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Titolo	Balancing privacy and free speech : unwanted attention in the age of social media // Mark Tunick
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Nota di contenuto	Table of cases -- Acknowledgments -- 1. Introduction -- Unwanted attention -- The democratization of the media -- Permissible and impermissible speech -- Goals: Building a framework for addressing conflicts between privacy and free speech ; Formulating principles of privacy ethics ; Grounding privacy ; Reevaluating case law ; Distinguishing ethical and legal judgments -- The book's layout -- 2. The value of privacy -- Defining privacy -- Why privacy is valuable: Reputation ; Avoiding unjust punishment, and the "right to be forgotten" ; Property ; A lack of privacy is objectively harmful ; Intimacy, relational harms, and the need to compartmentalize ; No harm no foul? ; Trust ; Dignity and respect for persons ; Privacy, toleration, and community -- Summary -- 3. Legitimate privacy interests -- Terminology: legitimate privacy interests and reasonable expectations of privacy -- The plain view principle, modified -- Which means of observation are legitimate? -- the careful and carefree societies -- Qualifying the plain view principle: One may reasonably expect privacy when one's dignity is implicated ; One can have a legitimate privacy interest that information not be spread to circles wider than one

willingly exposed oneself to ; Controlling the intended audience of one's message ; Clarifying what counts as "readily accessible through legitimate means" ; Consent -- Conclusion: privacy in public places -- 4. The value of free speech -- Reasons free speech is valuable -- Should interests in free speech be put on a balancing scale?: The E.U. vs the U.S. -- The slippery slope objection to protecting only some speech -- The speech that merits legal protection -- Do legal protections of free speech apply only to professional journalists? -- Deciding what is newsworthy: Substitutability (Finger and Kim Phuc) ; Non-newsworthy details of a newsworthy event (Y.G and L.G.) ; Newsworthy for a select group, non-newsworthy for the general public (Parnigoni) -- Conclusion -- 5. Balancing privacy and free speech: Utilitarianism, its limits, and tolerating the sensitive -- Introduction -- The framework: Interests and rights ; Balancing privacy against free speech (as opposed to public safety) ; The utilitarian approach ; Limits of a utilitarian approach -- Feasibility problems -- The respect and dignity problem -- Toleration and respect for persons -- Weighing reasons and considerations without making a utilitarian calculation -- 6. Cases -- Publicizing private facts: Private facts in private places (Rear Window, Lake v. Wal-Mart) ; Private facts that are newsworthy (Alvarado, Kaysen) ; Private facts in public places (Upskirt videos, Dennison, Turnbull) -- Cases at the border (Riley, Vazquez, and Wood) -- Publicizing public facts: Public facts that are not newsworthy (the baseball fan) ; Publicizing newsworthy public facts (Public meetings and lectures, police conduct, arrests) -- 7. Remedies -- Google Glass with face recognition -- Remedies: New social norms ; Legal remedies and their limits -- Other alternatives -- Technology and architecture -- Market solutions and their limits -- Conclusion.

Sommario/riassunto

In an age of smartphones, Facebook, and YouTube, privacy may seem to be a norm of the past. This book addresses ethical and legal questions that arise when media technologies are used to give individuals unwanted attention. Drawing from a broad range of cases within the U.S., U.K., Australia, Europe, and elsewhere, Mark Tunick asks whether privacy interests can ever be weightier than society's interest in free speech and access to information. Taking a comparative and interdisciplinary approach, and drawing on the work of political theorist Jeremy Waldron concerning toleration, the book argues that we can still have a legitimate interest in controlling the extent to which information about us is disseminated.

The book begins by exploring why privacy and free speech are valuable, before developing a framework for weighing these conflicting values. By taking up key cases in the U.S. and Europe, and the debate about a "right to be forgotten," Tunick discusses the potential costs of limiting free speech, and points to legal remedies and other ways to develop new social attitudes to privacy in an age of instant information sharing. This book will be of great interest to students of privacy law, legal ethics, internet governance, and media law in general.
