

The Right to Privacy. Again.

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Essay by [Dembitz](#), August 8, 2008 in response to [On Technology, Security, Personhood and Privacy: An Appeal](#)

[On Technology, Security, Personhood and Privacy: An Appeal](#)

Our identities in the online world are as real and as significant as our identities in the physical world. Our friendships are formed through the personal details we share on the pages of [Facebook](#) and the IMs and emails that traverse across the ether. Governments and businesses make decisions about us based on the bits of information that they have acquired through our recorded moments in these digital worlds. Our reputations are everywhere affected by the increasing power of our digital identities.

The risks that we face to our physical bodies are less severe today than in the past. Indeed, the advances of the medical sciences have cured many diseases and extended our lifespans. Both technology and law have improved the safety of travel, food, and consumer products.

But our digital identities face increasing danger. Identity theft continues at a rapid pace due to the proliferation of persistent identifiers, poor security measures, and sloppy business practices. Digital files are left unencrypted. Old laptops and hard drives, filled with personal information, are available for sale. Security breaches of our personal information are frequent; credit monitoring services provide little protection.

Intrusions into our physical space pale in comparison to intrusions into our private lives in digital space. A camera's capture of an embarrassing moment passes as quickly as a bid for a pez dispenser on eBay. But the recorded imagery broadcast on [YouTube](#) finds its way to servers around the globe.

The choice that we face, as the polity of this new digital world, is as old as political philosophy itself: shall we address these challenges in isolation or shall we decide to address them together, respecting that individuals should retain the freedom to pursue their own definitions of the good?

What is the outcome if we leave each person to defend their own identity? Life in such a digital world will be nasty, brutish, and short. Our identities will be everywhere under assault. The techniques that a person develops to safeguard his or her persona need not be respected by our adversaries or even our governments. All manner of intrusion, surveillance, observation, and analysis will be brought to bear on the most intimate facts of our private lives. Such observation will routinely occur in secret and without accountability. In such a world, the unpopular, the disliked, and the unfamiliar will remain under constant scrutiny. Already we subject the communications of non-citizens to greater examination and deny them the full rights provided by our courts. The technologies of surveillance fall disproportionately upon those who appear different.

Today our identities are increasingly commodified. Our personas are sold from one business to another without consent or compensation. Employers, landlords, insurers, and government agencies know our incomes, our neighbors, the names of our children, and even our political preferences. Facebook widgets collect far more data than is necessary. Without united action, this trend will continue. How long before others sell our digital personas on eBay to the highest bidder? What law today prevents such conduct?

It is tempting to say that a shared solution will undermine freedom or to imagine that individuals armed with keys of sufficient length will be able to defend their rights without the assistance of others. But by now we've had several years of testing this strategy. It has greatly favored the interests of large governments and large businesses and has left individuals with decreased rights and increased risks. It has resulted in the disclosure of intimate facts under fraudulent and deceptive circumstances.

To say that we must now engage the work of constructing real safeguards for identity in the digital world is to not to say that such a project will be easy. There will be conflict and controversy. There will also be powerful opposition from vested interests that seek to maintain and to extend their powers. They will offer funding for research centers, paid fellowships, and consulting opportunities to quiet criticisms.

But we can never doubt that we respect private life even as we value the opportunity provided by the Internet to engage in a public life far more open than the one imagined by our parents. Our ability to negotiate the boundary between the public sphere and the private sphere is a measure of our freedom and is essential to the future of our democratic society.

Between a problem and a solution is the time when people come together and begin a discussion. That moment is now. The future lies ahead.

This essay has been published anonymously, under the pseudonym Dembitz.

Comments (1)

- Keith Lauren wrote:

All of this data trading is a huge source of income for many companies. The government will always side with business first, and taxpayers second. With that being the case, I'm not sure if we will ever have really strong laws to protect our personal information. Even when data laws are passed, there are always loopholes. I want to see the light at the end of the tunnel, but I don't.

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