

<http://reason.com/blog/2010/11/29/the-nation-posts-a-narrow-apol>

## ***The Nation* Posts a Narrow Apology. And Publishes Another Error.**

Radley Balko | November 29, 2010

Over the weekend, *The Nation* editor Katrina vanden Heuvel posted something that sort of resembled an apology for the whiff at investigative journalism Mark Ames and Yasha Levine attempted at the magazine's website last week. Ames and Levine, remember, wrote a meandering, conspiracy-mongering, wholly unsubstantiated article trying to link the anti-TSA backlash to the Koch family.\* All the piece was missing was Glenn Beck's blackboard.

True contrition would have included apologizing to the *The Nation's* readers for the article's inexcusably shoddy journalism, to the many legitimately outraged activists and TSA victims that the article maligned as hired guns, and to the general public for providing a forum to an "everyone should spit on libertarians", "lets murder the people we disagree with" nut like Ames. Instead, vanden Heuvel delivered a heavily conditioned apology only to John Tyner, aka The Don't Touch My Junk Guy, while standing by the broader theme of the Ames/Levine smear. That theme, basically, is mindless D.C. tribalism.

The priorities on display here tell all. Both vanden Heuvel and Ames/Levine concede that the TSA's new policies are worrisome. But civil liberties violations and the encroaching security state take a backseat to a more important task: Smearing the people they're programmed to hate. It's very D.C. You stake out your position not by applying a consistent set of principles, but by making sure your position puts you in opposition to all the right people. (Kevin Drum of *Mother Jones* did the same thing, describing the TSA backlash as "catnip" for the right wing.)

Thing is, even if Ames/Levine had more convincingly (or at all convincingly) connected all the Koch conspiracy dots . . . so what? You'd think that the Kochs suddenly deciding to spend a bunch of money on the civil liberties side of libertarianism would be the sort of thing the *The Nation* would welcome. But that's assuming the *The Nation* is as concerned about protecting civil liberties as it is with protecting Barack Obama from criticism. A few years ago I attended a drug policy debate at the annual Conservative Political Action Conference. Ethan Nadelmann of the Drug Policy Alliance was arguing for legalization. Some David Horowitz flack was arguing for more better drug war. The Horowitz flack's entire argument was that Nadelmann's organization is funded by George Soros, therefore no good conservative should listen to anything he says. It's an unserious argument when it comes from the right. And it's no more serious when it comes from the left.

Getting back to vanden Heuvel's apology, this sentence-ish clause is particularly galling:

We have long opposed, and exposed, the continuing encroachments of the national security state, though we also think that those who applauded each sacrifice of liberty for security under the Bush administration should expect to be regarded with skepticism if the presence of a Democrat in the White House suddenly prompts libertarian concerns.

So in the course of responding to two articles on her magazine's website that engaged in mindless partisan tribalism, vanden Heuvel accuses libertarians . . . of partisan tribalism.

As Matt Welch [has pointed out](#), if the accusation that anti-TSA backlash has a partisan aftertaste were directed at conservatives, vanden Heuvel would have a point. But it isn't. Her awkwardly-structured hedge is specifically directed at libertarians. ([The Ames/Levine follow-up post](#) linked to this site, and named the Reason Foundation's Bob Poole as part of the conspiracy.) Thing is, vanden Heuvel is factually and provably wrong.

A vanden Heuvel education might start with [our February 2004 cover story](#), titled "Dominate. Intimidate. Control. The sorry record of the Transportation Security Administration." She could continue with [this 2007 cover story](#) warning of the privacy implications of emerging search technologies. For further reading, a quick search of our archives turns up dozens of Bush-era TSA articles and blog posts. There are far too many to list them all, but she could get reading [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), and [here](#).

Of course, *Reason* isn't the only libertarian outfit around. Let's move on to the also Koch-funded Cato Institute. [Here's a white paper](#) Cato published devoted solely to documenting Bush's contempt for the Constitution, much of which addresses the security state. Or [check here](#) for countless studies and opinion pieces critical of Bush's DHS, TSA, and counter-terrorism policy.

[Outside the Great Koch Conspiracy](#), other libertarian organizations have also been documenting TSA abuses since the agency's inception. [Here's an archive](#) of "TSA" mentions at LewRockwell.com. There's a flurry of articles related to the recent backlash, but you'll plenty of articles predating January 2009. [Here's the archive](#) from the Ludwig von Mises Institute, which produces similar results.

As it turns out, libertarian organizations actually did a far better job holding Bush's TSA accountable than the *The Nation*. That doesn't surprise me, but it may surprise vanden Heuvel.

A search for "TSA" and "Transportation Security Administration" on the *The Nation* website returns just 16 articles dated 2008 or earlier. Weeding out for glitchy search results and articles where the phrases appear only in reader comments, we're left with just six stories that substantively address the TSA in some way. Included among those six is...

[This David Bacon article](#), which criticizes Bush for fighting attempts to unionize the agency. [This David Corn article](#), which criticizes Bush for *cutting* funding to the security state, including TSA.

[This Michael Flaherty article](#), which criticizes the Bush administration for attempting to fire several TSA employees who aren't American citizens.

[This Robert Scheer article](#), which criticizes Bush for possibly contracting U.S. port security to a firm based in Dubai (or as Scheer delicately put it, "Now they tell us it's OK to have some Arab as the guy in charge of checking our shoes--excuse me, ports?").

I found two articles in the *The Nation*'s archives that indirectly or briefly criticize the agency on

civil liberties grounds:

This vanden Heuvel article gives one paragraph to a TSA privacy breach among a litany of other Bush outrages (most of which are indeed outrageous).

This John Nichols article talks about an Army Lieutenant Colonel's inclusion on the no-fly list, though it's more a suggestion that the inclusion was politically motivated than a broad criticism of TSA.

Finally, I could find just *one* article published by *The Nation* during the entire Bush presidency, in its magazine or on its website, that was a broad criticism of the TSA and its effect on civil liberties. That would be this David Jones article from 2003. In the last week alone, *The Nation* has published three times as many articles attacking the motives of libertarians who have spoken up to defend their civil liberties from TSA.

It's possible that not all of the magazine's archives are online, or that the search engine didn't pick up every example. But hey, I at least made the effort, which is more than we can say for vanden Heuvel. Even if I missed a few, I think my point is made: Libertarians have been out in front on this issue from the start. And contra vanden Heuvel and Ames/Levine, not only was libertarian criticism not muted when a Republican occupied the White House, during that time libertarian journalists, wonks, and pundits did a damned sight better job covering TSA abuses, inefficacy, and theatrics than the *The Nation*.

(\*Disclosure: David Koch serves on the board of the Reason Foundation, which publishes this website. Also, between my four years at *Reason* and five years at the Cato Institute, the Koch family has for the better part of the last decade decade partially funded my corporatist, right-wing work on police militarization, prosecutorial misconduct, reforming the drug laws, and the inadequacies of the criminal justice system.)