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An attempt to define Privacy

USA

Four notions are important: seclusion, intimacy, guardedness, and anonymity.

A violation of privacy is

- Burglary into the private sphere
- Publications of wrong and inappropriate information about your private live
- Creating a wrong impression of you in the public

France

The right to have one's own name and appearance, intimacy, honor, and reputation, one's own biography, and the right to forget past failures after a while.

Germany Judges coined the notion: "informational self-determination"

The protection of the private sphere is a part of self-determination.

Privacy International:

Privacy is the right of a person to determine who may know what about me under which circumstances.

A violation of the private sphere also is if you are spied on without your knowledge and without being exposed to the public. (E. Snowden on NSA)

(Later, you may be forced to do something under the threat of reputation damaging publication)

Obviously, the damages that can be caused by published defamation and unjustified or/and painful violation of one's privacy are so serious, that they can destroy the lives of those affected and drive vulnerable people into suicide. (Timothy Garton Ash)

The main problem is how people react on these false publications and privacy violations. This may drive you in isolation. Suddenly you may lose all your social contacts, of which you have received your self-confirmation. This changes your life completely. You may lose your job. Mobbing by force you to leave your school. You may have to move to a place where nobody knows you. Your self-esteem may drop to zero. You may be in danger to commit suicide.

Privacy versus legitimate public interest

Protection of Privacy versus Free Speech

There is a limitation of free speech to protect privacy. In addition, the protection of privacy can be considered as a precondition for free speech rather than a limitation. If free speech, which may not be in somebody's

interest, would have as consequence the public exposure of your private sphere, instead of arguments on the subject matter, then you may be reluctant to make use of your right on free speech.

The philosopher Thomas Nagel says:

Culture would not be possible if we could all read the other's (even immature) thoughts.

Normally free speech is allowed if it meets **public interest**, even if it touches somebody's privacy.

What is public interest?

BBC guidelines say:

Detecting and discovering of crimes and denouncing massive antisocial behavior, ..., preventing people from being misled by the false statements of organizations and individuals, ..., the disclosure of information that will allow to make decisions on important public affairs on a much improved basis of information.

Where is the boundary between legitimate public interest and the interest of a media to offer a public key whole for their Peeping-Tom customers?

In the US law a public interest is also related to the manners and customs in the community. But this changes rapidly. In addition: What are manners and customs in the world wide web?

What is of public interest of the private sphere of a politician?

What is of public interest for the private life of an economical leader?

What is of public interest of the private life of a famous artist, entertainer, TV Moderator, or any other person of public live?

There is also a powerplay

The power play has two questions:

- How is in the position to say what about whom without facing harmful consequences?
- And how is in the position to prevent someone to say something about whom?

With the internet, practically everybody is in the position to say something about everybody - may be unaware what consequences this may have for the other person as well as for him-/herself.

Privacy and the Internet

The internet allows more then anything in history before to publish opinions, pictures, knowledge, and sounds. And for this reason, the internet causes at the same time the highest loss of privacy.

Out of these big data profiles can be set up of your skills, your weaknesses, your preferences, your failures, and your political views without your awareness and without your agreement. This knowledge about you is collected to influence you for commercial purposes as well as for political purposes.

The architecture of the internet intends to serve these purposes.

The internet is operated by private powers in close cooperation with the state. Since Edward Snowden's whistle blowing we know, that this is the biggest threat for privacy in our time.

The liberal IT activists and nerds, who have started "to make the world a better place" (Facebook) can review the results of their work.

The difficult protection of Privacy in the internet

The Streisand effect: If you go to court for removing a publication from the Internet, because you do not want the public to know about it, you may draw the public attention to the object, which now becomes better known then without asking for justice.