Privacy Ethics in the Age of Disclosure: Sweden and America Compared

Richard M. Hessler and Kristina Freerks

Sweden, a model welfare state, and the United States, with its ethos of rugged individualism, have institutionalized ethical systems for protecting the research subject's right to privacy. The ethical concerns driving these "codes" of ethics are similar across the two societies, but the institutional systems for protecting privacy, indeed the very definitions of privacy, are different, reflecting variant value systems. The Swedes have an open government but are vigilant and effective guardians of the privacy of individual files. In contrast, the Americans keep their government relatively closed but allow relatively easy access to individual files. Regardless of this basic difference, researchers in both countries are struggling to rethink their ethical systems in the face of rapid development of communications technology in what has emerged as the age of disclosure.

This paper begins with the cultural concepts of privacy in Sweden and the United States. Privacy was chosen as the focus of this paper because it stands at the center of deception and disclosure in research, a pressing ethical problem facing sociologists today. Next is a comparison of the institutionalized systems for protecting the individual's right to privacy in the two countries, followed by a discussion of the social pressures confronting the two systems. The paper concludes with a comparison of the ethical principles utilized by both countries.

Privacy in Sweden and the United States

Individual privacy is conceptualized differently in the two countries and appears to be valued more highly in Sweden. Blatant invasions of privacy are common in the United States, for example, Fox Television's docudrama "Cops,"
CBS's "Street Stories," or the Arthur Ashe case. In his words, "Somebody called [the newspaper] and ratted on me... and so they felt journalistically they had to follow up... any admission of HIV infection at that time would have seriously, permanently, and—my wife and I believed—unnecessarily infringed upon my family's right to privacy... It put me in the unenviable position of having to lie if I wanted to protect my privacy. No one should have to make that choice" (St. Louis Post Dispatch, 1992). Examples like these are unheard of in Sweden.

Swedish collectivism contrasts sharply with American individualism and the right to "do your own thing" unencumbered by worry over what other people think about it or even what harm comes to another as a result. Swedes worry incessantly about criticism from others and about hurting each other's feelings. For example, it is considered bad form to give someone an unsolicited gift out of the context of a special occasion. Theoretically, receiving a gift obligates one to reciprocate. To obligate someone is considered an invasion of privacy. One encounters elaborate norms and rituals in Swedish society for establishing and maintaining social distance, thereby preventing invasions of privacy and protecting each other's dignity. The mainline Swedish press, for example, will openly criticize and divulge information about organizations, but not about individuals. Being a culturally integrated country with only 8.5 million inhabitants contributes to the Swedish preoccupation with privacy. It would be relatively easy to deduce, for example, who top officials in the government bureaucracy are because of their small numbers. And yet the good of the state, the collective good, is considered a higher good than individual privacy rights. Swedish citizens trust the state to take care of their privacy interests by supporting laws that emphasize open access to "public" data over individual privacy concerns.

Public control over decision making is the cornerstone principle of the Swedish Constitution. Privacy is considered a right by constitutional law, along with the duty to obey specific state edicts and controls protecting privacy. Honesty in presenting research to those studied, avoidance of harm to research subjects, and informed consent are the ethical core of the Swedish concept of privacy. Swedes look to the state as the sole data protection authority to insure their privacy. From the American perspective, this is the prototype of Big Brother.

The U.S. government alone maintains over 2,000 very large data banks with millions of citizen files in each, almost all of it unknown to the public. Judging from the number of invasion-of-privacy law suits, the more than 700 laws dealing with the right to privacy (Sweden has 11 laws and subscribes to the Council of Europe's guidelines and the Helsinki Agreement), and the current fad of disclosing the most intimate private secrets to anyone who can read a book or watch "A Current Affair," Americans appear to have a different concept of privacy. While Americans are as concerned as the Swedes about a right to privacy, they lack the Swedish collective sense of duty to protect that right and thus are more likely to have to respond to violations of privacy in the absence of a central authority backed up by a commonly accepted set of ethical principles.

The concept of privacy in the United States does not have the strong cultural