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At home, drones spur anger at Obama

by **Nat Hentoff**, Aspen Daily News Columnist

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Having often invoked Thomas Jefferson's warning that We the People are the ultimate guardian of our liberties, I've been criticizing the citizenry and Congress for their weak resistance to the George W. Bush and Barack Obama administrations' muzzling of our constitutional freedoms. But now I see signs of hope from the growing resistance to Obama's drones.

Behold this headline from a recent Associated Press story: "Talk of drones patrolling U.S. skies spawns anxiety" (Joan Lowy, June 19).

For example, "Jeff Landry, a freshman Republican congressman from Louisiana's coastal bayou country, said constituents have stopped him while shopping at Walmart to talk about it."

Said Landry: "It's raising an alarm with the American public." Pay attention, Mitt Romney!

And as Kyle Scott reported in The Washington Times: "Last week, there was a drone sighting in Washington D.C., that caused a major traffic disturbance as some drivers thought they were seeing a UFO" ("Drones Threaten Privacy," June 21).

The other drivers knew it wasn't an unidentified flying object from another planet, but was flying under the aegis of President Obama.

The AP reported that "the level of apprehension is especially high in the conservative blogosphere, where headlines blare '30,000 Armed Drones to Be Used Against Americans' and 'Government Drones Set to Spy on Farms in the United States.'"

But we don't know if all 30,000 drones will be armed. And it's misleading to claim that the most anxious of us are conservatives. In the same AP story, "an American Civil Liberties Union lobbyist, Chris Calabrese, said that when he speaks to audiences about privacy issues generally, drones are what 'everybody just perks up over.'"

Now here comes the increasingly recognizable Sen. Rand Paul, a Republican from Kentucky. Like his father, Texas Congressman Ron Paul, the son has internalized the Constitution, but less explosively than his dad, and he is widening his own audience.

He was interviewed on CNN "a day after a U.S. Navy drone crashed in Salisbury, Maryland" ("Sen. Paul says no to domestic drones," cnn.com, June 12).

Paul was asked about a drone bill he is introducing after getting the idea from Rep. Austin Scott, a Republican from Georgia.

The senator insisted that surveillance drones must first have a warrant.

"Not only do I like the Second Amendment," he said, "I like the Fourth Amendment."

"I mean, police do have power and I want police to catch rapists and murderers," Paul added. "But they ask a judge and we separate the police from the people who finally make the decision on someone coming in your house."

You hear that, President Obama? Surely that Fourth Amendment protection was in one of your lectures when you taught the Constitution at the University of Chicago?

Unlike the president, Paul speaks with admirable, stubborn clarity about We the People's privacy rights. Domestic drones, he said on CNN, "could be used if you have a proper warrant. But that means you go through a judge. A judge has to say there is probable cause of a crime. But I don't want drones roaming across, crisscrossing our cities and our country, snooping on Americans.

"And that's the surveillance state that I'm very concerned about. And that's what our bill would stop."

While Paul has declared that he is supporting Mitt Romney for president, he has castigated the Republican nominee for saying he could act on Iran without congressional approval ("Rand Paul Rips Mitt Romney's Statements on Presidential War Powers," Doug Mataconis, outsidethebeltway.com, June 20).

It would be a very good idea if Paul sent Romney, who's said very little about his civil liberties convictions, that quote from his CNN interview about protecting Americans from surveillance drones with our Fourth Amendment. He also might want to remind Romney about the Constitution's separation of powers.

It would be just as important to the future health of our Constitution if Rand Paul explained to Romney why, in May 2011, he "argued that, in the rush to meet the terrorist threat in 2001, Congress enacted a Patriot Act that tramples on individual liberties" ("Patriot Act Extension Passes Senate, Rand Paul Amendments Fail," AP/huffingtonpost.com, May 26, 2011).

I reported that the senator's father said very accurately on one of the televised Republican presidential debates that the precipitous decline of our individual constitutional liberties began with the passage of the Patriot Act.

And earlier this month, Sen. Paul introduced a bill that discontinues the Transportation Security Administration (TSA) "screening program and requires screening of passengers at airports to be conducted by private screeners only" ("Sen. Paul Introduces Legislation for Passenger Bill of Rights, Privatized Airport Screeners," paul.senate.gov, June 15).

The younger Paul's opposition to the Patriot Act and to the TSA's serial constitutional violations at our airports, along with his exposures of Obamacare, are some of the reasons I would vote for him as president.

The main reason why I'd support him, of course, would be that he's not Barack Obama. And because he's only 49, it's not inconceivable that some day he may be running for president. I hope I'll still be around then.

In introducing his TSA legislation, Paul made clear that "travelers should be empowered with the knowledge necessary to protect themselves from a violation of their rights and dignity."

Dignity? Yes, that goes with freedom.

Justice Hugo Black warned us: "We must not be afraid to be free." He would find it hard to recognize the current condition of the Bill of Rights. But he would realize that Rand Paul is not afraid to be free, whatever disagreements they might have.

How many of us remain free to be Americans?