

## Topic Description: Security and Questions of Civil Liberty

Prof. Chris Johnson,  
School of Computing, University of Glasgow.

[Johnson@dcs.gla.ac.uk](mailto:Johnson@dcs.gla.ac.uk)

<http://www.dcs.gla.ac.uk>

### Introduction

In December 2013, US Federal Judge Richard Leon ruled that the mass collection of metadata about US phone users violated the Constitution of the United States. He described the work of the NSA as an 'indiscriminate' and 'arbitrary' invasion of privacy using "almost Orwellian" technology. The revelations of the former CIA and NSA contractor Edward Snowden have exposed the (ab)use of technology by a range of governments around the globe are raised huge questions about the nature of civil liberties in an information age. Snowden 'leaked' details about a range of surveillance initiatives known as PRISM, XKeyscore and Tempora through The Guardian and The Washington Post.

The Snowden revelations followed disclosures of military intelligence by Chelsea (formerly Bradley) Manning, who was convicted in July 2013 of violating the US Espionage Act by releasing a large set of classified documents to the WikiLeaks site maintained by Julian Assange. The material included some 250,000 U.S. diplomatic cables; and 500,000 Army reports. Together these incidents raise significant questions about the nature of privacy and secrecy in modern society where it is possible to monitor vast volumes of electronic communications and where it is possible for whistle blowers to disclose thousands of classified documents.

### Is the Topic Credible?

The topic of civil liberties will continue to be important in coming years – the increasing integration of information networks makes it increasingly easy for both commercial and government organizations to make inferences about individual behaviour through the use of automated monitoring and information retrieval systems. The rising interest in distributed sensors that go well beyond existing CCTV systems also raises questions about an individual's right to privacy. At the same time, the Snowden and Manning revelations illustrate the difficulty of keeping such monitoring secret, or indeed of keeping any information private when whistle blowers can easily publish thousands of classified documents over the Internet. Before working on any report, you should consider the technical limitations of what is and what is not possible – for instance, using metadata. Take a critical perspective on some of the technical claims in the popular media.

### Different Perspectives

There are radically different opinions about recent revelations. Some argue that Manning betrayed his country. Others feel that he raised legitimate concerns about the behaviour of the US military which cannot be "above the law" even when the nation is perceived to be at risk from terrorist attacks and when military personnel are at risk overseas. Similarly opinion is divided about the

Snowden revelations, especially regarding the role of US and UK agencies in monitoring the activities of friendly governments. Some argue that Snowden was justified in publicising the NSA's potential violations of the US constitution. Others have stressed that his revelations have endangered the lives of US agents around the globe. It is important in developing a report that you take seriously the diverse perspectives in this area rather than simply taking one side or the other.

### **Open Research Questions**

There are a host of open research questions to be considered in this area – the following is a partial list of suggested topics:

- What are the technical measures that might be used to protect individual privacy in an age of increasing network integration?
- What existing research within other disciplines, including philosophy and sociology, might help to inform a debate on civil liberties in a digital society?
- What research methodologies might be used to determine whether proposed regulations, such as the EC General Data Protection Regulation, offer sufficient penalties to dissuade the abuse of civil liberties by companies and government agencies?

### **References**

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