



Written by [Becky Akers](#) on January 27, 2010

Listing Towards Tyranny

It's hard to decide which is more infuriating: the fact that the United States' government continues to blacklist us after its malfeasance in the 1950's, or its sophomoric, silly parsing of the grief that results.

Blacklisting's modern incarnations, the "no-fly" and "selectee" lists, destroy freedom of movement by prohibiting passengers from boarding planes at all or allowing them to do so only after the Feds have bullied them. Victims range from men named [David Nelson](#) or [Robert Johnson](#) and musician [Cat Stevens](#) to [U.S. Congressmen](#) (though perhaps the TSA is onto something in that last case: which Congressional criminal hasn't hurt us as much as a terrorist hopes to?).

Also making the list is Mikey Hicks. He's an 8-year-old, "[bespectacled third-grader](#)" and [Cub Scout](#) who endures an "[aggressive frisking](#)" at airports whenever he flies. "Up your arms, down your arms, up your crotch someone is patting your 8-year-old down like he's a criminal," [his mother told *The New York Times*](#).



Mikey isn't the only pint-sized suspect. Edward Allen of Houston was four years old when he whimpered, "[I don't want to be on the list](#). I want to fly and see my grandma." And screeners at Seattle's Sea Tac Airport scolded five-year-old Matthew Gardner's mother for comforting him with a hug when they molested him: "[Ma'am, you cannot touch him](#)," Nadia Gardner says an officer told her, presumably with a straight face. "He has not been searched, and he is still considered a security risk." These whizzes then groped Nadia lest her son take advantage of said hug to pass her his weapons.

Despite these risible and well-known examples, [the TSA insists that no children appear on its lists](#). Let me rephrase that: it insists that "No 8-year-old is on a TSA watch list." And that careful articulation characterizes the agency's approach to this entire, unconstitutional mess: it deprives innocent Americans of their liberty to travel while primly quibbling over details. It splits hairs and equivocates as it strips David Nelson, Cat Stevens, and Mikey Hicks of their freedom though the State has charged them with no crime nor presented any evidence against them at trial.

For starters, the TSA claims it "[doesn't have a watch list](#). TSA is a customer of the Terrorist Screening Center [TSC], a component of the FBI that is responsible for maintaining the consolidated terrorist watch list." No doubt stranded travelers nationwide feel better already knowing that the FBI, and not



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the TSA, is grounding them.

The TSA prattles on with other helpful tidbits. “At an October 22, 2008 press conference, [then-]DHS Secretary Michael Chertoff said there are less than 16,000 individuals on the selectee and no fly lists.... Of the 16,000, less than 2,500 individuals are on the no fly list, and less than ten percent are U.S. persons.” Plus, “the TSC has publicly stated that there are fewer than 400,000 individuals on the overall consolidated watch list, 95 percent of whom are not U.S. persons and the vast majority of whom are not even currently in the U.S.” No wonder the TSA daily hassles thousands of passengers currently in the U.S.

A few years ago, the American Civil Liberties Union (ACLU) estimated that 1,000,000 people would populate the list by the summer of 2008. It based its calculations on “[a September 2007 report](#)” that [alleged “there are 700,000 records on the terrorist watch list and it was growing by an average of 20,000 per month.”](#) To which the TSA crowed that such “assumptions about the list are just plain [wrong](#)” because the number of records is “not the same as the number of individuals on the watch lists. A new ‘record’ is created for every alias, date-of-birth, passport and other identifying information for watch listed suspects.” Gotcha again, you perturbed patriot, you! See, Robert Johnson and Matthew Gardner aren’t *really* on the list: they simply share a name with someone who is. A fine distinction, but then so is the one between dementia and dictatorship.

The lesson the TSA apparently hopes we take from this is that folks who complain about the watchlist are “just plain wrong,” not only factually but in their motivation: how dare they question their governmental masters? Meanwhile, passengers denied boarding, or who board only after suffering worse abuse than the average peon, are no better off, even if their grievances are now correct down to the last detail.

The TSA also implies that these victims are troublemakers: after all, it fixed the watchlist last summer by introducing yet another program with yet another Orwellian title, “Secure Flight.” Supposed to “[GREATLY reduce the number of misidentifications](#),” [Secure Flight](#) requires you to divulge your full name, your sex, and your birthdate to the airlines, who in turn snitch to the Feds, when you buy an airline ticket. Surely it’s only coincidence that the State thereby gains even more information about (read: power over) us.

Maintaining lists of citizens’ names is as unconstitutional as the TSA itself. Nowhere does the government’s founding document empower politicians and bureaucrats to regulate or interfere with our travels, any more than it allows them to identify us or stick us on blacklists.

Indeed, the Constitution turns the tables on this idiocy: it is our rulers, not us, who must identify themselves. Whether they vote on legislation in Congress or run for the presidency, politicians must declare themselves as they try to control us. [Article I, Section 7](#) directs that “the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively” while [Article II, Section 1](#) discusses the lists of presidential candidates each state’s electors will compile. Thereafter, the words “name” and “list” appear only in the Twelfth Amendment, which tweaks the process for selecting the president and vice-president (“name” also appears at the end of the Constitution in the sentence, “[In Witness whereof](#) We have hereunto subscribed our Names”). Not a single article or amendment says a word about citizens’ names being entered in the government’s journals.

Such quaint Constitutional concerns probably won’t dissuade Leviathan from identifying us, however. The beast ever lusts to link names with addresses — the *sine qua non* for taxing us. Then, too, citizens



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are unlikely to protest their chains when government's goons can respond, "Lemme see some ID." Blacklists follow identification as inevitably as corruption does power because they are an invaluable political weapon. Sen. Joe McCarthy taught us that 60 years ago; the TSA is heading down that same dark path, though it vehemently denies doing so: [dissidents against the war in Iraq](#) and [Democratic politicians](#) both found themselves barred from flights under George W. Bush's regime.

Perhaps the young Mr. Hicks best summed things up: "[I think whoever runs this is pretty weird.](#)"

Mikey, another word for it is "despotic."

Becky Akers, an expert on the American Revolution, writes frequently about issues related to security and privacy. Her articles and columns have been published by *Lewrockwell.com*, *The Freeman*, *Military History Magazine*, *American History Magazine*, the *Christian Science Monitor*, the *New York Post*, and other publications.



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