Patriot Act to AI: The Evolution of US Surveillance and Risk

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Abstract

This paper will explain and examine how the surveillance systems in the United States has exponentially expanded from the Patriot Act of 2001 to today's modern AI data driven society. It brings together other insights from law and policy, technology and cybersecurity, ethics and philosophy, and media and society to highlight how they all intertwine. The expansion of these systems demonstrates the dangers to privacy rights, freedom, and public trust. By integrating these perspectives this paper will highlight how surveillance became a long term structure of control and power.

Introduction

The attacks of September 11, 2001, changed American society across the board. These attacks created waves of national fears and most importantly changed how people think about danger, privacy, and government power. Following this terrorist attack, we have the introduction of the Patriot Act signed into law. This act gave federal agencies enormous amounts of authority to collect data, monitor communications, and track activity was deemed suspicious. This was originally sold to the public as a temporary thing but instead grew and became part of the everyday governmental power. The pendulum has never truly shifted back.

Fast forward today with the introduction of AI to the mainstream the systems built under the Patriot Act have become supercharged. The use of Artificial intelligence allows data to automatically be scanned, sorted, and stored instantly without the need for much human intervention. This makes it extremely hard for law makers to keep up with policies and diminishes an already grey zone with autonomy and the digital world. This paper we will look

through the lines of policy, technology, ethics, and society to understand how each discipline contributes to a larger issue.

Law and Policy

Henderson (2020) explains that the act permanently changed how the United States balances safety and personal freedom. It allowed the government to subject its' citizens to broad data collections which include instances such as phone metadata, emails, and internet activity. The most controversial portion of the Patriot Act was section 215, which permitted bulk data collection, and this was actually challenged in the supreme court for violating the Fourth Amendment.

Even though this act was done with the intention of safety and national security, it blurred the lines between what is appropriate with surveillance and excessive intrusion. Legally it created pathways for agencies to spy on millions of Americans. New laws and programs were just built on top of these foundations establishing the status quo we have today. Artificial Intelligence is really pushing the boundaries again, was language learning machines such as OpenAI's ChatGPT and Google's Gemini require massive amounts of people data to personalize and improve upon themselves. Laws protecting peoples digital rights are being helped in congress as congresspeople and even the public are divided about the AI boom.

Technology and Cybersecurity

Newer technologies like artificial intelligence, quantum computing and cloud services have allowed these surveillance to skyrocket in functionality and cost measures. Garfinkel (2023), explains that these new tools now add features such pattern tracking, facial recognition, predictive algorithms, and real time data analysis which is highly effective and efficient. Looking

at China's credit system, this system is already put in place where their citizens are tracked with surveillance, and a profile is built based on their information and how they interact with society.

Innovation is great. It creates capital, creates more jobs, and overall influence on world politics. The problem here is that the technology is evolving quicker than our policies and regulations can act. This creates cracks for government agencies and organizations to collect massive amounts of data for their own personal use. Immigration and Custom Enforcement (ICE) is currently taking advantage of this and using these surveillance systems to track and round up undocumented immigrants.

Ethics and Philosophy

Ethically this raises many concerns over consent and autonomy. Richards and Smart (2022) argue that people no longer have the option to fully consent to data collection because it happens automatically. Every electronic you interact with tracks you. Your phone, computer, social media, and even external factors, public street cameras all track you. Every action you do feeds into a system without explicit permission. One can only ask, is this actually keeping myself safe from threats or is the government itself a threat?

The Social Contract Theory comes into play here as the question being asked here is the government actually protecting its' citizens through this supercharged surveillance? If they are overstepping, like ICE for example, then do then breaking the Social Contract theory, the people have every right to stand up and speak out. Surveillance at this level raises concerns as people are not able to control how much of their lives are being monitored and the debate moves to if national security is enough to justify this level of intrusion. On a philosophical level it forces people to rethink privacy and what it really means.

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Media and Society

Media coverage plays a massive role shaping public opinion on surveillance. Some news outlets paints this as these rights are must be given to provide overall security while other outlets deem this as a gross misconduct of the Constitution and your personal rights being affected. Alimardani (2020) states that public reaction will shift based off the narrative the people hear. Because of this today we seeing the biggest divide of political beliefs in the country with no sides a collective peace. This narrative keeps the publics distracted enough to make the government believe they can justify the need for surveillance.

Back in 2013 there was an NSA whistleblower named Edward Snowden. He leaked a program called Project Prism which was a creation by the NSA to track calls, emails, and text from any targeted individual. This evet make Edward a hero to the general American public but a traitor to the United States government. Today he still lives in Russia as he fled the US from espionage charges. Snowden showed the people the government was spying on its' citizens which helped lay the groundwork to the strong distrust and hate towards the federal government we see today.

Integration

Each Discipline explains one part of the bigger issue like a piece to a pie. They connect together to make a full pie. Law provides the authority, technology provides the capability, ethics questions about what is allowed, and media effects how society responds. Using horizontal integration these factors are understood together. (A) Is the powers under the Patriot Act, (B) is the exponential growth of computing power, (C) is weak and slow policies, and (D) is the long term outcome which has resulted in a reduction of trust in the government and public institutions.

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All of these existed at the same time but as time went on the foundations of these were built on cracks and this has created the permanent system we see today.

Conclusion

Surveillance in the United States evolved through a combination mix of legal polices, technological advancements, ethics, and media. The Patriot Act opened the door, AI supercharged surveillance, and public notion normalized it in society. Understanding these connections show that surveillance was not just after effect of 9/11 but a part of the long term American life. The challenge we see today is finding a balance freedom, security and freedom in a world that is becoming more polarized and global tensions are beginning to rise. Without stronger protections and faster measures this will lead to greater distrust with our institutions. This is a relationship mix between power, people, and control.

Citations

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