



# A Question of Dots

by Gerald J. Russello

*The Watchers: The Rise of America's Surveillance State*

by Shane Harris

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**JOHN POINDEXTER**—Navy veteran and national-security advisor during President Reagan's second term—resigned in disgrace after congressional hearings revealed that the United States, with Poindexter's approval and with the help of an enterprising young lieutenant colonel named Oliver North, was selling arms to Iran and giving the profits to the Nicaraguan Contras to support their guerilla war against the Sandinistas. Poindexter disappeared from the public scene for almost a decade, yet his vision of an all-encompassing intelligence-gathering network proved irresistible.

In those Tom Clancy days of "Soviet infiltration" and the Cold War, national security seemed simple, if not simpleminded. Today, we might very well prefer to sell arms to a secular left-wing government and use the proceeds to support Muslim moderates. Who wouldn't want a few Sandinistas to kick around, rather than (another) nuclear Islamic state? As usual, U.S. policy was long on technological know-how and expense and short on historical context or long-term goals.

*The Watchers* is a well-written and gripping account of the emergence of the "surveillance state," seen primarily through the prism of Poindexter's career. Shane Harris, a journalist who has long covered na-

tional-security issues, describes the surveillance state as

an amalgam of laws, technology, and culture in which the government's default position is to collect information about people on a massive scale for the broadly defined purpose of protecting national security.

With some honorable exceptions, both Republicans and Democrats have, for their own reasons, enthusiastically supported an ever-larger national-security program.

Events such as the bombing in 1983 of a Marine barracks in Beirut and the Achille Lauro hijacking galvanized Poindexter and others to develop a system that would render massive amounts of information to the state; sifting through that data, Poindexter believed, would illustrate patterns and connections that human intelligence would never catch. That information is largely contained in America's telecommunications networks. Harris's account of government efforts to control those networks is particularly disconcerting, as much of it has passed down the memory hole. The FBI and other agencies argued they had the authority to insert themselves into physical telephonic networks, to ease their ability to monitor conversations. And indeed, they have a great ability to pressure telecommunications companies to do just that.

Laws such as the Foreign Intelligence Surveillance Act (FISA) were meant to

strike a balance between privacy and security. But, as Harris notes, these lines were hard to draw, and harder to enforce. President Reagan eased some of the restrictions through executive order; President George W. Bush, after September 11, did the same. And Obama, despite his liberal posturing, was quick to adopt the surveillance state's structure. The endless "War on Terror," combined with technology that scoops up information regardless of legal niceties, gave new impetus to the Watchers. Amendments to FISA actually increased the government's powers, and the discovery in 2005 of a warrantless surveillance program within the National Security Agency has had no discernible effect.

After September 11, Poindexter returned to government service, advocating a program called Total Information Awareness, which would track people through the traces they left as they moved, communicated with one another, and lived their lives. A new kind of war, Poindexter argued, required new uses of masses of information. The D.C. establishment ate it up. Ultimately, TIA did not succeed under that name, but many of its elements have been retained in new form.

According to defenders of programs like TIA, the basic privilege of a free citizen against unwarranted government snooping should be surrendered to the end that no American life is ever lost to an attack that could have been prevented. But this vision is, ultimately, a dangerous fantasy. A program of total awareness is a pro-

gram of tyranny, and not necessarily one of safety. Information collected needs to be used, and an expensive, secretive system designed to detect threats will detect them, hypothetical or attenuated though they may be. Communists two decades ago, terrorists today, conservative “hate groups,” perhaps, tomorrow: What matters is getting, and using, the data. And government is never careful about self-policing its stated limits.

It is a great technical achievement that American intelligence can listen in on phone calls in Karachi and track cars in Kabul (or even Kalamazoo or Kansas City). The more basic question is whether our policies should require that we do so. A noninterventionist policy, combined with strict immigration laws, would obviate much of the need for programs like TIA. This does not mean that U.S. intelligence should be abandoned or dismantled; immigration policies are not going to help to monitor China’s nuclear program or North Korean missile tests. However, the background context is all-important. If the “default position” is the state obtaining personal data to create a fully secure environment, something like TIA will be the result. Change the default po-

sition, however, and TIA seems less useful and more threatening. The citizenry itself should be its own first protector, not eyes in the sky (or ears in our phones). Neighbors make better guardians than TSA security checkpoints.

**THE RECENT ATTEMPTED ATTACK** on New York’s Times Square is a good example. It was a street vendor, not any of the multiple agencies charged with monitoring Americans’ safety, who noticed something amiss, and the attack would likely have succeeded had the would-be bomber correctly assembled the device. (One might add that although the suspect taken into custody was fully enmeshed in the surveillance state—including student visas, plane trips to Pakistan, and e-mail addresses—the Watchers let him slip through the net.) The overall record of the surveillance state is not, in fact, that good, though each failure only spurs the call for more funding and more secret programs, another inescapable result of assuming the state must protect us from every imaginable (or imaginary) danger. As Harris notes, the Watchers “have become very good at collecting dots and not very good at connecting them.” Because of the political correctness

gripping American elites, those responsible for making connections cannot make tough decisions about who, exactly, poses the greatest danger to American society. This timidity helps the surveillance state, and supporting the surveillance state gives cover to an elite concerned more with political power than with actual security. The end result is often normal Americans, who have nothing to hide, being harassed while actual threats escape unnoticed—including the threat to liberty of having an otherwise law-abiding populace under constant surveillance.

It is perhaps no surprise that Poindexter was one of Robert McNamara’s 1960’s “Whiz Kids.” The technocratic elitism and disregard for republican government are a part of McNamara’s legacy. That the justification for spying on American citizens is to be found now in the Iraqi desert rather than in the dachas outside Moscow is not sufficient reason to discount the dangers such ideas and actions present to the future of free government.

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## An Excerpt

This is a mistake, Erik Kleinsmith told himself as he stared at his computer screen. He’d been agonizing over his orders. He considered disobeying them. He could make copies of all the data, send them off in the mail before anyone knew what had happened. He could still delete all the copies on his hard drive, but the backups would be safe. No one could say they hadn’t tried, that they hadn’t warned people.

The earnest thirty-five-year-old army major had drawn attention to himself as the leader of an innovative, some said renegade, band of intelligence analysts. Working under the code name Able Danger, Kleinsmith’s team had compiled an enormous digital dossier on a terrorist outfit called Al Qaeda. By the spring of 2000, it totaled two and a half terabytes, equal to about one tenth of all printed pages in the Library of Congress. This was priceless information, but also an alarm—the intelligence showed that Al Qaeda had established a presence inside the United States, and signs pointed to an imminent attack.

While the graybeards of intelligence at the CIA and in the Pentagon had come up empty handed, the army wanted to find Al Qaeda’s leaders, to capture or kill them. Kleinsmith believed he could show them how. That’s where he ran into his present troubles. Rather than rely on classified intelligence databases, which were often scant on details and hopelessly fragmentary, Kleinsmith created his Al Qaeda map with data drawn from the Internet, home to a bounty of chatter and observations about terrorists and holy war. Few outside Kleinsmith’s chain of command knew what he had discovered about terrorists in America, what secrets he and his analysts had stored in their data banks. They also didn’t know that the team had collected information on thousands of American citizens—including prominent government officials and politicians—during their massive data sweeps. On the Internet, intelligence about enemies mingled with the names of innocents. Good guys and bad were all in the same mix, and there was as yet no good way to sort it all out.

—from *The Watchers: The Rise of America’s Surveillance State*, by Shane Harris

NOT LONG AGO I attended a dinner hosted by a Catholic laymen's organization in the social hall of a church on Colorado's Front Range. The meal was followed by after-dinner speeches and concluding remarks by an official representing the organization. "We are caring Catholics of Colorado" were almost the first words out of her mouth. I missed the rest of what she said after that, because I went to the bar for another drink and was away from the table a long time. I would bet my tickets on *Queen Mary 2* next fall that this woman had no idea that her unhappy choice of words represents the modern ideological liberalism that is the sworn enemy of the Catholic Church in Colorado, and everywhere.

The carelessness with which this word *caring* is strewn about these days is an unmistakable sign that, in the contemporary world, there is precious little of the real thing but plenty of the ideological sort. The sorry adjective has achieved sacred status and passed beyond the reach of satire and even of irony, like the nouns *diversity* and *tolerance*. Unfortunately, our middle classes have a tin ear when it comes to language, which is why this poor Catholic lady was capable of uttering that awful sentence. One might protest that the awful sentence was only that, an awful sentence, at best a lapse in rhetorical taste. Unfortunately, there is a great deal more to it than that. Her simple statement, whatever exactly it meant or was supposed to mean, has, at a deeper level, profound political and spiritual implications for society and religion alike.

IN A BOOK published a quarter-century ago, Kenneth Minogue argued that ideological terms like *compassion* and *tolerance* point to the substitution of ethics for morality: the postmodern code that demands no sacrifice, or even much in the way of effort, on the part of the ethical individual. The exchange matters, for reasons both moral and practical. The eth-

ic of "compassion," or "caring," urged by ideologues in regard to endless evocations of suffering—remote or near, human or otherwise—provokes a vaguely pleasurable guilt in their fellow ideologues. In more or less normal people, it often elicits a callous and cynical response that all too easily becomes reflexive and eventually stifles the admirable impulse to charitable thoughts and sacrificial actions.

Possibly this response to the daily catalogue of suffering, misery, and need to which all of us in the developed world are subjected represents nothing more than the individual reaction of a crabbed, uncharitable soul (my own). Intuition tells me otherwise. Nonetheless, there must be many such souls in the world, each one of them in need of encouragement in spiritual progress, not further inducement to a deeper cynicism and a more profound ungenerosity of spirit. And here the ideological-commercial media, which presume to represent the world to us every morning and evening, are of no help at all. Just the opposite, in fact.

From the local up through the state and national levels, the news media, print and electronic, are dominated by ideological liberals with an insatiable but unhealthy appetite for what Minogue, in an earlier book, called "suffering situations." To pick on Colorado again: The Denver television stations rarely, if ever, broadcast news items reporting on what the state legislature, the governor's mansion, county commissions, and city councils have been

up to that day. (It's usually plenty.) Valid news stories are not, of course, restricted to political events. Nevertheless, in order to qualify as news, a story ought to convey the fact or impression of some unique happening in the world, something of genuine significance that points beyond itself. But the Denver stations (again, by way of example) are not interested in news that really is news. Their trade is in so-called human-interest stories passed off as news: humdrum reports on events of a fundamental, eternal, and generally sordid nature, designed to provoke empathetic responses on the part of the "caring" communities they profess to "serve." Yellow journalism, of course, is as old as the trade itself. (Perhaps it is even the original journalism.) It might be defended simply as a form of entertainment, if the "entertainment" at issue were not actually a species of pornography: fatal car and plane wrecks, child abductions, spousal murders, bank robberies, school shootings, and so on. For discriminating viewers, such "news" reports convey only stupid, irritating, and meaningless incidents lacking completely in significance, the equivalent of Twitter. Here is no news, but rather a distraction from the news. Yet it is not exactly yellow journalism, either. The old yellow journalism was an honest bid for a prurient, voyeuristic response to the misfortunes that befall other human beings with whom the consumer has no personal connection. The new yellow journalism of the ideological age, by comparison,



## Caring in Colorado (and Everywhere)