The Right To Privacy Essay, Research Paper

The word “privacy” does not appear in the U.S. Constitution, though a number of Supreme Court opinions have held that the Fourth, Fifth, Ninth, and Fourteenth Amendments offer some constitutional backing for a right “to” (as opposed to an enumerated right “of”) privacy. This right has been applied to cases involving privacy versus law enforcement, voyeurs, freedom of the press, the release of personal information, and personal choices. This is a very significant issue because it effects all walks of life. It effects the prosecution of persons based on certain forms of information. It also protects the right of people to be free from persecution for personal choices, and the right to have personal information isolated from public knowledge.When courts balance rights, such as privacy versus the media’s First Amendment right to seek and print news, there are winners and losers. Privacy’s vague, “implied” status as a constitutional concept often means it is interpreted (and protected) inconsistently. For example, following the release of Supreme Court Justice nominee Robert Bork’s videotape rental records, Congress passed a law making disclosing anyone’s rental habits a crime. Unfortunately, in most cases individuals’ medical records are not afforded the same protection.

The right to privacy has been at the middle of many controversies of late. It has fueled the smoldering fire of the fight over abortion. Since the internet’s alleged “invention” by Al Gore in the 80’s, electronic privacy has been the battle cry of many a cyber-dork. Many people worry about personal information being freely traded and swapped like baseball cards by companies on the internet. They also worry about information like the history of their websurfing or even files on their computer being leaked to any average Joe with a little knowledge about HTML or Java. Still others fight for the legalization of the use of powerful cryptography to protect personal messages from being easily read while in transit, sort of like an electronic envelope instead of a postcard. It has also been at the center of the controversy surrounding the freedom of the press and the privacy of the rich and famous.