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In the article "Civil Liberties Debates: Are rights being lost in the war on terrorism?", the author weighs the issues surrounding the USA Patriot Act. Within the article is a section At Issue: Is the government misusing the USA Patriot Act? This section gives us a look at argument through two different perspectives. One is through Timothy Edgar, Legislative Council at American Civil Liberties Union, who is in opposition of the law. The other is Paul Rosenzweig, Senior Fellow at the Heritage Foundation and Professor of Law at George Mason University, who is in favor of the law.

After reading both of these compelling arguments, this author has decided to side with Mr. Rosenzweig, due to the confusion surrounding the Patriot Act, and the contradictory sentiment of somehow losing liberty by trying to protect it. The first point to make on why the Patriot Act is necessary is understanding that it is a critical tool in protecting the U.

S. from a broad range of attacks. Consider these 2 provisions Congress renewed May 2013. First, Congress allowed the use of "roving wiretaps" back in 1986 - court orders that grant police the ability to listen to criminals through their phones. The Patriot Act allows the same thing in terrorism investigations. While this may sound like something that can be imposing of liberties, the Patriot Act features very rigid safeguards.

Agents can't obtain this ability unless they receive a judge's permission, by being able to clearly establish that the suspect is involved terrorist activities. Second, Grand juries in common criminal cases regularly subpoena "business records" from companies like banks. The Patriot Act allows counterterrorism agents to go through the same documents.

It is also important to know that the law's protections are even stronger than the grand jury rules. While ordinary criminal prosecutors issue subpoenas anytime they please, the Patriot Act requires the counter-terrorism agents to first get a judge's approval. Another matter of importance is the law does not allow Americans to be investigated on the basis of actions concerning First Amendment, and there are limitations that apply to sensitive materials like library records. Rosenzweig touches on the subject of the concern librarians had shown over Section 215. The librarians had said the law would allow the government to have unlimited access to all library records, which they deemed unconstitutional. Rosenzweig then discusses how it was possible to receive library records through subpoena before the Patriot Act was written.

He also cites how in the two years since the law had taken effect, the government had not once used its power to use Section 215. The second point of the argument is how there may be ways to improve the current law, but the idea of abolishing it altogether is more of step in the wrong direction than anything else. Rosenzweig gives the idea of how the "government has the dual obligation to protect us and to preserve our civil liberties". There is an inescapable tradeoff between security and liberty. Before the attacks on Sept. 11, the tradeoff accumulated in various laws and constitutional norms that U. S.

citizens believed sufficiently balanced these two values. Rosenzweig says "Maintaining 'balance' between freedom and security is not a zero-sum game". Over the years, we have witnessed how technological advances have put a greater pressure on the government to protect its citizens from harm.

These threats do not come only from foreign enemies, but also from domestic terrorists and ordinary criminals, to whom the Patriot Act also applies. As citizens, when we have lose our sense of security, it is normal and a legitimate action for the government to increase surveillance and other security measures, and to some extent the Patriot Act was just making up for lost time. So, although the threats from different enemies combatants rise and fall in threat-level and urgency, we still need the Patriot Act to protect people and give a more total piece of mind. The greatest and most obvious fear that is heard about the Patriot Act is the potential for government overreach and abuse of power. This is a very understandable suspicion, no one likes the idea of being watched without knowing it.

Before this author read these two arguments, he had the opinion that the Patriot Act was an overreaction a the government that was still in dismay about the September 11 attacks. However, Rosenzweig's comment of " So long as we keep an eye on law-enforcement activity, so long as the federal courts remain open and so long as the debate about governmental conduct remains vibrant, the risk of excessive encroachment on fundamental liberties remains remote." changed his perception. If a situation arises of abuse of power then the government will have no choice but to repeal and reform the law.

Until then, the government should continue to operate in whatever means necessary to prevent any attacks from happening again.