According to the Fourth Amendment in the United States, the people of this country cannot be searched or seized without probable cause leading to a search warrant. Now, in my personal opinion, this should be followed strictly up until certain criterion is met. My reason for this is based off of moral reasons. I think rules of law need to be followed strictly up until a certain point.

If the government were to, without a warrant, access a person’s e-mail older than 180 days, than that is breaking the Fourth Amendment. The government is accessing private information, with or without probable cause, without a search warrant. If the government was lucky enough to find someone actually committing a crime electronically, then they would be sued or at least appeal to Supreme Court for violation of the Fourth Amendment. Of course, the government will hire some high-priced lawyer to defend them and win because the judicial system is on their side and it’s a predetermined victory.

Now, if the government, without a warrant , were to obtain the location of certain individuals using data from cell phones or tablets, then that’s a different story. The government isn’t getting into any of your private business, but they are tracking you. This is more of an investigation perspective for the government. This is somewhat like the cops sitting outside a person’s house and tracking they’re movements by following them around the city. This method is noninvasive and the police obtain the information they need to show probable cause for a search warrant.

Sometimes, the government abuses their technology to keep the citizens of the US under control, but this isn’t how the Father of the Constitution and its signers imagined the Fourth Amendment would be enforced. They created the Constitution so this country would be free, but with a few reasonable rules that would keep the country in check. Like everything, the rules evolved into how we understand them today, but they’re still the same rules. Go to Washington D.C., go inside the National Archive building, and walk up to the Constitution. They’re the same now as when they were written 224 years ago. I know that there is an elasticity clause in Article 1, but the Bill of Rights were written as a given set of rights that could never be taken away under American rule. This should mean that they can’t change them because you’re basically giving away a right for a new right. Why must the government be so abusive that they completely use their power to control the country, just like the country we gained independence from that did the exact same thing, to where they are the rulers and we are the peasants?