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TSA Abuses: Seeing the Forest and the Trees

by Anthony Gregory

The Transportation Security Administration is finally getting some of the bad publicity it deserves. We read about an elderly woman forced to remove her adult diaper to go through the screening process. We learn about a mentally disabled passenger deprived of his harmless toy by a sadistic policy, if not sadistic TSA agents. We see pictures of women and little children being felt up, all the while Americans stand by, seemingly helpless to do anything about such humiliations. A whole country has been conditioned to these summary body scans and pat downs, these invasions of bodily integrity that would have unlikely been tolerated in the era before 9/11, a memory that grows dimmer by the day.

Under Obama, conservatives once again pose as advocates of liberty, increasingly expressing outrage about TSA abuses. They are right to be angry. We could ask where they were almost ten years ago when their president, George W. Bush, oversaw the creation of this national monstrosity. More to the point, we should note that their critique hardly goes far enough and is somewhat misdirected.

The conservatives complain that grandmas and helpless children are being abused, and instead the TSA should pursue a more “common sense” policy that streamlines unthreatening people through a less-invasive process. Those who obviously don’t “look like a terrorist” shouldn’t be molested. Sounds good. But what many of them mean is that we need racial profiling, and that Arabs, Muslims, and those from questionable nations should undergo extra scrutiny. Yet this too is objectionable and absurd. Hundreds of thousands if not millions of such people fly in America regularly, and only an infinitesimal fraction are any threat. Why should the government subject innocent Arabs and Muslims to indignities and unreasonable searches without due process? On the other hand, British citizen Richard Reid, the attempted “shoebomber” of December 2001, didn’t look like a “typical” terrorist. He was of European and Jamaican descent. TSA agents are simply not equipped to discern who is a threat from who is not, and they never will be. There is no way to guarantee the total security conservatives have spent a decade demanding while preserving the liberty of everyday Americans.

The liberals are even more disgraceful. They spoke up for civil liberties under Bush, decrying the No-Fly list and other such depredations. Now many of them, suspicious of the conservative TSA critics, defend this terrible agency created by Bush and made worse under Obama. They even cheer as TSA agents vote to unionize, as though better compensating these federal employees or making them even harder to fire should be on the top-ten-thousand list of priorities for any humanitarian, as the left claims to be. Even worse, many left-liberals have denied that these screening procedures are intolerably invasive. Some have said those on the No-Fly list should be barred from gun ownership. The same liberals who fret about big business's threats to the environment and consumer safety defend the TSA full-body-scanner, insisting the health risks are a total fantasy.

In March, *USA Today* reported that the TSA "would retest every full-body X-ray scanner that emits ionizing radiation — 247 machines at 38 airports — after maintenance records on some of the devices showed radiation levels 10 times higher than expected." The same government that many Americans trust to protect their health didn't even bother to accurately test within an order of magnitude the radiation levels of its equipment before irradiating many millions of Americans and foreigners. And why should anyone be subjected to this risk, no matter how small? Ah yes, for the privilege to fly.

Some will say that this is simply the price we pay for security, but that is a complete illusion. According to ABC reporting last December, TSA diagnostics to determine how many weapons could be snuck past security found that some major airports had a failure rate of 70% and at some airports, "every test gun, bomb part or knife got past screeners." Nothing has improved since college student Nathaniel Heatwole snuck weapons onto a plane at Baltimore-Washington International Airport back in September 2003 and then emailed his story to the TSA, which took five weeks to find the contraband. A flustered top TSA official insisted, "Amateur testing of our [security] systems do not show us in any way our flaws. We know where the vulnerabilities are and we are testing them." Eight years later, have they addressed these vulnerabilities? A determined terrorist, needless to say, could easily infiltrate a plane with weapons.

No wonder that when terrorists are stopped in their tracks — the shoe bomber of 2001 and the underwear bomber of 2009, for example — they were frustrated by the private sector, flight crew and customers, and not by TSA. This has happened without major casualties inflicted on the innocent — unlike the case of Rigoberto Alpizar who in December 2005 was shot multiple times on a Miami runway by two Air Marshalls, who claimed the man had cried out he had a bomb, something none of the passengers corroborated. Moreover, when people actually stop a terrorist incident, it has nothing to do with mass invasions of the personal privacy of millions of airline customers.

Airlines have every reason to protect their property and their customers, which means private security — not as it was before 9/11, overseen by the FAA, but truly, completely private security — is the answer. (The recent resignation of the major FAA official due to the scandalous tendency of his air traffic controllers to be caught sleeping on the job indicates just how indispensable and crucial *that* agency is.)

In a free market for security, some airlines might have detailed screening processes. Others might allow guns on planes — another defensive approach that has been completely neglected. Whether airlines profile or not will be up to them, but customers will demand security without violations of their dignity, and the private sector, unlike government, has all the incentives to deliver on both fronts.

The myopic focus on planes is questionable to begin with. What about other, similarly vulnerable, public locations? Will they come to mirror the authoritarian atmosphere of the airports? The TSA has already terrorized Amtrak passengers and has its eyes set on other ground transportation — is this really the direction we want this country to go? Recently the agency was even involved at securing a high school prom.

The missing fact in most of the controversy is that TSA is neither truly designed nor institutionally structured to protect us. We are not really surrendering our gels, forgoing our bottled water, or taking off our shoes for our own good. That's all a ruse. The TSA is an agency whose function, if not intended purpose, is to condition obedience and subservience into the population. It is an arm of the federal police state and cannot be reformed into anything else. It must be abolished totally and nothing short of that will bring liberty back to air travel.

Even more fundamentally, the media and talking heads — certainly the conservative opponents of TSA — forget why we have a terrorist threat, such as it is, in the first place: Because the U.S. government is waging imperial wars abroad, slaughtering children, propping up corrupt regimes, overthrowing governments, playing geopolitical favorites, cutting people off of international trade, and generally behaving as the biggest bully in the world. The blowback terrorism that results can never be stamped out so long as the wars continue. Those who criticize the TSA but defend the wars, and those who defend the TSA but question the wars, should recognize they are two sides of the same imperial coin. The same statism behind the degradation of domestic passengers is in play in the dehumanization of foreign civilians bombed from the sky. Washington, D.C., sees itself as master of our lives and ruler of the world. So long as we accept its pretensions to control the planet, we will be treated as imperial subjects are always treated: as mere cogs in the machine, disposable and malleable human livestock, at the very best.

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