

Privacy and Security on the Internet: the Balance between National Interest, Individual Civil Liberties and the Global Society

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Abstract

The borderless nature of the Internet has long resulted in conflict between the desire of governments to monitor the activities of their citizens, often citing national security and public protection as a justification, the global, extra-terrestrial nature of the Internet architecture itself, and the often fervently libertarian beliefs of many active Internet advocates . Within this context, important questions of civil liberty and freedom are determined in an environment where there often seem to be no rules and no institutions capable of judging what should be the appropriate balance between privacy and security, public interest and individual civil liberty. The recent storm of controversy over the disclosure by Edward Snowden of the extent of the surveillance conducted by the National Security Agency in the United States and GCHQ in the United Kingdom has brought this conflict sharply into the focus of public attention. As peoples lives become increasingly lived online, as more and more of us almost unthinkingly become “digital natives”, the need to find a more appropriate way of addressing the problems of Internet governance becomes ever more vital to avoid a complete loss of confidence in the Internet.

Taking an empirical approach, this paper will identify the principal players in the business of Internet governance, national, international and supra-national, and the roles they currently play. It will then identify and analyse the true nature of the privacy and security problems faced by today’s Internet and the tensions that often arise between the competing claims of national interest, individual civil liberties and global society. Finally, it will suggest ways in which all players may work together more effectively to establish relationships that provide a more stable and appropriate environment for providing privacy and security on the Internet. This will, of necessity, involve a multi-disciplinary and multi-agency approach combining legal, political and cultural measures with governments, the private sector, individuals and civil society all having important roles to play.