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Liberty versus Authority: Apple and the FBI

Some situations are so complex that it is difficult to conduct an ethical analysis without setting boundaries for the case. The current legal struggle between Apple and the FBI over the goal to open a San Bernardino terrorist's cell phone provides one example of meaningful legal conflict with ethical claims.

First, let us assume (as some news reports suggest) that the FBI is not seeking more than for Apple to disable a memory scrubbing feature that would effectively clear the memory of the phone if too many failed login attempts were conducted. It is unclear to this low-tech author whether or not this qualifies as the "back door" that Apple is refusing to open for the FBI. Again, let's assume the process can be completed by Apple without giving its proprietary secrets out to the public or the FBI. Is Apple's corporate "liberty" (their business interest) compromised beyond the benefit to society to see the FBI's authority upheld to gain access to the phone's data?

Apple's CEO is suggesting that Apple's and their clients' security worldwide is potentially compromised for this one case. The FBI and others are dismissive of this argument and counter claim that this case is limited to one phone and any future cases would require a court order as in any search of property.

Retired CIA/NSA Director General Michael Hayden seems to take both sides (narrowly with the FBI and more broadly with Apple) in the video here. - <https://youtu.be/KSIQiS7vb3w>

While acknowledging the technical complexity of the case, students can discuss where individual and corporate liberties extend and when should they be compromised in support of legitimate authority seeking the common good. We invite students to use the core values of liberty and authority to analyze the current case where two Goliath's in our culture are both are claiming the ethical high ground.



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