

The following excerpt is from an article in *The American Conservative*, available on-line in full from the address below. It was brought to the writing center by a 10:001 student who had been assigned the task of summarizing the argument and describing some of the rhetorical strategies in a presentation to her classmates. A motivated student who averaged a B+/A- grade average, she came looking for help decoding it

The words highlighted in yellow are those the student did not understand - just a couple. More troubling is that although she understood the literal meaning of the words in dull yellow (e.g. "blank" and "check") she did not understand the associated reference or metaphorical meaning (e.g. "to give someone a blank check"). Nor did she know exactly what package of beliefs might distinguish conservatives from liberals, never mind from libertarians or neocons, or fully understand the division of powers between the executive, the legislature and the judiciary and their different roles in overseeing or implementing the Patriot Act. In other words, the student initially had difficulty just getting a handle on the argument in this article, and had neither the context nor an adequately sophisticated mastery of language to do a good rhetorical analysis.

But despite this, she got the hang of it pretty quickly. After the tutor explained the context, directed her to some resources which provided a brief summary of the American political system and modeled a close reading of the first section of the text, the student did a pretty good job with the rest of it.

May 19, 2003 issue
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http://www.amconmag.com/05_19_03/cover.html

Surveillance State

Since September 11, a flood of federal legislation has reduced American freedom without increasing our security.

By James Bovard

Perhaps you've visited your local library to keep speed with the War on Terror: borrowed a few books on Islamic fundamentalism or did web research on **biochemical** weapons. Beware.

Last January, an FBI agent entered a branch of the St. Louis Public Library and requested a list of all the sign-up sheets showing names of people who used library computers on Dec. 28, 2002. Even though the FBI agent did not have a warrant or subpoena, the library quickly surrendered the list of all users. The FBI acted because someone phoned in a tip that they "smelled something strange" about a library patron of Middle Eastern descent.

Welcome to America under the Patriot Act. One person claims to "smell something," and the feds can round up everyone's records. From books you check out to credit card purchases, money transfers to medications, your activities are now subject to federal

surveillance. Uncle Sam now has a blank check to search and pry—all in the name of security.

Last October, then House Majority Leader Dick Armey branded our own Justice Department “the biggest threat to personal liberty in the country.” And while that characterization of a Republican Justice Department makes many conservatives cringe, the DOJ has been working overtime to expand its power —and the biggest danger may be yet to come.

When John Ashcroft was in the U.S. Senate, he was a leader in the fight to protect Americans’ privacy. In an August 1997 op-ed, Ashcroft declared, “This is no reason to hand Big Brother the keys to unlock our e-mail diaries, open our ATM records, read our medical records, or translate our international communications.” His early days as attorney general showed a keen appreciation for the Bill of Rights’ constraints. That changed on 9/11.

Within days of the Twin Towers’ collapse, Ashcroft began strong-arming Congress to enact sweeping anti-terrorism legislation—and Americans seemed ready to trade a measure of liberty to restore their shaken security. The month of the attacks, an NBC/Wall Street Journal poll found 78 percent willing to have Internet activity monitored. The administration took this as free rein, moving swiftly to enact the Patriot (Provide Appropriate Tools Required to Intercept and Obstruct Terrorism) Act. Some of its provisions were simply updates to existing law. As. Sen. Russell Feingold (D-Wis.), the only senator to vote against the act observed, “It made sense to stiffen penalties and lengthen or eliminate statutes of limitation for certain terrorist crimes.” But the Patriot Act goes far beyond “good government” amendments.

It empowers federal agents to cannibalize Americans’ e-mail with Carnivore wiretaps, allows federal agents to commandeer library records, and requires banks to surrender personal account information. It also authorizes federal agents to confiscate bulk cash from travelers who fail to fill out Customs Service forms disclosing how much money they are taking out of or into the U.S. and allows the attorney general to order long-term detentions if he has “reasonable grounds to believe that the alien is engaged in any activity that endangers the national security of the United States.” Last year alone, Ashcroft personally issued 170 emergency domestic spying warrants, permitting agents to carry out wiretaps and search homes and offices for up to 72 hours before requesting a search warrant from the Foreign Intelligence Surveillance Court.

When privacy-minded legislators question these new powers, the Justice Department stonewalls. House Judiciary Chairman James Sensenbrenner (R-Wis.) threatened to subpoena the DOJ last summer to get information to which his committee is specifically entitled. Justice eventually divulged a few fragments of information but has refused to reveal the number of secret searches, the number of libraries whose records have been seized, and how often Carnivore e-mail wiretaps have been used. Freedom has apparently become so fragile that citizens can no longer be permitted to know how often their government invades their privacy.

Some **intrusive provisions** of the Patriot Act were temporary—set to expire in 2005 absent Congressional reauthorization. But Sen. Orrin Hatch (R-Utah), chairman of the Senate Judiciary Committee, recently proposed making the federal prying powers permanent.