



On liberty and junk-touching

By John Robson

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It's not exactly "Give me liberty or give me death." But "If you touch my junk, I'll have you arrested" is a serviceable rallying cry for free people today. Why, you can even order a needlepoint version online.

For those of you who think that if men were meant to fly, God would have made their clothes transparent, the motto comes from one John Tyner who, on Nov. 13, said it to Transportation Security Administration agents at San Diego airport who wanted to feel him all over because he objected to going through a full-body scanner the TSA website wrongly said wasn't in place there.

I do not know whether these scans are bad for you. I also do not suspect the TSA of wanting to see me electronically disrobed. And no one can think I'm soft on terror. But it is a great story for four key reasons.

First, a modern twist, Tyner recorded much of it on his cellphone. Forget plausible deniability. His version "went viral" and the TSA went into a half-patronizing, half-menacing downward spiral into malevolent absurdity as its further abuses and obfuscations were heard around the Internet.

For instance a 71-year-old with a metal knee implant left with his pants round his ankles in a special examination room with ... transparent walls. Who designed that, the Marquis de Sade? I certainly suspect him on the woman forced to remove her nipple rings with pliers, or the retired special education teacher and bladder cancer survivor whose aggressive pat-down broke the seal on his urostomy bag and left him covered in pee.

Meanwhile TSA chief John Pistole told CNN Sunday: "I want to be as sensitive as I can to those folks. I'm very attuned given all the concerns that have been raised" but "we're not changing the policies." Which doesn't sound very attuned to me. On Monday, facing a possible Thanksgiving boycott of the whole naked X-ray groin-fondle government program for making travel unbearably wretched and sexually humiliating, he did a fake flip-flop. He hinted emptily at openness to less invasive searches while seeking to turn members of the public against one another instead of his agency by telling five TV networks: "If people choose to opt out of the advanced-imaging technology because

they're trying to slow down the process, then I feel bad for the people who are simply, again, wanting to get home for the holidays that they would be delayed because of that."

The next great thing is how American entrepreneurs jumped on the story, with satirical products from that needlepoint to underwear to hide your personal bits from the scanner to someone posting a song Comply With Me spoofing an old BOAC ad.

Third is John Tyner's reaction as a free man enjoying liberty under law: He said if the agents felt him up, he'd have them arrested. The TSA, on the face of it, was not behaving lawlessly. It has statutory authorization to molest travellers, with fines for those who object. But Tyner rightly insisted there's a law higher than man's yet knowable and enforceable by humans, against which legislated statutes are to be measured.

Yeah, yeah, some of you may be thinking. But terrorists are devious and determined people quite capable of hiding weapons in prosthetic limbs or urostomy bags (the nipple rings I still don't get). As John Pistole also argued, "We cannot forget that less than one year ago a suicide bomber with explosives in his underwear tried to bring down a plane over Detroit."

Sure. But the solution isn't to look in everyone's underwear for a bad guy. It's to look everywhere in the bad guy for a bomb. And that brings me to the fourth great thing about this story. The constitutional ban on unreasonable search and seizure (we have it too) doesn't just protect citizens from harassment. It protects governments from their own stupidity.

At one point U.S. Secretary of Homeland Security Janet Napolitano babbled "I think we all understand the concerns Americans have about that. It's something new. Most Americans are not used to a real law-enforcement pat-down like that." No. And I'll tell you why, you dim bunny: They aren't criminals, and they rightly resent being treated as such. It keeps them from getting where they're going, gets them groped, and diverts the attention of security forces from the obvious bad guys.

Indeed, mentioning the Detroit incident was in especially bad taste since failed underwear bomber Umar Farouk Abdulmutallab was reported to American authorities by his own father among others and they let him on the plane anyway. They're too busy pulling citizens' pants down to do their homework on patterns of behaviour and suspicious individuals. But Americans have had it with that.

A nation capable of tea parties 250 years apart can also make the state take its hands off their junk and lay them on real terrorists. And sell needlepoint online about it.

John Robson's column appears weekly.

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