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Summary

In the name of catching terrorists, the federal government is rapidly establishing program after program to monitor American citizens. Though their success remains to be seen, the programs are guaranteed to infringe on the liberty of law-abiding Americans.

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“If we trade our liberty for the mirage of unattainable security, we will wind up bereft of both.”

Surveillance doesn't end with terrorists

By Charlotte Twight, Ph.D.

The recent arrests of suspected terrorists in Portland have brought world events to your doorstep. Though such actions may be seen by some as progress in the war on terrorism, they are also central to the debate about the erosion of liberty in America.

In the name of catching terrorists, the federal government is rapidly establishing program after program to monitor law-abiding American citizens. Long-standing wish lists of government officials and special interests for expanded government surveillance of ordinary Americans are being trotted out daily, wrapped in fine-sounding phrases.

These measures seek to establish federal surveillance of law-abiding people on a scale previously unimaginable in America. They reflect a now accelerated quest for biometric identification of all Americans—using technology to track people by myriad physical characteristics: eye color/retinal scan, fingerprints, DNA, etc. The end game is eventual linkage of that identifier to a multitude of government and private-sector databases of personal information, enabling the central government to track and monitor our daily lives in detail.

Prior to September 11, 2001, the federal government already had mandated creation of vast databases capable of providing officials with an enormously detailed portrait of the lives of every American—our finances, educational experiences, employment, medical care, and countless other personal activities chronicled in records now tied to our Social Security numbers. Since September 11 the goal of federal officials has been to facilitate more immediate and unfettered governmental access to this information.

In November 2001 Congress passed the Aviation and Transportation Security Act, 51 more pages of new federal authority. Only months later did we learn that this law authorized the creation of “trusted passenger programs” that employ biometric identifiers with links to government and private databases of personal information about law-abiding citizens. By calling it a “trusted traveler card” and appealing to our desire to avoid travel delays, authorities hope we will not perceive its potential to become a national ID card in everything but name.

Federal authorities are also moving ahead with efforts to centralize air passenger data from every airline reservation system in the nation, establishing a computer network linked to electronic databases containing information about where we work, where and with whom we live, our financial records, and more. Washington Post writer Robert O’Harrow quoted former FAA official Joseph Del Balso as saying, “This technology ... gives us a pretty good idea of what’s going on in a person’s mind.”

At the same time, the American Association of Motor Vehicle Administrators has been working with like-minded federal officials to try to turn our drivers’ licenses into the functional equivalent of national ID cards. That effort also contemplates use of biometric identifiers and links to federal government databases about our private lives.

Meanwhile, officials of the U.S. Centers for Disease Control and Prevention commissioned a draft “Model State Emergency Health Powers Act” and now are seeking its passage in states across the nation. The purpose of the act is to establish something like martial law when a state governor declares a “public health emergency.”

Under this proposed legislation, private property could be seized, people could be subjected to medical tests and treatments without their consent, and physicians could be forced to administer treatments to patients as ordered by the state on penalty of losing their medical licenses. Individuals who object to government-mandated medical treatments on grounds of religion or conscience could be quarantined until authorities decide that the public health emergency has ended. As of August 15, 2002, legislation based on the Model State Health Emergency Powers Act had been introduced in 36 states and some version passed in more than a dozen.

Can anyone doubt that these measures are anathema to a free society? Access to the transportation system can be controlled by government and medical treatments imposed by government. What’s next?

Do not imagine that these new measures will catch many terrorists. Indeed, it has been widely reported that the intelligence failures that permitted the September 11 terrorists to elude authorities were more a product of too much data clogging the system than too little. Unfortunately, in the long run these measures may primarily threaten freedom of speech and assembly—“what’s going on in our minds”—not foreign terrorists. Watched people are not free people. If we trade our liberty for the mirage of an unattainable security, we will wind up bereft of both.

During the U.S. military campaign in Afghanistan, Osama bin Laden said: “I tell you, freedom and human rights in America are doomed.... The U.S. government will lead the American people and the West in general into an unbearable hell and a choking life.” If the new push for surveillance of ordinary Americans succeeds, Bin Laden may be proved right. These measures do not just target terrorists. They target American liberty.

Charlotte A. Twight, PhD, is a professor of economics at Boise State University and author of *Dependent on D.C.: The Rise of Federal Control Over the Lives of Ordinary Americans. She is an adjunct scholar to the Cascade Policy Institute, a Portland, Oregon think tank, and will speak in Portland on Nov. 9. For event information call Cascade at (503) 242-0900.*

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