

Freedoms being skewed in the public eye

Mark Pavilons

We just marked the 100th anniversary of the end of the First World War.

We read stories, watched documentaries and listened to speeches about the sacrifices made to ensure our freedom.

Freedom. This is one of the most powerful terms in our language, and our western culture. In fact, our fellow human beings have fought for freedom since the beginning of time. Two very high-profile 'freedom fighters' were Moses and Jesus.

In recent, modern times, we fought for what we believed in, to preserve our quality of life. Men, women and children died, and continue to perish, in conflicts around the globe. Some people still don't have the right to vote.

There is always 'a cause.'

More often than not, that cause is freedom, plain and simple. It's the freedom just to live without fear; to live a 'normal' life, go to school, have families and have some means of sustaining ourselves.

Some are still struggling with this, and Canadian 'peacekeepers' are trying desperately to help our fellow men and women in lands suffering from strife and conflict.

While we have relative freedom here at home, we should all take up arms to ensure others 'all others' have this one cherished, fundamental human right.

Canadians enjoy our current lifestyle thanks to all those who came before us. We are lucky to have our rights and freedoms enshrined in the Canadian Charter of Rights and Freedoms, which came into effect within the Constitution Act in 1982.

We may take these rights for granted, but our way of life is highly sought after by immigrants and refugees from around the world. By and large, we welcome newcomers with open arms.

While there is currently no overt threat to our freedoms, our modern technology, public watchdogs and political correctness may be impacting our fundamental rights.

In Canada, the right to privacy is rooted in the Charter of Rights and Freedoms. The Charter doesn't specifically mention privacy or the protection of personal information. However, it does afford protection under Section 7 (the right to life, liberty and the security of the person), and Section 8 (the right to be secure against unreasonable search or seizure).

There are also a number of laws that protect our privacy rights by setting out rules for the way our personal information is handled by both governments and organizations. Generally speaking, our personal information can only be collected, used and disclosed with our knowledge, and often our consent, for legitimate purposes. It must also be stored, shared and disposed of in a way that keeps it secure and confidential.

Time and again, we are finding there are some very large holes in this safety net. Given our reliance on the Internet, we are prone to breaches, hacks, system failures and massive breakdowns. All of these threaten our rights and freedoms in some way.

When our personal information is leaked and shared, all consumers tend to get is an apology. We're seldom offered any recourse or compensation.

The U.S. Constitution has similar protections.

The right to privacy refers to the concept that one's personal information is protected from public scrutiny. U.S. Justice Louis Brandeis called it 'the right to be left alone.' Again, while not specifically addressed in the U.S. Constitution, some amendments provide a certain level of protection.

South of the border, the right to privacy often means the right to personal autonomy, to choose whether or not to engage in certain acts or have certain experiences. Several amendments to the U.S. Constitution have been used in varying degrees of success in determining personal autonomy. The Fifth Amendment protects against self-incrimination, which in turn protects the privacy of personal information.

However, it seems this doesn't apply when we bare all on the Internet via social media.

Almost everything we share can be 'self-incriminating,' and in fact, many posts and images are used against people, to damage their reputation, or worse, charge them with a crime.

I'm no legal expert, but it seems there's nothing protecting us from predatory strangers on the information highway, trolls whose mission it is to embarrass, ridicule, impugn and spread hate.

Just how can we 'be left alone'?

I suppose the only alternative is to unplug and avoid using social media altogether.

But this public judgement brings into question another fundamental right ? that everyone is innocent until proven guilty beyond a reasonable doubt. In our legal system, the Crown must present evidence to an unbiased judge or jury in an open court to prove the accused's guilt. The accused does not have to prove anything or call any evidence.

Time and again, high-profile actors, politicians and business tycoons have been publicly tried and found guilty of various crimes and indiscretions. And most of these have never found their way to court. Talk about a jury of our peers!

Public scrutiny and political correctness also impact our freedom of expression. The Charter protects freedom of expression, including freedom of the press, and also freedom of religion. To protect against hatred, there are limits that ?can be demonstrably justified in a free and democratic society.?

I?get it. But one of the problems with our free and democratic society are the morons who live in it!

I don't think our veterans and religious icons of the past fought so we could roast our fellow men and women in full public view. The ?benefit of the doubt??has been replaced with ?jumping to conclusions.?

Enjoy your freedoms!