

Crypto and the United States Constitution

Daniel J. Bernstein

University of Illinois at Chicago &
Technische Universiteit Eindhoven

Let's look at crypto
from the government perspective.

We're the government.

We have a long history
of trying hard to understand
what people are saying and
what people are thinking.

("We listen! We care!")

We've put serious time and
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("Collect it all.")

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Fifth Amendment:

“No person shall be held to answer for a capital or otherwise infamous crime in any case without a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when actually in the service, in cases of impeachment, or in an army or navy in cases of mutiny, or when the public safety may require it; nor shall private property be taken for public use without just compensation; nor shall any person be deprived of life, liberty, or property without due process of law; nor shall any person be taken for compensation.”

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Bill of Rights is a limitation on federal power. It was (mostly) extended after Civil War.

Fourteenth Amendment: State shall make no law which shall deprive any person of life, liberty, or property without due process of law; nor shall any State deprive any person of life, liberty, or property without due process of law; nor shall any State deny to any person within its jurisdiction the equal protection of the laws.

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Lesson #2: We should have
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Strategy: Accuse communication of being child pornographers, drug dealers, terrorists, etc.

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