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The Boundary between Privacy Territory and Public Area

Certainly, distinguishing between the public area and privacy territory in precise form is not a simple and easy task, especially as for determining the boundary between these two areas, some elements like cultural and religious elements, especially the element of religion, has an important and effective role. In the systems based on faith and religious principles, distinguishing of these areas can be done just by paying attention to the scales originated from the religious beliefs of a society.

Special attitudes of divine and Divine religions, Islam's religious law in particular, to people's humanistic identity creates a particular necessity for determining people's privacy territory. We will deal with this issue in the following chapters with full details.

Here, for determining briefly the limits of public and private areas, we describe the features of each of them:

A. Features of people's private area

Firstly, in the private area, people have no desire that others have access to their personal affairs and desire these affairs to be hidden and away from any surveillance or presence of others.

Secondly, in this area people desire to decide about their own personal and private affairs independently and away from others' guardianship and supervision except in some cases that they, themselves, are satisfied with others' participation in their decision makings.

From the viewpoint of Islam, in the area of privacy, the person's behavior and manner are determined by divine decrees of religious law and the Islamic government or ruler doesn't have any special role in this area and as far as people's behavior and manner have no external reflection of the society, government has no right to enter and interfere with in that area.

B. Characteristics of public area

Firstly, the affairs placed in this area are common among people and all individuals of a society and this area has no personal or private aspect. Even if these affairs are taking place in people's privacy, they have the qualifications of general aspects due to their external reflections and social influences.

Secondly, in the domain of public area, some affairs will happen, because the generalizing aspects of this area have no hidden and inaccessible features, unlike people's privacy that its feature was keeping people's personal affairs and secrets hidden and concealed.

Thirdly, the affairs of this area are within the power scope of Islamic state and government and the government as a protector of public order, national authority and the people's trustee can supervise these affairs and put them into practice and control that nothing against the public benefits will happen.

Fourthly, in this area, the principal of free stream of information is dominant and people of the society have the right to be informed about what happens in the society. Therefore, in a public area unlike the people's privacy, there is no restriction in informing others or prohibition of publication which is a must and necessity in people's privacy for prevention of revealing of their personal secrets and the government responsibility is informing and utilizing of the principal of the public supervision for managing the society.

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