ACCESS TO THE DIGITAL SELF IN LIFE AND DEATH: PRIVACY IN THE CONTEXT OF POSTHUMOUSLY PERSISTENT FACEBOOK PROFILES

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Abstract

Digital-age phenomena pose a myriad of challenges to the management of privacy, and one such phenomenon is the posthumously persistent Facebook profile, created and regulated by an individual during life but repurposed after death as a site of mourning, memorialisation, and continued communication with the deceased. Combining observations about the phenomenology of the digital being with psychological theories concerning privacy regulation and bereavement, five characteristics of Facebook profiles judged salient to the management of privacy in the posthumous context are identified and discussed. These include their current popularity and dominance as a vehicle for self-representation and communication; their dynamic nature; their co-constructed nature; their facilitation of personal privacy regulation; and their potential durability. It is suggested that (a) the ontology of a Facebook profile may mean that conceptions of privacy as being about individuals' rights and decisions are inappropriate to the modern social networking context; (b) that attempts to manage privacy that involve removal or retention of Facebook profiles by mourners have a potentially significant impact upon the bereavement experience, particularly that of friends who seek to maintain continuing bonds with the deceased; and (c) that the issues raised should be considered by academics and researchers, by Facebook, and by lawmakers in the evolving area of digital assets and legacy.

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1. Introduction

Concepts of privacy are inevitably influenced by the context in which the word is used, and a significant aspect of the current context is that we live in an age of digital information, characterised by instantaneous and global data transmission; significant changes in the degree of control that we have over our information; and externalised memory banks of digital material[1]. Of the millions of us producing digital storehouses of personal information about ourselves, some may grant access to that repository to a chosen few, while some may offer the intimate details of their lives to the general public. The possibilities thus afforded by the information age pose fascinating and often bedeviling challenges to and questions about traditional experiences and definitions of privacy, and how we regulate it.

Issues of context are also relevant when attempting to define privacy for the purposes of this piece. Psychologists and lawyers have different priorities and utilise different concepts when considering privacy, and this article attempts to bridge a gap in that it is written by a psychologist for a legal journal. However, the philosopher Julie Innes provides a useful general framework for both fields in her definition of privacy as concerning three areas: access to personal information about an agent; access to intimate aspects of an agent's person; and the autonomy of the agent in making decisions about personal matters[2].

Whether automatic and reflexive or conscious and deliberate, behaviours that are designed to control others' levels of access to ourselves and to information about us are embedded in all of our interactions. The sociologist Erving Goffman described how we routinely size up different situations and relationships, evaluate how we fit into these and temper our behaviour and our presentation of self accordingly[3]. The social psychologist Irwin Altman then applied this concept in his *privacy regulation theory*[4], challenging the traditional definition of privacy as a state of withdrawing from others, and describing instead a dialectic between openness and closed-ness, between revealing and concealing, dependent on the circumstances in which we find ourselves. As we encounter each context, we decide how much information to reveal and how much access to our intimate selves to grant[5], and we continuously move back and forth along the spectrum between openness and closed-ness in a quest for an ideal level of privacy and an optimal degree of social interaction.

Even before Facebook expanded its remit to accept anyone with a valid email address[6] – arguably profoundly changing society in the process – the impact of digital-age technologies on the ways in which we experience and regulate privacy had

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[1] V Mayer-Schoenberger, *Delete: The Virtue of Forgetting in the Digital Age* (Princeton, NJ: Princeton University Press, 2009).

[2] J C Innes, *Privacy, Intimacy, and Isolation* (New York: Oxford University Press, 1992)

[3] E Goffman, *The Presentation of Self in Everyday Life*, *New Ed.* (London: Penguin, 1990).

[4] I Altman, *The Environment and Social Behavior* (Monterey, CA: Brooks/Cole, 1975).

[5] See note 2 above.

[6] R Rosmarin, , "Open Facebook" (2006) available at http://www.forbes.com/2006/09/11/facebook-opens-up-cx_rr_0911facebook.html (accessed 28 March 13)

already been noted[7]. Now, ensconced as we are in the world of social networking, it appears that we continue to make disclosures and grant others access to our intimate lives even when we have had negative experiences associated with failures to achieve the ideal degree of privacy to which Altman referred[8]. Furthermore, even the end of our physical lives does not mark the end of privacy considerations for our digital selves. Death may render us unable to make decisions ourselves about access to our digitally stored information, but then the privacy interests of next of kin and other mourners come to the fore. The challenges that this poses are a primary focus of the discussion that follows.

Three points are necessary to clarify the aims and parameters of this paper. First, the author is a counselling psychologist with a background in existential-phenomenological philosophy, a clinical specialism in grief and bereavement, and a history of researching technologically-mediated mourning and memorialisation. Reflecting these three aspects of the author's experience, this piece sets out to explore the phenomenology of digital being; to discuss how mourners' experience of grief and their perceptions of privacy intersect with posthumously persistent Facebook profiles; and to highlight points from psychological theory and recent research that the author sees as salient.

Second, while the relevance of this paper to law and to greater society is argued, the author does not claim expertise in or extensive knowledge of the legal dimensions of privacy, and hence it is not within this paper's remit to explicitly address issues such as individual versus collective rights, ownership of digital property, creative commons copyright, and so forth. Nevertheless, it is hoped that what is offered here will provide useful food for thought and discussion for legal and diverse other professionals situated at the intersections of law, technology and society. In line with this psychological rather than legal focus, it should be noted that the phrase 'privacy regulation' is used within a psychological framework and refers to behaviour that is designed to control access to the self.

Third, this paper comprises the author's own assessments and conclusions, based on a synthesis of theoretical perspectives and research findings, about what may be useful points of consideration. It is not a research paper *per* se, and the interested reader is referred to the cited empirical literature for further information.

The following section discusses five characteristics of Facebook profiles identified by the author as being salient to the experience and management of privacy in the social networking context, making reference to relevant social-psychological and existential-phenomenological theories. These five characteristics are then revisited as they specifically relate to the death of a Facebook user and the bereavement experiences of mourners, with reference to bereavement theory and the findings of the author's and others' original research in this area. The paper then summarises the two main points arising from the author's analysis; one to do with the ontology of Facebook profiles and the other concerning the psychological experience of mourners. An appeal is

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[7] L Palen and P Dourish, "Unpacking Privacy for a Networked World" (2003), available at www.cs.colorado.edu/~palen/Papers/palen-dourish.pdf (accessed 24 March 2013).

[8] S Trepte, "Self-disclosure and privacy online from a psychological perspective" (2012), available at http://www.acatech.de/fileadmin/user_upload/Baumstruktur_nach_Website/Acatech/root/de/Material_f uer_Sonderseiten/Internet_Privacy/2012_Acatech_Privacy_and_Self-Disclosure_Website.pdf (accessed 24 March 13).

made for these points to be taken into consideration as the laws and regulations around privacy, copyright and digital property evolve with the continuation of the information age.

2. Privacy and the nature of Facebook

Many characteristics of a Facebook profile (also known as a "Timeline" since the launch of that format in April 2012) are relevant to considerations of privacy.

Dominance*:* First, Facebook profiles are increasingly *dominant* as a vehicle for self-representation and interaction. Facebook is now one of the primary means of technologically mediated communication. Over a billion of us worldwide now use Facebook[9], numbers that mean that if the site were a country, it would be one of the world's largest, positioned in third place after China and India[10] and gaining on them rapidly, with an increase of 50 million users in the March-July quarter of 2012[11]. More than half of users log on at least once a day, and nearly 600 million log on from mobile devices[12]. It has been argued, and seems intuitively true, that "the significance of information technology…lies in its ability to disrupt or destabilize the regulation of boundaries"[13]. The burgeoning number of Facebook users means that hundreds of millions of us are confronting this destabilization of how boundaries were formerly managed, in the analog age.

Dynamism: Second, a Facebook profile is *dynamic*. Avid users represent themselves with daily status posts, with the frequent uploading of photographs, with statements of likes and dislikes, and with postings of other material such as web links, music videos, and news items. People communicate with one another in the public sphere: in comments on status posts and photographs; in postings on one another's publicly visible Timelines; and also through private chats and messages. The telepresence and the sense of one's identity conveyed on Facebook, therefore, are not static, and much moves and shifts continuously on an active profile.

Co-construction: Third, a Facebook profile is *co-constructed*. One's profile is not the work of or the representation of a person in isolation, and after all, even in the analog world, there is no such thing as that. We are inescapably relational creatures; as the existential-phenomenological philosopher Martin Heidegger would have phrased it, we are always being-with-others-in-the-world[14]. Our identities are perpetually co-constructed, negotiated, established and re-established between individuals [15] and a Facebook profile mirrors this existential reality.

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[9] Associated Press, "Number of Active Users at Facebook Over the Years" (2012) available at http://finance.yahoo.com/news/number-active-users-facebook-over-years-214600186--finance.html (accessed 24 March 13).

[10] Agence France-Presse, "Facts and figures about Facebook" (5 October 2012), available at http://technology.inquirer.net/18188/facts-and-figures-about-facebook-2 (accessed 7 April 13).

[11] See note 9 above.

[12] See note 9 above.

[13] L Palen and P Dourish, "Unpacking Privacy for a Networked World" (2003), available at www.cs.colorado.edu/~palen/Papers/palen-dourish.pdf at 3 (accessed 24 March 13).

[14] M. Heidegger, *Being and Time* (New York: Harper & Row, 1962).

[15] P Jenkins, *Social Identity (3rd ed)* (London: Routledge, 2008).

Regulation: Fourth, and in line with Altman's theory[16], the setting up and maintenance of a Facebook profile is all about the facilitation of *regulation*: regulation of self, of how one is seen, of privacy, and of boundaries. One determines the privacy settings; one invites or rejects potential Facebook friends; one calibrates what various friends can see; one elects which aspects of oneself to reveal and disclose. It could be argued that on Facebook, with its evolving privacy policies and mechanisms, considerably more energy, attention and time needs to be devoted to these regulatory processes than was required in the analog age, when one put on their work face at work, their party persona at a party, and their family hat at home. When interaction with so many others takes place in one digital space, a collapse of contexts can occur[17]. A Facebook profile can be akin to the party to which everyone from all one's walks of life is invited, a move one might never dream of making in one's non-digital life. The presentation of self in everyday life[18], with all of the adjustments and fine-tuning formerly performed in different contexts according to situation and audience, is much altered when it becomes a matter of presentation of self-in-relation-to-the-*generalized*-other.

Durability: Finally, a Facebook profile is *durable* – or, at least, it has tremendous *potential* for durability. Throughout most of history it has been easier to *forget* information, but now there is much about our lives that is automatically *remembered*[19]. On one hand, digital beings can seem incredibly ephemeral, as anyone who has accidentally deleted an important document will know; on the other hand, once data is uploaded to the massive externalised and often shared memory bank that is the world wide web, it may be difficult to get rid of. As Kim puts it, "digital beings can either endure forever, without any change, or disappear instantly without leaving a trace. Digital-beings have two contradictory possibilities simultaneously: eternal endurance and instant vanishment"[20].

3. Privacy and the life-after-death of Facebook profiles

When someone dies and Facebook is informed, the profile is "memorialized". No one can access it or change it, although those on the friends list can continue to view and interact with the profile as before, posting material on the Timeline or sending private messages to the decedent. If a verified immediate family member requests the profile's removal, however, using the pro forma available on the site, this request currently will be honoured[21].

The death of a Facebook user means the cessation of two types of being for that individual: first, the physical being/being of nature, and second, the being of mind, res

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[16] See note 3 above.

[17] M Wesch, "YouTube and You: Experiences of Self-Awareness in the Context Collapse of the Recording Webcam" (2009) 8 *Explorations in Media Ecology* 19-34.

[18] See note 2 above.

[19] See note 1 above.

[20] J Kim, "Phenomenology of Digital-being"(2001) 24 *Human Studies,* 87-111 at 101.

[21] Facebook,"Deactivating, Deleting, and Memorializing Accounts" (2012) available at https://www.facebook.com/help/?page=185698814812082 (accessed 24 March 13).

extensa and reg cogitans, respectively[22]. What has the potential to persist, however, is the representation of that third way of being created and facilitated by the digital age, a being that falls somewhere in the middle of physical being and being of mind: the term "res digitalis", or digital being, has been proposed[23]. A posthumous Facebook profile is just such a res digitalis, and indeed it can be an extraordinarily vivid, extensive, multifaceted representation of self in the context of relationships. Below, the characteristics of Facebook that were identified above will be re-considered in light of the *posthumous* existence of this res digitalis.

As noted in the introduction, although this is not a research paper, certain research findings may be useful in highlighting important points for consideration. When research findings are referred to in the discussion that follows, these are from the author's original research, which is described more extensively elsewhere[24] and to which the interested reader is referred. Briefly, this research consisted of a Qualitative Document Analysis (QDA)[25] of five "in memory of" Facebook groups; pages created posthumously with the express purpose of memorializing someone. These data were combined with an Interpretative Phenomenological Analysis[26] of in-depth interviews with three mourners who had access to their friends' in-life Facebook profiles. The findings of and themes arising from this study concord strongly with that of other researchers who have recently investigated mourning on Facebook[27].

Dominance: The engagement with Facebook on such a massive scale naturally means that the numbers of posthumously persistent profiles will grow alongside the number of subscribers; increasing numbers of bereaved families will engage with the question of profile retention or removal; and more and more bereavement professionals will encounter the phenomenon of mourning on Facebook. The perceived and experienced need for guidance for bereavement professionals was emphasized to this author following her presentation on technologically mediated mourning and memorialization to the United Kingdom bereavement charity Cruse[28].

Dynamism: When someone dies and their Facebook profile persists, the dynamic quality of the profile is retained, as friends can continue to post messages, photographs, links, and videos on one's Timeline. The mortal individual behind the digital representation, however, is no longer contributing to, or able to regulate, the

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[22] See note 14 above.

[23] J Kim, "Phenomenology of Digital-being" (2001) 24 *Human Studies,* 87-111 at 87.

[24] See E Kasket, "Being-towards-death in the Digital Age" (2012) 23 *Existential Analysis,* 249-261, and E Kasket, "Continuing bonds in the age of social networking" (2012) 31 *Bereavement Care,* 62-69.

[25] D Altheide, M Coyle, K DeVriese and C. Schneider, "Emergent Qualitative Document Analysis" in S N Hesse-Biber and P Leavy (eds), *Handbook of emergent methods* (London: The Guilford Press, 2008) 127-151.

[26] J Smith, P Flowers and M Larkin, *Interpretative Phenomenological Analysis* (London: Sage Publications, 2009).

[27] See B Carroll & K Landry, "Logging On and Letting Out: Using Online Social Networks to Grieve and to Mourn" (2010) 30 *Bulletin of Science, Technology & Society* 341-349 and K Hieftje, "The Role of Social Networking Sites in Memorialization of College Students" in C J Sofka, K R Gilbert and I Noppe Cupit (eds), *Dying, Death and Grief in an Online Universe* (New York: Springer Publishing Company, 2012) 31-46.

[28] Personal communication from Debbie Kerslake, chief executive of Cruse, July 4, 2012.

evolution of the profile, or to manage his or her own privacy. Instead, the community of mourners essentially takes over this function.

Sociologist Tony Walter argues that the purpose of grief is to construct a *durable biography* that allows the survivors to continue to integrate the deceased into their lives and to find a stable and secure place for them[29]. For that place to really feel secure, he says, the image of the deceased person has to be reasonably accurate and shared with other people, and this happens through *conversations with other people who knew the deceased*. The visible conversations with and about the deceased person on his or her Facebook profile, therefore, may serve an important function in the grief process for those left behind. After death, it is a locus for an ongoing, dynamic, communal negotiation of an enduring image of the person who has been lost. It should be noted, however, that a profile has a head start as a durable (auto)biography, having been co-constructed as a friends-accessible repository of personal and interpersonal data during the deceased individual's life. The potential vibrancy of this historical record of relationships and dialogues between friends, possibly spanning many years, is perhaps a key to why a Facebook profile makes the deceased so vivid to those left behind, as is captured in the quote below:

My darling A. – you are one of the precious few people in the world who always brings a smile to people's faces. I visit your wall frequently, and am awed by the messages of love that keep appearing here, most of them talking to you as if you were still alive. Sometimes I wonder if everyone feels as I do – still not reconciled to the fact that you are gone, still in shock and disbelief, then I realize: it's not that people don't realize that you are gone. It's that even in death you are warm and tangible to us all. I love you. (message from "Neha" to her deceased friend A.)[30]

Co-construction: As outlined in the introduction, as a counselling psychologist this author claims no expertise in the legal dimensions of privacy, or indeed in the execution of wills with respect to digital property. On the basis of the author's clinical experience and research, however, it is clear that in some cases the legal rights asserted by certain individuals regarding access to the digital representation of the deceased (e.g., the right of the next of kin to remove Facebook profiles) are at odds with the emotional/psychological needs – and potentially the rights – of other mourners (e.g., the Facebook friends).

The questions that arise here are linked to the "rights" referred to in the paragraph above and are directly related to the co-constructed ontology of Facebook. A Facebook profile is a representation of self-in-relation and an historical record or repository of material that is authored by multiple individuals, in relationship and collaboration with one another. Should the concept of privacy, in this context, refer more accurately to an *individual* or to a *relationship*? And when a family member successfully petitions to remove a deceased individual's profile from Facebook, can they be said to be infringing on the rights of other mourners, including human and/or constitutional rights of freedom of expression and information, and legal rights such as copyright?

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[29] T Walter, "A new model of grief: Bereavement and biography" (1996) 1 *Mortality* 7-25.

[30] As quoted in E Kasket, "Being-towards-death in the Digital Age" (2012) 23 *Existential Analysis,* 249-261.

Regulation: Friends are, traditionally, a disenfranchised group of mourners[31]. In the analog age, it was the family that had the most privileged access to the deceased: to information about them, to their personal effects, their letters, and their photographs. The family had the most control over how the deceased's image was managed, and the most power to ascertain what was concealed and what was revealed. They alone may have provided information for the obituary writer, or for the funeral celebrant. These professionals, their impressions gleaned primarily from family, functioned as *mediator deathworkers[32]*, people who translate or convey the dead to the living and hence assist in the construction of a durable biography. Family members were at the centre of the mourning community. It is now at the very least democratised, as one research participant explicitly alluded to in the following example:

A piece of who he was is still going to live on, his heartbeat will always be with his family…but for the rest of us, as a friend, or the people who sat next to him in class, it's a way for them to remember him too…to feel connected ("Ruby")[33]

A step beyond democratisation lies the possibility that the balance is flipped; that friends occupy the inner circle of mourners, while family are on the margins, denied access to the decedent's persisting digital self on Facebook. Although Wesch refers to the increased possibility for context collapse in the digital age[34], social networkers may invest considerable energy in protecting and concealing the self-disclosures they may make within the privacy of a friends-only Facebook profile, hiding these revelations from the gaze of family or employers.

This decision may have been made by the individual for good reason. This researcher has studied profiles wherein mourners post nostalgic pictures of their late friend passed out drunk on the floor at that wild party last year, or wherein casual/profane language is used freely in mourners' reminiscences. The deceased might have had no objection to this whatsoever, and it might have been part of how the person would have liked to be remembered – at least to those friends that were allowed access to the profile.

While mourners refer to friends' efforts to give family members access to the in-life Facebook profile, this potentially has its perils. The family may have concerns about the appropriateness of some of the material in the digital legacy and may be distressed at how it interferes with their ability to arrive at their preferred stable, durable biography of the person. They may consider the ongoing existence of the profile, some material on it, or their lack of control over/access to it a violation of privacy, a privacy which, as family, they feel they have the right to regulate. In such cases, family may indeed petition for Facebook to delete the profile altogether.

Durability: Current Facebook policy mirrors the paradoxical simultaneous potentialities of digital beings identified by Kim: "eternal endurance and instant vanishment"[35]. The memorialized status into which a profile can be placed, wherein

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[31] B Carroll & K Landry, "Logging On and Letting Out: Using Online Social Networks to Grieve and to Mourn" (2010) 30 *Bulletin of Science, Technology & Society* 341-349.

[32] T Walter, "Mediator deathwork" (2005) 29 *Death Studies* 383-412.

[33] See note 30 above.

[34] See note 17 above.

[35] See note 20 above.

no one can access or change it other than to view it and post on the Timeline as before, implies eternal endurance, although Mayer-Schoenberger, among others, questions the unlimited capacity of digital storage systems and the permanence of both the data and the organizations who maintain them[36]. On the other hand, as already reviewed, if an immediate family member requests the profile's removal, this request will be honoured, meaning the profile completely vanishes from view and may ultimately be purged from Facebook's systems.

Three of the strongest impressions arising from interviews with research participants were (a) the experience of the persisting digital self and the mourner's bond with it as being both "real" and comforting, (b) the experience of communication on Facebook as being a *particularly* effective way of feeling a continuing bond[37] with the decedent, and (c) the terrible fear of that bond's being broken[38]. Quotes from participants illustrate both the bond and the anxiety around the possibility of further loss:

You can think thoughts in your head, and think, 'Oh, I'm hoping he can hear me,' but when you write something in Facebook, it's a more tangible way to communicate….I can…sitting in my room, just click over that page, look at his face, remember…it's so easy and accessible…there's still that piece of him that's somehow, in a strange way, immortal. ("Ruby")[39]

It's quite comforting to talk about mundane things to her, I think I sent one private message, but found it more of a comfort to write on her wall….I think because I feel she will see it if it's on her wall. When I can't see what I've wrote to her, I feel like she won't be able to see it too…I don't really know what I believe happens after death, I like the thought of her being able to see what I write and what everyone else writes, it's definitely a comfort, doesn't feel like she's gone completely…

 I always expect to go on one day and for it to be deleted, or there to be no picture…if that ever happens, I'd be heartbroken…it would feel like I wouldn't be able to talk to her properly…it would be deleting the last bit of her that's still almost real ("Ava")[40]

I would be close to inconsolable [if the profile were deleted]. Having something that may seem so small to some people is everything to me. [His profile] is the one last thread of him that I have. If we lost it, it would be like losing him all over again. There are just certain things that rip the wounds open. ("Claire")[41]

One could argue that the removal of a profile merely puts a certain group of mourners in the same position as they would have been in prior to the social networking age. Not so long ago, these kinds of digital selves did not exist. Now, though, increasing numbers of people expect them, assume them, and rely on their accessibility. The reader is asked to imagine what it might be like for a member of a younger generation, accustomed from an early age to connecting frequently and intensely with

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[36] See note 1 above.

[37] For extensive discussion of continuing bonds see D Klass, P R Silverman and S L Nickman (eds), *Continuing Bonds: New Understandings of Grief* (Washington, DC: Taylor & Francis, 2006).

[38] E Kasket, "Continuing bonds in the age of social networking" (2012) 31 *Bereavement Care* 62-69.

[39] *Ibid.*

[40] *Ibid.*

[41] *Ibid.*

their friends' digital presences, to have their friend's Facebook profile removed after that friend's death.

4. Conclusions

Given the above discussion, we are left with the question of precisely what deserves or needs protection of privacy, or regulation of privacy, when we speak of a posthumously persistent Facebook profile. The characteristics of such a profile, as described above, complicate the matter considerably. Questions of copyright and ownership intersect with privacy considerations. Overall questions about privacy in the posthumous social networking context, and arguments for an ongoing consideration of these questions, are summed up below.

Privacy of the individual, or privacy of the relationship? : The ontology of digital beings such as social networking profiles makes them dissimilar to traditional property that may pass to the next of kin or as stipulated in a will. This begs the question of how the profile should be conceptualised and treated in comparison to other "things" "belonging" to the deceased individual. The co-constructed nature of a Facebook profile begs the question of whether it represents one person, or a collection of relationships; whether it is created by one individual, or by many; and whether the digital representation of self that is conveyed by it should be viewed in the same way as other constituents of that person's physical estate or intellectual property.

 Additionally, while still living, the deceased made decisions about how to regulate his or her privacy, and admitted to the friends list only those who he or she wished to have access to information conveyed by this digital self. Reciprocally, the individuals on the friends list would all have agreed to at least some level of access to their own digital selves. This is tantamount to saying, "I wish this person to have a particular level of access to/ a particular degree of social interaction with/a particular bond with me," and represents the deceased individual's privacy preferences up to the point of death.

The word "bond" calls to mind the continuing bonds theory of bereavement[42]. The notion that healthy resolution of grief involves breaking bonds and letting go of the relationship with the deceased person is a 20th century phenomenon and is largely due to the influence of Freud, who felt that to hold on to such connections was pathological, and that it was important to invest one's energies fully into other things and other relationships. Continuing bonds theory is an increasingly influential alternative to this view and holds that, while relationships necessarily do change, they do not end as such, and that this can be normal, adaptive and comforting.[43]

Emerging research findings[44] are providing significant qualitative evidence of the vividness and closeness of this bond as experienced on Facebook. Of the privilege and

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[42] See D Klass, "Continuing Conversations about Continuing Bonds" (2006) 30 *Death Studies* 843-858 and D Klass and T Walter, "Processes of Grieving: How Bonds are Continued" in M Stroebe, R Hansson, W Stroeb and H Schut (eds), *Handbook of bereavement research: Consequences, coping and care* (Washington, DC: American Psychological Association, 2001) 431-448.

[43] See note 38 above.

[44] For example K Hieftje, "The Role of Social Networking Sites in Memorialization of College Students" in C J Sofka, K R Gilbert and I Noppe Cupit (eds), *Dying, Death and Grief in an Online*

importance placed on it by mourners over more traditional mourning practices (e.g., visits to the gravesite), and of fears of retraumatisation through profile removal. If a Facebook profile is a representation of self in *relation*, perhaps it is these *relationships* that deserve privacy and protection. If a person elects in life to delete their profile or "de-friend" someone, that is one matter; if next of kin undertake to make their own decisions about these digitally represented relationships, in the absence of the person leaving behind a digital will, that seems to be something else entirely. If posthumously persistent Facebook profiles are becoming significant places for private mourning and memorialization, as research is beginning to indicate,[45] is it consistent for next of kin to be able to withdraw mourners' access to those places when they could never deny those mourners access to a headstone in a public cemetery?

Impact on mourners of profile removal or retrieval: Tension between groups of mourners over the best way to remember the deceased or what to do with the deceased's effects is nothing new, but the existence of social networking creates new wrinkles in a well-worn fabric. It is recognised that the continued existence of a Facebook profile after a loved one's death may disturb and trouble some mourners, especially if those mourners do not themselves have access to the profile, or when the profile represents aspects of their loved one that they would rather de-emphasise or forget. Removal of that profile may be viewed as necessary to protect the legacy and the privacy of both the deceased and the deceased's family.

Additionally, those who are less *au fait* with social networking may be concerned about other mourners' continuing interactions with a Facebook profile. Imagine what many parents or grandparents might make of the younger generation's poring over their dead friend's Timeline, or typing messages to their dead friends via their Facebook app on their iPhones. They may not understand the technology; may not relate to social networking or know much about it; may hate the very idea of it; and may know nothing about theories such as continuing bonds. Some mourners may also feel uncomfortable about the colloquial, informal, perhaps even profane way that other mourners express themselves on dead friends' Timelines. Finally, not knowing about the closeness and extent of the bonds that may be experienced via social networking, mourners who are not on Facebook may not be aware that there even *is* a community of mourners out there interacting with the profile, much less be cognizant of the retraumatising potential of profile removal after death. A sophisticated awareness of different mourners' concerns and sensitivities around privacy is key to understanding bereavement in the digital age.

5. Final Word

When Palen & Dourish produced their 2003 article on unpacking notions of privacy in a digitally networked world, they saw their discussion as only a first step, reminding readers in their conclusion that "our understanding of privacy and how it

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Universe (New York: Springer Publishing Company, 2012) 31-46 and E Kasket, "Continuing bonds in the age of social networking" (2012) 31 *Bereavement Care* 62-69.

[45] For example B Carroll & K Landry, "Logging On and Letting Out: Using Online Social Networks to Grieve and to Mourn" (2010) 30 *Bulletin of Science, Technology & Society* 341-349.

operates will need to be as sophisticated as the technologies involved"[46]. The technologies involved have evolved tremendously since that writing, as has our level and nature of involvement with those technologies. As individuals and as a society, we are pushing at the boundaries of the traditional conceptual frameworks within which privacy has historically been defined and set. It is argued that, in the space where social networking, death and privacy converge, philosophers, sociologists, psychologists, bereavement professionals, policy makers, law makers, and corporations such as Facebook should consider humans' contemporary, technologically mediated experience of both life and death - and expand and evolve their thinking accordingly.

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[46] L Palen and P Dourish, "Unpacking Privacy for a Networked World" (2003) at 8, available at www.cs.colorado.edu/~palen/Papers/palen-dourish.pdf (accessed 24 March 13).