**How do we differentiate what is just from what is legal, specifically in the case of the actions of NSA whistleblower Edward Snowden? (46 votes)**

[BenChida](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1330541) a day ago

Posted by: shawndimantha

Dear Professor Sandel,

My name is Shawn.

**My question is:** How do we differentiate what is just from what is legal, specifically in the case of the actions of NSA whistleblower Edward Snowden? Can his actions be justified by both consequentialism and deontological ethics, and by other schools of political philosophy? Finally, how do we properly assess the actions of other parties involved - the NSA, elected officials, telecom / tech companies complicit in the orders - and the implications for US and non-US civilians?

**Context:** Many of us are conditioned to believe that law is the ultimate good, when law oftentimes is meant to preserve the current system. Law is often just, and abiding by the law is what maintains a stable society, but law can also lead to oppression and violations of human rights, willful and blatant corporate tax evasion, drone strikes on civilians, and secret policing.

Thank you.

Report Misuse

Pinned

(this post is about [Live Question and Answer Session with Professor Sandel, Part 2 / Top Vote-Getting Questions](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/jump_to/i4x:/HarvardX/ER22x/discussion/6efbd5d53d5241b6bf99409448272104))

1. [2](javascript:void(0)) [Winged\_Hussar](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1051559)

a day ago

In my humble opinion to be able to point out what is just and what is legal in such a media circus you need to know all detailed information, true context of the case, links between involved persons and various organizations (NSA, CIA and others), their particular interest and roles in the show and how the political machine works.

In other words you have to be an expert in let’s call it “spy & spec-ops” field and have full access to necessary data (which of course is restricted by US government due to nature of confidential / secret information that may be revealed). We only know couple small pieces of the bigger puzzle as our limited knowledge comes from newspapers and TV (they have their priorities as well).

Legal system in many cases has nothing to do with justice. Themis or Lady Justice is blind. It is important what you can lay on her scale.

Summa summarum not having all necessary info it is impossible to distinguish between legal and just.

Cheers Artur

Report Misuse

* + In line with the above question (about what is justice and what is legal) what do you think about the recent Supreme Court judgement in the US concerning spousal rights for gays and lesbians? What is the justice in allowing them to adopt children, who will have no say in the family dynamics they are getting into? Isn't this in contradiction of ethics, morality and the natural way of living that even animals do not contradict. Don't you think a safe haven should be looked for or a law promulgated to protect the rights of these minors?

–posted a day ago by [NanaKwesi](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1141716)

* + Do children adopted by heterosexual couples or single persons have a say in the family dynamics?

Could the same argument have be used to support the laws that criminalized miscegenation?

–posted about 24 hours ago by [EdSilha](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1032045)

* + The argument regarding whether it is Justice for children to be born into a family dynamic which is homosexual, only has validity if the family dynamic, i.e homosexuality is in some way a negative situation.

As society now views homosexuality as acceptable, and, adverse opinions regarding homosexuality are now viewed as not acceptable one has to accept that it is society that demands morality. As society changes, so do it's morals, therefore the concept of Justice. On which morality is the main ingredient. As society has the aforementioned opinion(s), one has to accept those opinions.

Although, for me the real issue is the erosion of the freedom to express distaste that is the real tragedy. Society supports tolerance of homosexuality, yet it does not any longer support an open aversion to it.

Tolerance is fine. Yet any freedom only has merit provided it does not infringe upon the freedoms of others.

–posted about 19 hours ago by [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

* + Should it be considered just to go against law, when you know for sure that a particular is actually violating certain human rights or hampering the will of the society??? For example, **american revolution or any other freedom struggle** was actually against the law of that particular time, yet it only brought good to people.. So in this case **which side should we take, of law or of moral conscience**???

–posted about 19 hours ago by [RonV](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1857346)

* + Well said, milarepa!

–posted about 19 hours ago by [clarvic](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1420263)

* + In response to Prof. Sandel's question -

I believe Snowden's actions were important (enough to 'break the law'). Given the enormity of the consequences of such a program leading to a (E.German) Stasi like conditions (wherein the authorities can blackmail individual citizens based on their purely personal actions), having oversight by the PISA court, Congress etc, seems like a self-administered mechanism that is far too important to subject it to a approach where the Judge & Jury are the same!

Abdul Kasim

–posted about 19 hours ago by [akmit](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1020460)

* + Professor Sandel: It was important that snowden provided the information. Society expects it's freedom. and part of that freedom is openness. Justice is the morality of society, with the law being it's dynamic expression. It was just that snowden revealed the information, but it was not legal. The state decides that it is wrong by the illegality. Yet it is not the state that is the enforcer of Justice necessarily. to me, this is why a portion of the public will support snowdens actions. there is a disparity between supporters of justice and supporters of the law. The law, being enforced by the state, can invariably be used by the state for the states goals. Which is not necessarily societies goals. Snowden may have been motivated by Justice, but it will be the law that crucifies him.

–posted about 19 hours ago by [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

* + I would say what Snowden did was just and it was also necessary, because here the information is related to the number of the people and their privacy (in fact it was (or say is) hampering their privacy), which is a fundamental right in many countries.

But considering was this operation just??? I would say might be, because it was put into action to save lives of the people only and we as people should not make such a hype of this issue..We should rather be practical and I guess we all are aware of the consequences and deeds of terrorism and terrorists..

–posted about 19 hours ago by [RonV](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1857346)

* + Prof. Sandel, could you make a distinction with the moral value of the act of Snowden if he would have not fled the country? It is hard to say it took responsibilities of his acts doing so. Furthermore, he raises a point known by most of the people; nowadays internet is a place where the private life is on debate and it is possible for some people to have access to the data present there. Following this reasoning, the damage he did to the government is higher than the "utility" he might have provided to his people. Ultimately he uses secret data he was supposed to protect and keep undisclosed in the frame of his job.

–posted about 18 hours ago by [Jaatinen](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1475427)

* + The Damage he 'may' have done is in direct comparison to the damage the state may have done to society and it's freedoms by virtue of acting in the way it does. We need to understand the impact of both arguments.

–posted about 18 hours ago by [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

* + I believe that his action, coming forward with such an information produces more harm than good, furthermore, I think the question that is in front of us is why governments’ do that, and why would I, the regular citizen who doesn’t break the law would worry about it? If this action of the government helps to stop the big /international criminal groups, terrorists, human trafficking, illegal entrance to the country, drug cartel, and so, I am thankful for such an action. I live in a building that is secured by cameras’ and physical security at the entrance, so would be wrong for me to say that when country do that to protect citizens is wrong? I think it would. I look at the country as at the family, the bigger one for instance, but still a family. The government didn’t try to control free speech, work of media, or even access to the certain information (exampled by closing the Google for some east countries but their own Government (Asian countries) few years ago. Don’t you think that is a bigger crime, with more cons. than pros.? Anyhow, I do support people to come forward, take the consequences on their back for the sake of human society, and do the right thing, metaphorically speaking (Assange –wikiliks, example). The way, mentioned former CIA agents deal with the situation after going public is even a bigger disappointment.

–posted about 18 hours ago by [sanydej](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1405911)

* + Good day: I am from Ecuador and I live in Ecuador..welcome to my country Snowden!! We are waiting for you with arms open! Professor Sandel: Snowden is a hero for us in our country and many places around the world. Professor Sandel: What is your point? Should we give him asylum? what is your opinion about washingtong policies and espionage? Ecuador defends the human rights!!! By the way you are more than welcome here in our country Ecuador! Regards, Javier

–posted about 18 hours ago by [JavierEduardo](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/342973)

* + We live in a world and of a time where we cannot have totally free and open flow of information.

As a former defense contractor with clearances up to top secret, I fully understand the need to have and to protect secrets, until declassified. Snowden is an individual of low self-esteem and a traitor.

I ask you, should we take a vote anytime the government wants to implement an intelligence program? As our borders become more secure and the threat of home-grown terrorism increases, should we have a plebiscite on NSA methods of gathering information to detect terrorist threats? Keep in mind that all three branches of government are involved in these programs. It's not analogous to Iran-Contra, which was run out of the basement of the White House.

–posted about 18 hours ago by [AlohaPaul](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1376995)

* + The Bill of Rights, which conveys a particular philosophical interpretation of justice and which we as citizens of this society agree to abide by and may expect to be protected by, is not meant to be put aside when it is convenient or deemed necessary. Assuming we agree on the Bill of Rights and that we are not arguing that it has become outdated in our contemporary society, can we interpret the text of the 4th amendment in this context? "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

–posted about 17 hours ago by [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

* + The above assumed americans...as humans as a whole, I suppose we have the United Nations Declaration of Human Rights to rely on. Debates as to its relevance or enforcement power are likely still open and have less precedence than the enforcement of the American Bill of Rights, though on philosophical grounds its principles ought to be just as relevant.

–posted about 17 hours ago by [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

* + You should worry about it, Sanydej - anyone able to access all your conversations and information can abuse it - and in the case of these types of interference can also alter it retrospectively to falsely incriminate you. We cannot allow governments to get away with this sort of abuse of the general citizenship. You should need a warrant and for that you need evidence.

–posted about 16 hours ago by [LDT](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1195049)

* + Actually, as one of the best in that field, and very former one, we don't need to be a specialist in the espionage field to defend people's right. And obviously, the american administrations successively and unfortunately for me and for all americans successfully failed and don't care to protect our liberties. For those who worked in the electronic data field we don't need to spy three hundred millions of americans citizens in the name of anti-terrorism, and in the name of what they spied a chinese university, a former russian president, and ... . These people are fighting terrorism better from our administrations and that even from 1979 where that administration succeeded in bringing to power a monstruous regime in tehran who his only interest is nuclear military people as for the other countries of the middle near east except for the turkey of laicist before akp and as for all of them their fixed sicked idea of scratching israel from the card, which is the only democratic regime in that region ? What did snowden is honorable to him as to any american who believes that we don't need to sacrifice our liberties to maintain in power secret services and administrations counting on them, who work almost like in dictatorships. Shall I make it clear here that we have dozens of secret services like in any of these dictatotships while in france even from sarkozy to hollande or in russia, ..., they don't have these secret services because they don't need to control teir populations ? The advantage of a program like prism is what was already described, but in this kind of administrations all exactions are possible, it's just take time to everything will show up. A country like us need secret services, and protection programs, but not like those and putting us always in confrontation to discuss what is moral here, and being for the majority of us being rolled in flour by these successively adminstrations.

–posted about 13 hours ago by [vladimircobra](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/805876)

* + Who is the traitor here ? snowden or the american administrations ? it's obviously the administrations because theyr are in direct confrontation of keeping safe our liberties while he pointed them out, his action is what is best against terrorism because it showed how much they are putting from their abilities to spy people around the world while terrorists aren't really concerned in that matter. We all agree even making an opposition that collecting and spying data's people isn't very helpful against ben ladens, or clearly how many people were aware of that before snowden ? the complicity of e-enterprises is legally and morally wrong, snowden said something very clear about that : they didn't have to collaborate because the administration can't even close them, i don't imagine why the administration will close google or facebook because they don't want to participate in spying innocent people, and why they did that ? for the only reason of commercial purposes they them are taking advantages of collecting datas even without helping american, english, ..., and maybe more governments, because they do that on business, and why is spying china so interesting ? for business, we still have in our country a commercial mentality which do not really differ of arab mentality in commerce and ... . And that is very harmful to have trust in our country especially when our administrations are alike the merkel, hollande, sarkozy, london administrations passing time giving lessons to people they call them publicly friends like russians, japanese, and chinese, and they fight them in what do they think secretly. n'importe quoi

–posted about 13 hours ago by [vladimircobra](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/805876)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [GVP10](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1894572)

about 21 hours ago

snowden activity in terms of humanitarian grounds can be justified..but in legal context it is wrong...world is bind legally..and it will be unfair if snowden gets pardon...it is not to stress snowden should be punished but to press the importance faith of judiciary in world.

Report Misuse

* + I am worry about his life, because there are bunches of people willing revenge but not justice.

–posted about 18 hours ago by [MARIOENRIQUE](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/59211)

* + I don't think Snowden's actions are wrong even from a legal point of view. Snowden's actions are in the interest of an higher value that is ultimately protected, than the one falsely presented by the actions of the NSA. If we let institutions and organizations start to act on possibilities than we are all lost.

–posted about 3 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [MARYPA](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1773889)

about 19 hours ago

If with our action we create or put in danger the state sovereignity the line of demarcation between legal ang illegal it is rather subtle. The first think to do it is to find the real thru and then analise the right think and do the best for all according to moral, utility and legal action .

Report Misuse

* + Though what is morally acceptable in society may not be morally acceptable by the state i.e government. Who decides what places state sovereignty in danger?

–posted about 19 hours ago by [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [etstowell](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/441203)

about 19 hours ago

Civil Disobedience is one thing. Fleeing to a foreign country with computer full of classified information should be a one way trip to Gitmo.

Report Misuse

* + Should it? Maybe fleeing is the price he had to pay to make sure we knew about it. Maybe if we had more people protecting us and our rights that would not be necessary. Or do you have any illusion that if he had stayed behind in the US he was going to be treated equally, fairly or justly?

–posted about 3 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [greggwri](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1890653)

about 19 hours ago

yes & yes, we need to know what our governments do, and in the US case, many in Australia will also want to know what our govt. may also be doing or signed onto.

Greg

Report Misuse

* + US media seems to be agenda driven and part of one or another political camp, and not open and objective with the goal or agenda of being impartial to reveal the facts.

–posted about 18 hours ago by [greggwri](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1890653)

Top of Form



Bottom of Form

1. [2](javascript:void(0)) [yobyot](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1283527)

about 19 hours ago

1). Was it important to reveal the NSA actions? Yes, because the NSA program violates the social contract (and, BTW, the NSA lied to its overseers in March Congressional testimony). 2). Was Snowden's decision to flee wrong? No. Why should the weight of his civicl disobedience be less because he didn't also want to face the criminal music? In other words, after blowing the whistle, is he also obligated to become a martyr?

Report Misuse

* + Responding specifically to the allegation of the NSA lying to Congress, I think that is a red herring. Given the public nature of the hearing, Rep. Issa essentially forced General Clapper to choose between lying and revealing classified information to the general public. I don't think he necessarily acted wrongly in choosing the former.

–posted about 18 hours ago by [gprice](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1393732)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [ceebeegeebee](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1857383)

about 19 hours ago

As one of the other students commented, I believe the question for individuals in this case is how you can decide whether something like this is just or unjust with imperfect information. How in the modern society that we live in can we trust the media to give us enough impartial and accurate information to make decisions about justice? - Carolyn Gibson, England

Report Misuse

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [SandraE](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/188132)

about 19 hours ago

It was important to know the reality of the way those agencies were handling the information, though I guess people already suspected it. Was it that important? Well, as much as people value what their government can do to fight terrorists. So, people need to weigh how much they are ready to conceal in order to get safety from their voted representatives.

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [yobyot](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1283527)

about 19 hours ago

(Audio levels are too low. Please boost audio levels.)

Report Misuse

Top of Form



Bottom of Form

1. [3](javascript:void(0)) [mjtrac](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/88248)

about 19 hours ago

With regard to Snowden's flight, I think it is a sad necessity. The United States administrations have already demonstrated their willingness and ability to silence people and leave them in a legal limbo lacking due process. If the British had sent Gandhi to a Guantanamo facility, the world would not even recall that he had existed. The United States has long since sacrificed the moral high ground on this issue.

Report Misuse

* + Well said....

–posted about 3 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

about 19 hours ago

Professor Sandel:

It was important that snowden provided the information. Society expects it's freedom. and part of that freedom is openness. Justice is the morality of society, with the law being it's dynamic expression. It was just that snowden revealed the information, but it was not legal. The state decides that it is wrong by the illegality. Yet it is not the state that is the enforcer of Justice necessarily.

to me, this is why a portion of the public will support snowdens actions. there is a disparity between supporters of justice and supporters of the law. The law, being enforced by the state, can invariably be used by the state for the states goals. Which is not necessarily societies goals.

Snowden may have been motivated by Justice, but it will be the law that deals with him. Wayne, Ireland

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [ChicagoBob](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1398672)

about 19 hours ago

Yes, revealing the government's interception of essentially all to-from-duration phone call data and most email was sufficiently important to justify breaking the law.

I believe both (1) the government's action was illegal under our Fourth Amendment, and (2) even if legal, vital for us to know about.

Finally, I believe that there was no utilitarian rule for the government to keep this surveillance program secret in any event. The potential terrorists under surveillance already knew that they were almost certainly under surveillance.

Bob

Report Misuse

Top of Form



Bottom of Form

1. [3](javascript:void(0)) [BrianPederson](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1292664)

about 19 hours ago

Yes it was important. There are 26 senators who are now pressing the NSA to explain their interpretation of the various laws such as Patriot Act and FISA. Previously there were only 2 senators who were trying to raise alarms but they could not proceed because they were bound in a Catch-22 situation due to the fact that their info was classified. By releasing this material Snowden has broken a knot that was preventing democratic discussion of these policies.

Of course Snowden has forfeit some moral authority by fleeing and apparently trading some information to various temporary host countries. Several of those countries are ironically worse than the US on these issues of domestic and foreign surveillance.

But if you focus on the material released and not get tied up in the personal drama then I think what he did was justifiable and beneficial (so far).

Report Misuse

* + I'm glad to hear Brian and Sandel making the same argument I've been making with my friends (the bigger issue is the NSA, not Snowden's drama).

–posted about 18 hours ago by [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

* + I agree Brian, Snowden did not supply any info to the enemies but rather to us the public (via the newspapers and other media). He gave his face and told us why he did it. And maybe if he could be protected by the people at home he would not need to flee away...

–posted about 2 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [AussieSteve](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1807379)

about 19 hours ago

It is important that we know this - many would have already assumed this sort of monitoring was going on. It raises the question of just how inalienable is the right to privacy?

Report Misuse

Top of Form



Bottom of Form

1. [3](javascript:void(0)) [tpkeenan](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1364289)

about 19 hours ago

There is a special dimension to the Snowden case involving an imbalance of power. The security apparatus that he was seeking to uncover had created a huge self-protective structure (classification system, secrecy laws, etc.) so that even if (as many people did over the last few years) people said "they can read all emails" or something like that their claims were not confirmable due to these restrictions. Snowden's action is clearly an extreme one but may have been what was necessary to definitely "out" the security system. As Sandel says it is not "classic civil disobedience" but the consequences for Snowden if he "faces justice" (ref: Bradley Manning) are far greater than in say 1968 when they were to spend a night in jail and get a criminal record. (Though, interestingly, we now learn that old criminal records may indeed follow and haunt us in the security state.)

Report Misuse

* + Good point.

–posted about 2 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [Christoph2](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1674728)

about 19 hours ago

Based on what I know about the case, I think it is good that Snowden was willing to speak out about these privacy related issues. I also don't think it hurt the efforts of the United States to do what is doing in its purported efforts to maintain reasonable levels of national security.

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [lawrenceycc](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1459406)

about 19 hours ago

I wonder about the utilitarian argument against Snowden's actions. I understand that the course has thoroughly challenged the utilitarian philosophy. However, it seems to me that there is still much be said for the danger posed to citizens' lives by the revealing of the system to terrorist organizations. My question is what harm is done by the privacy invasions to the majority of citizens who have nothing to hide, especially if the information is deidentified? Would not the effect the potential for pain caused by a terrorist act that would have otherwise been caught greatly outweigh such harm? This gets at the debate on security versus privacy. It has been pointed out that the Constitution does not have an explicit privacy clause; is there necessarily a categorically ethical obligation to privacy that binds the government even if it compromises security?

Report Misuse

* + Deidentification is a nearly completely debunked myth. Computer scientists have shown, through reidentification science, that it is easier than many would hope. New technologies need to be developed to protect our information. Many see it as at least theoretically possible, however, to have technologies that we can learn useful analysis without invading people's privacy: we can avoid a security versus privacy tradeoff.

–posted about 18 hours ago by [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

* + More importantly, the government does not deidentify data. Only private companies that are obligated to do so by law or their privacy policies deidentify data before selling it off.

Also, despite the fact that the Constitution does not contain an explicit privacy clause, the Supreme Court has repeatedly declared that there is a right to privacy that flows from those rights more explicitly enumerated in the Constitution. The Constitution is the manifestation of the social contract in the U.S., and we should certainly expect that the government will abide by it.

–posted about 17 hours ago by [gprice](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1393732)

* + What does privacy mean? If it means freedom from unreasonable intrusion, it seems a natural extension of the Fourth Amendment (unreasonable search and seizure). If it is about freedom for self-determination of identity, it can be connected to the First Amendment as a freedom of expression. Is it something else, like say, a right to be free from coercion? Without a clear description of what privacy means, how are we to interpret our rights as applied to our personal data, and whether those rights are negotiable or not?

–posted about 17 hours ago by [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [UpstateJoe](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1381095)

about 18 hours ago

Snowden's was in no position to decide on his own the value of the revealed information. What he did was put at risk lives from terrorism. He was a small actor with only a bit part. If he objected on moral grounds to the government eaves dropping, he should have resigned his position.

Report Misuse

* + It sounds like you are opposed to whistleblowers in general. Without them, how are secret government programs that break the law to be avoided?

–posted about 18 hours ago by [gprice](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1393732)

* + It would seem from many points in this course that Snowden could not (or has not, rather) decided on his own if you take into account that his morals would have been learnt from a wider general audience, so as long as he is not from any extreme group, you could almost say he probably shares similar values to many others in the US society ? So it should be of interest to many, and the discussion probably shows this.

–posted about 17 hours ago by [greggwri](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1890653)

* + Actually I think you are very wrong in your analyzes, Upstatejoe. Knowing what we know today does not puts us more or less at risk than before. Terrorism is a concept that is actually not clear yet (even the United Nations has not reached a consensus about it). Many countries around the world keep saying that the US is actually promoting terrorism, in its own interest to the benefit of very few. It is not important for us to known if Snowden is a small or big player but rather that he was playing the 'game'. Amazingly the same kind of arguments that you use against Snowden, other countries use against the US.

–posted about 2 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [whillie2000](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/364369)

about 18 hours ago

In view of Prof. Sandel's question on whether it is important to reveal NSA's action, I think YES it is. For this reason such action of NSA although considered within the bounds of the law, it is important that society debates the issue to decide whether such thing being legal is necessarily just. It is then left to the society to decide whether it wants to live in that kind of society or put limits to what the state can do.

I believe that Snowden's decision to flee is strategic. If some martyrs in history who used pen and paper to attack the government did not use pseudonym and volunteered themselves to the authorities, their opinions could have been curtailed. Their mission to inform the public of governments' evil deeds could have been stopped. Similarly, if Snowden volunteers himself to US authorities, the US will be able to keep his mouth shut and his mission ends up there to avoid any further damage to the government.

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [tttz](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1868616)

about 18 hours ago

Wouldn't that depend on what his action have caused? Is the benefit ( such as knowing the truth? or acknowledge what government/administration does in order to make sure we have the right group of people stay in authority) justify the possible downside consequences (such as instability of society and lost of trust to the authority, impair the ability to fight the criminals if we stop the program) ? Low is written by human, the existence of low is to serve human. We will take just in to account on the condition that we've defined what is just. otherwise, we can always change the low to what we decide to follow?

-Tansy

Report Misuse

* + oops. Law not low. typo.my bad

–posted about 18 hours ago by [tttz](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1868616)

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [gprice](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1393732)

about 18 hours ago

In my opinion, there is insufficient oversight of the Foreign Intelligence Surveillance Court, the court that issues the orders under which data is collected from telecom companies. Unlike most courts in the United States, there is no adversary responding to requests from the United States, and there are no appeals when the court issues orders. Some of the orders revealed by Snowden constitute general warrants that violate the Fourth Amendment of the U.S. Constitution. The only way for those warrants to be challenged is for them to be revealed, and I thus believe that the revelation of those orders in particular was necessary and just.

It's difficult to pass judgment on his actions as a whole, because we don't know the entirety of what he revealed. Given that the Guardian has held back some of the documents, it seems likely that he revealed information that legitimately should have remained secret, and thus acted unjustly overall.

Report Misuse

* + It seems to me that the question should be, is secrecy morally acceptable? Information empowers, by hiding information, you are actively disempowering people. By defending secrecy with "but the other side has secrets too" does nothing to defend an immoral action.

Is it morally right for a government to withhold information from its people?

James Hoyle

–posted about 18 hours ago by [JamesWolf](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/648896)

* + I think there are absolutely morally acceptable secrets. Take, for example, troop movements. Do you think the Allies in World War II should have been obligated to publish the fact that they were going to storm Omaha Beach?

–posted about 18 hours ago by [gprice](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1393732)

* + Good answer prof, thanks :)

–posted about 18 hours ago by [JamesWolf](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/648896)

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [Richard-S](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/937497)

about 19 hours ago

If all Snowden did was call out 2 programs not known to the public. I don't believe that alone is treason, but If Snowden went further, as he is accused, to add details and people who are in the program, that would be treason. My reason is everyone knows the U.S. government has been spying on everyone they can so it should not be a "big deal". However, giving others information of the details,would allow "enemys" ability to compromise the programs or people.

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [JamesWolf](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/648896)

about 18 hours ago

It seems to me that the question should be, is secrecy morally acceptable? Information empowers, by hiding information, you are actively disempowering people. By defending secrecy with "but the other side has secrets too" does nothing to defend an immoral action. Is it morally right for a government to withhold information from its people? James

Report Misuse

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

about 18 hours ago

What is the moral value of privacy in the digital realm? Does its value lie in our right to the self-determination of our identity? What frameworks can we use to attempt to find the answers to these questions?

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [MeryPopp](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1669564)

about 18 hours ago

Hi all! I'll apologize in advance for my lousy management of english...I'll like to say that I believe that it is really important what the Snowden's case is puting on debate to public square, and all over the world this discussion it's a compelling need. It's this the way in we are agree to live in society? by spying on each other?

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [intor1](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/403740)

about 18 hours ago

There is s difference between disclosing a governmental violation of justice, such as developing biological weapons, and releasing the biological weapons to draw attention. Compare such a hypothetical to the risks associated with disclosing the existence of intelligence gather and the release of protected information.

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [SantiagoA](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/973102)

about 18 hours ago

Dear Prof Sendel,

I agree with you that we should concentrate in the real debete. Personally I will support if the Administration use that information to prevent new criminal act, but that use must be under control, trying to avoid an arbitrarial abuse of that.

Report Misuse

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

about 18 hours ago

It seems there is a trend of acceptance for the state to infringe upon ones freedom and liberty. these are freedoms that have been eroded over time. The fear, real or imagined, of attack, is one that forces society to willingly forgo their freedoms. As security is one of the top things humans want. Yet freedom of liberty, and freedom of expression are concepts that individuals hold dear. As well as not knowing that one has lost their right to consent in regard to forgoing freedoms. It is these things that may make individuals object to the states interference. Wayne, Ireland.

Report Misuse

Top of Form



Bottom of Form

1. [0](javascript:void(0)) [CarolynH](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/627269)

about 18 hours ago

Re: Snowden: I agree that the narrative of the individual is superseding the discussion points raised by his actions. To widen it further than the current US discussion - I do think transparency is important, however benign and effective current governments are. I would consider the idea of how any future non-benign governments may use qualitative data on individuals. Historically, prior to World War II, Jewish citizens in the Netherlands were identified from records collected for benign purposes of identifying public resources needed for social groups. Once being occupied by the Nazis this had adverse consequences for Jewish/Dutch citizens. Would you agree there is a question wider than safety vs privacy but of current safety vs future safety? A current intention vs a future one?

Report Misuse

Top of Form



Bottom of Form

1. [1](javascript:void(0)) [Jthiret](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/448420)

about 4 hours ago

It is more important to assume that what is just and what is legal are never the same. What I mean is look at WWII Germany, most of the atrocities were backed by German Law. The Nazi party put into place dozens of laws making all of their actions "legal", and were considered just by the majority at the time. Law can only serve justice so long as laws do not impede,supersede,or impose standardized morality. Morality and justice under the law is a fleeting concept and can often be warped to serve the ideals of cruelty under the guise of security or necessity. When human rights are concerned and freedom no governing body can dispense justice   
only those effected can decide the extent the law can reach.

Report Misuse

Top of Form



Bottom of Form

1. [2](javascript:void(0)) [milarepa](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/522254)

a day ago

Law is built upon Justice. In many regards Law should be the dynamic expression of Justice. Justice is concerned with what is morally right with common sense as it's bedrock. For society. And society by it's very nature is dynamic. However, whilst it is society that demands what is morally right, it is the state that decides how that is enacted, in it's Laws.

In this way, once can see the disparity between Law, and what society expects of Law. When society talks about Law, it may actually be referring to Justice. As that is what is second nature to the individual.

Report Misuse

Top of Form



Bottom of Form

1. [2](javascript:void(0)) [Soup2Nuts](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1386590)

about 19 hours ago

I will not respond lest the NSA would take note.

Report Misuse

* + And this is why a broad surveillance state diminishes our supposedly societally-granted right to free speech.

–posted about 18 hours ago by [privacyisdead](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1542507)

* + You can laugh, but that is EXACTLY what it will do too many people, and this then leads to governments abusing power. Government is supposed to do for us, represent us, not suppress.

The argument or statement for a short leash for government is very wise.

–posted about 18 hours ago by [greggwri](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1890653)

* + Brilliant....

–posted about 3 hours ago by [Luis\_Castro](https://courses.edx.org/courses/HarvardX/ER22x/2013_Spring/discussion/forum/users/1489478)

Top of Form



Bottom of Form

Top of Form

Bottom of Form