**Affirmative**

I affirm the following resolution, Resolved: The “right to be forgotten” from internet searches ought to be a civil right.

**Definitions:**

* The “Right to be Forgotten” is the right - under certain conditions - to ask search engines to remove links with personal information about them. This applies where the information is inaccurate, inadequate, irrelevant or excessive for the purposes of the data processing as defined by the European Union Court as of May 13th 2014.
* “Ought” is used to describe logical consequence as defined by Merriam Webster Dictionary.
* A “Civil Right” is a right that everyone should have regardless of race, sex, or religion as defined by Merriam Webster Dictionary.

**My Value is Governmental Legitimacy:**

According to Rawls, “A government can only be legitimate when it possesses a state of equal rights and respect for all in the citizenry.” Essentially, the basis for a government to be legitimate is to ensure the rights of their people. Thus, if there is a legitimate government that can or has upheld this right, then the “right to be forgotten” falls under the criterion of a legitimate government. Favor the Affirmative value of Governmental Legitimacy in this debate because this debate will ultimately fall to the fact that the government is the entity in question that will have to enforce the right to be forgotten, and also note that the negative has the burden to prove that the right to be forgotten should not be a civil right, and that the implementation of this right would cause a government to cease to be a legitimate.

**My Value Criterion is the Protection of Privacy:**

According to McFarland (2012, Santa Clara law school): Privacy is important for a number of reasons. Some have to do with the consequences of not having privacy. People can be harmed or debilitated if there is no restriction on the public's access to and use of personal information. Other reasons are more fundamental, touching the essence of human personhood. Reverence for the human person as an end in itself and as an autonomous being requires respect for personal privacy. To lose control of one's personal information is in some measure to lose control of one's life and one's dignity. Therefore, even if privacy is not in itself a fundamental right, it is necessary to protect other fundamental rights.

**Contention One: Right to Privacy is a Civil Right as defined by the Universal Declaration of Human Rights** **(UDHR).**

Right to privacy is vitally important and as such has been outlined in the Universal Declaration of Human Rights, which is regarded as the moral standard for the globe. Article 12 states: “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.” This means that the right to be forgotten is currently considered a moral standard, and therefore ought to be a civil right.

And the Right to be Forgotten is key to the Right to Privacy. As Hendel from the Atlantic states: Surely all people suffer from some unknown horror embarrassing them online, from an old photo or comment, up to a Gawker post. The Internet owns us. Our social networks, our blog comments, our quotes in newspapers, our Yelp ratings, Amazon reviews, e-mails, all our personal data, from our birthday to our home state, the Internet knows. But should it always? It's natural for people to want to control their online reputations. The Internet has an almost unlimited search and memory capacity. So even tiny scraps of personal information can have a huge impact, even years after they were shared or made public. The right to be forgotten will build on already existing rules to better cope with privacy risks online."

**Contention Two: The Right to Be Forgotten protects citizens from being misrepresented on the internet or maliciously slandered.**

As reported by a law site, law.jrank.org: Kenneth M. Zeran operated a home-based business in Seattle, Washington, that depended on his telephone for access to the public. On 25 April 1995, six days after the bombing of the federal building in Oklahoma City, an unidentified person posted a message on an AOL bulletin board advertising "Naughty Oklahoma T-Shirts." The shirts featured offensive slogans related to the bombing. The name "Ken" and Zeran's Seattle telephone number were given as the contact for those interested in purchasing the shirts. Zeran, immediately inundated with calls that included derogatory messages and death threats, called AOL and explained his problem. AOL responded that the posting would be removed, but as a matter of policy AOL would not post a retraction.The next day, another posting advertised additional shirts with new slogans, again offering Zeran's number as a contact and encouraging interested parties to continue to call back due to high demand. The postings continued for four days, with new items and slogans being added to the offering. By 30 April, Zeran was receiving abusive phone calls about every two minutes, some containing death threats.

In Another Example (reported on by BBC News): Sixteen years ago, a Spaniard named Mario Costeja Gonzalez hit financial difficulties. He had to foreclose on his house; the property was put up for auction - the details of which were covered in a newspaper, which subsequently went online. The auction happened in 1998, and with those troubles now behind him, Mr. Gonzalez is keen to move on. But there's a problem: whenever you search for his name, news about the auction still features prominently. He argued that this continued to damage his reputation, and should be removed from Google's search results. He won his case because the EU upholds the right to be forgotten, otherwise he would not be able to get loans, buy a house, etc. because an irrelevant past that is now misrepresentative of him continues to haunt him.

Innocent people can also be needlessly hurt Naomi Wolf from The Guardian tells the sad story of Amanda Todd, a teenager who lived in the Vancouver area, died by her own hand in 2012. She had been bullied by peers so severely that she abused drugs and alcohol, engaged in self-harming behaviors, and ultimately committed suicide. Boys tormenting her, girls beat her up all due to a picture taken in the seventh grade. Todd had logged onto a webcam site where she met a 30-year-old man who convinced her to show him her breasts. When she tried to break off communication, he threatened to send the topless photos of her to "everyone" if she did not "put on a show". When she refused, the man, who had obtained her personal data, including where she lived and went to school made good on his word. She even changed schools to avoid the people who had seen the uncensored photo, but he made it his profile picture on Facebook. This tragedy could have been avoided if Amanda Todd was simply given the Right to Be Forgotten.

**Contention Three: The Right to Be Forgotten does not infringe upon any other rights.**

Girin 2013: According to data from the company, 28 percent of the requests resulted from “invasion of privacy,” exposures of private, personal information like ethnic identity, academic performance, religious beliefs, and political views. 19 percent were based on defamation and online hearsay like “I am targeted by false rumors presenting me as a member of a cult,” as one Forget.me example runs. “We are concerned about freedom of the press,” Girin says. “But this is a simple problem.” Today, we put so much information online that it’s easy to lose track of what’s out there. And that likely includes information you wouldn’t want to pop up first thing on Google—not out of a malignant desire to interfere with freedom of speech, but as a way of exercising control over your own identity, an ability we have lost to corporate Web businesses over time.

Not anything could be pulled off the internet; it would have to be proven that the information is **inaccurate, inadequate, irrelevant, or excessive** for the purpose of the data processing as defined by the EU Courts.