



James Bovard at CPAC: Repeal Patriot Act

Ivan Eland, author of the book *Recarving Mount Rushmore*, moderated the Liberty PAC event and spoke there. He discussed in detail the history of war and executive power, which he referred to as “America’s two blind spots” that “both come together” to empower government. War,” Eland said, “is the biggest cause of big government in human history.”

In discussing how the Patriot Act was initially passed in 2001, Eland noted that the erosion of civil liberties and usurping of the Constitution is nothing new to the federal government, outlining its history: John Adam’s Alien and Sedition Act; Abram Lincoln statist repressive policy of arresting those in the media and suspending habeas corpus; the World War I curtailment of civil liberties and arresting of dissent; the internment of Japanese-Americans during World War II; and Harry Truman’s imperial presidency and the later Cold War-era arrest of anti-war, feminist, and other left-wing activists.

Now a new threat to liberty, according to Eland and the other speakers, has been brought about by President George W. Bush, and then expanded by President Barack Obama, under the alleged threat of preventing ‘homegrown terrorism’ following the September 11 attacks. Eland warned against the “dramatically reduced restrictions on law enforcement agency’s ability to search telephone, e-mail communication, [and] medical, financial and other records” under the Patriot Act, without securing a warrant from a judge, as well as other abuses of power such as easing “restrictions on foreign intelligence gathering in the United States — that is, spying on U.S. citizens,” and expanding “the Secretary of Treasury’s authority to regulate financial transactions.”

Another speaker at the “Repeal the ‘Patriot’ Act” event was James Bovard, a libertarian author of many books, including (his most recent) *Attention Deficit Democracy* (2007).

Bovard started his speech by asking the audience: “I’d like to know how many people in this room have had their phone calls wiretapped by the Feds?” Members of the audience asked back, “That we know of?” and, “Who knows?” To which Bovard replied: “Well, that’s the whole point!” He went on to ask the audience the same question in regards to e-mails, but overall his point was that nobody really knows whose calls or e-mails are being monitored. Bovard noted too that communications could be altered or manipulated through careful audio splicing or deletion of certain words or phrases in order to change the meaning of the message — and bring it into agreement with whatever case law enforcement officials have made against the accused.

Bovard congratulated Campaign for Liberty for defeating the Patriot Act — which he described as “John Boehner’s anti-freedom joyride” — last week. Bovard noted that there was an overlap between the members who voted against the Act and those who attend Ron Paul’s weekly study meetings. “It’s great to see that Ron

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Paul's efforts to work with other Republicans are bearing fruit," Bovard acknowledged adding on, "I've always been amazed of how much patience Congressman Paul has on that."

Bovard said that that the Patriot Act "treats every American like a suspected terrorist and treats every federal agent like a proven angel."

On the issue of information gathering, he said "it should come in the form of warnings that any information the government gathers can and will be used against you, if the government decides you are an enemy."

He went on to issue a detailed condemnation of the Patriot Act's Section 215, which deals with the National Security Letters. Under this section, the federal government "subpoenas and issues de facto search warrants," and the FBI seizes records "that show where a person makes or spends his money, with whom he lives or lived before, and how much he gambles, what he buys online, what he finds and borrows, where he travels, how he invests, what he searches for and reads on the Web, and who telephones or e-mails him at home or work, according to the *Washington Post*," Bovard said.

He went to say that the federal government issues in a year about 50,000 National Security Letters, and that just one of those letters can affect thousands of Americans. "The National Security Letters have turned the Fourth Amendment on its head, by creating the presumption that the government is entitled to personal or confidential information," he explained. He said the targets of these letters can go to a federal judge and challenge the letters them, but only if they have the money to undertake this action, which "can easily cost ten, fifteen, or twenty thousand dollars."

"The Founding Fathers placed the Fourth Amendment in the Constitution so the federal government would have to provide specific information indicating criminal wrongdoing about a specific person at a specific time," Bovard added.

Bovard went on to ask the audience another good question: "You have most of the GOP stampeding to make sure that federal agencies under Obama continue to have mass surveillance powers over Americans — Why?" Bovard continued, "How does the GOP benefit from letting the other party spy on them." The reason for this, Bovard explained, is because "Congressmen simply don't give a damn about federal agencies violating American's privacy."

Even after the fact that it was exposed by the *New York Times* that thousands of Americans had been the victim of warrantless wiretaps, President George W. Bush maintained his steadfast commitment to the Act, which prompted Bovard to remark: "It's an outrage that Bush and others have not been indicted."

Bovard concluded his speech with a call to patriotism and to end the Patriot Act:

The Patriot Act is systematic of a government gone out of control. Keep in mind that a democratic government that respects no limits on its power is a ticking time bomb waiting to destroy the rights it was created to protect.

America needs a higher greater patriotism. It is not patriotic to ignore violations of the Constitution; It is not patriotic to look the other way as politicians ravage rights; It is not patriotic to pretend that politicians are entitled to all of the power they can grab until they are either impeached or indicted; and it is not patriotic to give the benefit of the doubt to people that are trying to shackle you.

Getting rid of the Patriot Act will be a small step towards making government less dangerous and making Washington less obnoxious. Thanks

After the event, *The New American* asked Bovard about the prospects of Congress repealing the Patriot Act. He was not optimistic. "Pay attention and get some courage," he added. "Congress doesn't simply pay attention. Congress doesn't care about the abuses. Congress only cares about their campaign donors."

When asked his thoughts about the full range of possible 2012 Presidential candidates, as to which ones

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exhibited libertarian principles and would likely veto the Patriot Act, Bovard responded: "Well there isn't any candidate who's close to Ron Paul when it comes to being principled and courageous; and Ron Paul has got a record as far back as 1996-97 as far as I was being active. Ron Paul is who he says; he does what he promises. So you know that's unnatural for a politician, but most of the other candidates are damn rascals."

During [Ron Paul's CPAC speech](#), he addressed the issue of the Patriot Act, saying: "The Patriot Act we know has nothing to do with Patriotism; they always name it the opposite of what it is. The Patriot Act is literally the destruction of the Fourth Amendment — that's what it's all about."

Another potential Republican presidential contenders who has taken a stance similar to that of Ron Paul, in ending the Patriot Act, is former New Mexico Governor Gary Johnson of New Mexico. Johnson tied Governor Chris Christie with 6 percent of the vote in the CPAC presidential straw poll; Ron Paul came in first with 30 percent.

Many mainstream Republicans have pledged their support of the Patriot Act, which further expands the size and scope of the federal government.

Photo: James Bovard