

Who has the right to Secrecy?

Privacy vs. Secrecy?

In the Western countries we no longer even dare to utter the word secrets; it is sanitized to a much lesser meaning namely the Privacy.

Rewind: We as the ordinary people in order to remain an identifiable people we need to conceal secrets!

Conspectus

The corporations have the right to keep secrets. [1]

The banks have the right to keep secrets. [2]

The law enforcement has the right to keep secrets. [3]

The military has the right to keep secrets. [4]

The government has the right to keep secrets. [5]

The courts have the right to keep secrets. [6]

Taboo: Yet the ordinary peoples are criminals if express the slightest desire to keep secrets.

The law enforcement has the right to investigate our secrets, by legislated means, in case we are suspected of committing crimes. There is no contradiction here and nothing sinister; this is a diametric human dynamic that can never be dispensed with as you cannot dispense with your heart or your lungs!

“ A society free of such obverse dynamic is either a utopia or a dystopia. Former inhabited by angels and the latter exclusive domain of ghouls. Human history has never recorded such realms.

“ At this time it is the ordinary people that are being surveilled, yet our transgressions pale in comparison to those of the elites'!

If we dispense with the right to secrecy, then the super rich and their lofty black budget financed intelligence agencies reign supreme and at a moment's whim swat us like insects! And this is happening at the time of writing these words.

“ Privacy is meaningless today, manufactured overseas by foreign others who are actively engaged in enslaving us, in a variety of shapes and styles; secrecy, on the other hand, has one and only one meaning and no other meaning!

We are all latent criminals unless super rich or elected government officials!

[1] **Organizations**, ranging from multi-national for profit corporations to nonprofit charities, keep secrets for competitive advantage, to meet legal requirements, or, in some cases, to conceal nefarious behavior. New products under development, unique manufacturing techniques, or simply lists of customers are types of information protected by trade secret laws.

“ Research on corporate secrecy has studied the factors supporting secret organizations.[6] In particular, scholars in economics and management have paid attention to the way firms participating in **cartels** work together to maintain secrecy and conceal their activities from antitrust authorities.[7] The diversity of the participants (in terms of age and size of the firms) influences their ability to coordinate to avoid being detected.

The patent system encourages inventors to publish information in exchange for a limited time monopoly on its use, though patent applications are initially secret. Secret societies use secrecy as a way to attract members by creating a sense of importance.[8]

Shell companies may be used to launder money from criminal activity, to finance terrorism, or to evade taxes. Registers of beneficial ownership aim at fighting corporate secrecy in that sense.[9]

Other laws *require* organizations to keep certain information secret, such as medical records (HIPAA in the U.S.), or financial reports that are under preparation (to limit insider trading). Europe

has particularly strict laws about [database privacy](#).^[10]

[2] **Banking secrecy**,^{[1][2]} alternatively known as **financial privacy**, **banking discretion**, or **bank safety**,^{[3][4]} is a [conditional agreement](#) between a bank and its clients that all foregoing activities remain secure, [confidential](#), and private.^[5] Most often associated with [banking in Switzerland](#), banking secrecy is prevalent in [Luxembourg](#), [Monaco](#), [Hong Kong](#), [Singapore](#), [Ireland](#), and [Lebanon](#), among other [off-shore banking institutions](#).

Otherwise known as **bank-client confidentiality** or **banker-client privilege**,^{[6][7]} the practice was started by [Italian merchants](#) during the 1600s near [Northern Italy](#) (a region that would become the [Italian-speaking region](#) of Switzerland).^[8] [Geneva bankers](#) established [secrecy](#) socially and through civil law in the [French-speaking region](#) during the 1700s. [Swiss banking secrecy](#) was first codified with the [Banking Act of 1934](#), thus making it a crime to disclose client information to third parties without a client's consent. The law, coupled with a stable Swiss currency and international neutrality, prompted large capital flight to private Swiss accounts.

[3] **Surveillance** is the systematic observation and monitoring of a person, [population](#), or location, with the purpose of information-gathering, influencing, [managing](#), or directing.^{[1][2]}

It is widely used by [governments](#) for a variety of reasons, such as [law enforcement](#), [national security](#), and information awareness. It can also be used as a tactic by persons who are not working on behalf of a government, such as by criminal organizations to plan and commit crimes, and by businesses to [gather intelligence](#) on criminals, their competitors, suppliers or customers. [Religious organizations](#) charged with detecting [heresy](#) and [heterodoxy](#) may also carry out surveillance.^[3] Various kinds of [auditors](#) carry out a form of surveillance.^[4]

Surveillance is done in a variety of methods, such as [human interaction](#), [postal interception](#), [closed-circuit television](#) (CCTV) cameras, [wiretapping](#), and [data mining](#).

Surveillance can unjustifiably violate people's [privacy](#) and is often criticized by [civil liberties](#) activists.^[5] [Democracies](#) may have laws that seek to restrict governmental and private use of surveillance, whereas [authoritarian](#) governments seldom have any domestic restrictions. Increasingly, government and intelligence agencies have conducted surveillance by obtaining [consumer data](#) through the purchase of online information.^[6] Improvements in the technology available to governments have led to [mass surveillance](#) and [global surveillance](#).

[4] **Military secrecy** is the concealing of information about martial affairs that is purposely not made available to the general public and hence to any enemy, in order to gain an advantage or to not reveal a weakness, to avoid

embarrassment, or to help in propaganda efforts. Most military secrets are tactical in nature, such as the strengths and weaknesses of weapon systems, tactics, training methods, plans, and the number and location of specific weapons. Some secrets involve information in broader areas, such as secure communications, cryptography, intelligence operations, and cooperation with third parties.[12]

US Government rights in regard to military secrecy were upheld in the landmark legal case of *United States v. Reynolds*, decided by the Supreme Court in 1953.[13]

[5] **Governments often attempt to conceal information** from other governments and the public. These state secrets can include weapon designs, military plans, diplomatic negotiation tactics, and secrets obtained illicitly from others ("intelligence"). Most nations have some form of Official Secrets Act (the Espionage Act in the U.S.) and classify material according to the level of protection needed (hence the term "classified information"). An individual needs a security clearance for access and other protection methods, such as keeping documents in a safe, are stipulated.[4]

Few people dispute the desirability of keeping Critical Nuclear Weapon Design Information secret, but many believe government secrecy to be excessive and too often employed for political purposes. Many countries have laws that attempt to limit government secrecy, such as the U.S. Freedom of Information Act and sunshine laws. Government officials sometimes leak information they are supposed to keep secret. (*For a recent (2005) example, see Plame affair.*)[5]

Secrecy in elections is a growing issue, particularly secrecy of vote counts on computerized vote counting machines. While voting, citizens are acting in a unique sovereign or "owner" capacity (instead of being a subject of the laws, as is true outside of elections) in selecting their government servants. It is argued that secrecy is impermissible as against the public in the area of elections where the government gets all of its power and taxing authority. In any event, permissible secrecy varies significantly with the context involved.

[6] A **secret trial** is a trial that is not open to the public or generally reported in the news, especially any in-trial proceedings. Generally, no official record of the case or the judge's verdict is made available. Often there is no indictment. Secret trials have been characteristic of many dictatorships in the modern era, but are also used in many democratic nations, with the explanation of being necessary for national security. They are a hotly debated topic in many circles, but are generally accepted in the Western world as they are seen as protecting the "greater good".

In the United Kingdom, one of the most notorious secret courts was the [Star Chamber](#) under King [Charles I of England](#) in the early 17th century. The abuses of the Star Chamber were one of the rallying points of the opposition that organized around [Oliver Cromwell](#) and ultimately resulted in the [execution](#) of the deposed king. The term "star chamber" became a generalized term for a court that was accountable to no one (except the chief executive) and was used to suppress [political dissent](#) or eliminate the enemies of the regime.

R v Incedal and Rarmoul-Bouhadjar (2014) was to be the first British terrorism trial to be held entirely in secret.^[4] However, the Court of Appeal blocked full secrecy.^[5]

The [FISA Courts](#) of the national intelligence apparatus are by design secret courts and are empowered by the [Foreign Intelligence Surveillance Act](#) of 1978 to conduct secret trials and to impose secret punishments. Counsel arguing in the court are also subject to a secrecy order against disclosure of information about any cases in front of the court. Individuals who have been targeted in the court are also subjected to secrecy orders. The court sits *ex parte*, in the absence of anyone but the judge and the government present at the hearings. That, combined with the minimal number of requests that are rejected by the court, has led experts to characterize it as a [rubber stamp](#); the former [National Security Agency](#) analyst [Russ Tice](#) called it a "[kangaroo court](#) with a rubber stamp".^[6]

Although the [Great Purges](#) in the [Soviet Union](#) under [Joseph Stalin](#) are best remembered for the [Moscow Trials](#), [show trials](#) in which the court became a parody of justice, most of the victims of the Terror were tried in secret. [Mikhail Tukhachevsky](#) and his fellow [Red Army](#) officers were tried in secret by a [military tribunal](#), and their executions were announced only after the fact. The presiding judge of the Moscow Trials, [Vasili Ulrikh](#), also presided over large numbers of secret trials, lasting only a few minutes, in which he would quickly speak his way through a pre-formulated charge and verdict.

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