

Breach of Faith: Governmental Intrusion and the Struggle for Liberty

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Under ordinary circumstances, conducting historical research can be a long and arduous process. Scholars must read through countless books and comb through a plethora of documents in order to present a unique perspective on the decision-making of historical individuals and the impact that their actions had on society. This research process necessitates a wide availability of government documents and an environment of openness and privacy for scholars to write without intimidation or suspicion from the government. Librarians strive to make information available to scholars, but that objective has become infinitely more challenging since the terrorist attacks against the United States on September 11, 2001. Since that time, the United States government has perpetuated an unprecedented attack on American civil liberties in a manner that threatens the library profession and undermines the democratic spirit of the United States. This includes an unprecedented reclassification of documents, unconstitutionally monitoring the activities of library patrons through the Patriot Act, and illegally monitoring the everyday activities of Americans through secretive programs implemented by the National Security Agency (NSA).

Hastily reacting to the 9/11 terrorist attacks, Congress passed an undemocratic piece of legislation, called the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001. Since its inception in late 2001, this act, better known as the PATRIOT Act, enabled the United States government to collect in bulk the phone, banking, internet, and library records of all Americans, which is a clear violation of the fourth Constitutional amendment that prohibits unreasonable searches and seizures. Activity, such as this, in fact, was a factor that contributed to America's own revolution against the British as the British authorized vague search warrants, known as the Writs of Assistance. In order to prevent

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this type of abuse, America's founding fathers ratified the fourth Constitutional amendment as part of the Bill of Rights, which acted as a safeguard against governmental abuse.

National Security Agency contractor Edward Snowden patriotically revealed the extent of the government's illegal invasion of privacy. He explained that the government not only stored information in bulk, without a warrant, but that it also had the ability to monitor information typed from any computer in the United States. Additionally, he revealed the existence of the NSA's PRISM program, which compelled large corporations, such as, AOL, Microsoft, Apple, Google, and Yahoo to reveal information about its users (Harger, 2014, p. 18). Failure to release information resulted in heavy fines for these companies. According to documents released by Yahoo, the company faced daily fines of \$250,000 for not submitting requested information to the National Security Agency (Rushe, 2014). This was unjustified, unnecessary, and illegal extortion perpetuated by the United States government, which has governed undemocratically in the years following 9/11.

Upon hearing of Snowden's revelations, it really made me stop and question whether the United States had turned a corner towards having a fascist government. Thinking about it, every facet of American society is currently being monitored, including positioning cameras on every street corner, monitoring driving habits through devices, such as "Snapshot" from Progressive, global positioning system (GPS) tracking through smart phones, along with the government intrusion revealed by whistleblower Edward Snowden. This does not include invasive body scanners that have been installed and removed from American airports since 9/11 nor does it include governmental programs that may remain classified. Governmental monitoring to this

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degree creates a sense of paranoia and concern for the future of free speech and privacy in the United States.

Governmental monitoring, or the ability of the government to monitor its citizens often leads to debate among Americans between the virtues of security and privacy/freedom. Advocates of the former indicate that if individuals have nothing to hide, then there's no need to worry; they would trade in freedom and privacy if it would prevent another terrorist attack against the United States. The latter insist on maintaining America's traditional values of privacy and freedom and argue that once these virtues have been eroded, it is difficult to get them back. While all Americans want to prevent future terrorist attacks, security measures should not include curbing traditional American freedoms.

These traditional values include having ready access to historical information from what is billed as a government of the "people." Providing patrons with access to information and ensuring their privacy are among the values that librarians promote as basic standards of their profession. However, librarians find themselves in uncharted territory in a struggle to advocate for their patrons and preserve American liberty. Programs such as PRISM, which forced corporations to reveal information about users and the Patriot Act, which compelled librarians to violate their code of ethics and reveal information about patrons have eroded good will between Americans and their government. This trust is further compromised as the United States government has reclassified previously declassified materials.

In the late 1990s, President Bill Clinton issued an executive order that led to a massive declassification of historical documents that were over twenty-five years old. By 1999, however, that attitude of openness changed amidst the capture of a Chinese spy, named Wen Ho Lee, who

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the government alleged had tried to steal nuclear secrets. While the government was unable to prove this accusation, for which it later paid restitution to Lee, previously declassified documents began to be reclassified. Defense agencies, including the Central Intelligence Agency (CIA), the departments of Defense and Justice, along with military agencies, sought to reclassify a great deal of the previously declassified records. Following 9/11, this activity expanded exponentially as the National Archives and Records Administration (NARA), which held the records, was compelled to withhold them from public use (Aid, 2006).

While there may be some information that should be withheld from the public for national security reasons, what sense does it make to reclassify information that has previously been made available? Additionally, with frequent cyber attacks that manifest from places, such as China, it is possible for America's rivals to obtain such information anyway. Who is the United States government really keeping information from then? The answer appears to be from the American public, which ironically has less access to government information than enemy agents. That could only mean that the U.S. government is hiding illegal activity that it has been involved in that would compromise the image that Americans have of the nation's defense agencies. If the defense sector has nothing to hide from Americans, then why would there be a reason to reclassify information that it previously revealed to Americans?

Librarians are poised with a responsibility to fight censorship, maintain user privacy, and promote the traditional American virtues of American democracy, which include a free flow of information. Scholars conducting historical research and citizens who value liberty depend on establishments, such as the library, to advocate for free speech. While librarians need to comply with government laws, they can practice civil disobedience by deleting unnecessary circulation

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records and computer browsing histories to ensure that fewer records exist for government officials who insist on desecrating the Bill of Rights. That way there will be fewer records available to present to government officials who request them.

While the actions undertaken by the government are in the name of defending “freedom,” invading privacy, limiting free speech, and creating paranoia are not among the usual definitions of what freedom should entail. Unfettered data mining of all Americans is dangerous and unnecessary. With the recent passage of the USA Freedom Act in June 2015, the NSA will no longer be able to partake in this sort of activity. Now it will need to have “reasonable” suspicion as mandated in the Constitution. However, there is still a potential for abuse as government agencies may request “two hops” of information related to suspected terrorists, which can balloon into a large number of Americans if there are any popularly called numbers on the list. The Freedom Act is not great, nor should it be applauded, but at least it accomplished the object of whistleblower Edward Snowden, who wanted to warn Americans of the extent of government monitoring taking place (Washington Post, 2015).

Freedom traded for security cannot be restored and may lead to increased totalitarian activity by the United States government. Americans need to utilize their voice and contact their congressmen and senators, and actively vote for politicians that uphold the privacy rights admired by librarians and all Americans alike and vote out un-American politicians who threaten to undermine America’s free society. That way, the scholars of tomorrow, will be able to write historical works that reflect a happier and more democratic spirit from a government that truly represents the “people.”

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