

National Security and Civil Liberty

A Chronological Perspective

SECOND EDITION

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Preface to the Second Edition

For many Americans the events of Tuesday, September 11, 2001, will never be forgotten. First, the South Tower of the World Trade Center burned fiercely from the crash of a jetliner. Then, as terrible as that scene was, another jetliner slammed into the North Tower, adding to the horror. As a New York City police sergeant assigned to police headquarters, I experienced those events first-hand. It was a day that changed my life forever.

Retiring in 2002, I took up teaching as my vocation, trying to understand the 9/11 attacks in the context of the greater world, not just as a New Yorker. Thus, in 2005 I began writing what was to become a textbook detailing the chronological history of our nation's struggle balancing national security with civil liberty. The first edition of the book, published in 2007, was titled *Sweet Land of Security*. At the time of its publication, President George Bush was still in office, but a Chicago-based Senator named Barack Obama was soon to be elected as the nation's next president. Back then, the nation was embroiled in a fierce debate over issues involving labelling suspected terrorists as unlawful combatants, the suspension of habeas corpus, using the military to try terrorists on terror-related charges, torture, and allegations that our federal law enforcement agencies were spying on mosques.

From 2011 to 2014, I re-wrote the book, now called *National Security and Civil Liberty: A Chronological Perspective*, adding a new chapter examining the Red Scare of the 1920s and 30s and updating the last chapter to reflect discussions of new issues that have surfaced in America's War on Terror since 2007: despite assurances from President Obama to close the terrorist detention center located in Guantanamo Bay, Cuba, it is still in operation, and the military is trying terrorists there; the National Security Agency has begun capturing and storing hundreds of millions of telephone records and emails of ordinary American citizens without a judicial warrant or without any suspicion of criminal activity whatsoever; and the military's use of unmanned combat aerial vehicles, called drones, to launch laser-guided rockets at our enemies has recently come under severe criticism from Congress and the world. The

deaths of several overseas American citizen-terrorists now have Americans wondering if an American president would authorize missile strikes against fellow citizens here in the heartland.

I cannot cover every incident that has affected the balance of national security and civil liberty in America. That would require the reader to study the minutiae of government and politics. I have, therefore, deliberately chosen only those incidents and topics I think are most valuable in understanding the basic struggle, dividing them into nine time periods. Good reading!

Michael T. Geary
New Haven, CT
January, 2014

I dedicate this book to Professor Ralph Stein (1943–2012) from Pace University School of Law. He was a great professor who taught me both constitutional law and national security law, affecting me greatly.