing to people than altering – or threatening to alter – their most fundamental cultural categories, like what is "private" and "public." For these participants, privacy exists when the things they wish to be private are as private as they wish them to be. Individuals feel their privacy is being respected when they feel in control, then, free to open or close specific windows of access at specific times to specific others – who will likewise follow their wishes. As long as the level of access is what they want it to be, then participants' senses of privacy are maintained. If the level of access exceeds what they wish it to be, then there is a sense of violation.

Selective Concealment and Disclosure

How, then, do the individuals in my study actually achieve privacy? First of all, they do so only with others' permission. Sometimes this is granted via legislation, case law, or collective bargaining agreements, but not usually. Most often the granting of privacy is highly interpersonal, informal, customary, and/or actively negotiated.

Within this negotiated setting, the activities associated with achieving privacy all exhibit the underlying principle of **selective concealment and disclosure**. Individuals strive to share some things with some people at some times and places, but not with others, or at other times or places. This is how privacy as controlled accessibility is routinely operationalized, in other words, suggesting that the affordance of such selectivity may be key for designs intended for the U.S. and in which the user's privacy may play even the smallest role.

Within these parameters, privacy is further achieved through the use of signals, space, time, sensory and other information blocking techniques, and reserve (Nippert-Eng, 2005b).

- **signals** (i.e., using culturally understood, shared behaviors that indicate a desire for privacy. These signals include behaviors centered on the following, but each also has an analytically distinct affect on the achievement of privacy.)
- **space** (i.e., physically removing one's self)

- **time** (i.e., physically and/or mentally achieving more – or less – inaccessibility through scheduling and facilitating one's availability)
- **sensory and other information blocking techniques** (i.e., mentally removing one's self from immediate sensory stimuli and staving off other potential demands for attention – with or without others' assistance and/or technological aids)
- **reserve** (i.e., selectively withholding intimacy and information in order to restrict one's accessibility to others)

The ways participants use their wallets and purses exemplify this last principle in particular (Nippert-Eng, et al, 2003). If anything constitutes an island of privacy in the United States, it is one's wallet and/or purse. Yet even these and the items they contain are not fully, constantly inaccessible to others. Displaying and temporarily surrendering an individual item from one's wallet or purse is considered a relatively safe, normal, daily act. The key is maintaining control over the objects so that only the people you want to see or use them can do so.

The following participant makes this point quite vividly when asked to identify the things in his wallet that are 'more private' and those that are 'more public.'

(Participant) …OK. There's nothing 'private' in my wallet.

(Interviewer) OK.

Everything that's in here I could, you know…. I've got a picture of my kids. That's the only thing that I thought about pulling out. It was kind of private but I realized that every time that I open my wallet to use my credit card – which is, you know, a hundred times every day – everyone sees this picture of my kids so it can't, obviously, be that. And in those instances I'm proud of it 'cause, "Oh, look at all these…." You know….

Right.

But in terms of, if someone said, "Can I go through your wallet?" I could care less. There's you know, two credit cards, two bank cards, driver's license, a CTA [Chicago Transit Authority] card and an insurance card, a AAA [Automobile Association of America] card and two museum passes, and that's– And, why, today I have a lot of money. I have forty-seven, forty-eight dollars. Normally I have about twenty-five dollars. And a couple receipts, and that's– Anything else hidden back here? That's a, oh, um, my frequent photo card from Triangle Imaging.

OK. And none of that stuff is private?

No. I mean these are all things that, you know, that people see all the time. I mean, I would be upset if I had, you know, to have to go and replace this stuff. I wouldn't want anyone to steal it.

Right.

This is all stuff to me. Now if someone, you know, if– Here again, if I'm sitting there handing my wallet to someone who says, "Can I see your wallet?" and I handed it to them. Fine. If I left my wallet in my car, and I have locked my car, and someone broke in my car, ripped the radio out and went through my wallet, took all the credit cards, driver's license – took everything and threw them out on the seat, took the cash and threw the wallet onto the seat, and I came back and discovered that. I would probably feel, you know,

that I was horribly violated. Raped, in some way. But, how do I then–? You know, I just said that I could care less if you looked in my wallet. Here again, I'm giving you, I'm letting you. I am controlling the situation.

So privacy does not rest in the inherent nature of an object, itself, but with the ability to control who may access it at a given time. The same principle is present in the following stories. The first is from a 41-year-old community activist, describing how she manages her trash. There are the things she doesn't care about and simply throws out. And then there's the rest, which she very carefully prevents others from seeing.

If I buy something, I have it delivered to my sister's house. I have it delivered at her house, take it out of the box, leave it at her house, and get a bag and take it home.

I even burn stuff. I put it on the grill and burn it.

What gets burnt?

Credit card bills, old credit card statements, my medicine refills. You know they give you the little pamphlets, I burn those. Light bills, gas bills. I burn everything. If I don't shred it? I have even shredded it and then burned it.

Because it shreds a certain way and if you get so many pages, you can put it back together. I did that, too, to see. I'd just shredded a whole lot of paper in different colors and it's easy to put it back together, if you have the time. But that was just something I wanted to see if it could be done, and I did it. So then I started burning it.

I put stuff in another trash bag and then another trash bag and tie it up, and put some water in it. I did that one last night. I was shredding some of my pamphlets from the doctor. I shredded them, I tore them up, and then I put it in a bag, put it in the sink, let water sit in there, swoosh it around. And I finally drained the water and threw it in the garbage.

This next snippet is from an extremely active, 84-year-old widow, on what she does when the phone rings. Again, this is a behavior which is about controlling access, in this case, access to her.

[Do you have] an answering machine or is it voice mail?

Answering machine.

Okay, so you can hear when other people are leaving a message?

Yes.

Do you ever use that to screen calls?

Sure. What's the point in paying for it if you're not going to do that?

Right. So you would . . . screen out like telephone solicitors and things like that?

And I also have Caller ID . . . if it says incoming [call]. . . no number . . . whatever. I don't answer unless I really want to, after I see who it is.

Finally, this from a 40-year-old woman, discussing what she does and does not tell her doctors and what she allows them to write down. In the United States, medical insurance companies are informed of anything that becomes part of a patient's written record. Moreover, any use of the healthcare system has increasingly become grounds for denying an individual health insurance and future use of that system.

You have to be very careful about what you tell [doctors] and in what confidence and um, how you tell them what information that they need to know. We've gotten very good at saying, "All right, this is the information and you cannot lay it down"–

I will not tell it to you until you promise not to write it down.

…And usually doctors are incredibly sympathetic. They are extremely cooperative and very sympathetic and they won't write something down on your medical record if you tell them that you don't want it.

…I was denied insurance for years for a history of depression.

And I'm still on medication after 10 years, and there's not one paper trail that says that I [am being treated for this]. I even go to [a different pharmacy]… to fill my prescriptions for [that] and medication that my insurance company does not know about. I started going to a separate pharmacy.

We see individuals equating privacy with their ability to control access to the things they define as private in the following stories, too. Here, people discuss situations in which someone's privacy has been violated, that is, where an individual's ability to control others' access to something was taken away.

In this first story, a 31-year-old woman answers the question, "What is the funniest invasion of someone's privacy that ever happened to you or someone you know while this person was at home?"

Oh, I've got a good one. It involves an animal. I lived with this group of …coworkers, in Georgia. My very first job, a newspaper job, and there was one woman who was very active in a church group but so hypocritical. She presented herself as um, not using the word virginal, but, you know, as a very prim and proper lady. And we were in the deep South where that matters. (Laugh) And she was dating a guy. And they were having a relationship and …he often stayed the night at this house.

And so her church group came over to talk to her and kind of bring her back into the fold 'cause she stopped being active in the …young Christian life group. And while she's meeting with them and they're seated – 3 or 4 of them on the couch and the chair and she's in another chair– her cat came out of the bedroom with a used condom in its mouth and traipses across the room in front of all of them. …You know, I kind of think it's all karma. …So that's like an invasion of privacy, but by a cat, I guess. By a pet.

The next excerpt is from a 28-year-old gay man, reflecting on an incident that resulted in two distinct violations of privacy – the first when he wound up in the hospital because of some very private activity, and the second, when a friend didn't respect the participant's desire to keep that story private.

When I was a kid and I had just started masturbating, I had an accident and I actually had to go to the hospital. I lost a testicle, and – 'cause it twisted and the blood circulation got cut off. It was bad news. And I was mortified. And I was so mortified, of course, that I didn't tell my parents what I was doing, because I was like 12 or 13. So I lied to them about [what] I was doing at the time.

And, I remember like, at some point during the whole thing, my mother gave me this little talk about how you know, this was

private and I didn't have to tell anybody, and you know, and you don't even have to tell your wife when you have one, and, I thought ok. I think I kinda, sort of took that to heart.

So anyway when I was telling you before about, has there ever been anybody who didn't respect, you know, privacy that you thought you had. My ex-boyfriend, once when we were in a situation that was a party or with some friends or something, [he] told or wanted to tell people at the party about this. And I was so angry at him because I just felt like–

Yeah. So this is one of the lessons [I've learned about privacy]– That you have a right to keep things private, if you want to, certain things. And that other people should respect that. That's all [what] my mother taught me.

While some mothers may have an important and nurturing role by gifting privacy to their children, others may help their children understand and appreciate privacy for all the wrong reasons. Here, a 50-year-old woman describes a couple of incidents with her mother when she was of college age, all of which made her feel as if she had no control, no privacy, and no grounds for feeling good about herself.

…she found the birth control pills, which were in my purse. Talk about privacy. I had put them in my purse so that she would not see them. She says, I went in your purse to find a comb. And you know how the Ortho drugs were in a little [flat circular dispenser]– She said 'I thought I was pulling a comb out.'

You know, she is a vicious intruder.

…Yeah, and she told me that I was just a piece of used merchandise. So I would have been, what? 19? 19 or 20 years old. She said, you're just a piece of used merchandise and I went up and took a shower. Privacy again. And cried, and cried, and cried, and cried.

…It was typical of her. She had done things like read my journals and would say, well I was cleaning in there and …it fell off the bookshelf and opened to that page. Well, first of all, she never has cleaned the house. EVER. NEVER has cleaned the house. …I think one of the ways I've learned to be a lawyer, learned to put a logical argument together …was that I had long talks with my father about that there was something seriously, seriously wrong with my mother. That's the terrain where I dealt with it. I don't feel like it was the last straw because to acknowledge it was the last straw would be to have to acknowledge you didn't have a mother and I wasn't– I was way too young. I wasn't ready to do that. That took me until I was 30 to be able to do.

So there were these constant invasive, controlling, demeaning– You know, we call her vulture, the vulture, because she eats souls for entertainment.

Designing for Selective Concealment and Disclosure

In the United States, denying someone privacy over the long term may well eat away at her or his soul. But even in the short term, just making someone wonder whether or not they really have privacy is a quick way to induce anxiety. Consider the reflections of another participant, who recently visited the fitting rooms of a high-profile clothing store in Manhattan.

…[I just went to the store for] Prada, the clothing designer. They have a huge retail store that just was built, designed by Rem Koolhaas.

Yeah. I read about it in Newsweek.
In Soho. Yeah. So they're banking the whole company on this. …Have you heard anything about these dressing rooms?

Nope.
Very high tech. …There have been these problems. Now they're building a second Prada store in Beverly Hills and they want to do it right this time. So they're doing testing on the existing ones in New York.

But, anyway, the dressing room itself had the kind of glass that had an LED inside that when you– So when the switch was rigged such that when the door was open– It was a sliding door. Okay. So this glass– You close the door, basically the glass goes from clear to opaque. So when you're walking up to the dressing room, you're thinking, is this a dressing room? Or, what's that glassed-in room that you can see into? So you go in and they shut the door and then it goes opaque and you think, okay, now I can take my clothes off. But when's it going to go clear again? And the way that you made it opaque was by – you had to tap on a little button on the floor, which was very hard to– It was very Rem Koolhaas – cool design, but not very clear. So, is there some way that the door's going to open? Because it also closed automatically. You didn't pull it. It closed automatically. So is it going to go flying open? Do I have any control over this thing?

Exactly. Control.
Then you learn that you're moving around in here and there's a projection onto this glass that is you from behind, so you can see what you look like from behind. But it's delayed a couple seconds, so that you can see what you looked like from behind like two seconds ago. Not that you want to see that necessarily,

Figure 2. New anxieties in the changing room.

but it gives it this kind of atmospheric sort of "I'm on TV" kind of look, but they're fuzzy. It was a very cool experience looking at it. But you're thinking, okay, there's a camera pointing at me in the dressing room here. Where else could it be? Is it being recorded? Is it being projected anywhere?

Is it being stored?

Yeah. Right. Which didn't occur to me at the time. That occurred to me later, even after I'd left.

In other words, a clear sense of personal privacy – and security – was missing in this environment because this participant had no clear sense of control over her accessibility.[3] The changing rooms may well be a great calling card for the cool savvy of the architect, the store, and the client, but this is only at the expense of this individual and her sense of privacy.

In the U.S., designed objects, spaces, services, systems and their individual features may support or undermine privacy in just this way. There is one further caveat, though, one that also is well represented in this story on Prada's changing rooms. Users' current, situated expectations for control and accessibility are clearly rooted in prior experience. What do we expect a dressing room to look like and how do we expect it to work? Any assessment of how good the current possibilities are for privacy inevitably reflects whatever has happened to an individual before, and what they have come to learn about how privacy is achieved.

One more anecdote helps illustrate this. The following participant's interview was conducted in his private office, a relatively new workspace for him. Before this, he had occupied a newly designed cubicle located among many other perfectly laid out cubicles just outside his present office door. The workspace before that had also been in the style of a cubicle, but in an old, well-lived-in and eclectic space in another building. As we shall see, his experience of his current work environment – including his sense of privacy and control over his work tools and products – is informed by his experience in his two previous work environments, as well as his expectations for how much privacy someone of his age and in his occupation should be allotted.

Has there ever been a time in your life, when someone you know or you yourself felt you where almost desperate for privacy?

Without a doubt. I mean– Probably worth qualifying that. We, ah, this organization was in a different building when I started working here, and a space they had been in quite a while. …And the place had kind of just grown up around the organization. You know, there were cubicles, but it wasn't planned as cubicles. This building [the one we're in now] was purposely built for us. It has very much that feel. …And [in the old office] …some people had offices and the assistants just had a more make-shift sort of cubicle outside of the person's door who they were working for, and there were smoked glassed barriers and stuff, and there was a little bit more of a kind of Habitrail element to it that, you know– Like, I didn't have an office, but somebody had to kind of turn around the corner and go around in order to look in and get to it.

So that creates more privacy, right?

Yes. Yeah, so when we moved here it was kind of shocking for me because I had more privacy and then it was just, like, stripped away. And the organization had expected everyone to be so happy

because they had new furniture.

Right.

And for me – though I had more desk space here, more shelves space and stuff – the fact, the fact that my back was turned and my screen was facing anybody who wanted to see it, was just– I mean it sent me in an unbelievable funk for months. You know, so… I think it's a real bad set-up, you know, your back to the door kind of thing. In our design department– …They and the head of the department sort of negotiated to have their cubicle setup in a different way so that rather than be like that– …They're visible, but they are facing the door more or less and their monitors are facing another direction. No one can see it. So it was recognized that that was a priority for people doing that job. I think it's priority for anybody that's *human*.

…Everything felt very different. Um, it felt a little bit more organic to me at the other place, you know, I mean, if I needed, if I needed more surface space, I would you know, find a table that wasn't being used somewhere and I would stick at the end of my area and start piling manuscripts and stuff there. And here, there's the sense of everything has its place. You know– These are your file cabinets. They've got these shelves that, above the cubicle desk, that have these plastic fronts that come down over them and when you lift them up the top goes like that over the top of the thing and they're designed like that so that you can't put anything on top. You can't, you can't clutter the space. And so, you know, to me that seems like a very insidious office design. Right? That not only does everything have a place, but some places are meant for nothing. And that, in a sense, has already been programmed into the furniture itself. Whereas in that old building – skinky as it was and it was very inadequate for a lot of people who benefited from a cubicle here. Ah, skinky as it was there – and just felt like something hemmed them in – but like, well, this table is here because I decided I needed a table and I went and fetched it.

…Ah, and if I wanted to stack shit up to the ceiling nobody was going to say anything, you know. And that, that– Even though I was not always doing the most exulted work, it was like, you know, that little space was kind of mine.

…And, you could imagine people doing editorial jobs in old New York publishing houses, probably doing far more exulted work and far more demeaning spaces. So it wasn't like I saw that as a reflection of who I was or whatever. It was more living here and seeing the standardization that it felt like the sense that that standardization was a little bit, intended to be a little more directed to the production of useful workers, you know, who needed a different kind of supervision and just a kind of surveillance that was not really possible even – certainly didn't exist so much as in any other place.

…It, it seems that it's inherent in the architecture and that bothers me whether or not that potential is being exercised at any given point. It is a product of a culture of surveillance and, ah, it seems to me that an institution that has that as one of its goals, ah, ah, is inhibiting the dissemination of free thinking. That the people who work in a service of these sort of clips that we do should themselves be allowed a certain measure of improvisational autonomy or something like that.

…You know, I mean it's also tied to the fact that I, I was a little bit older when I was out there. That many of the other people you know, you know, came to this kind of late and there was a sense of 'God, I'm thirty-two years old and still here, in a place like this. Hell, what's going on here, this is wrong' (laughing). You know. Whereas my assistant that has the job that I had is twenty-five and that's her first job, you know. There's a sense of I don't think that's what you expect. You know?

…So maybe I, I think that my rage against it may be a little bit uncharacteristic of the place in general.

…It was kind of unnerving to me and all. When I went over there, all I could dream was 'I just got to get into that god damn office and just close the door.' You know?

There are practical difficulties posed by a physical environment like this. But, like the constant actions of one participant's vulture of a mother, it is its symbolic meaning that nibbles away at the soul of its victim. Losing the ability to selectively allow other people to see some things but not others – including losing even the decisions about where things will be kept – translates for this person as a lack of respect from his employer and as not being in a good place in his life.[4] Of course, for his employer, the reassurance afforded by the easy surveillance of the workforce and the relatively low cost of the built environment may be far more important.

Conclusion

In the United States, the principle of selective disclosure and concealment runs throughout scholarly work about privacy. It is equally present in the interviews I conducted with individuals in this study.[5] There are four main points related to this principle that I have raised here and that may be of interest to designers.

First, in order to afford privacy to individuals who share a worldview rooted in the model of controlled accessibility, an object, environment, service, system or feature should provide users with the ability to selectively and easily make some things available to some people at some times but not to other people at other times. This is the principle underlying the ways people use their wallets, treat their trash, answer their phones, and speak with their doctors. In the U.S., at least, privacy comes with the ability to personalize or customize accessibility.

Second, because one's prior understandings and experiences deeply influence one's current experience, a designed object should afford privacy by using familiar (local), easily understood and manipulated mechanisms and metaphors. There are times in which cutting edge design simply must accommodate local, lived expectations – whether these are the expectations of long-term employees for an acceptable workspace or the expectations of a shopper for a comfortable changing room. Failure to take these expectations into account may result in anxiety or other negative feelings associated with use and, when users have the option to do so, rejection of the designer's product.

Third, if privacy is an important consideration in the design process, it may be worth the effort to seek out a deeper local understanding of what this concept means for a specific user population and how it is normally achieved in everyday life. I have presented here what is likely to be the central notion of privacy in the U.S., though there may well be other significant variations in this country, too. I would be extremely surprised if these ideas of privacy, its importance, and its relative presence or absence, are shared by the rest of humanity, however. In a delightful course on service design that I taught with Simona Maschi at the Interaction Design Institute in Ivrea, Italy, for instance, in which we had mature students from all over Europe and the U.S., it was hard to find anything that we agreed on when it came to the concept of "privacy" and what was "private."

Fourth and finally, any design is likely to embody the conflicts of interests of multiple stakeholders, and these conflicts are highly likely to show up in issues related to privacy. Accordingly, during the design process further reflection may be warranted on the ways in which design features give preference to some stakeholders' interests (the architect's or the employers', for instance) at the expense of others' (perhaps the clothing store shopper's or the cubicle occupant's) via the provision or denial of privacy. The world of the designer is filled with accidental outcomes, both happy and unhappy. Yet there may be times when the consequences of a design for privacy – or the consequences of privacy for design – should not be left to chance.

Acknowledgements

Endnotes

[1] The people who participated in this research project may be characterized as a "judgment sample" (Honigman, 1973); they were not randomly selected. Rather, individuals were approached and asked to participate based on some foreknowledge of their living arrangements, biographical histories, and/or professions. It was believed that each individual would likely possess 1) an interest in "privacy," and what is "private," 2) specific insights into the nature of these concepts and the practices that surround them, and 3) a willingness to talk about these things with (or for) the principal investigator (Nippert-Eng). The participants' characteristics are shown in Table 1. The interviews for this study lasted between 1-1/2 and 17 hours each, yielding some four linear shelf feet of single-spaced transcript pages and literally thousands of insights and stories on the subject of privacy.

[2] Some of the participants provided "expert" interviews and did not follow the formal schedule used for the majority of the

Table 1. Characteristics of study participants

Characters	Categories	Values	Characters	Categories	Values
Residence	live in Chicago	74	**Occupation**	professional/technical	50
	raised outside Chicago	57		exec/management	3
	US citizens	74		sales	2
	born in US	70		admin support/clerical	5
Sex	men	38		military	1
	women	36		service occupations	3
Age	range	20–80		private household	4
	median	41		students	6
Race	Caucasian	63	**Education**	high school	3
	African-American	6		some college	6
	other	5		college grad	20
Living arrangements	2–7 person household	61		some grad school	7
	live alone	10		master's degree	27
	college dormitory	3		JD	2
Household income (45/74 data points)	range	under $20K–$250K+		MD	1
	average	$90K – $100K		Ph.D.	8

interviews. Hence, not all participants answered these three questions.

[3] Interestingly, the same issue persists in the McCormick Tribune Campus Center bathrooms on the Illinois Institute of Technology campus, also designed by Rem Koolhaas and the Office of Metropolitan Architecture (Nippert-Eng, 2005a). Here, the translucent bathroom walls allow people standing out in the hallway to see the shadows and actions of the people using the stalls inside. Students regularly avoid using these bathrooms for this reason. Koolhaas's sense of what is cool and playful seems to stretch the boundaries a little too far in both cases, given users' expectations of control and what should and should not be accessible to others.

[4] For knowledge workers in the U.S., this loss of control – of everything being increasingly open to surveillance – has become a central feature of 21st century workplace alienation (Lane 2003.)

[5] See Nippert-Eng et al. (2005) for similar examples on the ways in which these same participants try to control who has access to them in what way and at what times via personal networks of communication technologies.

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