

Sources: Website - Exploring Constitutional Conflicts

Book – Smith, Janna Malamud, Private Matters: In Defense of the Personal Life. 1997: Addison Wesley, publishers

Covenant Reading/Chalice Lighting

Check-In

Opening Reading: The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

4th Amendment, U. S. Bill of Rights

Information: The U. S. Constitution contains no express right to privacy. The Bill of Rights, however, reflects the concern of James Madison and other framers for protecting specific aspects of privacy, such as the privacy of beliefs (1st Amendment), privacy of the home against demands that it be used to house soldiers (3rd Amendment), privacy of the person and possessions as against unreasonable searches (4th Amendment), and the 5th Amendment's privilege against self-incrimination, which provides protection for the privacy of personal information.

From website, Exploring Constitutional Conflicts: "Does the Constitution Protect the Right to Privacy?"

In her book *Private Matters*, Janna Malamud Smith describes four "states" of privacy according to her reading of Alan Westin's book *Privacy and Freedom*. These are: **Solitude*, which she describes as the situation of a person being completely alone, separating oneself from others "so that [one] cannot be seen or heard . . . or . . . easily intruded upon;"

**Anonymity*, which is described as the state of being "unidentified, unnamed, unnoticed . . .", such as a person in a crowd of strangers;

**Reserve*, described as the condition in which a person may not be alone or among strangers, but is choosing not to reveal certain information; a person using tact among those he or she may know;

**Intimacy*, the state in which people "relax their public front either physically or emotionally, or both. . . ." This is a state of close relationship between people in which they reveal their true selves to one another. A sexual relationship may be part of an intimate relationship.

Private Matters, Janna Malamud Smith, Chapter 2

QUESTIONS

1. How do you define privacy? What is its role in your life?
2. If you felt your privacy were being violated, what would you do? Would you take a case to court? If necessary, would you go to the Supreme Court?

3. Do you think there should be amendments to the Constitution expressly stating people's right(s) to privacy, and defining what these rights are? What kind of effect do you think that would have on law enforcement and way of life in the United States?
4. What are your opinions about current surveillance and the Edward Snowden issue?

Closing Reading: "Privacy" by Robert W. Service

Oh you who are shy of the popular eye,
(Though most of us seek to survive it)
Just think of the goldfish who wanted to die
Because she could never be private.
There are pebbles and reeds for aquarium needs
Of eel and of pike who are bold fish;
But who gives a thought to a sheltering spot
For the sensitive soul of a goldfish?

So the poor little thing swam around in a ring,
In a globe of a crystalline crudity;
Swam round and swam round, but no refuge she found
From the public display of her nudity;
No weedy retreat for a cloister discreet,
From the eye of the mob to exempt her;
Can you wonder she paled, and her appetite failed,
Till even a fly couldn't tempt her?

I watched with dismay as she faded away;
Each day she grew slimmer and slimmer.
From an amber hat burned, to a silver she turned
Then swiftly was dimmer and dimmer.
No longer she gleamed, like a spectre she seemed,
One morning I anxiously sought her:
I only could stare - she no longer was there . . .
She'd simply dissolved in the water.

So when you behold bright fishes of gold,
In globes of immaculate purity;
Just think how they'd be more contented and free
If you gave them a little obscurity.
And you who make laws, get busy because
You can brighten the lives of untold fish,
If its sadness you note, and a measure promote
To Ensure Private Life For The Goldfish.

Check-Out

Group Closing