Individual Privacy And National Security

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Privacy, National Security, and the Post-September 11 Debate

It is quite a complex task to establish a balance between personal privacy and national security (Joint Task Force, 2020). The debate over privacy and security is a controversial one. However, the real issue is not which of the two should be given priority. The real concern is the effects that the government policies regarding national security have on the people of the United States. The close relationship between individual privacy and national security creates a difficult situation for the government of the United States of America to focus solely on one of these aspects without influencing the other. The real solution to the problem should be to ensure that people are safe without affecting their privacy.

The controversy surrounding the issue of individual privacy and national security was brought to the forefront after the devastating incident on 11th September 2001. However, the issue has existed for a long time, but it was not of as much importance as it is now because it did not have a significant impact on people's personal privacy. However, the terrorist attack of 9/11 necessitated a comprehensive policy on national security. Therefore, the result was the introduction and implementation of the Patriot Act. This legislation gave security officials the authority to search people suspected of terrorist or criminal activities.

However, the Patriot Act gave birth to a heated debate on its adequacy. Some people argued in favor of the legislation, regarding it as vital for ensuring the security and safety of American citizens, so if it infringed upon the privacy of people, it was completely acceptable. On the other hand, the main argument presented against the Act was that it violated the basic rights of Americans that are guaranteed by the Constitution, such as individual privacy and freedom of speech.

Government Surveillance, Cyber Threats, and Democratic Risk

With the passage of time, the privacy of Americans is increasingly infringed by the laws and policies of the American government. In fact, the issue has come to the forefront of the U.S. political scenario and the country's international relations. The government has strong views on the issue of relations

with the European Union. The EU has been concerned about the privacy rights of the Europeans visiting the United States. Therefore, the EU tried to reach an agreement with the U.S. so that the Europeans were not subjected to vigorous surveillance. However, in response, the U.S. mandated all foreign airlines to submit all the personal information of the passengers that they bring to the United States. This measure by the U.S. government highlights the fact that it gives priority to national security over privacy.

It cannot be denied that recent times have witnessed an increase in terrorist activities all over the world. These conditions are used as an excuse by the government and the policymakers to listen to the private conversations of American individuals on platforms like Viber and WhatsApp. The foremost evidence against such measures is that despite surveillance, terrorism has not lessened. In fact, such activities are still occurring all over the world. The United States of America is a country founded on the golden principles of liberty and freedom. In fact, it is the very reason that people from all over the world migrate to the U.S. They come here to escape from the hardships and human rights abuses in their native countries. America is a symbol of hope and opportunity for them. Therefore, using terrorism as a pretext for infringement of the privacy rights of people cannot be justified in any way. The freedom ensured by the American Constitution can never be given away over security, as it is impossible to ensure complete protection and safety anyway.

Furthermore, the reports by the intelligence of the United States that Russia interfered in the U.S. presidential elections of 2016 by providing false information on social media platforms like Facebook and Twitter are being used by the government to implement ever-stricter monitoring of these sites. The U.S. Congress and the House of Representatives have thus called for federal funding to enhance the measures of cybersecurity. Such a measure would infringe on the privacy of the Americans on these platforms. Therefore, these strategies are not acceptable. In fact, social media is a platform that grants people the opportunity to express themselves freely without any fear of reprimand. If the personal information of social media users is checked and they are put under surveillance, then it would present a very unethical and immoral situation. The Americans are a moral nation, and snooping into the personal lives of people is against the morality of the American nation.

Constitutional Rights and the Limits of State Security

Another major issue that arises due to the sole focus on national security is the freedom of speech and expression. It is a fundamental human right, and the U.S. Constitution has ensured that all Americans have freedom of speech. If the private conversations of the Americans are under surveillance by the security officials, it would not only be against the provisions of the Constitution but would also be immoral and unethical. It is not right to give up privacy for the sake of security, and that security is not a sure thing.

Moreover, the fact that the freedom of speech is being violated is further evident from the cases of

colleges and universities like UCLA and other institutions. The evidence is overwhelming in this regard. The 2017 case of UCLA, when Professor Keith Fink was fired merely because of his staunch support of the First Amendment and the freedom of speech, is a notable example of the inappropriate emphasis on national security. It created a negative image of the government in the eyes of the Americans. The students and the professors who view the people around them as being punished merely for expressing their viewpoints have to refrain from practicing one of their most basic rights, i.e., free speech. The educational institutions are the very place where the future generation of the country is groomed, and if these young minds are not allowed to express their feelings and opinions, then it is a very unfortunate situation.

The government and the state are responsible for ensuring the privacy of its citizens, and therefore, increased surveillance of people's personal lives and conversations is simply wrong. (U.S. Const. amend. IV) Moreover, the Constitution, especially the Fourth Amendment, is in place to protect the people from seizures or searches by the government that are unreasonable. Therefore, if a person is suspected of criminal activity, then she cannot be searched without proper warrants and permissions. This requirement also extends further to technological devices like cell phones and computers. Hence, the same rule applies to surveillance of people's personal accounts on social media platforms. If the great country of the United States with the strongest intelligence network system in the world was unable to protect its own sensitive data from its own intelligence contractor, Edward Snowden, then how can the government expect the people to give up their individual privacy for the sake of the illusion of security.

Therefore, in conclusion, the Constitution of the United States ensures the protection of the rights of privacy and free speech of all Americans. All the rights of the people are constitutionally protected and guaranteed. However, it is the liberals who have been trying to use the issue of national security to infringe upon the privacy of the American people. This right cannot be ignored in any scenario, and it is the responsibility of the government to protect this right in tandem with providing national security.

References

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