

SCOTT LAX

PRIVATE INVASIONS

THE TREASURED AMERICAN "RIGHT TO PRIVACY" IS UNDER SIEGE. WHAT CAN ONE PERSON DO?

Milan Kundera, the Franco-Czech novelist who wrote *The Unbearable Lightness of Being*, among other novels, also wrote a nonfiction book called *The Art of the Novel*. His collection of written and spoken works between 1979 and 1985 was the last place I expected to find brilliant condemnations regarding violations of privacy.

Kundera wasn't writing about America in 2006, of course. Yet when he spoke of "the rape of private life" that totalitarian states in Eastern Europe imposed on citizens, beginning in the middle part of the last century, his phrase rang sickeningly relevant to me about today's American society.

Kundera was so devastated by the violations he and his fellow citizens experienced that he left his homeland of Czechoslovakia, which had been brutalized into submission by the former Soviet Union. He moved to France, where he's lived since 1975. Kundera understood the wretchedness of totalitarianism — how, among other horrors, it destroyed people with rumors, and displayed and used their private lives without consent.

I'm not suggesting that we are living in a totalitarian state. We're still free — sort of. Over a mere four days in January, for example, *The Plain Dealer* published some alarming articles about our quickly corroding right to privacy.

"There Is No Privacy," by Larry Williams, an editor at *The Baltimore Sun*, detailed our government's routine and Orwellian spying on ordinary citizens.



Williams closed his article by quoting late Supreme Court Justice Louis D. Brandeis, who said: "Privacy is the right to be alone — the most comprehensive of rights, and the right most valued by man." Three days later, *Plain Dealer* columnist Frank Bentayou wrote a column in the Religion and Ethics pages called "Corporations Can Tap into Privacy, Too." Bentayou ended his piece by urging readers not to let corporations sneak up and steal their secrets.

With all due respect to those eminent journalists, I suggest that their words (and mine) will be as effective at stopping invasions of privacy as a wan ray of February sunlight is at melting a snowdrift in 10-degree weather. The shining American right to privacy has vanished in the fog. To think otherwise is to disregard our own ignorant behavior. We — stock-

holders, voters, media — let this happen.

For a moment, forget corporate intrusions, microchip-encoded products that track us or market research that tells whether we like caviar or gefilte fish. Forget government satellites that pick up words and phrases from our phone conversations and funnel them through computers. Forget that the president has defended spying on United States citizens in the name of national security. Such entities, corporate or political, know that information is power. There's no turning them back. They will not give up that power.

Of course, we don't need governments and corporations to invade our privacy, when we have the technology to do so at our fingertips. We see websites that maliciously destroy reputations, but we don't look away. We get accidental or forwarded e-mails that were never intended for us, which we



ILLUSTRATION BY BETH KOBELITZ

read anyhow. Can you imagine reading your neighbor's snail mail, were it accidentally put in your mailbox, or peeking into someone's house? Of course not – those things are illegal and unethical; everybody knows that. Technology has given us a false sense of anonymity, but real power. Whether or not we personally abuse that power is the only choice left.

We've become a nation of snoops and gossips. Celebrities may seem like fair game, but those popular magazines on the checkout stand, as well as the sleazy television shows that masquerade as hard news, are saturated with shady photos, rumors, lies and yes, invasions of privacy. One local newspaper columnist makes light of reprinting unfounded gossip from the worst of the celebrity magazines. Writing about rumors of rumors of rumors, he plays a journalistic game of telephone; by the time it gets to our eyes, we have no idea what the real

story is. Local news programs run whole segments on unfounded rumors. Columnists and television personalities hint that we shouldn't take this trash seriously, but most people believe what they read and see, and the damage is done.

"The wideness of the world used to provide a constant possibility of escape," wrote Kundera in *The Art of the Novel*. That is, there was a time when people could be private. And privacy, we're learning the hard way, is freedom. There's no escape from prying eyes anymore. The invasion is on, and our right to privacy is the treasure we've lost.

Our only hope of remaining free under this new micro-totalitarianism is not to participate in its propagation. Like Kundera, we will learn that privacy must live on in our souls, the only refuge we have left. ■

Send e-mails to Scott Lax's attention at editor@livepub.com.



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