

## Protesting the Patriot Act

The Magna Carta is an important document that has shaped society ever since its creation over eight hundred years ago (What is Magna Carta). It was originally written by barons in England to limit King John's authority. In fact, it is notable for being one of the first documents to restrict the power of monarchs and governments. However, its influence does not end there, as evident by the effect it has had on the foundation of many other governments. In fact, one of the governments that it influenced was that of the United States of America, specifically in the form of the Constitution. The Magna Carta's impact can be seen in ongoing debates such as the ones surrounding the Patriot Act.

Ever since its inception the Patriot Act has faced stiff opposition, most of it revolving around the constitution's Fourth Amendment. The Fourth Amendment is based on one of the unalienable rights that all citizen of the United States of America are guaranteed: the protection against unreasonable searches (Eddlem). However, with the creation of the Patriot Act the Federal Bureau of Investigation (FBI) gained the power to issue its own search warrants, possibly without sufficient reasons, called National Security Letters (NSL). Unfortunately, this can enable infringement of the basic rights of American citizens. One prominent example of this was the arrest of Brandon Mayfield in relation to the Madrid train bombings in 2004. Mayfield was arrested after his home was searched without a warrant. He ended up being held for two weeks without charges before he was released. But, while he was in jail the FBI leaked to the press that Mayfield was proven to be a bomber with fingerprint evidence even though Spanish officials had told them that it was not a match prior to Mayfield's arrest. Mayfield summed up his experience with the unconstitutional Patriot Act in a few simple sentences, "When legislation is written that waters down the standards of the Fourth Amendment, it is not the guilty who

suffers, but the innocent.” Despite this colossal mistake, the government continues to infringe upon the rights of Americans with the Patriot Act.

This argument regarding the Patriot Act revolves around the Fourth Amendment and what it stands for. In order to fundamentally understand this argument, one must understand its origins, particularly in the thirty-ninth clause of the Magna Carta. This clause states that “... no free man shall be arrested, imprisoned or dispossessed of his lands without the judgement of his peers or against the law of the land” (Magna Carta). One can easily see the similarities between the clause and the Amendment. Both of them protect property rights and are safeguards against overbearing governments. They make sure that the government has limitations that cannot be crossed to protect the innocent citizens of their nations from unwarranted and unreasonable prosecution.

However, some people deny the impact the Magna Carta has upon the issue of the Patriot Act since the idea of privacy rights did not originate there (Augustin). While it may be true that these ideas did not originate with the Magna Carta, that does not mean that it did not have a great impact upon the creation of the Fourth Amendment of the Constitution. The Magna Carta was the first written charter that documented the limitations of the government’s power and outlined what King John could and could not do to his subjects, and transformed expectation into rules and laws.

The transgressions upon human rights has made the issue of the Patriot Act extremely relevant today, and these transgressions impact every person in America because of the actions of the National Security Agency (NSA) (*CitizenFour*). In 2013 Edward Snowden revealed that the NSA had been using the Patriot Act to conduct surveillance of American citizens, making

this issue relevant to every human in America and maybe the world. One cannot simply stand by and let the government infringe on the unalienable rights of American citizens.

The Magna Carta has been a part of American society and government for over eight hundred years. Having been incorporated into the Constitution of the United States of America, it has remained an important backbone in this country's politics, beliefs, and culture. It can be found embroiled in conflicts in the center of American politics, a shining beacon that reminds citizens of their rights and ability that should and must be under the protection of the government. Citizens' privacy must be respected and not be subjected to spying without warrants, and accusation cannot be made unjustly using illegal search and seizure. The Patriot Act goes against the Constitution of the country that it was supposed to protect. Even with the ongoing controversy surrounding the Patriot Act, American citizens are fortunate for the protection of the Constitution, which has its roots grown from the wisdom documented by Magna Carta.

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