

National Security Individual Freedom

**Myriam Feinberg, Laura Niada-
Avshalom, Brigit Toebes**



National Security Individual Freedom:

National Security and Individual Freedom Harold Dwight Lasswell, 1971 **National Security And Individual Freedom** Harold D. Lasswell, 1971 **National Security and Fundamental 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 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 datagathering 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 *National Security and Individual Freedom* John Lord O'Brian, 1955 No detailed description available for National Security and Individual Freedom *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

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

The Role of Religion in National Security Policy Since September 11, 2001 Jonathan Eberhardt Shaw, 2011 The United States has struggled to find a framework to integrate religion into the post September 11 2001 9 11 discussion of national security Islam has been the central focus with both the 9 11 terrorists and many of America s partners in overseas contingency operations sharing an Islamic heritage President George W Bush s paradigm of Religion as Freedom and President Barack H Obama s paradigm of Religion as Unity have been partially successful but they have yet to provide a nuanced understanding of Islam and a comprehensive framework Part I of this Carlisle Paper examines the enduring role of religion in human conflict through the eyes of Alvin Toffler Francis Fukuyama Samuel Huntington and Robert Kaplan Part II provides an analysis of Islam to determine its power within current alignments and addresses jihad and the level of support for terrorism Part III examines the role of religion within the Bush and Obama administrations and proposes a third paradigm Religion as Ideology In an attempt to relate a strategic vision which comprehends the power of Islam to a policy which accounts for religion in terms of empowered behavior Part IV addresses practical questions regarding the implementation of the paradigm of Religion as Ideology and the way ahead

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Ethical IT Innovation Sarah Spiekermann, 2015-11-18 Explaining how ubiquitous computing is rapidly changing our private and professional lives Ethical IT Innovation A Value Based System Design Approach stands at the intersection of computer science philosophy and management and integrates theories and frameworks from all three domains The book explores the latest thinking on computer ethics inc

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 *Electronic Surveillance for National Security Purposes* United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Criminal Laws and Procedures,1975 **Congressional Record** United States.

Congress,1953 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873 *National Security, Public Health: Exceptions to Human Rights?* Myriam Feinberg,Laura Niada-Avshalom,Brigit Toebes,2017-10-02 The book deals with the complicated relationships between national security and human rights and between public health and human rights Its premise is the fact that national security and public health are both included in human rights instruments as exceptions to the human rights therein sanctioned yet they can arguably be considered as human rights themselves and be equally valuable The book therefore asks to what extent the protection of the individual could or should be overridden to enable the protection of the national security or public health of the general public Both practice and case law have shown that human rights risk being set aside when they clash with the protection of national security or public health Through theoretical analysis and practical examples the book addresses the conflicts that arise when the concepts of national security and public health are used and abused and other rights including freedom of speech procedural freedoms individual health are violated as a consequence It provides many interesting findings on the values that states are ready to protect and forego to ensure their safety which can contribute to the ongoing debate on the protection of human rights This book was originally published as a special issue of The International Journal of Human Rights **Critical Perspectives on National Security Strategies in Nigeria**

Anthony O. Chukwu,Caroline Obiageli,Nafisatu Dahiru Muhammad,2023-05-10 This book explores the varied ways in which Nigeria needs to undergird her national security and sustainable strategies with critical thinking perspectives and principles With insecurity in one way or another present in most if not all of Nigeria this volume brings together military professionals and civilian scholars to present their shared understanding in order to answer an age old question Whither Nigeria s national security and strategy The book is relevant to political leaders policy makers and scholars with diverse interests around

sustainable strategies within security services Ultimately it will foster debate and constructively addresses various issues ranging from social political cultural historical economic military and intellectual strategies **2nd Revolution of Our Founding Fathers' Noble Vision** Shah,2008-03 Este libro narra las vivencias de un joven quien a la edad de 17 años decide marcharse a escondidas de sus padres en busca del sueño americano Viajaba con las manos vacías con sus inquietudes e incógnitas Mientras miraba el horizonte por la ventanilla del avión se preguntaba si algún día lograría realizar el sueño americano

National Security Secrecy Sudha Setty,2017-07-13 Excessive government secrecy in the name of counterterrorism has had a corrosive effect on democracy and the rule of law In the United States when controversial national security programs were run by the Bush and Obama administrations including in areas of targeted killings torture extraordinary rendition and surveillance excessive secrecy often prevented discovery of those actions Both administrations insisted they acted legally but often refused to explain how they interpreted the governing law to justify their actions They also fought to keep Congress from exercising oversight to keep courts from questioning the legality of these programs and to keep the public in the dark Similar patterns have arisen in other democracies around the world In National Security Secrecy Sudha Setty takes a critical and comparative look at these problems and demonstrates how government transparency privacy and accountability should provide the basis for reform **The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol**

,2024-01-10 The Convention Relating to the Status of Refugees adopted on 28 July 1951 in Geneva continues to provide the most comprehensive codification of the rights of refugees yet attempted Consolidating previous international instruments relating to refugees the 1951 Convention with its 1967 Protocol marks a cornerstone in the development of international refugee law At present there are 149 States Parties to one or both of these instruments expressing a worldwide consensus on the definition of the term refugee and the fundamental rights to be granted to refugees These facts demonstrate and underline the extraordinary significance of these instruments as the indispensable legal basis of international refugee law This Commentary provides for a systematic and comprehensive analysis of the 1951 Convention and the 1967 Protocol on an article by article basis exposing the interrelationship between the different articles and discussing the latest developments in international refugee law In addition several thematic contributions analyse questions of international refugee law which are of general significance such as regional developments the interrelationship between refugee law and general human rights law as well as the relationship between refugee law and the law of the sea

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