



More Thoughts on the NSA

On Tuesday, January 7, I had the pleasure and the privilege of being a guest on the nationally syndicated radio show of the honorable Mike Gallagher.

My host had read a recent piece of mine, "How 'Conservatives' Help the Left," in which, as he rightly noted, I lambasted him a bit for comments he made concerning the whole NSA scandal. In that article I argued that it is not the NSA's critics who, contra Gallagher, are the leftists' accomplices in forwarding their ideals, via agreeing with such leftists as the *New York Times* editors who support Edward Snowden. Rather, it is Gallagher and all self-declared "conservatives" who support the NSA who are guilty of allying with leftists, such as Barack Obama — as robust a defender of the NSA as anyone.



Ask, why is it that Obama and his minions supply such unqualified support for this massive government agency, empowered to examine the phone records and conversations of *all* American citizens?

The answer, I argued, is that the NSA is Big Government. But it's more than just Big Government. It is Gargantuan Government. In fact, it is Omnipotent Government.

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In other words, the NSA is the *epitome* of exactly the type of government that our forefathers, those men who ratified the Constitution of the United States, dreaded. And it emblemizes exactly the type of government for which hard leftists like Obama ache. It is the ultimate symbol of exactly that type of government required for the successful completion of the quintessential leftist project to "fundamentally transform" America.

But, the objection goes, the all-encompassing surveillance mechanisms of the NSA are necessary in order to keep Americans safe from terrorist attacks. A few replies to this line are in order.

First, whether the immense government system under question actually has thwarted potential terrorist attacks is itself open to question. It is imperative that all liberty lovers bear in mind that the only "evidence" for the claim that the government has been successful toward this end is the word of politicians — i.e., government agents.

And we are expected to trust that the government is not abusing its power because the government assures us that it is not.

True believers in Big Government can buy this line. Proponents of "limited government," however, can only greet it with mocking laughter. More than anyone else, the lover of liberty knows that regardless of the individual politicians or party in power, power, as the conservative political philosopher Michael



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Oakeshott once remarked, exists to be abused. And the larger the concentration of power, the more susceptible to abuse it is.

Second, let's just assume that, not implausibly, the NSA has indeed saved lives. Does it then follow that its existence is justified?

It does not.

If the NSA is justified because it has saved lives, then any course of action or expansion of government is justified if it saves lives. Consider, how many women's lives could have been spared the fatal ravages of domestic violence if only the government had installed surveillance devices in every home shared by partners or spouses throughout the country? If the ends always justify the means, as NSA supporters imply, this hypothetical program would be no less justified than the NSA, for it too would save lives.

Or consider that for years we've known that the threat of death does not deter Islamic terrorists who eagerly anticipate martyrdom. What if we could save lives by abducting, mutilating, and raping these terrorists' female relatives, from their great grandmothers to their daughters? That this will serve as at least a far greater deterrent than that served by the threat to terrorists of losing only their own lives seems certain enough. More lives will be saved by way of this policy. Thus, such a policy, the NSA supporter must concede, would be justified.

If we could deter the murder rate — i.e., save lives — by arbitrarily selecting innocent people, framing them for murder, and then executing them, would this then be permissible?

The point is this: Very few of us actually believe that the ends always justify the means. Some actions we find unacceptable even if they do save lives, for we realize that while life is a good, it is not an unqualified good, a good that we must pursue at the cost of all other goods — including and especially the good of liberty.

Those who insist that the NSA has not abused our liberty, or who, like a caller to Gallagher's show during my segment, claim that as long as one has nothing to hide, there is no cause for concern, are clueless as to the meaning and significance of their birthright.

It doesn't matter in the least whether the NSA ever checks my phone lines or that of anyone else. It doesn't matter in the least whether ours is a nation of saints or whether terrorists and all dangerous people vanished from the planet tomorrow.

That the NSA possesses access to this infinitude of citizens' information alone endangers liberty.

In their heart of hearts, I think everyone must know this, for unless we all discerned the tension between the NSA's ends and its means, none of this would be an issue.



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