

# Can the Surveillance State Be Stopped?

Despite the public furor over NSA whistleblower Edward Snowden's revelations about U.S. government surveillance, the process rolls on unabated with few prospects of significant reform, writes Danny Schechter.

By Danny Schechter

With the publication of Glenn Greenwald's new book on Edward Snowden and the National Security Agency, the state surveillance issue is back in full force, as if it ever went a way.

Purloined formerly top-secret NSA documents are now there for the downloading, even as the calls for truth and privacy buttressed by irrefutable information, has run up against the institutional armor of the surveillance state that has little respect for public opinion or calls for "reform."

Every day, there are new stories showing duplicity in high places and revealing the existence of new tracking technologies and forced and voluntary collusion between the secret agency and its many "partners" in the private sector. PBS "Frontline" is out with one more exposé.

Just as the publication of the Pentagon Papers in 1971 did not end the Vietnam War, the leaks from a world of questionable "intelligence" gathering have only made our spymasters more determined. There were more years of carnage after Daniel Ellsberg dropped the hidden history of our intervention in Vietnam showing how officials knew the truth even as they fed the public a litany of lies to keep a profitable if murderous enterprise going.

The charade was finally ended by the Vietnamese liberation army 39 years ago, but the NSA and its handsomely financed partners in the self-styled "Intelligence Community" will go on and on until someone stops them and their spying, and that someone is hard to identify given the way the agencies seem to have the goods on the government as well as the rest of us.

There is no American liberation army with the clout to shut them down.

I spoke with retired CIA veteran Ray McGovern for a TV series I am producing about how government spying intimidates people in government. He told me:

"Everybody is afraid. It's not just the journalists, it's people like Barack Obama, it's people like Dianne Feinstein think about what the NSA has on Dianne Feinstein and her husband who has made billions from defense and post office and all kinds of nice cozy contracts, okay? This goes back to J. Edgar Hoover"

So far, all the noise and media condemnations have not led to meaningful reforms or legal restraints on the NSA's electronic octopus. Jameel Jaffer of the American Civil Liberties Union writes in the Guardian about lawsuits against the NSA that were thrown out of Court:

"What's surprising even remarkable is what the government says on the way to its conclusion. It says, in essence, that the Constitution is utterly indifferent to the NSA's large-scale surveillance of Americans' international telephone calls and emails:

"The privacy rights of US persons in international communications are significantly diminished, if not completely eliminated, when those communications have been transmitted to or obtained from non-US persons located outside the United States.'

"That phrase 'if not completely eliminated' is unusually revealing. Think of it as the Justice Department's twin to the NSA's 'collect it all.'"

Leave it to the outspoken Chinese Artist Ai Weiwei, who has been spied on and jailed in China, to recognize the similarities between pervasive Chinese surveillance and the U.S. imitation of it. He writes: "Civilisation is built on that trust and everyone must fight to defend it, and to protect our vulnerable aspects our inner feelings, our families. We must not hand over our rights to other people. No state power should be given that kind of trust. Not China. Not the US."

Easier said than done. As we focus on the government role in spying, we seem to be ignoring the commercial aspects of wiretapping and eavesdropping. American corporations are not just cooperating with the NSA but competing with it. And, not just with Google cars photographing every street in the world.

Just ask Donald Sterling, the now-banished-from-the-NBA Los Angeles Clippers owner. As much a jerk as he may be, ask him about what non-government spying did to him (when he was recorded telling his girlfriend not to bring black people to games).

I spoke to Sam Antar who was wiretapped by the government as part of an investigation into illegal practices by the Crazy Eddy electronics chain years ago and who became a convicted felon. He says that spying has become a profitable business and that it is bigger and even more insidious than the NSA.

I told Antar: "You made a point before about how a lot of the spying is not ideological. It's almost like a technology itself. It's almost like a business with no particular political goals, but, you know, it gets funding, it gets support. People are afraid of what they don't know so they justify it.

He responded: "That's entirely correct. My point is this: 'It's not a left-wing issue. It's not a right-wing issue per se. It goes on everywhere in this world. People want to know about what they don't know about. And spying agencies play to that.'"

So where are we? We know more than ever, and they know we know it, but that hasn't stopped the government to try to shut down all debate on the issue. A new executive order instructed all government employees not to publicly discuss classified information, even if it has appeared in reputable media outlets.

And Congress? Can we expect politicians allegedly providing oversight on overreach to enact effective reforms. Not so far, writes Jameel Jaffer who tells us to be very, very wary:

"While the current version of the reform bill, the USA Freedom Act, would make some necessary changes to a handful of surveillance laws, it would not narrow the surveillance powers granted by the 2008 law. Nor would it narrow the surveillance powers the NSA derives from the presidential directive that regulates the NSA's surveillance activities outside the United States.

"Reform is urgently necessary, and years overdue, but this imperfect legislation would leave some of the government's most sweeping authorities intact and to a large extent it would leave the privacy rights, of Americans and non-Americans alike, to the mercy of the NSA."

And that's where we are, in a sense, where we have always been, on the receiving end of government abuse.

CIA veteran Ray McGovern says let's hope there are more Snowdens in the wings: "Now, if you only have 1 out of 100 or maybe even out of 1,000 ... technically proficient people like this, that's all you need to do what Edward Snowden did.

"The governments cannot operate without these very bright people a lot of these bright people bring consciousness to their expertise, as long as that's the case, and that will continue to be the case, the governments will not be able to get away with this kind of thing.

"So, that's the good news bad news of course is that they'll keep trying, and as I said before, with the Executive, Legislative, and Judicial branches all kind of complicit in this ... well, and then you have the media, and the corporations and all that it looks very much like the classic definition that Mussolini gave to Fascism."

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surveillance state. Comments to [dissector@mediachannel.org](mailto:dissector@mediachannel.org).

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