



U.S. debates security vs. privacy 12 years after 9/11

Jason Noble - September 10, 2013

The search continues for the right balance between counter-terrorism efforts and individual privacy.

DES MOINES, Iowa -- Twelve years after the terrorist attacks of Sept. 11, 2001, and amid a summer of revelations about the extent of the surveillance state built up to prevent others, leaders, experts and average Americans alike are searching for the right balance between security and privacy.

Recent news reports have uncovered programs within the U.S. National Security Agency to collect and analyze Internet and communication data generated by millions of Americans.

They illustrate in never-before-known detail the extent to which innocent civilians are caught up in the dragnet for international terrorists.

Disclosure of such clandestine operations — with spy-novel names like "Prism" and "XKeyscore" — has sparked a "fundamental change" in the debate over civil liberties and national security, one observer says. At the same time, public support for anti-terrorism efforts remains strong, proving once again the long shadow of the Sept. 11 attacks that killed nearly 3,000 Americans in New York, Washington, D.C., and Pennsylvania.

"If something is being done without our knowledge that truly is to protect us as citizens of the United States, then I'm more forgiving of that," said Robert Ford, a playwright and composer from Des Moines. "But I don't like the idea that the government, or any entity, has the ability to intentionally snoop into our private lives."

Polling suggests such ambivalence is shared nationally.

Iowans and others this week described awareness of the threat of terrorism and even an expectation of government intrusion as regular aspects of life.

Samantha Carlson, 21, was in fourth grade when the attacks happened. This week, she described growing up with a heightened awareness of her surroundings that she attributed to concerns over terrorism. The recent Drake University graduate talked of flying on four separate occasions this summer, and the way in which security is at once invasive and routine.

"It's still very present in our lives, 12 years later," she said.

There must be, she said, a "happy medium between knowing what's going on in our society and being too invasive."

At Des Moines International Airport on Monday were Ken and Joan McMahon, a Freehold, N.J., couple in town visiting family. Being as close to the attacks as they were — Ken McMahon was in Manhattan that day, and their daughter lived there at the time — they have been quite ready to make sacrifices for security.

"Do whatever's necessary," Joan McMahon said. "We've got nothing to hide. Giving up privacy is the price we pay."

A mobile police security tower stands outside the 9/11 Memorial on Sept. 10, 2013 in New York City. (Photo: John Moore, Getty Images)

An age-old debate

Among national security experts, divided public sentiment exemplifies the ongoing struggle to find an appropriate balance between security and liberty — a dilemma as old as the republic.

Al-Qaida's attacks on the U.S. created a spike in concern over terrorism that has yet to fully recede, said Paul R. Pillar, a senior fellow at the Brookings Institution who served 28 years as a CIA intelligence officer.

"The spike was so high that even though we've come down quite a bit — leading to the kinds of controversies that we've gotten into here — we still haven't come down anywhere near where we were on Sept. 10, 2001," Pillar said.

As long as concern remains high, the efforts of the NSA and the nation's broader security apparatus can be seen as merely carrying out the orders of the American people, he said. As anxiety over terrorism wanes, the political system can be trusted to dial back the emphasis on counter-terrorism and how invasive its methods are.

"It really is a matter of striking balances and deciding where to have policy when there are inevitable tradeoffs between conflicting values," Pillar said. "That's a political question. It is one where we have to accept that the mood of the American public is going to change, and we have to look to our representatives in Congress to reflect that mood."

But John Mueller, a senior fellow at the libertarian Cato Institute and researcher at the Mershon Center for International Security Studies at Ohio State University, worried that when it comes to national security, it's not always realistic to count on the political process to change course and restore civil liberties.

The NSA programs revealed this year exemplify an unaccountable security state, he said. The immediate fear and anger generated after the attacks allowed the construction of a surveillance system that has

remained mostly hidden from public scrutiny and public opinion. As long as the programs remain secret, they continue to grow, he said.

In his research, Mueller has calculated the increased cost of domestic security operations at more than \$1 trillion since Sept. 11, with little scrutiny, oversight or evaluation to determine whether they're actually making Americans safer.

"The real question should be: How safe are we?" Mueller said. "But that question is essentially never asked."

Mueller attempted to provide an answer by saying that the chances of an American being killed by a terrorist in a given year were one in 3.5 million. National media, including the *Washington Post* and *Reason Magazine*, have cited a 1-in-20 million figure. The National Safety Council, which puts out a chart each year on the odds of dying from one of dozens of causes, has declined to provide a figure for terrorism in recent years because there haven't been enough deaths from which to draw reliable estimates.

"Virtually no one ever says that your chance of being killed (by a terrorist) is one in 3.5 million," Mueller said. "Should we consider that to already be pretty safe, or are we going to spend a lot of money to become even safer?"

The issue of transparency also was raised by Ford, the Des Moines playwright.

"What I would wish for, which would never happen, is just more transparency," he said. "It's difficult to have an informed opinion about how much privacy we're willing to sacrifice for our safety when these surveillance programs are veiled in secrecy."

Transparency, scrutiny and open debate may indeed be coming.

In July, Congress only narrowly defeated an amendment to a defense spending bill that would have cut funding for one of the NSA surveillance programs. The proposal drew unusually bipartisan support from small-government Republicans and civil liberty-minded Democrats.

Further debate on the nature and scale of national security efforts is all but assured in the months to come.

"This is one place where I connect with (Republican Iowa Rep.) Steve King and some others," said Sen. Tom Harkin, D-Iowa. "I'm telling you, this is not good for our country to have all of this meddling by the government into our daily lives and personal effects. This is not good. And we have to nip this in the bud."

Rep. Tom Latham, R-Iowa, predicted "tremendous interest" in the issue this fall.

"We need to have intelligence. We need to find people who want to do us great harm," he said. "But we also have to appreciate that we are American citizens and that we have privacy."

