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National Security versus the Democratic Process

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National Security versus the Democratic Process

Posted on April 4, 2014

Comments from a viewer at the [Data Privacy & Transparency in Private and Government Data](#), April 4, 2014, at Benjamin N. Cardozo School of Law.

In June of last year, Edward Snowden revealed to the public the lengths the NSA will go in the name of national security. But what interest does our nation value the most? Should we put the need to ensure national security above all else? Or should even the means of creating security be held accountable under the democratic process and the three branches of the government?

Nathan Cardozo began his speech with conflicting quotations from our own government. On the one hand, President Obama has affirmed “we can and must be more transparent” but on the other, the Department of Justice has stated our country has an “unquestioned tradition of secrecy.” The question Mr. Cardozo poses is how these both can function as legitimate representations of our government’s interests? Moreover, why is an unquestioned tradition of secrecy permission for such a practice to continue? Rather, as Mariko Hirose explained, when Snowden illuminated the practices of the NSA, it cracked the door for transparency, and that transparency can lead to informed thinking, and then to accountability. This transparency, and as such accountability, must continue without leaks forcing the government’s hand.

Currently, despite the public knowledge that certain practices of the NSA exist (such as the coordination between AT&T and the NSA), the NSA continues to treat these policies as state secrets. However, if through the proper democratic procedures (such as legislative action, executive action, and judicial reform) the actions critical to ensure national security are held accountable, perhaps national security and the democratic process do not need to be mutually exclusive interests.