

A Surveillance Society or a Free Society?

By Mark Lerner, for the Constitutional Alliance, Inc.

The Big Question - should government control the people or should the people control government?

Orwell's prediction of a future big brother government came true. Whether acknowledged or not, Americans now live in a surveillance society.

Most of that American public falls into one of the categories the Department of Homeland Security (DHS) calls "potential threats;" environmentalists, animal lovers, anti-war protestors, pro-lifers, evangelical Christians, observant Jews, Constitutionalists, returning veterans, and third party candidate supporters are all "potential domestic terrorists."

Just how far is the American public willing to let the government go in order to assure public safety? Do the people want the police on every block, all emails read by the government, phone calls overheard, or every financial transaction monitored? Do the people want sensors placed in cities that detect how much an individual perspires, in order to assess and monitor supposed guilt?

How about computer software programs that decide whether or not the way people walk or dress presents a threat to the government? In Britain citizens are captured on surveillance cameras an average of 300 times a day; does the American public want to be subjected to this level of scrutiny?

The Real ID Act 2005 mandated that facial recognition technology be used for all drivers' license photos; facial recognition, a biometric, measures distances between facial characteristics - specific parts of the mouth, eyes, nose and so on - and digitizes this information. Using this technology, each citizen would be enrolled into a single global biometric identification system.

No matter where a person is - Oklahoma City, Oklahoma or Paris, France - that person can be identified with the use of facial recognition technology. Closed circuit television cameras/surveillance cameras (CCTV) and linked computer systems make possible remote surveillance and global information sharing.

The "standard" for the digital facial image/photograph in the Real ID compliant driver's license was contained in the Notice of Proposed Rulemaking for the Real ID ACT 2005. This "standard" is from the International Civil Aviation Organization (ICAO), an agency of the United Nations.

The Real ID Act 2005 has not yet been implemented - 26 states have rejected this federal law and have said "No" to this act.

The Real ID Act is but one of the many laws, programs and initiatives that have one thing in common: track, surveil, and control. Government tells the people these laws, programs and initiatives are needed "to protect" them and that giving up privacy, freedom and mobility are small prices to pay for security. When did rights become privileges?

A rare agreement: Both the American Civil Liberties Union (ACLU) and the American Center for Law and Justice (ACLJ), representing the left and the right, stand opposed to the federal Real ID Act of 2005.

Who redefined privacy? It is one thing to believe that people should have no expectation of privacy when in public; it is another to say when in public, technology will be used to identify and profile people, without their knowledge or consent.

Courts have gone too far when they rule that a police officer does not need a warrant to go onto private property, install a GPS device on a vehicle, and track both car and driver wherever.

Are Americans so afraid that they are not willing to accept some risk in order to preserve freedom? Isn't it time the discussion took place on the growing surveillance and monitoring of the American public?

What about the time-honored presumption of innocence?

Americans have the responsibility to pass on to their children and grandchildren the rights, liberty and freedom that so many sacrificed for, in order to live in a free society. Americans have the responsibility to resist a surveillance society, which is contrary to those rights, that liberty, and that freedom.

The men and women in law enforcement, the military, and in intelligence agencies commit to upholding the U.S. Constitution. They share in the responsibility of protecting those rights, that liberty and that freedom.

It is time for American public to put aside partisan differences and decide if they want government to control the people or the people to control government.

Media has a responsibility to facilitate such a discussion. Just as the American public must put aside their partisan differences, so too must the media. Mr. Olbermann, Mr. Matthews, Ms. Maddow, Mr. Hannity, Mr. Beck, , Mr. O'Reilly, Mr. Dobbs, Mr. Sanchez, what say you? Each of you is an intelligent individual. The public may not agree with each of you on every subject but on the issue of protecting our liberty, rights and freedom nearly all citizens would agree it is time to have the discussion we propose. Which of the aforementioned hosts has the courage to have the discussion on their show?

Healthcare, immigration, wars, the economy, terrorism, corruption in government, unemployment and other issues are all very important issues. Which of these issues should take precedent over a discussion concerning our civil liberties in the context of national security? If not now, when?

The Constitutional Alliance will be issuing a call for action alert next week. In this alert we will be asking every organization, group and citizen to stand with us demanding such a discussion as we propose take place immediately. We expect every group from the "far" right to the "far" left to stand with us. We have already started contacting potential panelists for such a discussion. These panelists are well respected and represent the views of many on the right, left and in the middle. The federal government and more specifically the DHS would be expected to participate in the discussion.

Let's get down to brass tacks and stop the name calling, insults and playing of the "blame game" long enough to have a serious discussion about where we are headed as a country. What type of society do we want to leave for the children of today and the children of the future?