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Between Big Brother and the Bottom Line: Privacy in Cyberspace

By Seth Safier[1]

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The right to be left alone—the most comprehensive of rights, and the right most valued by a free people—is the right to privacy.

Olmstead v. United States, 277 U.S. 438 (1928).

1. Introduction

In 1984, George Orwell, 1984, in the prescient year of the first Apple Macintosh computer, Orwell foresaw the dark side of the growth in state surveillance enunciated in the wake of the Hoover policy and fully of government intrusion into the lives of its citizens. Orwell's vision of the Big Brother state, with its ubiquitous telescreens, microphones, and electronic monitoring devices, and the Ministry of Truth, which rewrites history to suit the current ideology, has not yet come to pass. Nor, in the wake of the September 11 attacks, is it likely to come to pass. Nevertheless, the growth of the Internet and the World Wide Web, and the ever-increasing power of computers to collect, store, and process information, has created a new and very real threat to privacy. Although seemingly offered for free, the commercial Internet has become a place where every click of the mouse can be recorded and every piece of information can be sold to the highest bidder.

On January 27, 2006, at the inaugural address, President George W. Bush stated, "government is not the solution to our problem; government is the problem." Nevertheless, the President's Administration has been at the forefront of the government's efforts to collect information on its citizens. Although the Administration has been criticized for its wiretapping of telephone calls between persons in the United States and persons in other countries, the Administration has also been criticized for its efforts to obtain information from the commercial Internet. The purpose of the privacy of information and computers that seems to suit the market's (Wu [1]) Thus, since the Nineteenth Amendment, the Supreme Court has recognized that the Constitution protects a "zone of privacy." Griswold v. Connecticut, 381 U.S. 479, 484 (1965). The Court has found that the Constitution protects the right to marry, the right to have children, the right to use birth control, the right to have an abortion, the right to live with family members, and the right to be free from unreasonable searches and seizures. Id. The Court has also found that the Constitution protects the right to be free from unwanted sterilization, the right to be free from unwanted medical treatment, the right to be free from unwanted sexual harassment, and the right to be free from unwanted sexual harassment. Id. The Court has also found that the Constitution protects

of Chinese origin or a business in which a person or entity of Chinese origin is a majority owner." Under this rule, a business in which a Chinese citizen owns 51% of the shares would be considered a "Chinese company." The rule also provides that "[a]ny company that is not a Chinese company but is controlled by Chinese companies or individuals shall be treated as a Chinese company." The rule also provides that "[a]ny company that is controlled by companies or individuals from Hong Kong, Macao, or Taiwan shall be treated as a Chinese company." The rule, however, does not apply to companies that are listed on a stock exchange in Hong Kong, Macao, or Taiwan. Thus, companies that are controlled by Chinese companies or individuals but are listed on a stock exchange in Hong Kong, Macao, or Taiwan are not considered Chinese companies for purposes of the rule. The rule, however, does not apply to companies that are listed on a stock exchange in the mainland PRC. Thus, companies that are controlled by Chinese companies or individuals and are listed on a stock exchange in the mainland PRC are considered Chinese companies for purposes of the rule.

11. Existing Legal Protection

Chinese companies listed on U.S. or other foreign exchanges have raised concerns regarding their ability to protect their legal rights in the U.S. or a national foreign forum, and other authors, professors of law, practitioners, and commentators have noted that the PRC legal system provides little or no meaningful protection against securities fraud, misrepresentation, or other wrongdoing.

12. Chinese Government Control over Chinese Companies Listed on Foreign Exchanges

Chinese companies listed on foreign exchanges are subject to a variety of Chinese government controls, including, for example, the requirement that such companies must be approved by the Chinese government before they can be listed on foreign exchanges, and the requirement that such companies must be approved by the Chinese government before they can issue securities to foreign investors. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from listing on foreign exchanges, or to prevent such companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from listing on foreign exchanges, or to prevent such companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda.

13. Privacy Act

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14. PRC Legal Protection

In 1992, Congress passed the Fair Credit Reporting Act, 15 USC § 1681. The FCRA, giving the most comprehensive protection to consumers against the misuse of their credit information. Congress has recently passed personal, industry specific privacy legislation in the U.S. on personal through a form, and other authors, professors of law, practitioners, and commentators have noted that the PRC legal system provides little or no meaningful protection against securities fraud, misrepresentation, or other wrongdoing. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from listing on foreign exchanges, or to prevent such companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda. Moreover, the Chinese government may, and has, exercised its authority to prevent Chinese companies from listing on foreign exchanges, or to prevent such companies from issuing securities to foreign investors, for the purpose of furthering its economic and political agenda.

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Footnotes

[1] Reason Developments (Q), Inc. v. Sorrell, 549 F.3d 166, 176 (2nd Cir. Vermont, 2008); Brandon Gunnison, A. B. Stoddard, Vermont Gov. Jim Douglas Vetoes Bill Requiring Ultrasound Before Abortion, Huffington Post, 2009-05-19 Arguments. Of course, they are also responsible for any and all errors and or oversights contained herein.

[2] Vermont Gov. Jim Douglas Vetoes Bill Requiring Ultrasound Before Abortion, Huffington Post, 2009-05-19 Gunnison, and other like minded free market, organed libertarian or "conservatard" Industrialists — Legislative Corporatocracy Governance Institute (LCGI) — Corporatocracy Institute (CI) — Corporatocracy Institute Foundation (CIF) — Corporatocracy Institute Foundation Trust (CIFT) — Corporatocracy Institute Foundation Trust Fund (CIFTF) — Corporatocracy Institute Foundation Trust Fund Trustees (CIFTFT) — Corporatocracy Institute Foundation Trust Fund Trustees Board (CIFTFTB) — The conceptual space where vendor lobbyists (intermediaries, data, wealth and power are manufactured) by using vendor lobbyists (intermediaries, data, wealth and power are manufactured) to create and sustain the Corporatocracy Institute Foundation Trust Fund Trustees Board (CIFTFTB) — Corporatocracy Institute Foundation Trust Fund Trustees (CIFTFT) — Corporatocracy Institute Foundation Trust Fund (CIFTF) — Corporatocracy 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