

National Security Individual Freedom

John Lord O'Brian



National Security Individual Freedom:

National Security and Individual Freedom Harold Dwight Lasswell, 1971

Freedoms Hualing Fu, Carole J. Petersen, Simon N.M. Young, 2005-03-01

There has been intense interest in the proposals to implement Article 23 both in Hong Kong and abroad. This book will be valuable to anyone who has followed or participated in that debate or has an interest in the delicate balance between civil liberties and national security. The book will be particularly useful for legislators, policy makers, lawyers, journalists, historians, teachers, and students, especially in the fields of law and the social sciences. The statutory Appendix will assist teachers and students to draw comparisons between existing law and the government's proposals. In 2003, more than 500,000 people marched in Hong Kong against the National Security Legislative Provisions Bill, which would have prohibited treason, sedition, secession, and subversion against the national government of China, and included new mechanisms for proscribing political organisations. This edited collection analyses that legislation, particularly the implications for civil liberties and the one country two systems model. Although the massive protest compelled the Hong Kong government to withdraw the Bill from the legislature in 2003, it will likely propose similar legislation in the future because Hong Kong has a constitutional obligation to implement Article 23 of the Basic Law. The book provides detailed and balanced commentary on the Bill, explains why certain proposals proved so controversial, and offers concrete recommendations on how to improve the proposals before the next legislative exercise.

Fu Hualing is an Associate Professor and Director of the Centre for Comparative and Public Law, Faculty of Law of the University of Hong Kong. His research interests include social legal studies, human rights, and criminology. He has an LLB from Southwestern University of Law and Politics, China; an MA from the University of Toronto, Canada; and a doctoral degree from Osgoode Hall Law School, Canada.

Carole J. Petersen is an Associate Professor and a former Director of the Centre for Comparative and Public Law, Faculty of Law of the University of Hong Kong. She has been teaching law in Hong Kong since 1989, specializing in constitutional law, human rights, and anti-discrimination law. She has a BA from the University of Chicago, a JD from Harvard Law School, and a Postgraduate Diploma in the Law of the People's Republic of China from the University of Hong Kong.

Simon N.M. Young is an Associate Professor and Deputy Director of the Centre for Comparative and Public Law, Faculty of Law of the University of Hong Kong. He teaches criminal law, evidence, and legal aspects of white collar crime. Previously, he was Counsel in the Crown Law Office, Criminal Ministry of the Attorney General for Ontario in Toronto, Canada. He obtained his LLB from the University of Toronto and his LLM from Cambridge University. This collection of essays on the saga of Hong Kong's efforts to address the mandate of Article 23 in the Basic Law of the Hong Kong Special Administrative Region and related matters is likely to be an extremely useful resource for a number of audiences. These include those directly engaged with the issue of legislation and policymaking in Hong Kong, in both public institutions and in the community; those who have an interest in the development of Hong Kong's political and legal system and its relationship to the system of Mainland China.

and those with an interest in national security and anti terrorism legislation more generally from a comparative perspective The overall quality and range of the contributions is strong The topic itself is a current and important one and the collection is an important contribution to the field Andrew Byrnes Professor of Law Australian National University The debate on legislation to ensure the sovereignty and security of the PRC against threats from Hong Kong was a turning point in the Special Administrative Region s political history It showed that while some Hong Kong residents may have reservations about democracy human rights are cherished by almost all It also showed that people can influence policy even without formal institutions of democracy The authors of this book played a leading role in the debate clarifying the legal issues which was critical to an informed debate Yash Ghai Sir Y K Pao Professor of Public Law University of Hong Kong *National Security and Individual Freedom* John Lord O'Brian,1955 No detailed description available for National Security and Individual Freedom National Security And Individual Freedom Harold D. Lasswell,1971 *Secrecy and Liberty: National Security, Freedom of Expression and Access to Information* Joan Fitzpatrick,Piotr Hoffman,Sandra Coliver,Stephen Bowen,2021-09-27 The tension between national security and freedom of expression and information is both acute and multifaceted Without national security basic human rights are always at risk On the other hand the tendency of governing elites to confuse the life of the nation with their own survival has often resulted in excessive restrictions on expression and information as well as other fundamental rights A proper balance between secrecy and liberty requires a vigilant press and an independent judiciary It also requires greater clarity than currently exists as to how competing rights and interests should be weighed This book addresses that gap Its centerpiece is a set of Principles drafted by a group of international and national law experts many of whom contributed chapters to guide governments courts and international bodies in how to strike a proper balance The Principles have been widely endorsed among others by United Nations experts on freedom of expression and independence of judges and lawyers Sixteen country studies profiling among other states Albania Chile China Egypt France Germany India Israel Japan Norway South Africa South Korea Turkey the United Kingdom the United States and the Federal Republic of Yugoslavia explore the tremendous diversity of national security doctrines and the penal and other measures aimed at suppressing allegedly secret information and speech claimed to be subversive separatist or otherwise dangerous Five chapters examine the cases considered and approaches taken by the UN Human Rights Committee three regional human rights bodies and the European Court of Justice A Commentary draws on the other chapters to support and elucidate the Principles noting where they reflect an existing consensus and the points at which they attempt to elicit a more rights protective approach *National Security in the New World Order* Andrea Monti,Raymond Wacks,2021-09-16 This important new book explores contemporary concerns about the protection of national security It examines the role influence and impact of Big Tech on politics power and individual rights The volume considers the manner in which digital technology and its business models have shaped public policy and charts its future course In this vital text for legislators and policymakers

Andrea Monti and Raymond Wacks draw on several case studies to analyse the changing nature of national security and revisit the traditional idea of the sovereignty of the State. They highlight some of the limitations of the conventional understanding of public policy, national security and the rule of law to reveal the role of digital technology as an enabler as well as discriminator in governance and social disorder. Further, the chapters in the book explore the tenuous balance between individual freedom and national security, the key role of data protection in safeguarding digital data, Big Tech's appropriation of national security policy, the debate relating to data-gathering technologies and encryption, and offers an unsettling answer to the question: what is a leak? A stimulating read, this key text will be of immense interest to scholars of politics, cyberculture and national security as well as to policy analysts, lawyers and journalists.

Whose National Security? Gary Kinsman, Dieter K. Buse, Mercedes Steedman, 2000-10-01. Would you believe that RCMP operatives used to spy on Tupperware parties? In the 1950s and 60s they did. They also monitored high school students, gays and lesbians, trade unionists, left wing political groups, feminists, consumer's associations, Black activists, First Nations people and Quebec sovereigntists. The establishment of a tenacious Canadian security state came as no accident. On the contrary, the highest levels of government and the police, along with non-governmental interests and institutions, were involved in a concerted campaign. The security state grouped ordinary Canadians into dozens of political stereotypes and labelled them as threats. Whose National Security probes the security state's ideologies and hidden agendas and sheds light on threats to democracy that persist to the present day. The contributors varied approaches open up avenues for reconceptualizing the nature of spying.

Freedom of Information and National Security Amin Pashaye Amiri, 2015-01-06. Protecting sensitive national security information is among a government's most significant duties. However, this concept may be used to adversely limit the public's right to access to government-held information. Therefore, striking a reasonable balance between these competing interests is of great importance for any society. How important to the creation of such a balance is effective judicial review of government decisions denying public access to information on national security grounds? How should judicial review of these decisions be conducted? *Freedom of Information and National Security: A Study of Judicial Review under U.S. Law* seeks to answer these questions. It offers proposals for the improvement of judicial review of public bodies' decisions in the U.S. and provides suggestions for conducting effective judicial review in other countries.

The Contest Over National Security Peter Roady, 2024-03-19. National security once was not limited to physical defense. FDR equated national security with safety from foreign attack and economic want. Conservatives fearful of costs and federal expansion stripped out domestic policy. *The Contest Over National Security* explains why the US developed separate imbalanced national security and welfare states.

Organization of Congress United States. Congress. Joint Committee on the Organization of the Congress, 1965.

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