

The U.S. Patriot Act and Civil Liberty: The Culture of Fear and Mass Media as Agents of Social Control

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We have a choice, we can fight and win a just war against terrorism, and emerge with the greatness of the United States intact or we can win while running roughshod over the principles of fairness and due process that we claim to cherish, thus, shaming ourselves in the eyes of the world—eventually, when the smoke of fear and anger finally – clears – in our eyes as well. (Herbert, the New York Times, December 3, 2001)

Abstract

The tragedy of September 11, 2001 immediately plunged the country and the world into a complex journey of soul searching. The action of Congress in passing the U.S. Patriot Act soon after the tragedy best reflects this complex journey of soul searching the country and the world embarked on, although, reluctantly. The paper will address the complex reality the war on terror created, which is reflected in the climate of the culture of fear. The political, social, cultural, economical, and ideological implications of this culture of fear will be explained in this paper. The societal reaction or some time referred to as the labeling perspective, will provide the theoretical framework to help us shed light on the complex reality of the culture of fear. The basic premise of this paper is that the culture of fear and the role the mass media played in facilitating and fostering this culture of fear reflects a dangerous trend the country and the world embarked on where civil liberty is being sacrificed for the sake of a sense of security or perhaps better labeled a false sense of security.

The event of September 11, 2001 sent shock waves throughout the country and the world. The scale of destruction and devastation in terms of human life and property was difficult to comprehend. This single act of a horrific crime took the lives of over 3,000 Americans and caused great deal of property damage that will cost the country billions of dollars to rebuild. However, the psychological scars of this act of terrorism will take longer time to heal. Diverse emotions followed this horrific act of terrorism including shock, disbelief, anger, outrage, and, most importantly, fear. This act of terrorism managed to unite the country with its diverse populations including immigrants from other parts of the world. However, the response to this act, not initially, managed to divide the country and the world, which was unfortunate. The question raised was what went wrong? And most importantly, how did these feelings of unity and patriotism lead to this culture of fear?

In order to provide a critical assessment and analysis of the culture of fear and most importantly how it relates to the event of September 11, 2001, the Patriot Act and the war on terrorism, it is imperative that we provide a clear definition of the culture of fear. This analysis is desperately needed in order to help us understand the complex dynamics involved in this phenomenon, particularly, the major players who are directly and/or indirectly are involved in this culture of fear such as the mass media and other agents of social control. This analysis at least will help us understand what went wrong and most importantly, explore the factors that brought about this culture of fear, which managed to divide the country, if not the world, into two camps—good vs. evil—which is certainly reflected in the rhetoric of this culture of fear.

The immediate emotional response and reactions seen in the faces of the American people who either witnessed the destruction directly or saw the destruction on the media coverage of the attack, ranged from shock, despair, disbelief, anxiety, and most importantly, fear. American responded to the horror of September 11, 2001 in diverse forms, which included breaking news media coverage, personal accounts, newspapers headlines and statements from the politicians including congressional leaders and the president. These responses focused on themes such as a vow to punish the “evil doers,” revenge, vengeance and certainly a strong promise to protect the country from future attacks.

For example, this attack was compared to Pearl Harbor attack in the comments of Trancinski, who stated that this attack was “worse than Pearl Harbor” (Trancinski, 2001, 792). Further, the New York Times published President Bush’s comments to his members of the cabinet, which reflects the sentiment and the rhetoric of this culture of fear. In his comments, he characterized the event of September 11, 2001 as follows: “the deliberate and deadly attacks which were carried out yesterday against our country were more than acts of terror. They were acts of war. This will require our country to unite in steadfast determination and resolve. Freedom and democracy are under attack.” He further states that, “This enemy attacked not just our people, but all freedom—loving people everywhere in the world.” (Bush’s remarks to cabinet and advisors, New York Times, September 13, 2001: A16).

The American government followed its rhetoric with important legislative initiatives aimed at protecting Americans from future acts of terrorism. This includes the USA Patriot Act of 2001 and Homeland Security Act of 2002. Both of these legislative actions launched the war on terror which was the immediate response to the tragedy of September 11, 2001. Supporters and critics of the USA Patriot Act raise important issues and questions that tend to reflect the difficult journey America and the world embarked on. The clear questions raised here are: how did this difficult journey of soul searching lead to the culture of fear and most importantly, how did it happen where reactionary measures, that went too far, replaced proactive measures that could actually prevent future attacks without compromising important democratic principles that this country uphold and at the same time wishes to export to other regions of the world where democracy is absent?

Barry Glassner in his work entitled, “The Culture of Fear: Why Americans are Afraid of the Wrong Things” published in 1999 attempts to provide a sociological insights into the culture of fear that prevailed in the American culture long before the September 11, 2001 attack. According to Glassner (1999) the media play a critical role in unleashing panic and hysteria around real and/or perceived danger. The audience is constantly being bombarded with stories about dangerous products, crime, mass media violence, drugs, and guns in the wrong hand such as the teenagers who were involved in school shooting in Kentucky, Oregon, and Colorado. The narratives, the headlines, and the experts tend to exaggerate the scope and the scale of these issues in order to install fear in the audience.

A case in point is the media coverage of school shootings. CNN in its reporting of the shooting in Pearl, Mississippi and West Paducah, Kentucky concluded that school shooting in America today is “becoming increasingly more commonplace in America.” (CNN in Glassner, 1999, page XIV). Media coverage of school shootings in general focused on themes of chaos, hysteria, and fear which is definitely reflected in the headlines of major news papers such as Time Magazine and the New York Times. Additionally, the exchange and the dialogue between journalists and the experts, which was intended to help us understand why, however, instead these informative sessions turned into tense moments, especially, if the experts’ conclusion did clash with the agenda set by the media and its journalist and that is to scare the audience. (Glassner, 1999) what are indicative of the media coverage of school shootings are the powerful negative labels attached to the perpetrators and how society reacted to these incidents. Glassner (1999) best describes how society in general responded to fear generated by the media when he stated that “panic-driven public spending generates over the long term a pathology akin to one found in drug addicts” (Glassner, 1999, XVII). Meaning Americans began to spend money to deal with these feelings of paranoia and insecurity. Therefore, corporate America, especially the pharmaceutical companies profited great deal from such campaigns of hysteria and panic. (Glassner, 1999).

Glassner (1999) reflects on the use of media-effects theory in his analysis of the culture of fear that existed long before the September 11, 2001 tragedy. Certainly, media-effects theory is applicable here and in the words of professor Glassner “contains sizable kernels of truth,” (Glassner, 1999, XX). However, experts on media offered us a range of theories that attempted to explain the role of the mass media by focusing on content analysis, the diverse audience and the overall impact of mass media on society in general. Mass media and cultural studies offered us theories that correspond to the structural functionalist paradigm, social conflict paradigm, symbolic interactionist, and even feminist theory. Media as a socialization agent is definitely a popular theory in mass media studies today. Relevant theories of mass media will be discussed later on in this paper. However, our attention now shifts to discussing the culture of fear as reflected in the response to the tragedy of September 11, 2001, the U.S. Patriot Act and the war on terrorism.

According to a ACLU Report published April 2002 and updated October 2002, the legislative process involved in passing the USA Patriot Act of 2001 is characterized by a troubling trend which followed the tragedy of September 11, 2001, which is “designed to stifle voices of opposition.” (Insatiable Appetite, ACLU Report of 2002, page 1). The report claims that Ashcroft was not happy with the lack of action or the reluctance on the part of congress, to rush into passing wide sweeping legal procedures without adequate time to study and carefully review the impact of such wide sweeping law. The report further states that “Ashcroft demanded that his proposal be enacted within three days, and when that deadline was not met, he suggested publicizing those members of congress would be responsible for any terrorist attack that occurred during the bill’s pending.” (Insatiable Appetite, ACLU Report of 2002, page 1). The debate in congress was characterized by tension, disagreements, and any actions taken by senators or representatives to add amendments to the act were met by strong opposition from the proponent of the act. Meanings, tough rhetoric was used to rush and at the same time silence any opposition to certain sections of the act. For example, the senate judiciary committee led by Ranking member Orrin Hatch (R-UT) defended the act because it is “the right tools to hunt down and find the cowardly terrorist who wreaked such havoc two days ago” (Insatiable appetite, ACLU Report of 2002, page 3). An example of a senator who was silenced was when senate Judiciary committee chairman Pat Leahy (D-VT) was calling for careful review of the act; he was silenced by a powerful statement giving by Senator John Kyl (R-AZ) where he stated that: “our constituents are calling this a war on terrorism. In wars, you don’t fight by a marquis of Queensbury rules.” (Insatiable Appetite, ACLU Report of 2002, page 3). Eventually, the 342 pages legislated was passed with only one vote against it coming from Russell Feingold (D-WI) and Ashcroft got his wish (Neier in Brown, editor, 2003).

Reflecting on the dynamics and the rhetoric of the debate prior to passing the bill the conclusion would have to be that it was dominated by the culture of fear that successfully discouraged any constructive and productive debate on a series bill like the USA Patriot Act. This culture of fear was also apparent in the lack of any serious debate by the mass media which in turn offered little or no debate that would best serve the American public in lieu of informing them of the implication of wide sweeping law. Another troubling aspect of the culture of fear was certainly revealed when voices of dissent were silenced in public. Change’s article provide multiple cases where voices of dissent were completely silenced and not allowed to freely speak about the USA Patriot Act. (Change, in Brown, editor, 2003). These troubling aspects of the culture of fear can be explained by evaluating the rule of the mass media, which we contend played a major role in legitimizing and perpetuating this culture of fear. The societal reaction perspective can provide us with the framework to shed light on the complex reality of the culture of fear which we will explore next. Then, the paper will end with some analysis of the culture of fear as it relates to the USA Patriot Act and the war on terrorism. It is important to keep in mind that the focus will not be on the specifics of the legal and constitutional debate surrounding the Patriot Act. But, rather the analysis will focus on how some aspect of the Patriot Act and the war on terrorism tend to legitimize and perpetuate troubling aspects of the culture of fear and most importantly the role the mass media plays in fostering this culture of fear. Now, let’s begin exploring in brief, the general assumptions and premises of the societal reaction perspective which will help lay the theoretical framework for the analysis of the culture of fear.

The societal reaction perspective or what sometimes is referred to the labeling and the social construction of deviance is relevant to the discussion here because it deals with the process by which deviant labels are constructed and applied to certain group of people or a behavior. The labels of terrorist, enemy combatant or criminal are used to describe and are generally applied to individuals or groups who share characteristics with the 19 terrorists who committed the horrific act on September 11, 2001. These labels are applied to individuals and groups who have similar characteristics with the 19 hijackers who are the real culprit behind the tragedy of September 11, 2001.

The basic premise of the societal reaction perspective is best summarized by Howard Becker (1963) who states that, “Deviance is not a quality of the act the person commits, but rather a consequence of the application of rules and sanctions to an offender. The deviant is one to whom the label has successfully been applied; deviant behavior is behavior that people so label” (Becker, 1963, page 9). What Becker was describing is the critical aspect of the labeling process. In other words, a behavior is not labeled deviant unless it is perceived as deviant by society.

Another crucial aspect of the labeling perspective is certainly clear in the writing of George Herbert Mead, who in the words of Pfohl (1999) laid the “intellectual” foundation for this perspective, Mead (1918) states that the labeling process is seen “in that of the angel with the fiery sword at the gate who can cut one off from the world to which he belongs” (Mead (1918) in Pfohl, 1999, page 347). What Mead is referring to is the dynamics of in-group and out-group and how it relates to deviant labels. Meaning the person who is labeled deviant is considered an outsider and not a member of the group. This relates to the powerful division society creates between the individuals who are labeled deviant and the non-deviant. Therefore, the basic premise of this perspective is that a behavior is not labeled deviant unless it is perceived as such by society and that the deviant individual will definitely have to deal with the dire consequences of having this label successfully attached to him or her.

The societal reaction perspective became a dominant theoretical tradition in 1960s where the country was dealing with political, social, and cultural unrest, particularly, the youth movement and the anti-war movement. It is important to keep in mind that the societal reaction perspective fits in with the constructionist paradigm and is one of the important theoretical traditions that is coming from the symbolic interactionist orientation. Howard S. Becker (1964, 1973) version of the labeling theory combined the two principles of symbolic interaction and these are interaction and symbols. Stephen Pfohl (1994) summarizes Becker’s (1964, 1973) labeling premise as follows:

Becker’s concerns with the labeling process are pitched at two levels (1) the concrete interaction between the labelers and the potential targets for labeling, and (2) the historical construction of labels themselves (Pfohl, 1994, page 351).

The theoretical image of deviance and basic assumptions of the societal reaction theorist such as Becker, Lemert, Blumer, and Mead who laid the theoretical foundation are best summarized as follows:

(1) The social-historical development of deviant labels, (2) the application of labels to certain types of people in a specific time and place and (3) the symbolic and practical consequences of the labeling process (Pfohl, 1994, page 347).

In general, the societal reaction perspective focuses on the labeling process and the impact of the labeling process on the individuals who are labeled deviant by society and the impact of such processes on society as a whole. It is clear that the labeling process reaffirms and enforces the normative culture by creating division and setting boundaries for both the norm breakers and law abiding citizens. This tradition tends to utilize such concepts as career criminal, deviant subculture, stigma, and stereotyping of specific groups are relevant to the discussion of the culture of fear particularly the concepts of stigma and stereotyping.

The culture of fear which took hold of this country following the September 11, 2001 tragedy and is reflected in the passing of the patriot Act, which officially launched the war on terrorism, reflect troubling dynamics and principles of the societal reaction perspective, particularly, the ideas of stigma and stereotyping. Mass Media, including major television networks and the print media, played an integral role in legitimizing and fostering this culture of fear with their constant bombardment of the audience with images of violence and negative labels and stigma of individuals and cultures that shared common characteristics with the 19 hijackers who committed this criminal act on the morning of September 11, 2001. Despite the public relation campaigns launched by the government to ease the fear of the American people, therefore creating a false sense of security and patriotism, the American public as a result of the relentless campaign to stigmatize and stereotype certain individuals are afraid for their safety and demanded the government to do everything possible to protect them from future incidents of terrorism. Continuous announcements on major television networks about new forms of terrorism managed to perpetuate the culture of fear. Headlines in major news papers and the constant presence of retired military experts as consultants on the major airwaves and television convinced the American people that we are at war and we should be vigilant in doing our part to keep the country safe from real or perceived threats of acts of terrorism.

Print media equally participated in this culture of fear by producing various publications that were aimed either at keeping the culture of fear alive and well or in opposition to the dangerous aspects of the culture of fear. This phenomenon introduced us to experts and pseudo experts who attempted to educate us about the reality of this war on terrorism. The literature explored important themes such as Islam, Jihad, culture wars, and strategies to deal with terrorism. Some of the literature wanted to introduce us to the principles of peace and tolerance embodied in the religion of Islam so as to clear Islam and the Middle Eastern culture from its presumed direct or indirect involvement in the tragedy of September 11, 2001.

An excellent example of literature that tends to perpetuate this culture of fear by engaging in relentless campaigning of stereotyping and profiling is reflected in the works of Michell Malkin and Ann Coulter. Although their works are devoid of any honest intellectual discussion, best reflect this culture of fear. Ann Coulter wrote numerous editorial pieces that aimed at legitimizing this culture of fear by engaging in the worse element of labeling. Ann Coulter used derogatory names and labels to attack individuals who do not prescribe to her sense of reality. Most recently in 2004, Ann Coulter was able to publish a book titled “How to Talk to a Liberal (If You’re Must)” which contains what she considers the best of her editorial pieces. Her book lacks references, endnotes or footnotes which are common in serious scholarship. In defense of Ann Coulter, she was critical of the American government for not doing enough to protect the American public from future attack and at the same time, gave her the opportunity to push forward her agenda which is in line with the culture of fear. Further, I do not think that Ann Coulter perceives herself as a serious scholar but rather a concerned citizen who is outraged by the dysfunctional elements of the American government who in her eyes did not take strong measures to protect the public from terrorism.

Michelle Malkin is another concerned citizen who espouses the rhetoric of the culture of fear. In her latest book titled, “In Defense of Internment: The Case for Racial Profiling in World War II and the War on Terrorism” published in 2004, Malkin offers her case for racial profiling which tends to correspond with the basic tenant of the culture of fear. Malkin does not perceive herself as a historian or a constitutional expert but rather a pragmatist who believes that extraordinary times require extraordinary measure. Meaning we are fighting a war against dogmas and elusive terrorists and that racial profiling of Middle Easterners is practical because the 19 hijackers were Muslim men from the Middle East. Further, Malkin defended the government action against Japanese Americans during World War II as a necessary measure during extraordinary times. Accordingly, critics of U.S. government action during the Japanese internment and the current war on terrorism are not realistic or pragmatist when it comes to fighting a war on terrorism. Malkin’s’ rhetoric legitimizes and perpetuates the ugly side of the labeling process, therefore, advancing the extreme aspect of the culture of fear. She takes this culture of fear to extremes when she uses derogatory labels to describe the individuals who do not prescribe to her sense of reality. I believe that using derogatory labels or resorting to name calling is not one of the qualities of constructive debate or discourse--far from it.

Other experts on mass media offered interesting critiques of the role of the mass media in the age of culture of fear. Rampton and Stauber (2003) published a thought-provoking work entitled “Weapons of Mass Deception: The Uses of Propaganda in Bush’s War on Iraq” in which they did an investigative critique of the role of the mass media and the war on terrorism and the war against Iraq. They contend that the mass media with direct involvement with the government, engaged in campaigns of misinformation in order to push forward the government’s agenda and that is to drum up support for the war against Iraq here and abroad. Further, the mass media, with complete support and cooperation of the government, launched campaigns of deliberate misinformation here and abroad during the early stages of the war on terror, particularly, legitimizing the attack on Afghanistan because they provided a haven for the terrorists. Later on, the government with the help of mass media engaged in campaigns to change people’s attitudes about the American government in the Arab world. They concluded that these campaigns failed miserably since and people’s attitudes about the United States remained the same. Meaning, these campaigns were especially ineffective and attitudes remained the same, and great deal of funds went to waste (Rampton and Stauber, 2003).

Other critics of the role of the mass media in the war on terrorism and the culture of fear include Amy and David Goodman, who published a brilliant piece of work entitled, “The Exception to the Rulers: Exposing Oily Politicians, War Profiteers, and the Media that Love Them,” published in 2004. In this work, they examine the direct relationship between the government, corporate America and the mass media and especially offer criticism of all involved parties for their role in fostering the culture of fear and the same time profit for such a transaction. Further, this work offers honest critiques of the role of the government and corporate media because they sacrificed human life for their own profit. Mass media, in this case, on multiple occasions were silenced when attempted to expose government and corporate corruption and greed here in the states and abroad. At the same time, elements of mass media were willing to engage in campaigns of misinformation in order to help the government and corporate America to further its agenda and that is to profit from its activity at any cost (Goodman and Goodman, 2003).

The reaction Michael Moore received from the mass media when he released his movie *Fahrenheit 911* best reflects this culture of fear. The mass media launched campaigns to discredit Michael Moore because they disagreed with the basic premise of his movie. He was called by his critics un-American and unpatriotic because he presented a view that is critical of the government in their handling of this war on terrorism (Moore, 2004). Michael Moore was not the only one to have the honor of being ridiculed by the mass media for not beating the drums of war. Al Franklin was another person who was ridiculed and attacked by the mass media because of the points of view he held regarding the war on terrorism and the culture of fear. His book entitled, *Lies and the Lying Liars Who Tell Them: A Fair and Balanced Look at the Right*, published in 2003 offers a “fair” and “balanced” view of mass media and its role in the war on terrorism and the culture of fear (Franken, 2003). Next, the attention will shift to discussing some of the relevant theories of mass media before discussing the general charges levied against the U.S.A. Patriot Act and its connection to the culture of fear. I believe that these theories would provide the framework to understanding the culture of fear.

Chomsky, Herman, Perdue, and O’Sullivan published extensively in the area of mass media, which I believe some of their works are relevant to the focus here. Their work focuses on the phenomenon of terrorism in general and state terrorism and the role mass media and other social control agents play in the social construction process of deviant labels. In their book entitled, *Manufacturing Consent: The Political Economy of the Mass Media*, (1988). Herman and Chomsky outlined their theoretical model which they identified as the “propaganda model.” The authors were able to give a social constructionist explanation to the phenomenon of state terrorism focusing on the creation of definition which implicates the media. To them, the media is the primary agent or culprit behind such propaganda. According to Herman and Chomsky, the state, with the help of the media, is successful in the task of constructing acceptable definitions of deviance and making such definitions the norm in our society (Herman, Chomsky, 1988).

The propaganda model is based on the following premises: (a) the state through the use of media, print and otherwise, is successful in the task of constructing suitable definitions of deviance and making such definitions the norm in a society, and (b) this propaganda model is partly, if not completely, to be blamed for the state ineffectiveness in addressing the political, economic, and ideological implications of terrorism in general, and state terrorism in particular (Chomsky, Herman, 1988).

Perdue’s (1989) idea of the “dominant ideology” is closely related to the propaganda model developed by Chomsky and Herman. In his brilliant work entitled *Terrorism and the State: A Critique of Domination through Fear*, published in 1989 describes in detail the characteristics of the dominant ideology and the processes involved in the application of such ideology to domestic and foreign policies. According to Perdue, the ruling elite and the state enlist the help of the mass media in order to carry on its propagandistic work. As a matter of fact, the mass media plays an integral part in the propaganda process, particularly its activities of censorship, selective reporting, distortion, and stereotypical imaging. Perdue develops his political economy perspective on terrorism that is critical of the role of the media in creating and enforcing appropriate definitions of situations in order to maintain and protect the existing status quo:

Argued this, a critique of the media must address (1) this definition or ideological problems associated with terrorism (2) inadequate coverage of the sources of political violence, with bias favoring coverage of the high drama that gives twisted expression to those grievances, and (3) the role of the media in creating the political climate in which state terrorism is legitimated as “Counter Terrorism,” (Perdue, 1989, page 48).

Perdue (1989) further asserts that the state’s position regarding terrorism is enforced through this dominant ideology which he refers to as the dominant ideology of terrorism. Accordingly, this ideology defines terrorism, who are the terrorists, how terrorists behave, and which targets terrorists mark for their violence, contained in this ideology is a host of policies and procedures at the disposal of the state to be used in dealing with terrorism at home and abroad.

Herman and O’Sullivan in their work entitled, *The Terrorism Industry*, published in 1990 reflect on the various labels been used to describe the current and existing literature on terrorism. They perceive the literature on terrorism to be dominated by one approach and that is the basic Western model or what they refer to as the “Patriotic Model” (Herman and O’Sullivan, 1990).

The “Western Model” or “Patriotic Model,” according to Herman and O’Sullivan tends to address the following issues: the causes of terrorism, forms of terrorism, who are the terrorists, and finally, how to deter future acts of terrorism. This approach is commonly held by western leaders and various scholars who make up the “Terrorism Industry.” This approach contains the following elements:

1. The west is an innocent target and victim of terrorism.
2. The west only responds to other people’s use of force
3. Terrorist, whatever their motives, tend to impose their will through the use of force and in the end are designed to create fear.
4. Insurgents that are supported by the west are done on behalf of democracy against fascist regimes and civilians are not killed.
5. Democracy is vulnerable to terrorist acts and finally,
6. Terrorist activities that undermine democracy are supported by the Soviet Union (Cold War mentality) (Herman and O’Sullivan, 1990, pages 37-38)

It is important to consider that their terrorism industry model tends to reflect media coverage of the tragedy of September 11, 2001, the culture of fear, the responses to the terrorist attack on September 11, 2001 and the counter terrorism efforts in Afghanistan, Iraq, and the U.S.

The final theory I would like to explore is discussed in the essay written by Fritz Breithaupt entitled, “Ritual of Trauma: How the Media Fabricated September 11” in which he applies the trauma theory to media coverage of the event of September 11, 2001 focuses on the characterizing and the impact of such media coverage. By utilizing the trauma theory he was able to show how media coverage carefully constructed and crafted to induce the principles of trauma. Accordingly, the media played the role of the healer as it fits in the trauma theory in their coverage of the event which according to Breithaupt took on the following sequences:

Shock, repetition, emphasis on experience, involuntary memories, state of confusion, afterlife of the event, attributing the shock to some external source (“the villain”), focus on healing, attempts to memorialize and put memory back into place (Breithaupt in Chermak, Baily and Brown, editors, 2003, pages 70-71).

This role of the media as a healer is carefully chosen so as to accomplish the desired outcome which is suppose to be the natural response to a tragedy of that scale which occurred on the morning of September 11, 2001. This carefully constructed and chosen role of the media as a healer have political, social, ideological, and cultural implications in terms of how we should respond, the questions to be asked, and the ignored issues and why? Therefore, the precursors for the culture of fear are closely linked to media role in the coverage of the event and essentially, launching the culture of fear which continues to dominate the country and the world, although reluctantly. Next, we will briefly explore again the elements of the culture of fear as portrayed in the war on terrorism and the Patriot Act. Again, we emphasize that our analysis of the USA Patriot Act will not focus on the legal and constitutional debate but rather the elements of the culture of fear present in the Patriot Act.

Shortly after the attack congress took its actions, within days from the tragedy. The first action, according to an ACLU report was to provide funding for security agencies to carry on its work of protecting the country from future attacks. The second action was it’s enactment of the “Use of Forced Resolution,” which gave the president the power to assemble the army to take action against the terrorist abroad who carried out the terrorist attack. The president used this resolution to launch an attack against the Taliban in Afghanistan and later on in Iraq (Insatiable Appetite, An ACLU Report, 2002).

The ACLU took it upon itself to launch an informational campaign to educate the public about what it perceives the general and the specific implications of the Patriot Act. In this 2002 report, they first provide general criticism of the act itself. In their analysis, the ACLU perceives the new measures outlined in the Patriot Act to emphasize three troubling themes and these are: government secrecy, erosion of checks and balances, and finally “disrespect” of an important American value and trend is equality under the law. (Insatiable Appetite, ACLU report, 2002, page 1).

The ACLU report focuses on the general criticism of the Patriot Act. Their analysis focuses on how the new measure suggested by the U.S.A. Patriot Act are going against the basic democratic principles this country is founded on and for that they are extremely discouraged.

The ACLU and other critics of the Patriot Act see no need to sacrifice personal freedom and liberty for the sake of creating a sense of security. They believe that congress can strike a balance between personal freedom and safety without sacrificing liberty.

According to the ACLU, the Patriot Act contains serious “far-reaching” provision that they find extremely dangerous and these include:

1. The ability of the government to incarcerate and detain non-citizen based on “mere suspicions” of being terrorist.
2. Commit loosely power and control over law enforcement agencies if they engage in abuses of power in their activity of surveillance.
3. Giving the government too much power to engage in secret searches in their activity of “sneak and peak.”
4. Invasion of privacy by the government into citizen’s private record such as credit, banking, health, and student’s record.
5. Probably cause in investigating American citizen for crime is completely ignored.
6. Giving the CIA the authority to spy on Americans, which history showed as that such power was abused by the CIA.
7. It contains an “overbroad definition” of domestic terrorism which they fear the government might use to target groups that do not prescribe or are critical of the government (Insatiable Appetite, ACLU Report, 2002, page 4)

A book edited by Cynthia Brown entitled, “Lost Liberties: Aschcroft and the Assault on Personal Freedom” published in 2003 contains a collection of essays written by scholars who focus on how the Patriot Act has specifically certain measures have far overreaching consequences to personal liberty. The contributors to the book provided a critical assessment of the U.S.A. Patriot Act, especially in the area of surveillance, detention of non-citizen and citizen with no regard to due process, racial profiling and detention and torture of “enemy combatant” detained in Guantanamo, Cuba. The general theme ruining in the writing of the contributors is that we now live in a culture of fear where civil liberty is being sacrificed for the sake of security. Further, the contributors discussed the impact of this culture of fear on the way this country conducts its foreign policy, therefore, changing the attitudes the world has about this country which they perceive to be a dangerous trend in this culture of fear (Brown, editor, 2003). It is important to keep in mind that congressional leader, democrats and republican, such as Ted Kennedy and congressman Barr did voice their concerns about the U.S.A. Patriot Act in public.

Amitai Etzion published a thought-provoking book entitled, “How Patriotic is the Patriot Act? Freedom Versus Security in the Age of Terrorism” in 2004 in which he provides a critical assessment of the USA Patriot Act. His analysis of the USA Patriot Act is divided into tow categories: categories he perceives as “reasonable measures “and” troubling measures” then he proceeded to discuss why certain measures were considered “reasonable” in post September 11, 2001 such as the student and exchange visitor information system (SEVIS) and the troubling measures include military measures such as tribunal, the designation of certain individuals as enemy combatant, operation tips and material support provision contained in the Act. His analysis of both the reasonable and troubling measure is rooted in historical context where he sets the historical and chronological development of discussed measures and how they evolved in post September 11, 2001 environment. He too points to some of the disturbing elements of the Patriot act and how they are a waste of time, money, and effort and at the same time contributes to, indirectly, to the culture of fear (Etzion, 2004). Finally, we would like to conclude this paper with general remarks about the culture of fear and how the societal reaction perspective fits in perfectly in our analysis of the USA Patriot Act and the culture of fear which immediately followed the tragic event on the morning of September 11, 2001.

Newman in her essay entitled, “September 11: A Societal Reaction Perspective” published in the crime, law and social change in April 2003, attempted to apply the labeling perspective to the events immediately followed the September 11 attack. In her analysis, she focused on statements of public officials including the president and congressional leaders who publicly made statement which she perceive as a clear indication of the labeling process and she discusses the impact of such powerful statements on the public in terms of fueling this culture of fear. Further, she provides a critical assessment of the role various social controls agents played in responding to the September 11, 2001.

Utilizing the theoretical framework outlined by the founders of the societal reaction perspective such as Becker, Lemert, Spitzer, to name a few. She was able to draw comparison in terms of the basic premises regarding the role of various social control apparatuses play once ending a crisis as outlined by the experts, she was able to show how in our response to the tragedy of September 11, 2001, agents of social control such as law enforcement, government, and mass media followed closely the basic premises discussed by the experts of the societal reaction perspective (Newman, 2003).

Newman and the critics of the USA Patriot Act focused on the problematic nature and the complex reality of the culture of fear which was an integral part of the normative culture in the aftermath of the tragedy of September 11, 2001. Although Glassner contend that the culture of fear is an integral part of the American culture. He points out that directly and indirectly corporate America is profiting from this culture of fear. Following his rational viewing the culture of fear from a social conflict perspective, we would have to conclude that the culture of fear is a carefully constructed campaign that is deliberate and aimed at controlling and manipulating the masses to conform to the agenda and wishes of the governing elite and at the same time, silence at any cost, the voices of dissent who refuse to blindly support and defend the status quo. Further, the social constructionist process would be used by the governing elite to create appropriate definition of deviance and at the same time legitimize the normative culture as understood by the social control apparatus that are directly involved in the social construction process of deviant labels. The basic premise of the societal reaction perspective is to successfully apply deviant labels to individuals or behavior because they go against the grain or what sometimes referred to the normative culture. Thus, strengthening and legitimizing the normative culture.

The societal reaction perspective is definitely apparent in the way society reacted to the tragedy of September 11, thus unleashing the culture of fear. The USA Patriot Act of 2001 and Homeland Security Act of 2002 are considered the two important legislations that directly and indirectly foster the environment of the culture of fear. Although congress made substantive declaration in the USA Patriot Act which stated that the government should take important measure to make sure that Arab America and other groups sharing culture characteristics with the hijackers are protected against any forms of retaliation. Meaning they took a stand against hate crime. In principles congress condemns hate crime and at the same time, indirectly supports racial profiling of certain groups and individuals for the sake of national security. Definitely, this created a contradiction between principles and strategy. This is troubling.

The final irony of this culture of fear going too far is reflected in the wishes of President Bush, who stated at press conference that he would like to pass a new law part of the new and revised Patriot Act, which makes it illegal to read the patriot Act. He wanted critical information about how the federal government investigates and prosecutes acts of terrorism to remain secret. He states “for the sake of the American people, I call on congress to pass this important law prohibiting access to it.” (The Onion, September 17, 2003)

References

- Brown, Cynthia. (Editor) (2003). Lost Liberties: Ashcroft and the Assault on Personal Freedom. New York Press
- Etzion, Amita; (2004). How Patriotic is the Patriot Act? Freedom Versus Security in the Age of Terrorism. Routledge, New York.
- H.R. Soos. "Homeland Security Act of 2002."
- Drury, Shadia (Winter/Spring 2003) "Terrorism: From Samson to Atta" Arab Studies Quarterly; volume 25 number 1002, pages 1-12
- "Insatiable Appetite: The Government's Demand for New and Unnecessary Powers After September 11. "An ACLU Report published April 2002 and updated October 2002
- Newman, Deborah W. (2003) "September 11: A Societal Reaction Perspective." Crime, Law, and Social Change. Number 39, pages 219-231, April 2003.
- Goodman, Amy and David (2004) The Exception to the Rule: Exposing Oily Politicians, War Profiteers and the Media that Loves Them. Hyperia Press, New York.
- Glassner, Barry (1999). The Culture of Fear: Why Americans Are Afraid of the Wrong Things. Basic Books, New York.
- Malkin, Michelle (2004) In Defense of Internment: The Case for "Racial Profiling" in World War II and the War on Terror. Regner publishing, Inc. Washington, DC.
- Chermak, Steven; Bail, Frankie; and Brown, Michelle. (Editors) (2003) Media Representative of September 11. Crime, Media, and Popular Culture Series. Praeger, Westpoint, Connecticut.
- Rampton, Sheldon and Stauber, John (2003) Weapons of Mass Deception: The Uses of Propaganda in Bush's War on Iraq. Jeremy P. Tarcher, Penguin, Inc. New York.
- Franken, Al (2003) Lies and the Lying Liars Who Tell Them: A Fair and Balanced Look at the Right. Dutton, Penguin, Inc. New York
- Coulter, Ann (2004) How to Talk to a Liberal (If You Must): the World According to Ann Coulter. Crown Forum, New York.
- Warren, Ricky and Feldan, Linda. "Has Post-911 Dragnet Gone too Far?" Christian Science Monitor, September 12, 2003.
- Eric Lichtblaw. "Justice Department List Use of New Power to Fight Terrorism." New York Times, May 21, 2003.
- Eric Lichtblaw. "Ashcroft Mocks Libraries and Stars who Oppose Part of Counter Terrorism Lay," New York Times. September 16, 2003.