

Suspicion Is Not A Virtue: Mass Surveillance and Global Terrorism

Young Patriots Essay Contest

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Patrick Henry once declared, "Suspicion is a virtue as long as its object is the preservation of the public good, and as long as it stays within proper bounds." Although this piece of wisdom sounds rather straightforward, it comes wrapped in many difficult questions, especially when applied to 21st century America.



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Since the terrorist attacks on 9/11, both the U.S. government and U.S. citizens have struggled to find the “proper bounds” of suspicion. With the rise of radical Islamic terrorism, this line has become even harder to define. Unfortunately, instead of seeking a solution to this dilemma, the U.S. government has ignored Henry’s wisdom and implemented massive government surveillance endeavors, such as the National Security Agency’s bulk collection program, that neither stay within bounds nor preserve the public good. While the emerging and ongoing threat of global terrorism must be addressed, it should not warrant the massive, intrusive, and unconstitutional level of surveillance the U.S. government currently employs.

In October 2001, the U.S. government initiated a new phase of surveillance primarily in response to terrorism, beginning with the PATRIOT Act. While intended to protect Americans, this act authorized the government to vastly expand its surveillance, permitting it to “track the details of every phone call, every text message, every email, locations of every vehicle

... [and even] people who play video games,” without a warrant and in complete secrecy. For years, the government has collected information on individuals with little or no evidence of wrongdoing, and such collection has remained behind a closed curtain. While shrouded in the guise of providing national security, these activities may be as great a threat as global terrorism, only in this case, the threat comes from within the United States itself.

William Pitt once told the members of the House of Commons that “Necessity is the plea for every infringement of human freedom. It is the argument of tyrants. It is the creed of slaves.” Yet necessity has become the prevailing argument for the bulk surveillance of U.S. citizens. To fight terrorism, officials and advocates explain, the government must have information. Unfortunately, in the vain search for total security, the government has itself become a source of danger. Its ability to monitor even innocent Americans, combined with the amount of knowledge it possesses concerning them, can easily be abused. When the government presumes to defend its citizens by tracking them, it becomes the entity from which citizens need defending. No longer does Big Brother seem a distant fantasy. Terror from without becomes terror from

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within.

Mass surveillance, regardless of its intention, restrains liberty. In the name of security, the United States government has disregarded the freedom of its citizens. “We have done exactly what the terrorists desired,” explains Allen West. “We have created more government agencies and even, in some cases, turned the power of the federal government against the American people.” When the government knows all, it can control all. And when the government controls all, the people have no liberty. As Dwight D. Eisenhower noted, “If you want total security, go to prison. There you’re fed, clothed, given medical care and so on. The only thing lacking is freedom.” Both terrorists and governments can squelch people’s liberties.

Government surveillance primarily undermines individuals’ freedom from unreasonable search and seizure, as outlined in the 4th Amendment to the Constitution. When the Founders crafted this amendment, they did so in response to the British soldiers’ ability to issue their own warrants, a power they greatly exploited. They desired to ensure that the government could not compromise its citizens’ liberty and privacy unless it found evidence of a crime. But the government has now granted itself the authority to ignore that requirement. Mass data collection constitutes a general warrant, namely, “to keep everyone safe.” The 4th Amendment was created to protect American citizens from an intrusive government. The government has short-circuited

that protection.

Despite the government’s claims, these assaults on the 4th Amendment and the freedom of the American people have yielded nothing in return. This nation is still not safe from global terrorism. Mass surveillance brings with it many challenges concerning the war against terror. Most significantly, it overloads the government with useless data, making it more difficult to find and foil terrorists. Collecting information without bulk collection has not been an issue, but finding the right information with it has proven almost impossible. As Grant Gross notes, “In finding the very few bad actors that are out there, [mass surveillance is] not so good . . . [It] is like trying to look for needles by building bigger haystacks.”

Because of this, bulk collection has not and will not help America fight terrorists effectively or resourcefully. Despite its costs, both in economic and political terms, mass government surveillance does not offer Americans more protection. As the New American Foundation National Security Program affirmed, “Surveillance of American metadata has had no impact on preventing terrorism.” “From its inception in 2001 to this day, bulk collection has never made more than a marginal contribution to securing Americans from terrorism.” Americans have sacrificed their liberty and have received nothing in return.

The current state of surveillance in America is egregious. While the government

claims to keep its citizens safe, the citizens remain in a constant state of fear - fear of both terrorists abroad and the government within. In light of these facts, Americans must re-evaluate their position on government surveillance as it relates to global terrorism and the 4th Amendment. A proper balance can be struck between security and liberty, but it will take time and perseverance. Security from global terrorism must be pursued with diligence, but, as Patrick Henry proclaimed, “The most valuable end of government is the liberty of the inhabitants. No possible advantages can compensate for the loss of this right.”

Paige Murrell is the second place winner of the 2016 Young Patriots Essay Contest.

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