

BRUCE SCHNEIER BUSINESS 01.24.08 12:00 PM

# WHAT OUR TOP SPY DOESN'T GET: SECURITY AND PRIVACY AREN'T OPPOSITES



National Intelligence Director Michael McConnell (right) listens as Homeland Security Secretary Michael Chertoff (left) testifies on Capitol Hill in Sept. 2007 before the Senate Homeland Security Committee hearing on post-9/11 terrorist threats. If there's a debate that sums up post-9/11 politics, it's security versus privacy. Which is more important? How much privacy are you willing to give up for security? Can we even afford privacy in this age of insecurity? Security versus privacy: It's the battle of the century, or at least its first decade.

In a Jan. 21 *New Yorker* article, Director of National Intelligence Michael McConnell discusses a proposed plan to monitor all – that's right, *all* – internet communications for security purposes, an idea so extreme that the word "[Orwellian](#)" feels too mild.

The article (not online) [contains this passage](#):

- In order for cyberspace to be policed, internet activity will have to be closely

any e-mail, file transfer or Web search. "Google has records that could help in a cyber-investigation," he said. Giorgio warned me, "We have a saying in this business: 'Privacy and security are a zero-sum game.'"

I'm sure they have that saying in their business. And it's precisely why, when people in their business are in charge of government, it becomes a police state. If privacy and security really were a zero-sum game, we would have seen mass immigration into the former East Germany and modern-day China. While it's true that police states like those have less street crime, no one argues that their citizens are fundamentally more secure.

We've been told we have to trade off security and privacy so often – in debates on security versus privacy, writing contests, polls, reasoned essays and political rhetoric – that most of us don't even question the fundamental dichotomy.

But it's a false one.

Security and privacy are not opposite ends of a seesaw; you don't have to accept less of one to get more of the other. Think of a door lock, a burglar alarm and a tall fence. Think of guns, anti-counterfeiting measures on currency and that dumb liquid ban at airports. Security affects privacy only when it's based on identity, and there are limitations to that sort of approach.

Since 9/11, two – or maybe three – things have potentially improved airline security: reinforcing the cockpit doors, passengers realizing they have to fight back and – possibly – sky marshals. Everything else – all the security measures that affect privacy – is just security theater and a waste of effort.

By the same token, many of the anti-privacy "security" measures we're seeing – national ID cards, warrantless eavesdropping, massive data mining and so on – do little to improve, and in some cases harm, security. And government claims of their success are either wrong, or against fake threats.

The debate isn't security versus privacy. It's liberty versus control.

You can see it in comments by government officials: "Privacy no longer can mean anonymity," says Donald Kerr, principal deputy director of national

catch that? You're expected to give up control of your privacy to others, who – presumably – get to decide how much of it you deserve. That's what loss of liberty looks like.

It should be no surprise that people choose security over privacy: 51 to 29 percent in a recent poll. Even if you don't subscribe to Maslow's hierarchy of needs, it's obvious that security is more important. Security is vital to survival, not just of people but of every living thing. Privacy is unique to humans, but it's a social need. It's vital to personal dignity, to family life, to society – to what makes us uniquely human – but not to survival.

If you set up the false dichotomy, of course people will choose security over privacy – especially if you scare them first. But it's still a false dichotomy. There is no security without privacy. And liberty requires both security and privacy. The famous quote attributed to Benjamin Franklin reads: "Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety." It's also true that those who would give up privacy for security are likely to end up with neither.

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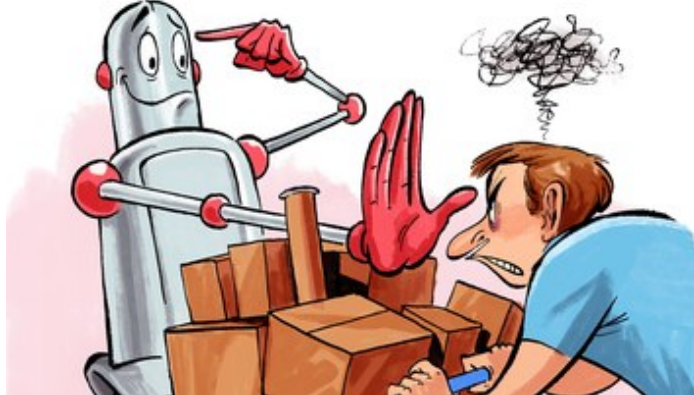
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