

Privacy: A Very Short Introduction
By Raymond Wacks

What is privacy? Why do we need it and value it so much? This *Very Short Introduction* examines why privacy has become one of the most important topics in contemporary society. Considering issues of privacy in relation to security, the protection of personal data, and the paparazzi, its implications are wide-ranging and affect us all.

Questions for thought and discussion

- What do you understand by the concept of ‘privacy’? Why has it proved so difficult to define?
- What are the main functions of privacy? What interests or values does privacy protect?
- What do you understand by ‘personal information’? Is your telephone number ‘personal information’?
- Do you support the judgments in the cases involving (a) Michael Douglas and Catherine Zeta Jones? (b) Naomi Campbell? (c) Peck?
- If CCTV cameras can be shown to deter crime and apprehend offenders, should their use be encouraged rather than condemned?
- Analyze the relationship between the right of privacy and freedom of speech. Can these two (apparently competing) democratic ideals be reconciled? If so, how?
- Identity cards are required in many countries. Why do privacy advocates oppose their use?
- ‘We must build into the architecture a capacity to enable choice – not choice by humans but by machines. The architecture must enable machine-to-machine negotiations about privacy so that individuals can instruct their machines about the privacy they want to protect.’ (Lawrence Lessig, *Code and Other Laws of Cyberspace* p163). How realistic is this prospect? How might it be achieved? Why should cyberspace be willing to build this architecture?
- Is privacy an unqualified good? If not, what deficiencies or shortcomings does privacy have as a value?
- What is the difference between ‘privacy’ and:
 - Confidentiality
 - Security
 - Secrecy
 - Defamation
 - Freedom of speech
 - Autonomy
- On what grounds do Warren and Brandeis base their case for the recognition of a legal right to privacy?
- What is a ‘biometric?’ Does biometrics undermine personal privacy? How?
- In what respects can PETS repel attacks on personal data and improve security online?
- How is the United States Supreme Court’s decision in *Roe v Wade* related to the protection of privacy?
- Can you explain the differential cultural and social attitudes towards ‘privacy’ (in its most general sense) in various societies?

- What is the central purpose of data protection legislation? In what respects does it preserve privacy? Would a comprehensive data protection regime obviate the need for privacy legislation?
- What's wrong with 'Safe Harbor?'
- Why have Google and Facebook been attacked for failing adequately to protect users' privacy? Are these criticisms justified?
- Is privacy dead?

Other books by Raymond Wacks

The Protection of Privacy (Sweet & Maxwell, 1980)

Personal Information: Privacy and the Law (OUP, 1989 and 1993)

Privacy, Volumes 1 and 2 (Dartmouth and New York University Press, 1993)

Privacy and Press Freedom (Blackstone Press, 1995)

Further Reading

Gibb, J., *Who's Watching You? The Chilling Truth about the State, Surveillance and Personal Freedom* (London: Collins & Brown, Jul 2005).

Goldsmith, J. and Wu, T., *Who Controls the Internet? Illusions of a Borderless World* (Oxford: Oxford University Press, 2006).

Bennett, C.J. and Lyon, D. (eds), *Playing the Identity Card: Surveillance, Security and Identification in Global Perspective* (London: Routledge, 2008).

Griffin, J., *On Human Rights* (Oxford: York: Oxford University Press, 2008).