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Digital Surveillance v/s Privacy Rights: A Debate in Modern Age.

3.8/10

① Introduction

② Digital surveillance is a prerequisite in a fast evolving tech-savvy world.

- (i) To secure national interest, keeping a close check on digital activities is must.
- (ii) Digital surveillance keeps social unrest at bay.
- (iii) The fluid digital borders allow openings to geopolitical rivals, making digital surveillance non-negotiable.
- (iv) Without policing cyberspace, states run risk of falling into trap of non-state actors.
- (v) The entire order of a state could be compromised without plugging the loopholes of digital security.

③ Digital surveillance is repugnant to the modern constitutional order of nation-states

- (i) Prying on digital activities conflicts with the constitutional guarantees of liberty and privacy.
- (ii) Digital surveillance is an extension of long-standing denial of fundamental rights.
- (iii) Democracy rings hollow without safeguarding digital rights.
- (iv) Without digital rights regime in place, progress will be glacial.
- (v) Digital privacy not only serves individuals but also nations, as serving citizens amount to serving nation.

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④ Finding middle ground between digital surveillance and privacy rights: Synthesis

- (i) There must be parliamentary or ~~judicial~~ judicial oversight on digital surveillance.
- (ii) Clearly delineated checks should be established to serve both grounds
- (iii) The concerns of digital snooping must be brushed under the carpet
- (iv) Technologies that run down the digital infrastructure, by virtue of which digital privacy, should not be employed
- (v) No institution should assume carte blanche in the name of digital surveillance, as digital rights cannot be abridged

⑤ Conclusion

Thesis Statement:

Succinctly, in today's world, digital surveillance is entrenched - and rightly so. Yet, states need to craft mechanisms to protect whatever privacy the world is left with.

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The idea of limited government inspired many - so much so that the thirteen British colonies went to war against their mother state in late 18th century, all in a quest to attain a perceived liberty, which could only be achieved by diluting the authority of central government. On the face of it, it attracted millions, sweeping across North America and Western Europe within decades. However, as society grew intricate, complex and globalised, the notion of liberty, rights and limited government found its limits, compelling governments to expand their role in safeguarding national interest. In today's globalised and tech-savvy world, such expansion has found expression in digital surveillance to keep the wheels of society rolling. For governments, taking a broader view of underway changes posing threat to national interest is indispensable. However, such an open-ended role that sneaks into an individual's privacy rights does not auger well for the social contract undergirded by constitutional guarantees of fundamental rights. It is equally detrimental to the health of already fraying democracy. Ironically, digital experts note, the regime of surveillance could well feed into unrest governments are intending to evade. Conversely, the claims of government are not unfounded. Geopolitical nemesis and belligerent non-state actors have exploited the transnational character of digital sphere. Taken together,

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both arguments hold ground, requiring a middle ground to serve both national interest and the interest of an individual. Indeed, digital surveillance cannot be renounced altogether, but there should be mechanisms ensuring privacy rights are not out and out violated and brushed aside. It could involve judicial checks, parliamentary oversight and legal instrument to keep lofty ideals of privacy and liberty central to the working of society. Succinctly, in today's world, some of digital surveillance is entrenched - and rightly so. Yet, states need to craft mechanism to protect whatever liberty and privacy the world is left with.