

# METAMODERNISM AND THE QUESTION OF PRIVACY AND CONFIDENTIALITY IN THE DIGITAL AGE

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## ABSTRACT

In this paper, inquiry will be made into the extent to which individual freedom and social responsibility conflates or conflicts on issues surrounding privacy and confidentiality as well as the reflection of these issues on the constituent element of knowledge construction and social formation in what could be termed as the ‘new social’, that is, the digital. The integral framework of this research would take off from the meta-modern standpoint in determining the question of privacy and confidentiality, and fitting same as being a conflict between grounds of social-politico organisation of society and individual rights and liberties. Similarly, the State’s duty to protect the social structure against the background of the burgeoning influence of big data companies, and the individual’s responsibility to protect the confidentiality of his ‘digital persona’ presents the reflex point which determines the intersection between the social, political and legal components of digital society. Thus, this research would interrogate the discourses which surround the meta-modern perspective of social formation and knowledge construction, by presenting arguments for a more regulative but not restrictive digital sphere, as it relates to the protection and use of individual data. The research would fundamentally argue that there exists certain level of direct connections between the meta-modern construction of knowledge and social formation with the realistic approach to the question of privacy and confidentiality in the digital sphere, by engaging with the three basic themes of: the constituent element of meta-modernism, the debate surrounding privacy and confidentiality in both the old and new social, and the intersection between both themes.

**Keywords:** Cyberethics, Social Epistemology, Metamodernism, Privacy, Confidentiality, Knowledge Organisation System.

## INTRODUCTION

Between the social and the new social (digital) is the historical-ideological template, which tends to determine and predetermine the trajectory of epistemic ideals in the construction of social relations as well as social structure. This historic-ideological template plays a fundamental role in determining individual freedom and the trajectory for which social identity and social responsibility either conflict or conflate.

While social relations designate the broad spectrum of relationships entered into by individuals within the social sphere (Mucha, 2006), social structure deals with the construction of social relations along organised lines (Elder-Vass, 2007); the lines of social determining constructs

such as the moral, the legal, and the political. The interrelation of these constructs again predetermines what becomes socially acceptable, or what constitutes the acceptable norms of society. This explicit nature of such interrelation is built on the grounds that while the social sphere is the layer from whence the moral, the legal, and the political take its roots that is; the moral, legal, and political cannot, and do not exist in isolation outside the sphere of the social, yet these constituent elements become the regulatory scope from whence the activities of the social get determined along the lines of right and wrong, good or bad, just or unjust, lawful or unlawful. This infers that constructs such as those mentioned above, used in designating the actions of individual constituent elements of the social, are a product of the interrogation of social determining constructs – moral, legal, and political – with the reality of social life.

The substance of this position is reflected in the discourse surrounding the state of nature, wherein it is evident that none of these constituent elements had a recognisable influence over the organisation of social life, until man decided to enter into the social contract and as such transition into civil society (Klosko, 2011). This social contract has ensured that man shares some values with his fellows to ensure peaceful relations (Agbada, 2024, p. 13). Thus, civil society became the established social structure, along which lines the intricacies of social relations have continued to be evaluated.

This research intends to evaluate these intricacies by examining how the construction of what can be termed ‘private’ as well as confidentiality are an integral element of the social sphere and how the epistemic ideals upon which society runs, tend to either determine or predetermine these changes. The research will look into what constitutes privacy and confidentiality and the extent to which it plays a role in the social, by evaluating the same against its reflection in the digital age and pinpointing how the elements of metamodernism interlace with, cum creates the pedestal within which the question of privacy and confidentiality is determined in the digital age. Thus, the very integral question of what constitutes the nature of privacy and confidentiality becomes a crucial element for the first part of the interrogation in this research.

## **THE QUESTION OF PRIVACY AND CONFIDENTIALITY**

### **Nature of Privacy**

The term privacy is sometimes an elusive concept, it could refer to solitude or physical isolation (Tonick, 2011). D. S. Warren and D. L. Brandeis describe it as the right “to be let alone,” (1890). M. Tonick further explains privacy as not “having information about oneself revealed to others” (2011, p. 1355). It can also be seen as the right to make decisions about one’s own life. Every individual desires the ability to control what information goes out about him or her, a right to stay out of the bustle of communal life in peace and enjoy solitude. These inherent desires also draw up with them a hostility towards any who tends to intrude into what one may have termed a ‘Private space.’ There exists even a wider margin and dichotomy between public life (for those engaged in some form of public affairs), and private activities. Each of these individuals seeks to treat both ends of their lives as utterly opposite and would reject any form of scrutiny into what may be termed an intrusion into their personal lives.

However, this need for privacy which mounts up in every human interaction, has faced even greater scrutiny within the context of the 21<sup>st</sup> century. With the rise of telecommunication, and other forms of media infrastructure, most especially the dominant popularity of social media, the ability of individuals to limit what form of information about them is let out, has gradually been eroded. With the presence of phishing sites, data mining agencies, several online tracking systems, spy networks and agencies, and even the now popular ATS, used by HR in tracking

the past activities of job applicants, a most pertinent question thus arises as to where exactly the intersection between necessary public data and personal private information should be placed. On a more disturbing note are the activities of the Government and its agencies, most especially as in the name of ensuring security, she extends the right to garner as much information on private citizens as possible. These and more, raise the question of whether or not an individual has a definite right to privacy. And how exactly are such rights either constructed or emplaced? Most importantly, what structures or provisions are there to secure this most cherished right to privacy of each individual?

### **The Right to Privacy**

C. W. Plouffe notes that “The Legal and Political aspects of the scope of the right to privacy are still not settled.” (2011, p. 1357) This raises an important question as to what dimensions an individual struggle for a right to privacy could take. Although F. Olsen outlines that “Privacy is considered basic to a free and open society, and crucial for individual development,” (1998, p. 6864). He further maintains that the concept of privacy as a legal right is of recent origin (1998, p. 6864). While the very idea of a right to privacy has never been alien to any existing democratic society, even in the era of early Grecian Philosophy as J. DeCew notes; “Aristotle’s distinction between the public sphere of politics and political activity, the polis, and the private or domestic sphere of the family, the Oikos, as two distinct spheres of life, is a classic reference to a private domain.” (2018). In more recent times this very right to privacy has been sealed internationally by the Universal Declaration of Human Rights. In Article 12, it states:

No one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks. (Kaci, 2015, p. 26)

Although this right has been enshrined by the United Nations since 1948, it has slowly found its way into the Constitutions of many Nations, with several still holding back its full implementation for political reasons. Yet the very fundamental nature of privacy as a human right shows practically in every form of human interaction. However, even in States wherein the right to privacy has been fully recognised, the Government and its parastatals, continually make intrusions at several intervals, raising a most important question as to whether privacy as a right should be unlimitedly enjoyed by all individuals, or if its practical implementation should face certain limits? Furthermore, with the reality of private data being available for public use, who bears the burden of the protection and preservation of these data?

### **The Privacy-Confidentiality Nexus**

While privacy as examined in the sections above, deals with the freedom from intrusion, confidentiality deals with the keeping and maintenance of private data from prying eyes (Crotty & Mostaghimi, 2014). It encapsulates an obligation on the part of the receiver of private information – transmitted as data, whether social or digital data – to prevent the disclosure of information designated as confidential by the giver of such data, to ensure that the individual retains control over his private information, as a means of satisfying the demands of the individual’s right to privacy (Bos, 2020).

This infers that confidentiality depicts a duty and an obligation on the part of the receiver of private data, within the ambits of policies mutually agreed upon by both parties. The form of agreement, its details as well and the accompanying challenges of preserving such data, differ

in the realm of the social, and the ‘new social’ or the digital, as would be discussed later on in this paper. To this end, the central component of confidentiality is the ‘trust element’, which is defined by T. Grandison and M. Sloman as “the firm belief in the competence of an entity to act dependably, securely and reliably within a specified context” (2000). N. Richards and W. Hartzog argued that as an essential ingredient of digital life, trust encapsulates the foundational building block upon which information relationships between individuals, professionals, private institutions, and/or government are consolidated (2016), which becomes even more necessary as it relates to the generation and distribution of knowledge in the digital society (Benito et al, 2006). In a more simplified form, privacy is seen as applying to persons, whereas confidentiality concerns data (University of Kentucky. 2018), to what end, the individual’s information, made available to another entity, is conceived of as data’. This raises the crucial question of the point at which the individual data could lose its right of being held confidentially, which by extension juxtaposes the question as to the extent to which the notion of privacy can realistically be limited.

### **The Limits of Privacy**

Plouffe divides privacy into four basic aspects: “1) Publication of private facts, such as personal sexual practices 2) Placing a person in a false light by publishing information that would damage their reputation 3) Invading a private space such as trespassing in a person’s house, and 4) appropriation of another person’s identity.” (2011, p. 1357). In several areas, there exists a drawn line between these presumed aspects of privacy, and their actual practice. For example, in cases of accused sexual assault perpetrators, the court sometimes warrants an inquiry into their past sexual conduct to draw out a pattern in handling the present accusation, the police would carry out such intense scrutiny and if it were already a popular story, the Media would make a serious buzz about it too, to which we may certainly ask; do the performance of such aspect of privacy exclude those accused of such misconduct? What if in the end the individual is discharged and acquitted, how does such an individual cope with personal data like his sexual patterns already out in a public space? In the same vein, the scrutiny of public officers and celebrities draw a parallel with the second and third aspect of privacy as outlined above to which we may again query whether or not some particular sect of people could have their Privacy taken away from them legally? viz; an accused person under investigation in the first case, and a public figure or celebrity in the second.

Etzioni argues that Privacy as a legal right within the Constitution is a recent creation that faces obvious limitations in the modern composition of society because, within a broader consideration, Government measures such as security cameras in public spaces, emplacement of security measures or anti-crime measures at certain times could be worked over. “If these new measures are reasonable then no one’s rights have been violated - in the legal sense.” (2005, p. 255). However, in even more practical instances privacy itself has been shown to have practical limits in instances such as;

1. *Cases of mass insecurity or criminal activities:* Etzioni notes that with “The changed historical conditions, what we currently face - as threats to our security have increased, first from criminals and terrorists... There are more and more legal searches for which neither warrants nor even specific suspicion are required.” To which one may certainly ask, could there not exist a way wherein the Government could still see to these security needs while protecting individual privacy?
2. *At the intersection between individual right to personal liberty and shared or group challenges:* In situations of mass group anxiety, such as Public health challenge or a

Pandemic - as have been seen in the Covid and Post-Covid era - the individual right to privacy and most essentially personal liberty have certainly been curbed as a result of mass lockdowns, travel bans, forced-in restrictions (which could seem more like a house arrest), forced medical tests, as well as publication of health records of victims on the public space and other such measures which have been termed 'Reasonable,' (2005, p. 255) and very necessary for the protection of public health. This again raises the question of whether or not respect for the private record of individuals can justifiably be eroded under the guise of an emergency.

3. *Instances of public fear and pandemonium:* For example, after the September 11, 2001 attack on the United States, the US Government seized on the public pandemonium and implemented what could have been termed high-handed monitoring practices, such as; monitoring of phone calls, making abrupt search on suspected individuals without a search warrant, monitoring emails via the use of certain keywords to fetch out terror messages, et al (Carlisle, 2021). In the same vein, after the EndSARs protests that took place across Nigeria, the federal government seized on the public disruptions and reported instances of pandemonium to shut down Twitter, impose new social media regulatory practices, as well as acquire and even publish the financial records of accused sponsors of the EndSARs protests (Elega, Mohammed, & Oloyede, 2023). While these measures could have been termed unconstitutional at ordinary times, they were excused as being very necessary for public security and safety (Etzioni, 2005, pp. 255-256). Furthermore, in more recent times, the Nigerian Government has mandated the compulsory linking of mobile SIM cards to the National Identity Number (NIN), placing as an excuse; the security conditions of the country, and the need to apprehend criminals in a faster and more precise manner (Abubakar, 2011). These seeming mass surveillance, and mass forced data collection which under normal times ought to be classified as gross infractions of privacy, are very easily excused even by citizens themselves, as necessary for the security of everyone, thus enacting an obvious limit on privacy itself.
4. *Job demands and corporate society:* With the prevailing necessity of fitting into corporate society, the line between privacy and meeting these job demands tends to present a drawn-out line. For example, public officers would have their every action scrutinised including even their emails and personal messages, by proponents of opposing views to pick up points that could either be damning or serve to further some nefarious aim of such opponent. An example could be found in the publication of Private records of then Candidate, and now President Bola Ahmed Tinubu (Iniobong, 2022), as well as releasing private phone conversations with Journalist Rufai Oseni (My Nigeria, 2023), amongst others, all during the period of Nigeria's 2023 elections. These obvious privacy breaches are left unconsidered, the moment presumed 'dirt' or wrongdoing is found, without recourse as to how it was found, and whether or not it involved a gross breach of the privacy right of the individual in question. Thus, under such circumstances, the rights to privacy of these individuals faces considerable limit. In the same vein, private companies track down the activities of their employees, sometimes even their private activities to see if these constitute a threat to the growth of the company, most especially security or investigative firms (West, 2021). Further, even in more moderate firms, the intrusion into privacy could come via multiple calls even at odd and non-work hours, from clients to which the individual is forced to attend for the sake of avoiding queries and retaining such jobs. Thus, there exist little or no dichotomy, between what could constitute Job requirements for persons, and their private life.

5. *Social media*: While these above infractions of privacy may be noted as being sometimes without, or with forced individual consent, social media present a more willing arrangement to give up certain levels of privacy to stay connected on such platforms, which Etzioni notes; “Our behaviour shows that there are numerous values that trump or take precedence over privacy.” (2005, p. 254). These behaviours which may be seen as a more voluntary limit to privacy constitute individuals giving off vital information about themselves to social media websites or apps to keep having access to such platforms. The usage of these data is with little control from the individual, even though there are existing privacy rights within the confines of such media companies, its obvious abuse, misuse, or forced use via governmental mandate creates a problem as to whether such publicly heralded privacy rights are not just done for the screens.

These above obvious breaches of privacy for very excusable and even cogent reasons, raise a most fundamental question viz; “Should individual privacy be left unmonitored for any reason whatsoever, or should the government or community hold some level of autonomy in restricting privacy at some point?”, More so, to what extent does the construction of knowledge about privacy fit into the entire discourse on privacy and confidentiality?

## THE METAMODERN AND THE PRIVATE

### Modernism, Postmodernism, Metamodernism, and its Ideological Trajectory

What constitutes the private, functions differently in each composition of social life. For example, the designation of what is private would differ in a democratic society from what is obtainable in a socialist or communist society.<sup>1</sup> To this end, the notion of the private is socio-politically specific, that is; it is subject to the prevalent socio-political makeup of a definite society. In the same vein, the reflection of how the approach to privacy is either sustained or strangulated can be examined within the lines of the epistemic tensions that exist between modern, postmodern, and metamodern societies. On a nominal scale, the ideas of modernism, postmodernism, and metamodernism have been argued to be both historical constructs as well as ideological positions (Vermeulen & Akker, 2010).

This historical-ideological divide attempts to place the modern within a definite timeframe; the first argument; traces the modern to ‘the age of enlightenment’, while the second argument traces the modern to the twentieth-century linguistic turn in philosophy (Ermarth, 1998). This argument for a historical placement of these ideas also attempts to historically situate the postmodern as beginning from the mid or late-20<sup>th</sup> century (Ermarth, 1998), while placing the metamodern as beginning from the 21<sup>st</sup> century, as a result of the breaking down of the postmodern boundaries (Vermeulen & Akker, 2010). A. Le Cunff argues that on a historical scale, the modern, postmodern, and metamodern can be associated with significant elements in the rise of the media; on what note he categorises the modern as being associable with the rise of the Radio, the Postmodern with the Television and the metamodern with the internet and digital means of communication (2021). The centerpiece of Le Cunff’s argument is hinged on the position that development in the agency of media communication has played a key role in shaping and determining the prevalent ideologies upon which the epistemic foundations of society have rested, which in a similar vein also largely shapes how society reacts to the

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<sup>1</sup> Communism emphasises the benefits which is obtainable by society as a whole, whether or not such benefit trumps essential individual rights. Thus, while democracy encourages individualism and by extension seeks to uphold the right to privacy, communism rejects the principles of individualism and instead argues for collective surveillance of its citizens. See <https://cs.stanford.edu/people/eroberts/cs181/projects/2007-08/communism-computing-china/privacy.html>, for a brief article on the non-existence of a right to privacy in communist China.

designation of what is private or the responsibilities saddled on the individual in possession of a certain form of confidential information (Le Cunff, 2021).

If we follow the analysis given by Le Cunff, the radio, and television belonged to the realm of 'the social', whereas the digital belongs to the realm of the 'new social'. The predetermining elements of the society were the composition of society along visible lines and the difficulty it took to cross the lines of national boundaries. Thus, what was social was limited to the immediate environment of the individual, and his ideologies were influenced by the prevalent notions and positions that reinforced such ideology. This placed the individual in a self-absorbed state of knowing only that which was available and not that which was obtainable. Thus, the individual decision-making credentials were furnished by the information gleaned from agencies such as the radio, magazines, Journals, and Television, hence in the social, man was limited to what the eyes could see, and decision-making was further limited to what was obtainable through the lenses of other fellows who also viewed the world from the perspective of their social boundaries.

For instance, the domination of the radio in the early years of the 20th century as Le Cunff points out, aided in the consolidation of thinking along absolute lines, to the end that absolutism was more amenable to the modern era, as the views expressed in society were the age-long acceptable societal view carried within the lines of limited interactions amongst individuals. This inferred that since individuals were limited by their spatial boundaries, they were wont to interpret even the happenings in other societies from the lenses of their spatial boundaries, rather than the spatial boundaries of the society being interrogated, and such a view towards interpreting external societies owed to the existence of limited information about those societies, to what end it became much easier to interpret society in terms of an absolutist position, *vis a vis*; the standard for right or wrong, good or evil were seen as absolute standards and superimposed on other societies by an inquirer, whether or not the societal cultures differed.

The postmodern under this position became triggered by the realisation of different social compositions and societal organisations as well as the existence of conflicting cultures which challenged the idea of a hegemonic absolute criterion for interpreting the way things are in the world. This realisation as Le Cunff points out had a lot to do with the rise and spread of new ideas, and advancement in media and telecommunications, which subsequently led to the putting to use of such understanding in transmitting life images, leading to the rise of the television (Le Cunff, 2021). The reality of the rise of the television as well as advancement in telecommunication and transportation tools led to the advancement of closer networking amongst people and the reality of existing closer ties which challenged the view of examining a different society from the lenses of one's own biases but rather the reality of interpreting each society in its regards became an obvious necessity (Le Cunff, 2021).

Similarly, the metamodern as Le Cunff argues stems from the obvious reality of each individual being in charge of his own story, and views the world from the lenses of a subjectivist rather than an objectivist position. This position does not affirm the trajectory of modernism or postmodernism, neither does it reject it (Le Cunff, 2021). Le Cunff attempts to point out that the metamodern credentials are founded on the rise of the digital sphere, for which the reality of the internet and social media, now determines the substantiality of narratives being pushed out. To this end what is termed as the 'new social' becomes the underlying point of the metamodern, as social interactions are no longer limited to an individual spatial space, but rather transcend national boundaries, giving an individual the ability to shape his narrative and

even become a part in the conversation on oneself, through the agency of the ‘digital persona’. This infers that on a metamodern scale, the individual has the capability of creating a distinct persona and existing as that persona whether or not the behavioural reflections of such persona differ from the individual’s subjective reality in the social. Thus, the new social is a product of the digital and exists within the bounds of the digital sphere.

There are problems with Le Cunff’s position, most especially if we balance it against Ermarth’s argument on the historical-ideological flowchart of the modern and postmodern. Although Ermarth tends to agree that technological advancements were to some extent triggering fuel that aided the transition from the modern to the postmodern, she nevertheless refuses to stereotype such development as existing only within the media space, as Le Cunff did. Ermarth took a more holistic position by placing the interrogation about the modern and the postmodern within the realms of a history of ideas rather than a history of society. To this end, Ermarth’s position was hinged on looking out for the timeline of the development of these ideas and the nitty-gritty of developments obtainable in such a timeline, rather than a connection between social influences and the development of these ideas.

This paper takes a position geared at interrogating the ideas in themselves as epistemic constructs rather than historical-ideological constructs. Its emphasis is rather on what constitutes the epistemic positions of each of these ideas most especially the idea of metamodernism, and how such epistemic construction shapes the understanding of the notion of privacy and confidentiality in the digital. It may not be far out of place to affirm either Le Cunff’s history of society position by synchronizing the metamodern with the digital or take Ermarth’s history of ideas position by interrogating the history of the idea of metamodernism, however, this paper rather asks a different question, viz; what is the underlying ideological position of metamodernism, and how is it relevant to the discourse on privacy?

One of the foundational lines of distinction between the three epistemic positions outlined above is its approach to an objective or absolute reality. The modern consolidates its ground on absolutism the postmodern espouses relativism, but it becomes a lot more problematic as to what stand metamodernism espouses.

### **Metamodernism and the Discourse on Privacy**

Vermeulen and Akker (2010) affirm metamodernism as taking a ‘both neither’ dynamic. This infers that metamodernism oscillates between modern and postmodern ideologies, without being subjected by an affinity to any. Modernism is built upon absolute grounds while postmodernism lays its argumentative paradigms on relativistic and pluralistic grounds (Agbada & Tomoloju, 2025, pp. 111-112). Metamodernism rejects the absolutist grounds of modernist thought but does not necessarily accept the pluralist bent of modernist thought; rather, it attempts to deal with the subjective individual and his place in the world than the interrogation of an external objective or relative reality (Abramson, 2015).

To this end, Le Cunff affirms that metamodernism, while dealing with the digital, attempts to take a middle ground in its interrogation based on its exposure to divergent and sometimes contradictory forms of knowledge, for which it is the subjective individual who is saddled with the responsibility of choosing between what systems of knowledge to affiliate with. Thus, this individual (subjective) basis of knowledge determination creates both contradictory and complementary systems based on the availability and reliability of information from whence such knowledge is gleaned. On such note, the present digital society is seen to be interlaced and plagued by the reality of a subjective construction of knowledge in the digital space, for

which both algorithms and trends have to a large extent become the determinant of what is known. This infers that the ‘digital persona’ constructs his knowledge from the digital sphere based on the available information gleaned via trending topics and algorithmic processes which tends to bring similar instances based on individual choice, allowing the digital persona to sometimes take positions on specific issues that are contrary to the facts of such issues. However, such decision-making would also have been based on the reality of available information gleaned from the digital sphere. Hence, while the subjective individual is saddled with the enormous responsibility of constructing his knowledge in the digital sphere which as Le Cunff points out; exists within the ground of a metamodern outlook on knowledge construction (Le Cunff, 2021), the ‘digital persona’ is also subjected to the manipulative influences of misinformation and mal-information, which creates the reality of contradictory knowledge claims and positions, based on individual algorithmic selections.<sup>2</sup>

Based on the above, the predominant view of privacy as evident in metamodern spaces, micro zooms privacy into the intersubjective relationship between the individual who possesses the obvious right to privacy and the vendor (seen to be any; company, organisation, and/or institution) who purchases access to such information based on ‘trust’ in keeping the acquired information confidential, as an exchange for the individual’s access to the services provided by the vendor. But this position is also interlaced by the necessity of a vendor, cooperating with the government and its agencies in exposing individuals who may prove a threat to open society.

The basic question thus becomes the extent to which an individual vendor ought to keep from the public and government; information that is not only critical but also detrimental to the well-being of others in society. This raises the reality of the ethical dilemma involved in the question of privacy. The extent to which metamodernism captures this ethical dilemma rests on the reality that metamodern spaces steer clear of a definite holistic commitment to the divulging of personal information but agree on the fundamental necessity of protecting the privacy of its digital user on the one hand and the generality of all users on its space, as well as within society (Pipere&Martinson, 2022). To this end, the vendor is charged with a dual responsibility of protecting individual privacy, and at the same time a corporate social responsibility of divulging incidents of threat to society emanating from its platform. On such note, selective censorship; described by Kalinka as ‘personalization’ (Kalinka, 2022), becomes a tool for the internal sanity of digital spaces, while cooperation with law enforcement agencies becomes a tool for the external sanity of social spaces (vis a vis; in a bid to protect such social spaces from threats emanating from the digital sphere).

The reality of this ‘both neither’ dynamic for which metamodernism has been classified, is shown forth in several researches carried out concerning privacy. For example, while 40 percent of Citizens in the United States believed that the government should take the leading role in battling cybercrime, 86 percent of American citizens affirmed the desire to decrease their digital footprint (DataProt, 2023), which raises the question as to how exactly can the government tackle cybercrimes if she cannot gain access to the digital footprints and/or

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<sup>2</sup>Algorithms in the digital sphere determine what forms of information an individual is presented, and what forms of results will come first in any search which he does. Thus, if an individual has interacted for a long time with digital pages (whether on social media or internet searches), that have been purveyors of false information, he is most likely to be presented first with stories from such sources, whenever he logs on his social media feeds or perform a simple internet search. Similarly, if there are no websites that have debunked some form of false information available in the digital space, a subjective individual is as likely to see it as true and base his claim on the sources from which he got such information.

activities of her citizens. Similarly, research by the Pew Research Center found that while 70 percent of adults worry about the security of their private data and information shared with companies, 97 percent of the same set of adults affirmed being asked by companies to accept privacy terms before using the services offered, only 9 percent affirmed that they always read the privacy policies before accepting it, while 13 percent affirmed to do that often, 38 percent affirmed to do it sometimes and 36 percent affirmed to never reading the privacy policies (Pew Research Center, 2019). This again raises the question as to; on whom then should the blame for the seeming erosion of privacy be leveled; the individual who fails to study the privacy terms he/she assents to or the company who drafts such terms? D. D. Sasu (2023) outlined that in Nigeria, about 32 percent of internet users in 2022 declined website cookies, while 19 percent preferred to remain anonymous online, to maintain the security and non-availability of their private information, which thus made it difficult to track and/or distinguish between scammers and normal individuals who are just concerned about their privacy, on the basis that the lack of access to the identity of the digital persona affects the capacity of appropriate agencies to act in cases of real threat that tends to transcend the digital into the social sphere, which thus raises the question as to how government can act in protection of the citizenry against vices that emanates from the digital while being denied access to vital information which could lead to tracking such vices? This reality points out the necessity of redefining the grounds and elements for privacy as it relates to the digital society.

### **Reimagining Privacy and Confidentiality in the Digital Age**

All through this section, it has been maintained that the outlook on privacy takes a different pattern when interrogated against the backdrop of metamodern societies, based on the lack of a firm ideological grip to define the metamodern position. This is further based on the fact that metamodernism as examined through this section takes a 'both neither' dynamic; that is a commitment to privacy and a desire for increased regulation to curb cyber ills which could either directly or indirectly limit privacy. Thus, while affirming a stronger involvement of government in addressing the threats which most times transcend from the digital into the social, and while also understanding that the involvement of government can only be productive if there is sustained access of government to confidential information, metamodern societies, elect to keep these information away from government, raising the problematic as to where exactly she falls.

However, if interrogated from another perspective, metamodernism tends to take a position that rejects the presence of only two alternatives, viz; increased privacy and lesser activities of government or her agencies in curbing cyber challenges which could stem into the social, or more active involvement of government in solving these challenges at the expense of reduced privacy. Metamodernism tends to affirm the possibility of having the cake and eating it too, that is; the reality of having an increased involvement of government in solving cybercrimes while also having a high level of individual privacy retained. This reality draws on the position that the discourse around privacy must be rechannelled to fit in these metamodern tensions, as well as the development of intentional strides aimed at combining these seeming opposites. The points outlined below are thus needful as a background ideological landscape from whence the advancement of such interrogation commences;

1. The Knowledge debate: The position of having to choose between an absolute right to privacy versus a relative right to privacy would require an ideological replacement within metamodern spaces, of which the digital world is its practical reflection. Metamodernism takes away the absolute versus relative debate and replaces it with a

subjective individual determining his place in the world and at the same time seeking to protect that place from limitations to his free expression, as well as attacks by criminal syndicates. This idea of protecting the individual not only as a digital persona alone but also as a social entity with an actual life outside the digital sphere must be the foundational grounding for any interrogation of an approach to privacy.

2. Socio-Political organisation: The question revolving around privacy and confidentiality should of necessity be shifted away from the question of democratic practice into the question of democratic ideals. D. D. Raphael (1990), outlined that democratic ideals are operational even in a non-democratic society, on that note, privacy must not be seen from the lens of being a democratic society prerogative, but an ideal whose fundamental reach and scope transcends even in a non-democratic society. This infers that, the democratic ideals of liberty and equality are to form the fundamental layer for enacting privacy policies (on the level of companies that handle individual data), protecting confidential information, and divulging information where necessary to governmental agencies.
3. Reinforcement of the right to privacy: The integral element of ‘consent’ in the divulgement of private information must take precedence over the element of ‘necessity’ which is sometimes used to explain the erosion of individual right to privacy. On this note, private information which falls as confidential data when handled by an organisation, company, group, or government must only be released with the obtained consent of the individual holding such privacy right, or a duly obtained waiver, subject to specific usage and restricted from public access. This infers that even in critical conditions where a waiver of an individual right to privacy can be sought (for example in criminal trials or cases of severe emergencies), the usage of the obtained private data must be subjected to specific rules and restricted whatsoever from being made public knowledge.
4. Confidentiality and the protection of data and databases: If databases are to be managed by private infrastructures or companies, such management must be with levels of due oversight, not of the data in itself, but of the process of harnessing, handling, and using the obtained data. This infers that government parastatals dedicated to the functionality of oversight duties must be limited only to interrogating and investigating the pattern of confidentiality agreement existing between the giver and receiver of such data, the obligation of both parties, as well as the extent of fulfilment of those obligations, without being privy to the minute intricacies of what constitutes the data being kept or preserved.

## CONCLUSION

Throughout this paper, the idea of privacy and confidentiality has been interrogated within the bounds of its nature, limits, and ideological positions that place it as either an absolute fact or a relative one. The paper interrogated how the inherent debate around the fundamental ideological layers of modernism and postmodernism tend to create a ground for a redefinition of privacy along a metamodern perspective, by emphasising that the existence of debates around the functionality of privacy in the digital world falls directly under the province of metamodernism vis a vis; metamodern spaces. To what end, metamodernism as an epistemic position seeks to interrogate the component of knowledge construction in the digital, by dividing the construction of knowledge along analogue lines for which modernism and postmodernism both fit in, and the digital; which represent the metamodern idea. However, this paper has maintained that metamodernism tends to merge the modern and postmodern into one without taking an ideological commitment to any, from what lenses, metamodernism interrogates the question of privacy from the perspective of a 'both neither' dynamic, rejecting the limitations on privacy, while affirming the necessity of protecting the individual from the negativities of the cyberspace, an interrogation of which exists within definite tensions, which draws on the necessity for reimagining the ideological foundations for the discourse on privacy and confidentiality.

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