



## In Pursuit of Privacy: Law, Ethics, and the Rise of Technology

By Judith Wagner Decew



**In Pursuit of Privacy: Law, Ethics, and the Rise of Technology** By Judith Wagner Decew

Judith Wagner DeCew provides a solid philosophical foundation for legal discussions of privacy by articulating and unifying diverse arguments on the right to privacy and on how it should be guaranteed in various contemporary contexts. Philosophers and legal theorists tend either to define privacy narrowly or to abandon privacy as conceptually incoherent, she claims. In order to assess how far privacy should extend, and determine how the wide range of specific cases can be reconciled, DeCew surveys the history of the notion of privacy as it first evolved in American tort law and constitutional law and then analyzes current characterizations. In different contexts, privacy has been defined on the basis of information, autonomy, property, and intimacy. DeCew's broader claim is that privacy has fundamental value because it allows us to create ourselves as individuals, offering us freedom from judgment, scrutiny, and the pressure to conform. Feminist theorists often view privacy as a tool for shielding abuses. DeCew responds to this feminist critique of privacy, as well as addressing the issues of abortion and of gay and lesbian sexuality in the context of specific landmark legal cases. In discussions of *Roe v. Wade*, *Bowers v. Hardwick*, and the Hart/Devlin debates on decriminalization of homosexuality and prostitution, DeCew applies her broad theory to sexual and reproductive privacy, anti-sodomy laws, and the legislation and enforcement of morals. She finally discusses the intersection of privacy with public safety concerns, such as drug testing, and in light of new communication technologies, such as caller ID.

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### Editorial Review

#### Review

"Well-written and balanced. . . . Readers not already expert in the legal and the philosophical literatures will find this an enlightening analysis, and experts too should find some food for thought."?Daniel N. Hoffman, The Law and Politics Book Review

"Privacy as a constitutional warrant is an important, controversial, and enigmatic concept. . . . Judith Wagner DeCew provides a useful introduction to the landscape of the debate. . . . An accessible starting point for those interested in thinking more carefully and systematically about this ever-evolving concept."?Feminist Approaches to Bioethics Newsletter

"In Pursuit of Privacy makes a significant contribution to the on-going philosophical debate on the nature and value of privacy. In particular, DeCew's attempt to furnish a systematic justification of a broad conception of privacy is worth careful study and her analyses of present-day dangers to privacy deserve every citizen's thoughtful attention."?Ethics

"Decew makes powerful and persuasive arguments. . . . She uses techniques of counterexample, isolation of generalizable principles, analysis, and refutation to fashion from the messy confusion of situational facts a legal concept of privacy that reflects common values and safeguards individuals' integrity."?Andrea Nye, Signs, Autumn, 1999.

"In Pursuit of Privacy can serve as an excellent introduction to privacy issues in American jurisprudence, carefully laying out the history of privacy in tort and constitutional law, and presenting important contemporary issues."?Philip Cafaro, Philosophy in Review, February-December, 1999.

"This book is a careful, well-written, thoroughly researched, and original piece of scholarship. DeCew begins with a thoughtful history of the notion of privacy, then discusses narrow views of privacy as found in U.S. law. She applies her analysis to four well-established thorns in the side of public policy?abortion, gay and lesbian sexual practices, drug testing, and information technologies. Her discussions are well developed, learned, and beautifully clear. They are a pleasure to read."?Hilde Lindemann Nelson, University of Tennessee

"DeCew's writing is crystal clear and fully accessible to an intelligent reader without a formal background in philosophy or law. She carefully explains the relevant legal history of the concept of privacy and the current narrow understandings, shows the historical and contemporary conceptual and legal problems, develops and defends her own broader understanding, then applies her conception of privacy to burning issues on the contemporary legal landscape. I know of no other book quite like this."?Joan Callahan, University of Kentucky

#### From the Back Cover

DeCew provides a solid philosophical foundation for legal discussions of privacy by articulation and unifying diverse arguments on the right to privacy and on how it should be guaranteed in various contemporary contexts.

## **Users Review**

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#### **Jeffrey Sandoval:**

In this 21st millennium, people become competitive in every way. By being competitive now, people have to do something to make themselves survive, being in the middle of the actual crowded place and notice through the surrounding. One thing that sometimes many people have underestimated the idea for a while is reading. That's why, by reading a guide your ability to survive boost then having chance to stand up than other is high. To suit your needs who want to start reading a new book, we give you that In Pursuit of Privacy: Law, Ethics, and the Rise of Technology book as starter and daily reading book. Why, because this book is usually more than just a book.

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