Written by **Becky Akers** on January 4, 2010

Government: The Only Institution that Grows Through Failure

Likewise, if you want to protect passengers and planes, trusting government isn't the preferred method. It fails each time we try: neither the Federal Aviation Agency's (FAA) behind-the-scenes dictatorship prior to 9/11 nor the Transportation Security Administration's (TSA) overt tyranny since has protected anyone but Leviathan — and the beast's corporate partners.

Aviation had the misfortune to debut during the Progressive Era, when Americans were ditching their innate skepticism of government for an unlimited belief in its benevolence and capabilities. That had some of the industry's pioneers courting the State's interest. Others who might have objected philosophically didn't because of practical concerns. Planes require infrastructure such as runways and airports; Leviathan usually softens the blow of regulation with subsidies. And potential patrons needed persuading: bombarded with tales of barnstorming and daredevil pilots during the First World War, Americans admired the new contraptions overhead but feared to entrust their lives or belongings to them. Contracts to deliver the US Mail not only filled the fledgling airlines' coffers but also reassured Progressives that they would survive a flight.

The Feds first focused on "safety": regulating everything that elastic term could encompass; licensing — *i.e.*, taxing without the fuss the Constitution requires — pilots and aircraft; setting up and bossing flight paths. Every year, more of aviation fell under Leviathan's thumb. By the 1930's, the Feds were dictating prices and the cities airlines could serve. The 1950's saw the FAA's formation and its absurd "air traffic control."

That decade also saw Communists complete Cuba's descent into hell. The US government actually encouraged victims to escape by hijacking planes. But the usual unforeseen consequences bedeviled this federal advice: fools began hijacking planes to Cuba as well. Naturally, bureaucrats who already controlled so much of aviation would police its airports, too. And so the FAA began "protecting" passengers. It reigned until the TSA's organization in 2001, dictating increasingly minute rules when its

previous ones didn't eliminate skyjacking.

Those regulations governed everything "private" screeners did on September 11, 2001. Indeed, the regulations required private screeners in the first place. But the companies supplying them were little more than personnel agencies, interviewing and hiring and issuing paychecks. The silly, ineffective, and unconstitutional searches their employees performed came straight from the FAA's decrees.

So did the orders that kept passengers and crew compliant with terrorists on 3 of the 4 planes that horrific September day. Like the TSA today, the FAA was fighting the last war: it assumed that hijackers merely wanted passage from one country to another and were unlikely to kill so long as governments acceded to their demands. Bureaucrats were tragically wrong — and 3000 Americans paid for that mistake.

So did "private" screeners. They immediately and unjustly became scapegoats as politicians sought to deflect blame from Leviathan. Reprehensible representatives and sneaky senators capitalized on the public's ignorance to insist that federal screeners would never allow terrorists past checkpoints — though that was precisely what federally controlled screeners had just done. Ergo, yet another bureaucracy robs us of $7 billion annually while pretending it "protects the Nation's transportation systems to ensure freedom of movement for people and commerce."

Changing the acronym and bringing the puppeteer out into the open is likely to improve aviation's security about as much as it has its convenience. The same ineptitude and bureaucracy that allowed 9/11 will eventually allow another catastrophe, too.

Abdulmutallab's stunt was nearly it, or so you might think from the media's histrionics: "A dangerous explosive allegedly concealed by … Umar Farouk Abdulmutallab in his underwear could have blown a hole in the side of his Detroit-bound aircraft if it had been detonated, according to two federal sources briefed on the investigation." It's too bad reporters no longer cultivate reputable sources and editors no longer check facts. Yes, PETN is a dangerous explosive that *could* have blown a hole in the side of the aircraft if Abdulmutallab had *properly* detonated it. But that's the trick to explosives: many are unreliable, blowing up when one least expects it or refusing to detonate at all unless coddled. For obvious reasons, bad guys shun the first type. The "safer," second sort often require exact conditions before they'll ignite — the kind found in a lab or out in the open, at a blasting site. Trying to blow up a jet clandestinely while huddled under a blanket with a syringe and a bomb in your briefs is possible (with a lot of luck) but not probable.

Why don't the TSA and the Obama Administration, now sustaining intense fire over the incident, hype this basic fact? Because the hysteria and stupidity suit their purposes. The TSA offers corporations billions of dollars in contracts every year. No politician would ever jeopardize his campaign contributions by interfering with such cozy deals. He'll criticize the TSA and even demand an investigation. But in the end, he'll claim we need the agency so long as numbskulls like Abdulmutallab are out there.

Among the TSA's contracts are some for millimeter-wave machines (about $170,000 a pop for 2800 lanes at concourses nationwide: you do the math). These smutty scanners photograph passengers through their clothing so that they appear naked on the monitors. The TSA has been trying to force these things on us since its first days of operation in 2002. Even then, with 9/11's carnage fresh in their minds, passengers overwhelmingly objected to government's minions leering at their birthday suits.

The agency has tried — but failed — to quell that resistance. It finally admitted defeat in 2007 and

simply rolled the machines into airports despite the opposition. Which went as mute as the agency: it had learned that if it merely ordered passengers into the new gizmos without bragging about its super-duper, pornographic weapon in the War on Terror, few folks caught on.

Outraged at the TSA's covert peep show, Congressman Jason Chaffetz (R-UT) introduced legislation restricting (though not eliminating) the technology's use earlier this year. His bill passed the House and might have successfully negotiated the Senate, too — but lo and behold, guess what would have caught Abdulmutallab's PETN? Assorted Congresscriminals are now agitating for the TSA to install whole-body scanners nationwide — precisely the agency's agenda since 2002.

"That's terrible," passenger Charles Pierre-Jacques told New York's *Daily News* — though he was speaking of Abdulmutallab's attempted bombing, not millimeter-wave scanning. "I thought we had tight security. … I thought they would check things more."

Not unless we abolish the TSA.

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