

CFP: “Intimacy and the Right to Privacy in the English-Speaking World”

October 10 & 11, 2024

International conference

Université Jean Moulin Lyon 3 (IETT)

“If the right to privacy means anything, it is the right of the individual, married or single, to be free from unwanted government intrusion.” Justice William Brennan

“Arguing that you don't care about the right to privacy because you have nothing to hide is no different than saying you don't care about free speech because you have nothing to say.” Edward Snowden

In 1953, the European Convention on Human Rights recognized privacy as a human right. Yet, what the notion actually entails is still hotly debated in courtrooms, in the workplace, on social media, and even in the intimacy of a room of one's own.

Courts themselves have long interpreted the concept of ‘private life’ very broadly. In the UK, the 1998 Human rights Act states that “Everyone has the right to respect for his private and family life, his home and his correspondence.” It puts forth that privacy is the right to live your life privately, without government or legal interference, lest that it might pose a threat to the law, national security, and “health or morals.” Those exceptions are rather broad which makes the boundary between the private and the public rather blurry.

In the United States, although the right to privacy is not one of the rights enumerated in the Constitution, it does not mean that it is not entitled to protection under the law. While theoretically established by the Fourteenth Amendment, and tentatively defined in 1888 by American lawyer and Michigan Supreme Court Justice Thomas M. Cooley as “the right to be let alone,” little was said on the matter until *Griswold v. Connecticut* (1965). In this case, the federal Supreme Court affirmed the right of married persons to obtain contraceptives, asserting a “right to marital privacy” and establishing the legal basis for the right to privacy with respect to intimate practices in general throughout the country. Recently, however, the existence of this right has been questioned by that same Court in *Dobbs v. Jackson Women's Health* (2022), which posits that for certain “moral questions” the government has the right to intervene without being bound to respect people's privacy. “Moral question” being a rather vague phrase the “private sphere” that is free from government intervention remains ill-defined. The same holds true for online privacy which constitutes a new frontier that is still being drawn and fought over - data protection, collection and use by governmental and non-governmental entities will undoubtedly contribute to the very meaning of the right to privacy.

In this conference, we would like to explore the unstable boundaries between the private and the public spheres, from ethical, legal, political, economic and social standpoints. This invites us to ponder over how the legal definition of the right to privacy is delineated in English-speaking societies, and over the identities of the people whose privacy can “legitimately” be invaded and/or scrutinized. On the other hand, staging one's privacy can be used as a way to gain political or economic power: it can be part of the activist toolbox to destigmatize a conduct in order to gain rights or as a commodity to establish a political campaign. It can also be a business and as such become commodified through social media companies who pay content creators to reveal their private lives to their audiences. The way intimacy is staged on such a public platform is worthy of inquiry as well as the impact of such staging on the audience.

Ultimately, is the personal always bound to be political?

Among the possible avenues of inquiry, we will consider papers that fall under the following themes:

- **State, institutions, justice and intimacy:** How is private life regulated? By whom? Whose private life is regulated? Censorship ; judicial and legal debates over the definition of privacy ; public entities scrutinizing people's private lives (custody and adoption cases, etc.) ; denunciation and whistle-blowing, etc.
- **Privacy and surveillance:** privacy in prison ; police state and surveillance state ; protecting data and online privacy
- **Intimacy and activism:** the fight to protect the right to privacy ; sharing one's private life to raise awareness and/or to destigmatize a conduct or an identity ; militant memoirs, and ego-documents, etc.
- **Staging intimacy:** staging one's private life (social media, reality tv, the media) ; private life and politics ; biopics, etc.
- **Intimacy as a commodity:** family blogs and family channels on the internet, social media and Youtube (economic and financial aspect, audience, ethical dimension and relation to norms) ; business of private life protection, etc.
- **Intimacy and medical power :** doctors and the body ; medical authority and patients ; consent and refusal of care, etc.

Proposals of 250 to 500 words in English or in French accompanied by a short biography should be sent to eglantine.zatout@univ-lyon3.fr, irene.delcourt@univ-lyon3.fr and marie.moreau@univ-lyon3.fr before April 3rd 2024. All approaches to the subject are welcome: historical, judicial, sociological, political, cultural (literary, artistic, cinematographic...), economic. We welcome proposals from experienced researchers, doctoral and other graduate students.