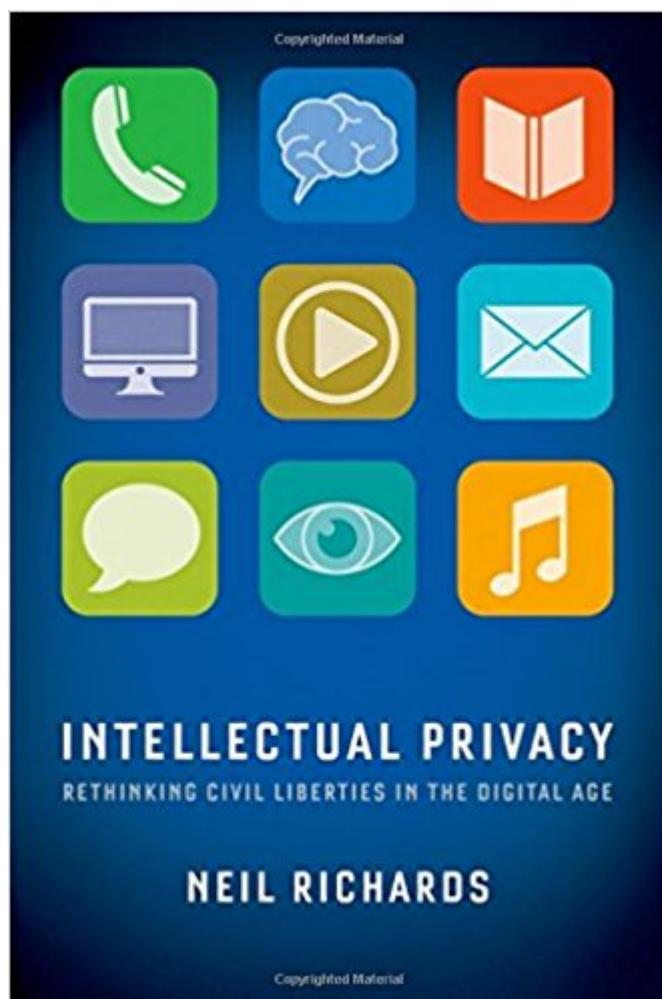


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# Intellectual Privacy: Rethinking Civil Liberties In The Digital Age



## **Synopsis**

Most people believe that our rights to privacy and free speech are inevitably in conflict. Courts all over the world have struggled with how to reconcile the two for over a century, and the rise of the Internet has made this problem more urgent. We live in an age of corporate and government surveillance of our lives. And our free speech culture has created an anything-goes environment on the web, filled with hurtful and harmful expression and data flows. In *Intellectual Privacy*, Neil Richards offers a solution that ensures that our ideas and values keep pace with our technologies. Because of the importance of free speech to open societies, he argues that when privacy and free speech truly conflict, free speech should almost always win. But in sharp contrast to conventional wisdom, Richards argues that speech and privacy are only rarely in conflict. True invasions of privacy like peeping toms or electronic surveillance should almost never be protected as "free speech." And critically, Richards shows how most of the law we enact to protect online privacy poses no serious burden to public debate, and how protecting the privacy of our data is not censorship. A timely and provocative book on a subject that affects us all, *Intellectual Privacy* will radically reshape the debate about privacy and free speech in our digital age.

## **Book Information**

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"Important... Provides invaluable guidance for citizens and judges as they wrestle with questions involving privacy and free speech today... Eloquent and concise." - Jeffrey Rosen, The Washington Post "This later section, in which Richards moves away from parsing court decisions in favor of a broader philosophical inquiry, is the heart of the book and stands as its main and important

contribution to the literature. Summing Up: Recommended. All readership levels." -S. B. Lichtman, Shippensburg University, Choice "Important... Provides invaluable guidance for citizens and judges as they wrestle with questions involving privacy and free speech today... Eloquent and concise." - Jeffrey Rosen, The Washington Post" This later section, in which Richards moves away from parsing court decisions in favor of a broader philosophical inquiry, is the heart of the book and stands as its main and important contribution to the literature. Summing Up: Recommended. All readership levels." -S. B. Lichtman, Shippensburg University, Choice Intellectual Privacy is a book that every privacy scholar needs to read - and a book that deserves a much wider readership than that. Though it is a legal book - the detailed legal and historical analyses that Richards provides throughout the book

Neil Richards is a Professor of Law at Washington University in St. Louis, where he teaches and writes about privacy, technology, and civil liberties. He was born in England and educated in the United States, where he earned a B.A. from George Washington University, and graduate degrees in law and history from the University of Virginia. Before becoming an academic, he practiced law in Washington, D.C., and served as a law clerk to William H. Rehnquist, Chief Justice of the United States.

Intellectual Privacy is a brilliant, compelling, and beautifully written book. It is a tour de force that makes the case for why we should care about privacy in our reading, online browsing, private kibitzing, and all the ways in which we develop ideas and learn about the world around us. Richards's book demonstrates that privacy and free speech are bound together. Rather than perpetually at odds, privacy and free speech are essential to one another and both need nurturing. But when they come into conflict, Richards helps us understand when and why free speech should rule the day. The book's stories pull you in and keep you there. (The book's auspiciously begins with the little known U.K.'s Optic Nerve collection of webcam communications: "one part James Bond and one part Benny Hill"). Its rich development of the core human values at stake in an era of constant surveillance are its gift. The book shows us that networked technologies do raise new challenges but they do not change the stakes and the real risk to human development, ideas, and democracy in the rush to their adoption. Bravo.

Excellent book, fascinating ideas.

This book is well written and a must read for anyone who uses any computers, ipads, smartphones, e-readers and such. So that pretty much means everyone should read this. Many people may be surprised by how little privacy we really have. It is informative and even though it is a book about laws it is easy to understand.

Privacy, our rights to it and how we seemingly don't always care or cherish it, is at the centre of this book's focus. Privacy and free speech sit as uncomfortable bedfellows, made worse by the ease in which privacy can be allegedly destroyed by free speech and vice versa. Increasingly courts try and maintain a balance whilst, at the same time, corporations and governments are nibbling away at the edges. This is an interesting, fascinating book that probably won't be seen by as many people as it should. Its style (and price) will restrict its distribution and that is a shame. The author argues that society needs to keep up with technological change and that free speech needs to be cherished and maintained over privacy in most situations. Taking a counter position that free speech and privacy are rarely in conflict, the author suggests that we might be blinded to the bigger picture by society's love of celebrity culture and other factors. Of course, the average citizen probably doesn't care, as long as their social media service is working and the latest reality television programme is being aired. What price progress? For the rest of us, it is a timely, concerning development that deserves greater focus and consideration. Books like this pose interesting arguments and can incite debate. Yet can they lead to change? The book's style is written for a professional, lawyerly-type audience. It could have done with being a bit more accessible to the mainstream reader and being a little less focussed on developments in the U.S. Relatively small issues overall, but important ones nonetheless. As you may expect, there is a lot of referenced notes and an extensive bibliography at the back so the determined reader or researcher won't be short of additional reading. The core arguments in this book deserve wider distribution and anything that acts as a barrier to these should be examined. Society needs to wake up as it might not be possible to put the genie back into the bottle after a time!

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