Obama Wants Nonexistent Middle Ground on Encryption, Warns Against "Fetishizing Our Phones"

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President Barack Obama says he wants strong encryption, but not so strong that the government can't get in.

"The question we now have to ask technologically is if it is possible to make an impenetrable device or system where the encryption is so strong that there is no key, there is no door at all?" he asked, speaking at the South by Southwest (SXSW) festival in Austin on Friday.

> Then how do we apprehend the child pornographer? How do we solve or disrupt a terrorist plot? What mechanisms do we have available to do even simple things like tax enforcement? If, in fact, you can't crack that all, if the government can't get in, then everybody is walking around with a Swiss bank account in their pocket. There has to be some concession to the need to be able to get into that information somehow.

It was Obama's first extended disquisition on the contentious issue of encryption. There have been many reports about a rift in his administration between those who recognize that unbreakable encryption is inevitable, and those who think there must be an alternative. But Obama appears to be hearing only one side.

Obama insisted that there is a middle ground. "My conclusion so far is that you cannot take an absolutist view on this," he said. "If your argument is strong encryption no matter what, and we can and should create black boxes, that, I think, does not strike the kind of balance we have lived with for 200, 300 years, and it's fetishizing our phones above every other value. And that can't be the right answer."

But the problem is that you can't have strong encryption without it being unbreakable.

Being absolutist about encryption is "the only way [it] works" tweeted Jake Laperruque, privacy fellow for the Constitution Project and the Open Technology Institute.

"It's not like no one has thought about this problem before. It's a fundamentally difficult problem, and it won't be solved anytime soon," wrote Matt Blaze, a computer science researcher and professor at the University of Pennsylvania.

Trying to come up with some solution that satisfies the desire for easy, ubiquitous law enforcement access while simultaneously upholding device security is what scientists call a "magic pony." Any hole for the government is a hole that criminals and foreign adversaries could exploit, too.

And although Obama accused encryption supporters of being absolutist, he echoed the absolutist view that the widespread use encryption was tantamount to law enforcement "going dark." It's not.

The technology isn't universally marketable, and there are plenty of other ways to amass evidence in criminal investigations, argued a group of scientists, privacy advocates, and members of the intelligence community in a Harvard Berkman Center report published in February. And the Internet of Things offers many new ways to spy on us — something the director of national intelligence, James Clapper, has mentioned himself.

Obama said he's "way on the civil liberties side of this thing," but civil liberties advocates didn't seem to agree.

"Why isn't 'government must always have the ability to access plaintext' the more 'absolutist' view?" asked Julian Sanchez, privacy and technology senior fellow at the Cato Institute, in a tweet. "'Swallow arsenic.' No. 'Ok, a little hemlock then.' No. 'Well, c'mon, you can't be an ABSOLUTIST about this,'" he joked.

Kevin Bankston, the director of the Open Technology Institute, tweeted that he was "disappointed" Obama resorted to fearmongering. "Opens w/child kidnapping & terror, closes w/child porn & terror, vague talk of balance," he wrote.