

system will have to settle such conflicts if it hopes to protect property rights and other values at the same time. It's reasonable to have global rules protecting property rights. Why is it unreasonable to have global social rules too? For his part, Mazur said business leaders have a choice: take "the path to reform at the international level," or face a series of local and national insurgencies on behalf of the environment and workers' rights—another form of glocalization.

If free traders want to maintain popular support for their system, they'll have to deal with Mazur's complaints and Gardner's questions. And if Prosperityvilles are to maintain their good fortune, they'll need to lend a hand to the good folks of the Badlucktowns.

## Extremism in the Protection of Liberty Is No Virtue

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If you prefer that no one sees what you look like under whatever you wear, you'd better avoid the airports of New York City, Miami, Chicago, Atlanta, Houston, and LA—and soon, most others. Before you protest, "Come on, even George Orwell..." here are the bare facts: the U.S. Customs Service is introducing new X-ray machines that see through cloth and reveal whether people are concealing guns or contraband.

Should you rush to become a card-carrying member of the ACLU to protect whatever shreds of privacy are left? If you read on, you will see why just the opposite may be called for. Many of the new technologies that civil libertarians fight, while curtailing privacy to some degree, are so beneficial that most of us are likely to welcome them.

ACLU representative Barry Steinhardt recently alarmed an audience at the 92 Street YMCA in New York City by telling them that customs officers are able to see you walking through an airport as if you had only a birthday suit on. The fact is, though, that these machines meet some rather strict libertarian guidelines. These machines can only be used if the individual consents to be searched—in

writing. And even then a supervisor must approve the screening. One cannot help but wonder, what is the ACLU recommending? Does it prefer pat down searches, which many find more intrusive? Random searches, which amount to suspicionless searches? Or does it seek to fashion a new right—for travelers to bring into the United States whatever guns or explosives a Bin Ladin might desire?

You may grant that civil libertarians have overplayed their hand here, but are there any other signs that they are going overboard? Take next their reaction to DNA testing. This new crime-fighting tool allows public authorities to take thousands of violent criminals off the streets. In England, over 70,000 suspects have been linked to crimes through their DNA. In the U.S., where the national DNA database is new, the FBI already reports that 200 outstanding cases have been solved this way. Better yet, DNA testing has achieved what should be a civil libertarian's dream: it has sprung at least 70 innocent people out of jail in the U.S. alone.

Civil libertarians oppose DNA testing, though, arguing that keeping the results of the DNA tests of criminals (many of whom have a strong tendency toward recidivism) constitutes an unnecessary violation of privacy. The ACLU announced that it “believes that any proposal to create wholesale DNA data banks of suspects presents a frightening potential for a ‘brave new world’ in which genetic information is routinely collected and used in ways that will likely result in abuse and discrimination.” And Philip Bereano, an ACLU board member, frets: “These are technologies in which powerful organs in society control members with less power.”

Cameras in public places, such as parking lots and street corners, are also objected to despite the fact that they are an effective tool for deterring crime. Cameras that are used to capture the license plates of those who run red lights save lives, while simultaneously replacing cops at street corners. The Supreme Court has not objected, ruling that privacy is not violated when a reasonable person has no expectation of privacy. Edward Borges of the ACLU fears that cameras “raise the specter of an Orwellian Big Brother government scrutinizing the minute-to-minute activities of its law-abiding citizens as they go shopping, as they congregate on the corner to discuss the problems at their children's school, and as they sneak a kiss to a lover when they think no one is looking.” Another ACLU representative believes that

“we will no longer be free to engage in public activities without fear that government officials, who are supposed to be working for us, are watching everything we do.”

E-Z passes have not fared much better. These passes allow motorists to drive through a tollbooth without stopping, relying on a transponder within a card on the windshield that debits the motorist's account. In the UK, these devices are also employed to catch speeders. Civil libertarians are troubled by both measures, despite the fact that E-Z passes have been widely welcomed by millions of users, not to mention the fact that people are still free to pay tolls the old-fashioned way. Moreover, no one seems to have a right to speed, and the difference between catching speeders one way or another is a technical rather than a constitutional matter. “We've been concerned any time government develops the technology to track where everybody is going, to in effect spy on people,” states Norman Siegel. “It's the opening of the door for government databases to collect information on people's lawful behavior.” He also fears that the information could be used in political campaigns or to smear public personalities.

All this is not to deny that civil libertarian groups do play an important role in our public life. They serve to countervail a built-in tendency of public authorities to extend their powers beyond what is needed. The question, nevertheless, stands: Is pushing their arguments to such extremes the best way for civil libertarians to maintain the difficult balance between individual rights and the common good (especially public safety and public health)? Or would we all be better off if they focused on those practices engaged in by customs agents, police officers, and other law enforcement personnel which truly offend our rights? And should civil libertarians cool their rhetoric when the challenges to our liberties are either minor or hypothetical? Your call, but I suggest that before you send your next donation, look again, or attach a note: Extremism in the protection of liberty *is* a vice.