

Debating government surveillance: necessary evil or political weapon

[Government](#)



**ASSIGN
BUSTER**

The topic I chose to research was government surveillance, also known as “Big Brother”. I chose to research big brother because I was really interested in finding out how our government spied on its citizens. I didn’t really even know it happened until I began researching about it, and then it hit me that I wanted to know more. I heard about it on the news here and there but I didn’t know much about the government spying on us before I started researching the topic. I learned a lot of government spying. I learned the many ways that they in fact do spy on us including, drones, cell phone recordings, and video surveillance. I learned multiple ways that the Patriot act is abused. Those ways include how they completely ignore the fourth amendment of no unauthorized search and seizure by spying on a completely innocent person for weeks. Also how a government employee was using databases to spy on his ex-girlfriends movements. I hope that the reader learns about what our own “ free” country leaders are up too. I want them to know that they are probably being spied on at this very moment. Not physically by a person but by computers and those computers store our private information. I want them to know that the more “ Smart” technology they buy, the more vulnerable they are to government spying. Finally I want them to know that this won’t stop unless the people of the United States put a stop to it. I found overall that the research was easy for me. The topic was very interesting and very easy to get into. The only hard part was finding which topics to talk about with all the topics to choose from in government spying. Overall I felt really good about the research; I learned a lot about my topic and will carry this information with me and try to put a stop to big brother.

Abstract

Big brother is watching you and you don't even know it. If you just sent a text or had a phone call, that information is now stored in database somewhere without your permission. Welcome to the world of government surveillance. In this paper I will talk about all the secretive ways the government tracks and spies on us. They include cell phone spying, video surveillance, location, credit card information, and even being spied on by a fake humming bird. Supporters say it helps combat terrorism, but they are wrong because terrorists have already worked around these obstacles. The government is abusing their power and it needs to be stopped.

Findings

Big brother is watching you this very second and you don't even know it, by big brother I mean the United States government. The government watches us in slew of different ways. Ever since they passed the Patriot Act they can view our private information in a matter of seconds. I believe that government spying is out of line, unacceptable, and unconstitutional in countless different ways. It needs to be stopped and it is imperative that there be laws put in place that will stop these actions on the American public that knows little about it.

President George W. Bush signed the Patriot Act into law on October 26, 2001, about a month after the attacks on 9/11. The purpose of this act was to find future terrorists, but in doing so it violates many civil liberties in the constitution. For 6 years it violated the fourth amendment of no unreasonable search and seizure without probable cause. In 2007 Brandon Mayfield of Oregon was falsely accused of plotting the Madrid bombings
<https://assignbuster.com/debating-government-surveillance-necessary-evil-or-political-weapon/>

because of a fingerprint error (CNN, 2007, p. 6). “ Mayfield claimed in the suit that his home and law offices were secretly broken into by the FBI, his clients’ files at his office were searched, his business and personal computers were secretly copied, his telephone was wiretapped and his home was bugged” (CNN, 2007, p. 8). The government says they did this because they narrowed it down to twenty suspects, and he was one of them just because of his fingerprint, they had no probable cause. “ It is critical that we, as a democratic nation, pay close attention to traditional Fourth Amendment principles (CNN, 2007, p. 2)” wrote Judge Ann Aiken of the U. S. District Court for the District of Oregon in her 44-page decision. “ The Fourth Amendment has served this nation well for 220 years, through many other perils” (CNN, 2007, p. 2). I agree with the judge on her statements. We cannot just forget about the fourth amendment to fight against terrorism, we need to work around it and develop new ways to do it that is how this nation has worked for two centuries. Supporters of the Patriot Act argue that it has protected our nation from terrorists’ attacks over the years, but in reality they are still happening. Would you want the government spying on your family, watching and listening to every word and action you say and do without probable cause? The Patriot act is a corrupt way of combating terrorism and needs to be rethought and approved by the citizens of the United States. The Patriot act is a rushed and unconstitutional way to combat terrorism. According to Judge Andrew P. Napolitano “ It was born in secrecy, as members of the House of Representatives were given 15 minutes to read its 300 pages before voting on it in October 2001, and it operates in silence, as those who suffer under it cannot speak about it”(2013, p. 4). The Patriot Act gives the

freedom to FBI agents to freely write their own search warrants and converts them into national security letters (Napolitano, 2013, p. 5).

“ National Security Letters (NSLs) are an extraordinary search procedure which gives the FBI the power to compel the disclosure of customer records held by banks, telephone companies, Internet Service Providers, and others” (National, 2005, p. 1.). National security letters are in direct violation of the fourth amendment which is that you need a search warrant from a judge or have probable cause, most of the time they do not have probable cause. The case that I talked about earlier is a perfect case where they violate the fourth amendment and have no probable cause to search the man’s home. Before the Patriot act was passed national security letters could only be used in very specific occasions. According to the Inspector General’s Report in 2000 before the Patriot act was passed about 8, 500 national security letters were used. After the Patriot act was passed from 2003 to 2005 143, 074 national security letters were used as seen by this graph.

That is an insane increase in letters that were used. If they did not have to use that many in the years before the Patriot act, I don’t get why they can get away with abusing the Fourth amendment. Something needs to be done so people can get their privacy back. If an FBI agent gets a national security letter they can see a variety of your private information such as telephone and e-mail records, financial records such as your checking account, and your credit information (National, 2005, p. 2-4). That is very personal information that they can access at the click of a button.

As technology keeps advancing so does spyware, “ Estimates vary, but by 2020 there could be over 30 billion devices connected to the Internet” (Crump, Harwood, 2014, p. 1). Everything will inevitably be “ Smart” such as smartphones, smart TV’s, smart refrigerators, and smart homes. You will always be connected in some way. This is good in that it will make your life easier, but also very bad in that you can never get away, or disconnect from technology. The “ smarter” your life gets the less private it is. Everything that is connected to the internet can collect data about you. “ Welcome to a world where everything you do is collected, stored, analyzed, and, more often than not, packaged and sold to strangers — including government agencies” (Crump, Harwood, 2014, p. 8). Companies like Facebook and Twitter are known for collecting data off of their websites and selling them to the government and other companies. It’s even happening on TVs, “ The British tech blogger Doctorbeet discovered that his new LG Smart TV was snooping on him. Every time he changed the channel, his activity was logged and transmitted unencrypted to LG. Doctorbeet checked the TV’s option screen and found that the setting “ collection of watching info” was turned on by default. Being a techie, he turned it off, but it didn’t matter. The information continued to flow to the company anyway” (Crump, Harwood, 2014, p. 11). That is alarming information, even televisions are collecting data from you, although it may not be that private of information, it is still something about you that is now in a database somewhere and you would not even know unless you found it in the settings. The companies are just selling our personal data to be stored and used for marketing strategies and to be stored in federal databases. There’s no way to predict how far these

corporations will go just to make a buck off of our information, but if the laws do not change, they will go as far as they have to.

“ If you haven’t done anything wrong, you have nothing to fear” (Wu, Chung, Yamat, Richman, 2008, p. 4) says the government and supporters of government surveillance. But is that really true? There have been many cases of people’s homes and technology being spied on even if they haven’t done anything wrong just like the one I talked about on page 2. Even if you were not a suspect would you really feel comfortable knowing that all of your private information is locked away in some mass government database for years and years? I know I wouldn’t and deep down the so called “ supporters” of this joke of a Patriot act we have wouldn’t either. It’s not ethical and is abused every day. In the September of 2007 Benjamin Robinson, a special agent of the Department of Commerce, was indicted for tracking the movement of his ex-girlfriend and her family. He did this using a database called the Treasury Enforcement Communications System (TECS). They say he did this 163 times before he was caught, just think about that figure (Wu et al., 2008, p. 7). That’s how easy it is for an employee of the government to look at your private information. It is bad enough that the government collects warrantless information about us. But they are crossing the line when their employees are granted access to that type of information; it’s getting out of hand. This could be happening every day and no one even knows about it.

Have you ever been out on a nice day watering the flowers or just having a good time with your family and see a humming bird fly by and admire its

beauty, will think again because that could be what's known as a "Hummingbird Ornithopter"(Nick, 2011, p. 1). Hummingbird Ornithopters are designed to behave exactly like the real thing. Nick states that

A company called AeroVironment has been working for DARPA, and has made a tiny little Ornithopter. Unlike this human-powered one, this guy isn't human-powered. In fact, it's designed to specifically have little to no human interaction. It's being built, presumably, to be a spy. A tiny, stealthy, avian spy. (Nick, 2011, p. 1)

That's what this world is coming to, a world where you cannot hide from anything. In the next five to ten years these will most likely become the norm around the United States which is pretty scary. Supporters of these must be crazy if they want them and all of their loved ones to be spied on at any time. This is one of many ways technology is advancing to help the government spy on their citizens. It will keep advancing at a rapid rate until something is done about it. We need to do something about it, if we don't the government will keep abusing their power.

Many people know about the government keeping the phone records of its citizens. According to some this is a good thing, but according to most this is a very unacceptable. The National security agency is most famous for keeping phone records but there is a new way to keep records, it's called "Tower dumping" and it's done by a new technology called a "Stingray" (Kelly, 2014, p. 4). Tower dumping is a relatively new technology that is used by local police departments. "Dozens of local and state police agencies are capturing information about thousands of cellphone users at a time, whether

<https://assignbuster.com/debating-government-surveillance-necessary-evil-or-political-weapon/>

they are targets of an investigation or not” states Kelly (2014, p. 2). These fake towers trick your cell phone into thinking that they are connected to a real tower when in fact they aren’t. Once the cell phone is connected the police department can then see all of your text messages and calls, your location, and all your payment records, this information is then stored in a database (Kelly, 2014, p. 1). “ Police maintain that cellphone data can help solve crimes, track fugitives or abducted children or even foil a terror attack”(Kelly, 2014, p. 7). This process is seen in the diagram above. They do not say anything about the innocent people’s privacy they’re invading though. Organizations such as the American Civil Liberties Union and Electronic Privacy Information Center are fighting for people’s privacy, saying that this, and many others ways of data stashing is violating the fourth amendment in a huge way. Alan Butler of the Electronic Privacy Information Center states that “ I don’t think that these devices should never be used, but at the same time, you should clearly be getting a warrant” (Kelly, 2014, p. 9). I strongly agree with Butler, if the police need a warrant to search someone’s house or car, then I believe that they would also need one to search your cell phone records, it only makes sense. If we do not change the laws then the government is going to keep abusing them and create more and more technologies like the “ Stingray”. In fact they already are.

There is a company called BRS labs that is working on a camera that senses commotion, the device is called a Pre-Crime Surveillance camera (Snyder, 2012, p. 3). There are already installed in San Francisco at many of the transportation hubs around the city (Snyder, 2012, p. 3). They work by keeping all the footage in a database and when a crime happens it tries to

tell how the person acted suspicious (Snyder, 2012, p. 3). There could be many things that could go wrong with this technology. It could falsely accuse someone of a crime they are not committing. This could cause a lot of unneeded trouble at these travel hubs. Also they are keeping all this footage of people for years, which I would not be comfortable with, and most Americans would not be comfortable with that either. No person would feel comfortable knowing that footage of them is stored in databases across the country, not even the supporters of this act.

“ Proponents of the Patriot Act say heightened surveillance and tighter coordination between intelligence operatives and law enforcement officials is working to keep terrorists at bay”(Mooney, 2008, p. 2). Terrorist’s attacks still happen though, for example, the Boston Bombing that took place in 2013 and the Sandy Hook Elementary shooting that took place in 2012. They may have decreased a little in number but they are still happening. There has to be another way to combat terrorism, not ways that are hidden from the public and jeopardize the United States citizen’s privacy. One supporter stated that “ There has not been one significant proven abuse of the Patriot Act five years after it was initially authorized” (Mooney, 2008, p. 17). That is a false statement because in 2007, one year before this article was published, there was the case I talked about in page two where he was searched with no warrant, and was not guilty. Another prime example of how it is abused. That brings us to the question of what actually is freedom these days?

With all this surveillance and government involvement, what is the price of freedom? From the time the Declaration of independence was written to now, almost 250 years after, we thought we have been free, but have we? “ We Americans are a freedom-loving people. Or so we like to think” (Kinsley, 2003, p. 1). Kinsley states that the Patriot Act has taken away our freedom of privacy that we have had for two hundred plus years and one of the main fundamentals that has ran this country. “ Congress handily and swiftly passed the USA Patriot Act on Oct. 24 with little debate, almost no public comment and scant media attention. It’s probably a darned good thing for Congress, too, because if the public understood how insidiously the act could encroach on their privacy” (Slaton, 2001, p. 2). So is this the price we pay to be free? To be spied on constantly by our own government, to never be able to escape if you wanted to. “ The USA Patriot Act is so far-reaching and broad that every American’s fundamental right to privacy is jeopardized on the offhand chance that the Feds will catch terrorists dumb enough not to use anonymizes, code words and encryption” (Slaton, 2001, p. 7). I do not believe that the Patriot act helps combat terrorism, terrorism still happens, there are new plots for it every day, and the terrorists know how to work around the governments spying. Any smart terrorist that knows the Patriot act exists will just simply not say their plan over the phone where the government will find it. This is why I think this nation needs new ways to fight against terrorism that does a better job at it, and also follow the guidelines of the constitution that has been in place for two hundred plus years. The definition of freedom is the power or right to act, speak, or think

as one wants without hindrance or restraint. That is not the case with the Patriot Act; our freedom is being jeopardized greatly.

In conclusion, the Patriot act is a corrupt act that needs to be removed from the United States government. The act is abused in many different ways by government officials that most of the population does not even know about. The act counter argues the United States constitution amendment of no unauthorized search and seizure which has been a law since day one of this country. This act jeopardizes the whole United States population's privacy. It goes against all the principles of why and how this country started, even the biggest one, freedom. This behavior by the government needs to be stopped, and the only ones that can stop are the people of this country. We need to fight for our freedom and our privacy; nothing will be done to change this if the people don't start challenging the government to make this act more constitutional and fair. Just always know that big brother is in fact watching you when you least expect it, and he will be until we do something to stop it.