

PUBLIC/PRIVATE

The private/public distinction is indispensable in ethics and in the law, yet it is not always clear. Example 1 A boy and a girl sitting on a bench in a public park are caught kissing. Example 2. A person using a public lavatory is caught masturbating.

In all these cases it may be argued that the people concerned were making legitimate use, for private purposes, of public facilities. (Moreover some of them, like the public lavatories, are private places made accessible to the public by the public itself.) There is nothing unlawful about such activities as long as they do not harm anyone. On the other hand interference with them, on the part of law enforcer or any other people, should be outlawed because they encroach on individual rights.

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