

0. Religion and Privacy

While advances in technology change the privacy landscape providing society with more capabilities and hence more options, technological change does not itself answer the many pressing moral questions it may raise. Reasoning about whether or not a particular technology is appropriate is different than discussing its feasibility; it requires a moral framework. For many in this and other countries religion provides that framework, and so it is important to understand how religious doctrine influences and is influenced by adjustments to privacy produced by changing technology. Religious thought can influence discussions concerning privacy by providing answers to the moral questions. Additionally, religious life is influenced by privacy, as certain religious concepts may lose or change meanings depending on the degree of information propagation inside religious communities.

My goal in this paper is to explore the complex interplay between religion, privacy and technology. Religion is treated in two ways: both as an actor influencing discussions or conceptions of privacy, and as a institution acted on by changing privacy regimes. Technology is also treated in two ways, both as a knob that can be turned to introduce or reduce the amount of privacy available in society, and as an available tool that is already changing the way that religion is practiced. This paper largely confines its discussion to Christianity, the religion with which I am most familiar. I draw from both primary texts, including the Bible and several official Vatican doctrinal proclamations, and from discussions that I had with several Christian ministers that proved helpful in developing my thinking.

This paper begins in the first section by examining Christian attitudes towards privacy, attempting to ascertain whether a direct connection can be made based entirely on widely accepted religious thinking. The next section presents several examples of the way that technology is reshaping the religion-privacy landscape. The paper closes with a section that speculates about the relationship between religion, technology and privacy in the future, both by trying to imagine changes to Christianity that might come about because of the presence or absence of privacy rights, and by postulating ways that the church might find to deploy technology in the service of its ideology.

1. Christianity and Privacy

The first task I undertook was to investigate whether canonized sources of Christian thought, such as the Bible or other well-respected teachings, could speak directly to a right to privacy. At the outset I expected this to be challenging due to the societal differences present at the time that these documents were being drawn up. Privacy in many ways is a very modern concept, and a right to privacy would not have been an expectation of people in ancient times. Given this, it is not surprising that the Bible does not treat privacy specifically. However, through my research I was able to identify two possible points of connection: the development of a theory of Christian dignity that might lead to a right to privacy, and a possible relationship between privacy and secrecy.

1.1. Privacy and Dignity

At the core of the problematic relationship between religion and privacy is the fact that privacy is inherently non-doctrinal. It creates a positive space in which people may choose to do as they want, without fear of consequence as long as their deeds do not violate societal norms. This becomes

particularly difficult in secular Western countries where religion has been stripped of coercive power in the public sphere. If a Catholic kills his wife in his own home the privacy typically afforded to that space is no protection against state action; that is to say that the state retains the ability to invade whatever spheres of privacy it allows to be set up when it has a legitimate interest in doing so to preserve public order and enforce its laws. The Church is not granted this power, so if a Catholic chooses to use birth control in his own home the privacy afforded by the state to that space *is* probably sufficient to prevent this violation of Church doctrine from coming to light. In effect, state-church separation, to the degree that it is present, prevents the Church from enforcing its strictures to the degree that they continue past ones put into place by the state.

This fact explains a great deal of the Church's action in this country, where we see Christianity increasingly involved in public debates over abortion, homosexuality, and birth control, all acts that (at least to some) violate Christian morality yet are provided space to take place by society privacy norms enforced by the state. And at least in these cases we see the Church acting in a way designed to curtail privacy. That is: to the degree that privacy allows people to perform acts that the Church considers immoral, we might expect that the Church would seek to roll back privacy rights pertaining to these cases. However, two recent developments may be pushing the Christian Church in a different direction vis-a-vis privacy: the development of a Christian theory underpinning human dignity, and the subsequent necessity of theories espousing tolerance of other religions.

Dignitatis Humanae, an official papal encyclical promulgated in 1965 by Pope Paul VI¹, is subtitled “On the Right of the Person and of Communities to Social and Civil Freedom in Matters Religious.” In it Pope Paul outlines the Catholic Churches position on religious freedom, explicitly saying that:

Religious freedom, in turn, which men demand as necessary to fulfill their duty to worship God, has to do with immunity from coercion in civil society. Therefore it leaves untouched traditional Catholic doctrine on the moral duty of men and societies toward the true religion and toward the one Church of Christ.

Interestingly enough, this sounds very much like the creation of a space, untouched by traditional Catholic doctrine, indeed very much like the space afforded by a right to privacy. Without giving credence to other religious views, this text seems like an attempt to purchase the right for Christian minorities to worship unhindered, at the price of implicitly acknowledging or permitting other forms of worship. Note also that the statement above does not apply only to religious freedom provided by the state itself, but rather broadens towards immunity from coercion. This is an important distinction as, although freedom from state punishment is *necessary* to religious freedom, it may not be sufficient to protect practitioners from communal censor. In this way the right to religious freedom seems to necessitate a certain degree of privacy, the privacy necessary to be able to worship unpopular gods without incurring the wrath of those around you.

1.2. Privacy and Secrecy

The examples above provide a contradiction between the Christian Church's view on privacy when it comes to abortion, etc.; and the Church's view on privacy when it comes to religious freedom. Contradictions within Church doctrine are nothing new of course, an interesting exercise is left for the reader of performing a side-by-side reading of *Dignitas Humanae* and Pope Paul's encyclical three

1 http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html

years later concerning birth control, *Dignitas Vitae*². However, I think that some light can be shed here by pointing out an interesting connection I noted between privacy and secrecy.

In our discourses we typically think of privacy as a positive right, something that we are granted. The word also has positive connotations. In contrast, secrecy implies that something important, perhaps damaging is being withheld from those who deserve to know about it. When proposed as a right, secrecy is a negative right, the right to withhold information from others. When discussing privacy with several Christian ministers³ I noted a connection between these two terms, and that discussions that began about privacy would often morph into discussions about secrecy instead.

While secrecy does sometimes play a positive role within Christian thought, as exemplified by this passage from Matthew 6:5-6:

And when you pray, do not be like the hypocrites, for they love to pray standing in the synagogues and on the street corners to be seen by men. I tell you the truth, they have received their reward in full. But when you pray, go into your room, close the door and pray to your Father, who is unseen. Then your Father, who sees what is done in secret, will reward you.

in general it plays a negative role, one in which things are being kept from a religious community that has an interest in knowing. I was somewhat surprised to discover this, but Christian ministers in some denominations are actually expected to approach those within their churches who are “living notoriously”, that is guilty of some egregious public behavior that requires confession and forgiveness before the sinner can again fully participate in religious life⁴. I will return to this specific topic later, but what became clear to me is that this conflation of privacy and secrecy may be responsible for the Church's suspicious attitude towards privacy.

Indeed, in a secular space privacy plays an important role in allowing a certain degree of non-conformity, whether it be religious, political, or behavioral. The Church, having settled largely on a specific set of views, is less interested in promoting or sanctioning some of the differences that generous privacy spheres allow. Whereas we may normally be able to convince ourselves that people will use a right to privacy in ways that are not deleterious to the community, religious communities are less sure of this.

The connection between privacy and secrecy may also help explain the contradiction I identified above between the Church's attitude on privacy when it concerns certain types of behavior versus other types. The Church's primary concern is the relationship between God and man, one in which privacy does not play a role, at least not when God knows when a single hair on our head moves⁵. To a certain degree the primacy of this relationship renders the man-to-man one to secondary status, and a great deal of the Church's thinking on social issues is motivated by the desire to create communities on earth that further our relationship with the divine. Therefore the Church is naturally more interested in secrets or privacy when it effects the man-God relationship, as it does when the behavior being concealed in one the Church proscribes, such as abortion or homosexuality. It is less interested in secrets kept from the state, and certainly those that concern the ability of the faithful to participate in religious communities at all.

2 http://www.vatican.va/holy_father/paul_vi/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae_en.html

3 Correspondence with the Reverend Mark Edington of the Episcopal Church and the Reverend Gene McAfee of the United Church of Christ.

4 Ibid.

5 Loosely adapted from Matthew 10:29 “Are not two sparrows sold for a penny? Yet not one of them will fall to the ground apart from the will of your Father.” by Benicio del Torro in *21 Grams*

However, I believe that the Church's fundamental relationship to privacy is still yet to be determined. It may yet be a small step (although one that I am not able to attempt) to connect the recently-developed idea of Christian dignity to a right of privacy. It may also be that the Church's interest in regulating the behavior of its believers through state action causes it to run roughshod over privacy concerns. Or technology may yet play a role in allowing the Church to monitor believers without relying on the state, a possibility that I will return to in the last section of this paper.

2. Religion and Technology

In this section I describe briefly several cases in which technology is shaping the relationship between religion and privacy. Technology can do this in a variety of ways, both by providing state actors and individuals new tools to either aid or inhibit religious freedom, or by providing these tools to religions and religious actors themselves.

An interesting case demonstrating both state action and religious responses is that concerning the Falun Gong so-called “spiritual movement” in China. The Chinese government has long attempted to suppress its citizens involvement in Falun Gong⁶, and recently this fight has moved into cyberspace. Original actions taken by the Chinese government included censoring or filtering search results related to Falun Gong⁷. While initially primitive, these techniques have improved in efficacy over the years, to the point where searches for “Falun Gong” conducted on the Chinese version of the Google search engine produce almost entirely negative results, whereas searches conducted on the international version of the same search engine return “correct” results unbiased against the movement⁸. By cooperating with the Chinese government Google has probably increased the sophistication of Chinese Internet censorship, although at the price of at least initially damaging its worldwide reputation.

The technology response has also been interesting. Of course, we should consider the mere inclusion of information about Falun Gong on the Internet as first evidence of the fact that technology changes the religion-privacy equation. At least to the extent that computers are located in private or semi-private areas this increases the ability of citizens to avoid state or public reprisal while participating in or researching fringe religious movements. Another response to censorship that serves to aid the Falun Gong is the development of anonymizing proxies such as Tor⁹. Indeed, evidence exists that such services are being used inside China for this very purpose¹⁰.

Another use of technology to consider here is one in which the public nature of the Internet is harnessed to attack the privacy typically associated with certain actions, effectively serving as an instrument allowing religion to regain some of the authority ceded to the secular state. Specifically, protesters outside abortion clinics began taking photos of women being escorted inside, presumably patients that were on their way to have abortions¹¹. These digital pictures then began appearing online at such websites as abortioncam.com and the site run by Missionaries to the Unborn¹², a religious anti-abortion group. The public shaming that these acts were intended to produce was facilitated by both the availability of cheap digital cameras and by the Internet itself. In the next section I will explore

6 http://www.religioustolerance.org/rt_china.htm

7 http://www.fofg.org/news/news_story.php?doc_id=1017%22

8 <http://blog.outter-court.com/archive/2006-01-29-n63.html>

9 <http://tor.eff.org/>

10 http://www.boston.com/business/technology/articles/2006/02/20/beating_censorship_on_the_internet/

11 <http://www.workingforchange.com/printitem.cfm?itemid=13340>

12 <http://www.motherjones.com/news/outfront/2002/05/antiabortion.html>

further some of the possible future uses of technology in religious settings.

3. The Future of Religion, Technology, and Privacy

In this last section I will discuss the future of technology in the religion-privacy space. As an initial series of case studies I will briefly discuss what happens to Christianity at the two privacy extremes: no privacy, and complete privacy. In some ways this question avoids addressing the interplay between religion and the state, but this itself is a complex topic better treated elsewhere.

3.1 Extremes of Privacy

One way of examining the future of religion and privacy is to treat technology as a knob that can be turned by society to either reduce or increase privacy. This being the case, we can envision future societies in which privacy is inherent and ones in which it is entirely absent. The question that follows is: what happens to Christianity?

The case in which privacy is absent in many ways mimics the conditions that existed during the time that the gospels were being written and early Christianity was organizing. People lived in close proximity to each other, in large families, and if they were not being monitored by the state they were certainly being monitored by each other. People had a great deal of privacy vis-a-vis the state but little vis-a-vis their neighbors. In some ways this is ideal for religions, which are almost all community-driven. Having close-knit communities where information about individuals is quickly promulgated may lead naturally to conformity of belief enforced by communal norms. It may also restore to some degree the ministerial role as one who participates in the community and, through that interaction, is able to monitor those he is spiritually responsible for. However, a community with a limited amount of privacy also would seem to leave no room for observing the prescription to pray "in secret". Thus a certain degree of privacy seems necessary for certain religious purposes. This is also made manifest by considering certain Christian religious concepts such as confession and forgiveness. Part of the act of confession is embodied by the minister having new knowledge about how to aid the confessor, but another part of confession is the act itself and what it signifies serving as the first step on the road to forgiveness and eventual redemption. The ability of the confessor to reveal these things is rendered impossible if everything is transparently revealed to all.

Consider the opposite extreme, in which privacy is protected and at least in principle absolute, we must naturally draw parallels with our world today. As noted earlier, while the state can pierce the bubble of privacy that it constructs when necessary, religious institutions in this country are not granted that power. Therefore, even while we speak of privacy violations or infringement by the state, we must remind ourselves that these powers are not typically available to religious actors. To religions, the degree of privacy now present in this country must seem quite high.

Besides the inability to legislate morality and better monitor the behavior of its members it is unclear what dangers privacy poses to the future Church. It does render what might have previously been forced communities voluntary, and in doing so negatively effect their memberships. It probably also reduces the amount that a given religious authority is able to know about those in their spiritual care, rendering the confessional relationship more dependent on the confessor. Since this seems to be the direction that our society is heading, it remains to be seen what effects increasing amounts of privacy will have on religion, as well as what responses religions might undertake in the face of these changes.

3.2 Use of Technology

Lastly, I offer some thoughts here on future uses of technology in a religious setting and the possible effects on privacy. In particular, this section was originally conceived out of examining the religion-state split so common in Western countries. The question I asked was, what portions of that relationship would religion most like to reinstate, and can that be done through existing or impending technological change?

When the state split from religion religious authorities lost, broadly speaking, their abilities to enact compulsory punishment and collect information about people. In some ways we can view the activism of Christianity in modern policy debates as the Church attempting to recapture that first role in which it was allowed to set up norms of appropriate behavior and enforce them. However, information collection remains something that the Church has yet to be able to imitate.

However, current technology could change this. Consider, for example, a Christian church that requires, as a condition of membership, that churchgoers install closed-circuit TV cameras in their homes. This system would allow the church to monitor and censure behavior it might find inappropriate, such as sexual deviancy or swearing. If this seems too intrusive then perhaps an RFID-based system could be used. Assuming that many items will be fitted with these tags in the future, and that a typical home provides multiple “choke points” at which relatively low-power readers could be installed, a Church could require that these be installed allowing them to monitor household purchases, scanning them for items such as birth control that may be forbidden. This considerably less-intrusive (when compared to CCTV) monitoring system is not out of the range of possibility. Other uses of technology may be intended to reintroduce the idea of a close-knit community in places where privacy may prevent compulsory participation. Churches could circulate photos of people suspected of homosexuality or having had an abortion to its members. Those in a position to do so could strive to enact communal punishment by denying or degrading the level of service that these people might receive at a bank or in a diner. In small communities such tactics might be able to persuade those engaging in undesirable behavior to leave permanently.

4. Conclusions

The goal of this paper has been to examine issues at the intersection of privacy, technology, and religion. This is a fluid space, poorly defined due to the range of technologies available but more primarily due to the lack of direct engagement with this issue in the Christian Church today. However, it is evident that both influences on and influences by technology and religion on privacy will remain important for years to come, especially as developing technology exposes more and more of the moral issues surrounding privacy rights.