



Striking the Balance

When it comes to matters of safety and security, Americans don't like surprises. We don't like it when our airliners are hijacked, or our citizens are murdered. We don't like the fear that grips our hearts when we switch on the morning news to discover that our cities have been attacked, and our people are dying.

It's the duty of our government, our intelligence community, and our law enforcement agencies to protect us from such things. It's their responsibility to detect impending terror attacks and stop them *before* they occur. It's their job to reach down into the mass of more than 297,000,000 people who live in this country, and single out the handful who present an actual threat *before* they have a chance to murder our citizens.

I've never worked in the intelligence field. My experience has been that of an end-user: utilizing intelligence reports and cueing to locate enemy military units. But it strikes me as a difficult and thankless task, one where successes go unnoticed, and failures are trumpeted from the rooftops.

When one of our agencies manages to locate a terror cell before it can strike, the best they can expect is a page-six news story: '*Terror Suspects Arrested in Los Angeles Suburb.*' If the story comes to national attention at all, it will be forgotten about in a week. But let them get it *wrong*, and they'll be ripped to shreds. Let them arrest the wrong man or fail to prevent an attack, and they'll be on the front page for months. Lawyers, journalists, and politicians will be lining up to crucify them.

Identification of terrorists must be must be flawless — no false arrests, and no letting the real agents of terror escape. The task is complicated by the fact that many terrorists are *sleepers*. They're trained to blend into the societies they infiltrate. They can live and operate as students, or tourists, or legitimate businessmen for months, or even years — mingling so well with real students, tourists, and businessmen that they are virtually invisible — until they receive orders to commit an act of terror.

About Jeff Edwards:



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To have any hope of locating these enemies in our midst, our intelligence community and law enforcement agencies must have information. But many Americans are not happy with the processes used to collect that information. Racial profiling and social profiling are unacceptable. So are wire taps, monitoring of cell phone frequencies, and email intercepts. We don't like it when anyone tracks which books we read, or what organizations we belong to. We also don't like it when any government agency examines our mail, traces our movements, or studies our purchasing habits. We file all of those concerns under the heading of *personal liberty*, and we do *not* want the government to impinge upon them. Cross any one of those lines, and we'll sic our attorneys on you, along with the media, and a dozen or so watchdog organizations.

We want our government to act flawlessly, without actually knowing much of anything. We want intelligence and law enforcement to identify criminal chameleons who blend seamlessly into our populace, and we want them to do it without tracking, tracing, recording, monitoring, examining, studying, or profiling our citizens.

Does that sound absurd? I think it is. Nonetheless, that's the kind of performance that the American public seems to expect. And woe unto the intelligence agency, political leader, or law enforcement officer who fails to deliver.

Here's an interesting thought for you... When we place limits on what the government is allowed to know, the government will always act from limited knowledge. I'll say that again, because it sounds important. ***When we place limits on what the government is allowed to know, the government will always act from limited knowledge.***

I know I'm going to get at least fifty emails from readers who think I'm advocating a police state, or some all-knowing Orwellian bureaucracy. Far from it. There *should* be limits on how far the government can peer into the lives of the common citizen. There *must* be balance between security and privacy.

Unfortunately, wherever it falls, that balance is going to yield imperfect results in both privacy and security. As much as we'd like to believe otherwise, we cannot have our cake and eat it too. Intelligence cuts into the integrity of personal privacy, and personal privacy blunts the effectiveness of intelligence. No matter how carefully we craft the compromise, both are going to suffer.

There are dangers inherent in tipping the balance too far in either direction. Nevertheless, there are people who insist on dealing in only absolutes. There are proponents of *privacy* at all costs, and there are proponents of *security* at all costs. Both factions have been extremely active since 9/11. We've had lawsuits contending that our intelligence efforts go *too far*, like the ACLU's challenges to the Patriot Act, running concurrently with Senate investigations to determine if our intelligence efforts have gone *far enough*. The people on both sides of the argument are struggling with the same question: How far should the government's information-gathering efforts be allowed to extend?

I don't think there's a good answer to that question. I'm not sure there ever has been. This paradox may well be an unavoidable byproduct of a system that attempts to ensure national



safety and protect personal liberty at the same time. I strongly suspect that we are destined for an ever-repeating cycle of error and over-correction.

Sometimes, in its eagerness to identify and track the bad guys, our intelligence community is going to step over the line. Personal liberties will suffer. And sometimes, in our eagerness to protect our personal liberties, we're going to hamper the ability of our intelligence community to identify and track the bad guys. National security will suffer. I think the tradeoff is inevitable. Moreover, I think it's always been with us, even if it's taken the pressure of recent events to bring it to our attention.

If we tip the balance too far in *one* direction, we threaten the very freedoms that we're trying so hard to protect. If we tip the balance too far in the *other* direction, innocent American citizens are likely to pay with their lives. Where do we strike the compromise? I don't know. But the cost of answering that question the *wrong* way will be measured in freedom, or human life.

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