

References

Is it ethical for a government or public agency to spy on a population without their consent in the interest of national security?

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ACM Reference Format:

Edgar Jose Donoso Mansilla. 2026. Is it ethical for a government or public agency to spy on a population without their consent in the interest of national security?. 1, 1 (February 2026), 2 pages. <https://doi.org/10.1145/nnnnnnn.nnnnnnn>

1 Introduction

In the age of information, there is a gold rush for data. This has caused several governments to have a piece of the data pie, and for engineers to get a nice bounty in return. The NSO group, an Israeli cyber-security company, developed Pegasus to easily and efficiently enable clients to gather personal information from people's devices without them even knowing. This has brought the discussion to the global stage on whether governments should be able to spy on their population for national security.

2 Before the investigation

Pegasus was a tool that was sold to various governments, however, said governments proceeded to misuse the information and NSO group failed to prove their claim:

ippee [? , fs:NSO-rise-fall]

3 During the investigation

4 After the investigation

5 OUTLINE: Ethical Analysis Planning

5.1 Kantian Framework

From this approach, it is possible to evaluate the following 2 things:

- The axiom of access to information is contradicting itself as only one party has control of the information.
- It also treats others as a mean to an end by invading their privacy for matters of national security, this could be seen as an Imperfect Duty vs a Perfect Duty.

This points towards answering our question with a no with a bit of a grey area depending on how we define the national security as a duty.

5.2 Act Utilitarianism

This is a very strong contender for a yes, this is due to the fact that the government can equate the harm of the nation as a major loss, however, with the spyware, it is able to reduce the overall harm by ensuring the security of its citizens. This is one way this framework defends this, on the other hand, if we consider the emotional distress and oppression of speech that this enables the government to do, that is also another form of harm which is not none. This means that based on the government and the security of the country, this could either be a yes or a no. As in some countries, said spyware is not needed while other countries which face stronger crime might benefit from overall spyware.

5.3 Social Contract Theory

The difficulty in trying to analyze the situation with this framework is the fact that this doesn't put in place a veil of ignorance as the people who decide to acquire the spyware are already in their position of power (See the case with the president of Mexico). This also forgets to take into account the fact that those in power are not always doing the best thing for the less privileged (see the case of the women's rights activist getting spied on).

What this allows us to conclude is that the usage of spyware to spy on the citizens would only be ethically sound if the government were to disclose the usage and allow people to reject it (which kind of defeats its purpose as a cyber weapon).

6 Conclusion

As seen in the ethical analysis above, the answer leans heavily towards a no. However, there are benefits to using certain tools, but this requires the assumption that the government is mainly there to serve the people of its

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