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KNOW YOUR RIGHTS WITH SOPA

PROTECT YOUR PERSONAL INFORMATION BY KNOWING YOUR RIGHTS TO PRIVACY

Everybody has valuable information that should not be shared with everyone. But in this day and age how can we keep it all this information private? The United States government is responsible for creating and enforcing laws to defend our society. Privacy is commonly known as the state or condition of being free from observation or interference by others (people, corporations, etc.). Although this idea of “privacy” is used everywhere, it has become impossible to maintain. In this installment of *Know Your Rights with Sopa*, you will learn about where privacy is mentioned in our law, and if privacy is truly private in our country.

DOES THE CONSTITUTION DIRECTLY STATE THAT PRIVACY IS A PROTECTED RIGHT?

The Bill of Rights directly states the civil liberties that are protected by the government. Amongst all the amendments, these liberties include freedom of speech, press, and religion. However, the document never mentions anything close to privacy. Does this mean the government does not protect what is individual to all of us? Not necessarily. Many laws within states were created to restrict big corporations, businesses, and even hospitals from abusing the valuable information given by their consumers.

WHAT AMENDMENTS COULD PROTECT YOUR RIGHT TO PRIVACY?

Since the beginning of our nation, not one amendment was created to specifically enforce privacy on the federal level. One important amendment to recall while discussing the protection of privacy is the fourteenth amendment which reads, “no state should deprive any person of life, liberty, or property”. The amendment clarifies that there must not be any interference from authorities to ensure your power to create life, and liberty, and obtain property. This has been used multiple times within courts to protect personal freedoms. This has been especially important in influential cases like *Griswold v Connecticut*. Not only does the fourteenth amendment leave certain rights private and free from government restriction, but amendments like the first, third, and fourth keep other liberties separated from the government and out of their hands. The first amendment stating that congress will “make no law respecting an establishment of religion...freedom of speech, or the press...the right to assemble” the government is protects your

privacy to beliefs, while it is not directly stated. This is also applied to the third amendment which protects the privacy of a citizen’s home by making it unlawful for soldiers to be quartered in their houses. Similarly, the fourth amendment allows the right to their a citizen’s private items and secures the privacy of the person and possessions. This prohibits unreasonable searches and seizures. Although there can be plenty of conversations and even arguments about these three amendments, it is clear what our government is allowed to regulate and what maintains private to each individual.

FEDERAL ACTS THAT DEAL WITH PRIVACY DECISIONS:

Since the 60s, American citizens have decided that their information should stay with people they trust and not anyone who plainly asks nicely. This has led to the creation of various acts made to regulate both the people and the government’s power of intrusion. The first federal privacy law was the Fair Credit Reporting Act. This protects your data from credit agencies that had once benefited by using personal financial information to cash in greater profits.

Even though privacy can be defined as individual, a family can make talking about privacy laws more complicated. The Children’s Online Privacy Protection Act provides certain parental controls and closes off open information given by those under thirteen years of age. As a child, your liberties are both restricted by the law and your parents, therefore making most decisions include more than one party, not private at all. Laws like this establish privacy for the family against other people and corporations. It can often be unsafe to share information with others, which is why laws similar to the Health Information Portability and Accountability Act place systems made to properly protect and disclose your unique data. This guard against anyone having any pathway to acquire peculiars you wish no one to know.

HOW CAN YOU PROTECT YOUR RIGHT TO PRIVACY?

There are two key parts to privacy when interacting with others through commerce, online apps and websites, and through official documents. Privacy Policies and Terms and Conditions are how interactions can be legally protected without intruding against citizens’ civil

liberties. A privacy policy is legally required and lets the side complying know about what is done with their information and interaction. In contrast, terms and conditions state guidelines a side must follow to interact with the other. Many skip these two parts when taking a loan out, downloading and using an online application, and even buying a new phone. But we all must learn to not simply agree to everything we see. Instead, if you wish to keep certain aspects private you must read and fully understand what is being asked and taken when sharing information of yours anywhere. Although they’re long and boring, protecting your privacy and data are worth it. Read the fine print before signing to understand the levels to your protection.

Overall, it is clear that privacy is a liberty that exists and is prominent in our society but is not exactly a human right given to each citizen. Throughout history amendments, courts, and acts formed the regulation we know today which is a privacy policy, and terms and conditions. As special cases show reaches of privacy have caused harm to many, yet the constitution continues to not specify privacy limitations. Do you believe it is right that the government stays out of privacy protection, or has our constitution become too outdated to protect citizens from this modern era?

*Let us know your thoughts! Send us your letter to the editor at RJMedia@regisjesuit.com. And be on the look out for the next edition of *Know Your Rights With Sopa* in the next issue of *Elevate Magazine*.*

