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The USA Patriot Act was designed and passed to assist law enforcement agencies in tracking down and apprehending suspected terrorists. It does this in such a way as to remove or outright ignore the freedoms the American people have come to rely upon based on the very constitution the country was founded. Specifically, wiretaps can be done “without providing probable cause as the Fourth Amendment explicitly requires” (ACLU, 2010).

As for the “threat levels” which were pushed based on the Act, all they have managed to do is cause further unrest and information obfuscation. My personal experience with the “threat levels” when they first appeared after 9/11 was one of confusion and doubt. Confusion about what the levels actually meant in terms of the average American (myself), and doubt about whether the threat levels were really as high as stated. I imagine for most people, beyond the general sabre rattling of the government in terms of threat this, or terrorist that, there was very little unrest seen in their lives.

Australia faced the supposed threats of international terrorism (which is as obscure a word as can be allowed for in any nation [who is a terrorist?]), through multiple different compliance regulations. One which I face on a yearly basis is AML/CTF, Anti-Money Laundering and Counter-Terrorism Financing, compliance (Australian Government, NA). This Act covers the monitoring and reporting of suspicious transactions to the Australian government for review. It also requires the assistance of any financial institution when the police are investigating suspicious activities.

Unlike the Patriot Act in the United States, the AML/CTF does not infringe upon any basic freedoms. It only adds to the monitoring and control of currencies moving to and from possible terrorist targets. It does, however, increase the overall prevue of the police force for use in domestic financial matters. That being said, the laws on the five fundamental freedoms are more loosely defined then in the United States (Australian Government, NA).

As the laws for the Freedom of speech are more loosely bound than those in the states, the appropriateness of the AML/CTF can be seen as one of more clearly defining what the police force cannot do, rather than what they can do. In fact, before the Act was in place, law enforcement agencies in Australia could still gain financial information from any institution with suitable documentation. Rather, the Act more clearly aligns financial organization’s reporting requirements with those of what the government requires.

Reference

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