

The outrage of wiretaps

by Ina and Morton H. Halperin

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The claim of the executive branch that it had the right to engage in electronic surveillance simply by invoking the magic words "national security" has never been sustained by the courts or the Congress. The Supreme Court, when it addressed this issue for the first time in 1971, ruled 8 to 0 that the Constitution did not permit the Government to tap the phones of American citizens without a court order, regardless of any claim of national security. That was the law of the land based on the Constitution before as well as after the Supreme Court spoke.

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