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Written by **C. Mitchell Shaw** on October 27, 2014

Why Should the Law-abiding Care About Electronic Surveillance?

It has been a year and a half since the Snowden leaks revealed what many long suspected: We are being spied on by our government. We are also being spied on by irresponsible corporations. By now it should be clear that a fundamental part of liberty in the digital age is the ability to control the data that is being mined about us and prevent that data-mining. After all, if we cannot choose who sees our private communications, browsing and spending habits, personal records, etc., can we really be said to be free? In a previous article, we pointed out several tools that can protect your privacy and liberty in the digital age. But, the attitude of many is, "Why should I care? I don't have anything to hide."

This is dangerous thinking for several reasons. The idea of digital liberty is still being defined by policymakers. Future generations will inherit the policies that come from our attitude toward these things. Our silence becomes acceptance, which becomes approval in the eyes of both politicians and the next generation of Americans. Imagine the world that would exist if our Founding Fathers had taken that same approach to the tyranny of their day. Thankfully, they understood that whether or not I have anything to hide, privacy is a big part of liberty. That is why the Fourth Amendment was written.

Everyone has something to hide. It's why we have curtains and blinds over our windows. It's why we use envelopes for our letters. We know, deep down, that our private lives should stay private. Why should we treat our digital privacy differently? What happens when you need to do an Internet search for an embarrassing medical question? What about a private, intimate text to your spouse? What about that phone call where you argue with your spouse? We do these things in private because they are private. And they ought to stay that way.

So, what can the three-letter government agencies really do? Even all this time after the Snowden disclosures, few people really understand the power these agencies have to see into our private lives. One of the most powerful technological tools they use is data-mining.

Data mining is a big problem, as we saw from the documents leaked by Snowden. But there is more to it than most people realize. In 2012, a father of a teenage girl saw for himself how powerful this form of information gathering and analysis can be. Several years ago, Target department stores started offering Redcard. It's a credit or debit card that can be used to make purchases at Target stores and on their website. It offers a five-percent discount any time it is used. Target's reason for doing this is simple. It ties all of your purchases together into one profile for data-analysis purposes so that they can send you advertising based on not just what you buy, but what their data analysis tells them you are going to buy.

How effective is it? The father of that teenager stormed into a store outside Minneapolis and demanded to know why his daughter was receiving advertisements for baby clothes, baby furniture, and diapers. After all, she is still in high school. The manager said he would look into it and call the father in a day or so. When he called two days later, the father said that he had talked with his daughter and learned that she was, indeed, pregnant. Target figured it out before her own father did.

If Target can do that with only the information they have about your purchases at their stores, how much can the NSA figure out about you, considering that they can see every e-mail and text, all your browser history, your online maps and calendars, and more? The fact is, because they know your habits, and the habits of your friends, they are likely to know that your friend will call you tomorrow and ask you to meet for coffee, that you will accept, and where and when you will meet.

Perhaps even more frightening is that not only can government agents see the e-mails and documents you send as a finished product, but they can also see the work in progress. Because they can view your web traffic in real time, they can see you drafting documents using web-based applications such as Google Docs, online e-mail, etc. By viewing the process you use to draft a document, they are able to see backspacing and rewording, edits, and the phrases you choose to use and not use. Using psychological profiling techniques, they actually have a window into your mind as you create documents. It's as close to mind reading as can be achieved. That is the power of the technology they are using.

President Obama assures us that "nobody is listening to your telephone calls," so we have nothing to be concerned about. The truth is, with programs like PRISM, XKEYSCORE, BOUNDLESSINFORMANT, and others; the NSA and other agencies are collecting not only the content of our communications, but also the meta-data of those communications. They claim that they are targeting terrorists, but their "rules" allow them to target anyone within two or three degrees of a suspect. That means if you know someone who knows someone who is a suspected terrorist, you are probably being monitored. Meta-data can provide much more information than would normally be included in an e-mail or other communication. For instance, meta-data in a picture taken with a mobile phone or tablet can show information about when and where the picture was taken, as well as other identifying information. Meta-data is extremely revealing.

These are political problems requiring political solutions. We should all be actively pressuring our representatives at every level to begin dismantling the apparatus that has been put into use spying on us. They are also technological problems requiring technological solutions. Therefore, we should all also take personal responsibility for protecting ourselves and our data from both an overreaching government and nosy corporations. They will continue to escalate their programs as long as we let them. It's time to stop the NSA from spying on us.

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