

Memorial of Fallen Soldiers vs. *Post-Mortem* Privacy: Perception Study

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Abstract

This research explores the tension between preserving the privacy of fallen soldiers and the need for their families and State authorities to access digital legacies for memorialization and truth seeking. Through novel experimental approach of perception surveys of soldiers, relatives of fallen soldiers, and State memorial officials, the research aims to understand privacy preferences, access challenges, and the implications of digital legacies for memorial practices. This study contributes to the discourse on digital ethics in armed conflict, stressing the need for a balanced approach to handling soldiers' digital legacies.

1 Introduction

In armed conflicts, fallen soldiers' digital legacies pose legal and ethical challenges [4]. These legacies include platforms like Facebook, Telegram, and WhatsApp, where privacy concerns clash with desires for memorialization and truth-seeking.

Soldiers' *post-mortem* privacy rights [3, 6, 7] may involve limiting access to their digital information [2, 5, 6]. Conversely, families and State authorities often wish to honor memories and access information about the circumstances of fallen soldiers' deaths in the battlefields.

The right to *post-mortem* privacy is contested, with no universal legal recognition. In the US, fiduciaries can access a deceased person's digital assets if the individual consented during their lifetime; otherwise, the service provider's terms apply [1]. Estonia's law maintains that consent for processing

personal data is valid for 10 years after death unless stated otherwise [8]. China's law allows citizens to bequeath their digital assets [8], while Mexico's laws invalidate personal data protection requests upon death [8].

This study engages key stakeholders in fallen soldier memorialization – soldiers, families and officials – to capture views on *post-mortem* privacy and memorial practices. It highlights the unique circumstances and national interests in memorializing fallen soldiers compared to other deceased persons.

A key contribution of this study is examining the evolving role of digital spaces in memorializing fallen soldiers, as their digital profiles intertwine with personal privacy and posthumous remembrance.

2 Research Questions

RQ1: What are soldiers' privacy preferences for their digital assets after death, and how do these align or conflict with the needs of families and State officials?

RQ2: What challenges do families and State officials face in accessing fallen soldiers' digital legacies, and how do these affect memorialization?

RQ3: How do soldiers, families, and State officials differ in their views on managing digital legacies, and what common ground or gaps exist?

3 Methodology

The study will partner with relevant non-profit organizations to reach bereaved families and relevant State officials, and also will send invitations to university students planning to serve in the army.

3.1 Surveys

This research uses questionnaires to explore the perceptions of soldiers, families of fallen soldiers, and State officials dealing with memorialization. There will participate approximately

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50-100 participants on each group. This research will be conducted with social sciences scholars specializing in military affairs. Using their experience and networks, we will reach out to relevant survey participants.

1. **Soldiers' Questionnaire:** This questionnaire targets soldiers to understand their social media privacy preferences, especially regarding potential battlefield deaths. The questions will examine participants' current privacy settings on social media, thoughts on posthumous digital asset management, and comfort with family and State officials accessing their digital information after death.

For example, participants in this group will be asked if they agree to provide full access to their personal accounts on social media to their immediate family members and government officials. They will also be invited to explain and rate their concerns about others accessing their digital assets *post-mortem*.

2. **Family Members' Questionnaire:** This section examines the difficulties family members of deceased soldiers experience when trying to access the soldiers' social media content. It explores their challenges, the importance of this access for commemoration and understanding the soldiers' deaths, and the emotional, practical, and legal hurdles they encounter. Additionally, it considers how such access affects their grieving and sense of closure.

For example, participants will be asked about their personal experiences with the challenges of accessing their fallen relatives' social media accounts, including dealing with social media companies, the government, and the courts. They will also be asked how crucial this information was for understanding the soldiers' deaths and for memorialization.

3. **State Officials' Questionnaire:** Participants will be asked on the significance of accessing fallen soldiers' private digital assets for memorialization. For example, they will be invited to share anonymized cases where access to fallen soldiers' social media accounts was essential for understanding the circumstances of their deaths. Participants will also be asked how often crucial information is found on social media private accounts and what challenges they typically face from social media companies and family members.

3.2 Analysis

Qualitatively, the study will deeply explore each group's views on managing the digital assets of fallen soldiers and their reasons thereto, identifying differences and potential agreements. Thus, this analysis will explore participants' experiences through thematic and narrative methods. Key themes related to privacy, access challenges, and memorialization will be identified by reviewing and coding transcripts. The analysis will then examine how different participant groups describe their experiences. Additionally, soldiers' privacy preferences will be compared with the access needs of their families and the perspectives of State officials.

Quantitatively, the study will analyze correlations between soldiers' social media habits, privacy preferences at death, and the relationship between the uncertainty of soldiers' deaths and the desire to access their digital assets.

3.3 Ethics

Ethical principles will be followed, especially given the sensitivity of the topic, centering around death and bereaved families. This includes keeping the privacy and confidentiality of participants and the data collected; anonymity of responses; and voluntary participation. Participants will be able to withdraw from the study at any time and will be provided with contact information for public mental health support if needed. Participants will be notified in advance of the topic of this research, to better obtain their full informed consent.

Since this study involves government employees, their participation and the data processing will require additional approval procedures from the relevant authorities.

Before commencing the study, approval will be secured from the Institutional Review Board.

4 Expected Outcome

This study involves surveys administered to three distinct groups of participants, each with a unique perspective. Since, to our knowledge, there is no specific research on these questions, we believe the outcome will be as follows:

Due to the increasing use of social media, it is anticipated that soldiers will oppose granting totally free access to their personal accounts posthumously. Instead, they might prefer to designate specific individuals in advance who will be permitted to access their accounts after their deaths in the battlefield.

Conversely, it is expected that family members will likely respect the posthumous privacy of fallen soldiers. However, if there are missing details or media related to the fallen soldiers, the family's desire to access personal accounts may increase, driven by a need for truth-seeking and memorialization.

It is anticipated that State officials will favor a legislative or bureaucratic approach to regulate this issue, enabling them to effectively fulfill their role in national remembrance.

5 Anticipated Contribution

This study provides foundational knowledge for future *post-mortem* privacy research, to ensure respectful handling of fallen soldiers' digital legacies.

Additionally, This study could highlight the importance of managing the digital *post-mortem* legacy of military personnel within the military community. The findings may be useful for decision-making, both individually by soldiers before they go to the battlefield and collectively by the military system as a whole.

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