

## I Always Feel Like Somebody's Watching Me. Understanding the Authoritarian Tendencies of the U.S. National Security State

Elizabeth Wright

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*Elizabeth Wright, 22, has a Bachelor of Arts in Political Science from Southwestern University and is a Masters in Security Policy Studies Candidate at George Washington University. Her research centers on the intersection of Constitutional law and surveillance, specifically examining privacy and civil liberties in the public sphere. Outside of academics, she is part time contributor for the online initiative, Middle East Collective, providing monthly commentary on national security and foreign policy.*

### Abstract

*George Orwell's novel 1984 defined authoritarianism as a consequence of overarching surveillance in the modern state. Nearly 70 years later, the threat of tyranny reemerges in the present surveillance state—the U.S. Beyond the Orwellian concept of Big Brother to examine the U.S. national security state, this research examines the expansion of domestic surveillance in the post-9/11 age. Using a within-case comparative analysis of the presidencies of George W. Bush and Barack Obama, it argues that institutional manipulation has forged the U.S. national security state into a surveillance heavy Banopticon (Bigo 2006). Though the latter operates to maintain state and citizen security, it undermines citizens' freedoms through invasive surveillance policies which embolden state repression, despotism, and unconstitutional policy. Such authoritarian tendencies can be seen in the creation of surveillance under Bush and the expansive development of surveillant assemblages, surveillant culture, and surveillance capitalism (Zuboff 2015) during the Obama era.*

### Keywords

Authoritarianism; Banopticon; Barack Obama; George Bush; National Security State; Orwell; Surveillance

## Introduction

*“Do not confuse **sécurité**, the feeling of having nothing to fear and **sûreté**, the state of having nothing to fear.”*

— Marguerite-Marie Dubois

*“Modern tyranny is terror management. When the terrorist attack comes, remember that authoritarians exploit such events in order to consolidate power.”*

— Timothy Snyder

In a speech to the Muslim Public Affairs Council, Brookings Senior Fellow and Hoover Institute Task Force on National Security, Technology, and Law co-chair, Benjamin Wittes spoke of the role of national security amidst the growing global trend toward authoritarianism. While very understanding of the fear that United States’ surveillance and security techniques are susceptible to the corruption of demagoguery, Wittes ensured the audience that it is the duty of every public servant to protect institutions and individuals from political processes that would seek to abuse them and undermine democracy.

*True national security [is] the security of a liberal society that protects individuals and minority groups in the exercise of their freedoms... in the security of a liberal democracy, the security you’re defending is the security of liberalism itself (Wittes 2017).*

Here is the primary contradiction that plagues the national security state — if national security is meant to secure liberalism itself, can it ever truly protect the people?

Several scholars (Monahan 2010; Raskin 1976) have made the case against mass surveillance and national security practices, fearing that the lack of legitimate justifications for observation provide an opening for exploitations of democratic power. Few have examined the possible correlation between emerging trends in Western authoritarianism and surveillance-based democracies (Cooley 2015; Morozov 2012). Building off Plato’s concept that “tyranny is an outgrowth of democracy” (Plato 1955: 299), as well as Lyon’s research of intersecting power dynamics between surveillance and bureaucracy (Lyon 1994), this study will explore the role of the modern national security state in shaping current U.S. tendencies toward “new” authoritarianism. In a post-9/11 culture, how does the national security state utilize security and surveillance processes, therefore rendering the United States susceptible to authoritarianism? This text hypothesizes that the U.S. national security state has become a Banopticon — a term coined by Bigo to encompass the current preemptive profiling of citizens which prioritizes the securitization of the majority over the rights of the minority (Bigo 2006) — therefore allowing for surveillance, state repression, and despotism in the face of the War on Terror to foster authoritarianism. By analyzing the elements of

the national security state that are antithetical to liberal democracy, this research will establish the sequence of U.S. authoritarianization, or the “slow and incremental dismantling of democratic systems by democratically-elected leaders” (Kendall-Taylor et al. 2017: 9). In an age of emerging new authoritarianism, this is essential to reforming the relationship between the national security state and liberal democracy, before it is too late.

In order to appropriately consider the ways in which the national security state “both exploits and presupposes the dominance of certain subjectivities,” this research design will feature three theoretical frameworks: structuralism, liberalism, and institutionalism (Belletto 2009: 334-335). According to Blackburn, structuralism encompasses, “interlocking combinations of political, economic, ideological, and theoretical structure and practices [that] form objective determinants of resulting social forces” (Blackburn 2008: 16). In order to grasp the means in which the national security state develops surveillance subcultures within society (Lyon 2007), it is importance to review how political structure can influence public opinion, ideology, and social inequality, potentially resulting in authoritarianism. For the purpose of this research, liberalism will be defined through Freedman’s perspective of modern U.S. liberalism. He defines this theory as “a plastic, changing thing, shaped and reshaped by the thought-practices of individuals and groups... Liberalism is the vehicle best encompassing the dynamic of individual and social life” (Freedman 2005: 20-25). Since this analysis will review national security and surveillance within the context of the United States liberal democracy, it’s necessary to consider how liberalism (and it’s alter-ego, illiberalism) functions within the national security state. Institutionalism, defined by Peters as how “the institution represents more of the individuals themselves — or at least their ideas and discourses — and their patterns of interactions,” offers insight into the relationship between states and constituents within the national security state (Peters 2012: 116). This is essential to understanding how certain bodies, specifically legislative and economic, can redefine democracy through surveillance and security. By analyzing the nature of structuralism, liberalism, and institutionalism in relation to specific administrative actions regarding surveillance, this research intends to develop a course for the United States democracy’s path to a “new” authoritarian national security apparatus.

### **Conceptualizing Authoritarianism, Democracy, the National Security State, and Surveillance**

Contrary to popular belief, surveillance is not merely present at the government level. According to numerous scholars, surveillance techniques have been a staple of the United States’ structure since its conception, often replicated within systems of education, healthcare, criminal justice, and the military to ensure order, classification, and security (Lyon 1994; Moore and Currah

2015). Surveillance will be understood here as modes of systematic monitoring “in which special note is taken of certain human behaviors that go beyond human idle curiosity” (Lyon 2007: 13). Though this definition of surveillance may appear broad or vague, it is meant to reflect the observation, classification, and enforcement techniques used by the state that deviate from perceptions of surveillance that are strictly militaristic entity or rooted in artificial intelligence (Allen and Chan 2017). Systems of surveillance birthed the national security state, a system that he defines as a state that “emerges from war, from fear of revolution and change, from the instability of capitalism, and from the nuclear weapons and military technology” (Raskin 1976: 189). The national security apparatus as it is conceived today originated from the National Security Act of 1947, a statute that would go on to shape the future of the National Security Council (NSC), Central Intelligence Agency (CIA) and various systems within the Department of Defense. A distinct perspective of both domestic surveillance and the national security state, in regards to United States politics, is imperative to understanding shifts from liberal democracy to authoritarianism.

But what is democracy? Schmitter and Karl define democracy as “a system of governance in which rulers are held accountable for their actions in the public realm by citizens... [Even though] no single set of actual institutions, practices, or values embodies democracy” (Schmitter and Karl 1991: 4 & 11). In the case of the United States, which operates within a “liberal” democracy, this term could be further understood as “governments and other democratic institutions [which are] responsive to the majority of the people, rather than only a narrow elite, or markets, unelected bureaucrats, or corporate interests” (Berman 2017: 38). One could argue that these prescriptions for democracy are the foundation for understanding the potential trajectory from democracy to authoritarianism. De Tocqueville noted, “I see clearly two tendencies in equality; one turns each man’s attention to new thoughts, while the other would induce him freely to give up thinking at all...the human spirit might bind itself in tight fetters to the general will of the greatest number” (De Tocqueville 1966: 436). Unlike the authoritarianism of old, which operates under typical totalitarian tropes (terror, indoctrination, social control and movement of the masses) mentioned in Arendt’s *Origins of Totalitarianism* (1979), the “new” digital age of authoritarianism instead functions on the mere threat of terror replicated within the state of surveillance. Hence, new authoritarianism could be branded as a pseudo-Panopticon, a “mechanism, for it automatizes and individualizes power, [and] also a laboratory; used to carry out experiments, to alter behavior, to train or correct individuals” (Foucault 1977: 7 & 8). Using constant visibility, new authoritarianism seduces individuals to modify actions to fit within the confines of surveillance culture.

## Methodology

To understand the relationship between authoritarianism and the post-9/11 national security state, this paper will compare surveillance techniques used within the years of George W. Bush's presidency (2001 to 2009) and the era of President Barack Obama (2009 to 2017). Taking a qualitative approach, this research will operate using Mill's method of difference, a system which is essential to, "eliminat[ing] potential sufficient causes to conclude that a given factor is not (by itself) necessary or sufficient for the outcome of interest" (Mahoney and Villegas 2007: 75). While numerous democratic inconsistencies and intelligence infractions exhibited by Presidents Bush and Obama ranged from defensive to preemptive, respectively, both endangered United States' democracy, exploiting institutions and citizens to bolster a tyrannical national security apparatus. Given the most different system determines varying factors which implicitly and explicitly shape outcomes in a case analysis, this research assumes that the presence of Mill's method will reflect how the increase of surveillance within the national security state, through institutional means, has contributed to the authoritarianization of the United States. This paper does acknowledge certain research constraints that stem from the clandestine nature of the topic. It is difficult to operationalize levels of surveillance when the majority of the information regarding covert counterterrorism operations and surveilled citizens is classified. By further examining the processes of domestic surveillance through evaluation of legislation, emergency status, and national security rhetoric within the Bush and Obama administrations, this paper will assess the validity of the causality between the surveillance-heavy national security state and new authoritarianism.

### **Shifts in Democratic Structure**

Proponents of structuralism argue that the expansion of machine learning and social media amidst the digital age has contributed to widespread anti-democratization through surveillance, causing tendencies toward authoritarianism (Giroux 2015; Andrejevic 2007). Not only do technologically advanced means of dataveillance establish a newfound power of the state, the current societal conceptions of surveillance have also shifted, no longer conflated with the past abuses of the national security state and instead romanticized by popular culture (Giroux 2015: 108). There is a present merging of the private and public spheres that can be manipulated for tyrannical advantage. Andrejevic views this as a "refeudalization of the public sphere," noting how online culture is structured to "pervert the political process [by] privileging the vires of established political majorities at the expense of the interests and concerns of those who are already largely excluded" (Andrejevic 2007: 198 & 208). Coupled with consumer culture and the Hollywood-ification of online branding, ratings and mass followings are viewed as a necessity—even at the loss of privacy, factual information, and values. Authoritarianism comfortably fits into this social media structure, especially given the modern manifestation of authoritarian policies are increasingly becoming populist and

personalized in nature (Kendall-Taylor et al. 2017: 9). Citizens are socialized into a regime of security through willing surveillance, eventually succumbing to “regime suppression” through “the most cherished notions of [online] agency” (Giroux 2015: 111-112). Rather than fully adhering to the authoritarian elements presented within the digital age, United States citizens are coerced into conformity, often ignorant to the debilitating effects of online culture and advanced observation.

Several scholars believe that increased technology is essential to the future of democracy (Bryan et al. 1998: 5; Rheingold 1993: 14). These arguments make the case that online culture is more participatory and accessible, effectively streamlining ideas and providing transparency. Monahan argues for modes of dataveillance which assist democracy in universalizing power across varying demographics by providing equal access to information and policing legitimate threats without the assumption of danger based on socioeconomic, ethnic, or gendered means (Monahan 2010: 103). This is faulty logic, however, for it fails to consider the algorithmic disparities riddled within surveillance systems. As Eubanks notes, machine technology can in fact be biased. There are detrimental effects of assuming the objectivity of high-tech programming, especially in the United States where these “impartial” systems replicate current societal cleavages which contribute to democratic instability by “automating inequality”(Eubanks 2018). The modern age of surveillance is structured to encourage various online monitoring techniques which are wholly antithetical to U.S. values. Systems which breed discrimination, encourage censorship, and undermine privacy are weaponized against the general populace, causing many to weigh imperative First and Fourth Amendment rights against the need for national security. It is this “algorithmic authoritarianism” which undermines the political and begins to highlight the threat that surveillance systems pose to the future of U.S. democracy.

### **Illiberalism & The Decline of U.S. Democracy**

Scholars have long debated the authoritarian possibilities of liberalism, or the lack thereof. Within the national security state, the construction of the “ideal liberal citizen”, a liberal democratic model which is fundamentally exclusionary, streamlining national identity through concepts of superior versus inferior, civilized versus uncivilized, and legal citizen versus illegal (Tebble 2006, 15), has been a primary source for democratic inconsistency. The politics of identity profit off of “xenophobic, ethnically exclusionary [and] territorially expansionist” polices (Tebble 2015: 471) similar to that of early surveillance measures which transitioned from the management and profit of slaves to the invasive classification, organization, and punishment, of minorities (Browne 2015; Moore and Currah 2015). Similarly, efforts to authorize the Executive Order 9066 — President Franklin D. Roosevelt’s initiative to remove and intern “any or all people from military areas as deemed necessary or desirable,” specifically, Americans of Japanese ancestry — and its sister

initiative, the modern Muslim Ban — formally known as Executive Order 13769 or Protecting the Nation from Foreign Terrorist Entry, this attempted to suspend entry of Syrian refugees and travelers from Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen — have exemplified the many ways in which democracy is exploited and undermined through the juxtaposition of surveillance and identity liberalism. Though the politics of identity are central to notions of democracy, personal and national identity can become too radicalized, often inspiring authoritarianization.

In the post-9/11 era, this has been most glaringly represented through the normalization of exclusionary and nativist national security processes. Following the onslaught of online vetting initiatives, facial recognition programming, and heightened biometric screening, "comfort with increased surveillance [has created] an internalized acceptance of a totalitarian tendency. This normalizing of the totalitarian is one of the more frightening features of willed and willing development of a surveillance society" (Fiske 1998: 86). Still, academics argue that illiberalism is not a direct sign of authoritarianism.

Berman provides an apt analysis for the liberalism and illiberalism presented by democracy, arguing that liberal democracy (as in the case of the United States) is not the model manifestation of democracy (Berman 2017: 30). Therefore, illiberal democratic practices are often the sign of flourishing democracy rather than democracy in decline. The problem with this perspective is that it fails to consider the illiberal to liberal trajectory within United States history. Given that U.S. democracy became "fully democratic" in the 1970s (Mickey et al. 2017), present shifts toward authoritarianism prove regressive, resembling the early illiberal struggles over civil liberties and power dynamics. Olicker writes that illiberalism itself cannot be employed to demolish democracy. Historically, illiberalism uses "democratic institutions to centralize power and limit civil liberties" (Olicker 2017: 7). In harnessing the divisions brought on by illiberal democracy, the national security state assumes a mild authoritarian agenda, prioritizing the repression and surveillance of the few in order to protect the many.

In the post-9/11 national security state, the surveilled are at the will of not simply the security apparatus itself, but the supposedly objective technological programmers which orient machine learning to determine everything from advertisements to defense. The threat of relying on a subset of individuals to create automated systems for political means, especially given the technology sector often reflects a homogenous demography like that of the ideal liberal citizen. There is a "coded gaze" imprinted within various surveillance programs, and "software is only as smart as the data used to train it" (Buolamwini, qtd. in Lohr 2018). Given the 21st century is driven by automated systems, it is essential to acknowledge how bias present in developmental stages can shift perceptions and outcomes outside of machine learning. According to Eubanks, "Human bias in public assistance

systems has created deep inequalities for decades. Specifically around the treatment of black and brown folks who have often been either overrepresented in the more punitive systems or diverted from the more helpful systems” (Eubanks, qtd, in Edes and Bowman 2018). While the centralization of internet data may appear harmless and necessary to some, to others it manifests as a virtual stop and frisk or iJimCrow. The expansive and invasive surveillance machine that is the modern national security state, though said to be used as a means to “maintain” the economy, education, healthcare, and beyond, has simultaneously created a pipeline from surveillance to incarceration, deportation, and authoritarianization.

### **Demolishing “Ironclad” Institutions**

Though several scholars maintain that the national security state and democracy are always in opposition (Shetterly 2013, Belletto 2009), there is an assumption that institutions are incapable of corruption, effectively able to restrain abuses and shield democracy from tyrannical leaders. Though it “may be tempting to assume that the United States’ centuries-old democracy is impervious to democratic erosion, such confidence is misplaced. Those pinning their hopes on pushback from the bureaucracy are also likely to be disappointed (Mickey et al. 2017).” Specifically, the intersection of surveillance and national security, citizen and state, and democracy and authoritarianism in the United States is one that often features institutional manipulation within executive, legislative, and judiciary. Though security and surveillance seek to maintain order in the name of public safety, they often operate within political means that are vague, allowing for unmonitored imperialism, secrecy, and illegality (Raskin 1976, 198). Just as foreign policy and intelligence seek to combat external threats, so does the domestic formation of the national security state in relation to internal threats. Using surveillance techniques within the framework of “maximum flexibility,” security measures are justified as a means to diffuse supposed chaos and terror, even if preemptively screening non-threatening actors such as lower class individuals, dark bodies, females, non-gender conforming citizens, immigrants, and opposing political operatives (Raskin 1976: 199). This form of risk-averse surveillance, known as the Banopticon (Bigo 2006), exemplifies the tension between democracy and the national security state.

The militaristic origins of security and surveillance, when coupled with neoliberal aspects of United States democracy, fail to produce effective democratic processes by creating a culture of “surveillance capitalism” (Zuboff 2015). Couldry writes, surveillance-heavy democracy are too “focused on data extraction rather than the production of new goods, thus generating intense concentrations of power over extraction and threatening core values such as freedom” (Couldry 2016). Through the harnessing of societal vulnerabilities, certain citizens are reduced to casualties of the state’s pursuit of security, deprived of many “human, legal and social guarantees and protection



of individuals.” Hence, “those who govern can non-longer rely on the rhetoric of sovereignty [and] citizenship” (Bigo 2006: 8 & 11). The relationship between the state and surveillance poses a direct threat to democracy by actively exploiting the citizenry, subverting Constitutional rights, and minimizing of authoritarian tendencies, all at the institutional level.

Other research argues against the correlation of surveillance-heavy security states and authoritarianism. Weiss rejects the “dichotomy” presented by many critiques of the national security state, contending assumptions that technology, neoliberalism, and capitalism threaten the stability and rationale of the national security state. Her argument arguing is that security and surveillance can transcend democratic inconsistency to remain a strong force of United States democracy (Weiss 2014: 19-21). In contrast, Potter finds that though pervasive surveillance cultures are rarely studied within authoritarian regimes, current authoritarian states are much more vulnerable to the threats of repressive security than democracy (Potter 2016: 2). Both arguments are ignorant to the very real threat of abusive power within democratic states of surveillance. As Jablonsky notes, “the new threat [of 9/11] assures the continued existence if not growth of the national security state and will certainly cause increased centralization and intrusiveness of the US government” (Jablonsky 2002: 18). Lyon agrees, finding that “surveillance enhances the position of those ‘in power.’ Power, in this view, is not a possession, but a strategy” (Lyon 2007: 18). The results from present examinations of the national security apparatus therefore present a significant case for the correlation between surveillance, security, and democratic shifts toward authoritarianism in the United States.

### **CASE STUDY: The Birth of American Authoritarianization**

To chart a trajectory for the authoritarianization of the United States, it’s essential to review the origins of institutional abuses perpetuated by the national security state. Specifically, how has the presence of domestic surveillance under the Bush and Obama administrations signified a shift from liberal democracy to new authoritarianism in the U.S.? Following the events of September 11, the Bush administration was a catalyst for executive oversight and institutional manipulation, launching “the most sustained attack on democratic rights in modern American history. Using the pretext provided by the September 11 terrorist attacks, it systematically constructed, through the USA Patriot Act, the Homeland Security bill and other reactionary measures, the framework for a police state” (Giroux 2014). Enacted only forty-five days following 9/11, The USA PATRIOT Act provided the initial legal validation for the state to monitor citizen communications without a warrant. When questioned regarding the paradoxical rule of law exhibited by the Patriot Act, The Department of Justice expressed the need for Congress to “retrofit” the law in an effort to protect the wellbeing of American citizens (DOJ 2001). Similarly, Congress delegated nearly all powers to the executive, “casting aside longstanding constitutional limits on government investigators [by]

valuing secrecy over deliberation [while undermining the Congressional] ability to identify—let alone stop—serious investigative abuses” committed in the name of national security (Bendix and Quirk 2013: 2 & 13).

The legislature and judiciary’s endorsement of a culture of lawlessness and urgency allowed for the creation of various invasive means of protection such as the Defense Advanced Research Projects Agency (DARPA) Information Awareness Office and the Total Information Awareness Program (TIA). Through a centralized system of information collection and sharing, The Patriot Act served as an extension of FISA, empowering the state to lower legal standards and increase abilities to wiretap, trace, and register citizens. Beyond legislation, the Bush years also emboldened the executive on an international arena, contributing to a mentality of U.S. exceptionalism domestically and abroad. After September 11, the United States embraced the role of a “lone hegemonic superpower” shifting “the mode of political regulation” (Steinmetz 2003: 330). The Bush administration resisted international law abroad while simultaneously enacting invasive and reactionary surveillance programming at home, an early signifier of authoritarianization.

While institutional manipulation enacted during the Bush administration developed the infrastructure for the post-9/11 national security state, the Obama era ushered in a massive expansion of systems of surveillance. During his time in the Senate, Obama openly advocated against reauthorization of the Patriot Act, arguing that it was unlawful for Congress to approve legislation that removed the right for citizen appeal against surveillance. When campaigning for President he maintained this perspective, vowing against the secrecy and intelligence illegalities committed by his predecessor. But by early 2008, the Obama platform was seemingly aligned with the foreign policy and security interests of the Bush administration. While the impression was that the “openly authoritarian” Bush administration undermined the rule of law when enacting post-9/11 surveillance, “the supposedly civil libertarian Obama administration had also aggressively implemented a massively intrusive security regime (Bendix and Quirk 2013: 2). Under Obama, international efforts to counter the War on Terror engaged in the collection of citizen “vulnerabilities” ranging from sexual orientation to medical condition and financial record. In order to enhance the national security state and expose citizen-led terror-related activities, it was assumed that similar efforts could be lucrative for terror prevention within the United States. Eventually, the Obama administration opted to train citizens to serve as an extension of state enforcement and intelligence to minimize dissent, opposition, and inaccuracy. Under the pretext of domestic counterterrorism, DHS launched *If You See Something, Say Something*<sup>TM</sup> (2010) and *Eye on Awareness*<sup>TM</sup> (2011) in accordance with DOJ’s *Nationwide Suspicious Activity Reporting Initiative* (2010) in an effort to expand upon the scrutiny of citizen vulnerabilities and threatening behaviors.

Moving beyond Bush's DARPA and TIA programs, data mining under President Obama could obtain information of a financial, medical, and biometric nature without a warrant. Using PRISM, an extension of the Protect America Act of 2007, surveillance also began to take on a new, non-militaristic purpose in the form of surveillance capitalism. The U.S. National Security Agency (NSA) developed PRISM in accordance with several technology conglomerates, namely Google Inc., in order to expand upon its internet monitoring and acquisition of "confidential" information. By July of 2013, the general populace began to learn of the reality of Obama era surveillance. Everything from private communications to facial recognition could be utilized and if deemed necessary to national security, all data could be compiled, shared, and deployed throughout the intelligence community. The global surveillance leaks from Edward Snowden were the first efforts to apply pressure on the Obama administration, eventually shaping the USA FREEDOM Act. The Freedom Act was supposedly unique in that it protected civil liberties by ending bulk collection of data, improved transparency by requiring the publication of FISA decisions, and advanced national security objectives by increasing various means of surveillance and enforcement (Judiciary Committee 2015). However, this bipartisan effort to restrict the NSA and reform domestic surveillance still failed to remedy the tension between the state and citizen (Cohn and Reitman 2015). Though the intelligence community was finally being held accountable for their various unlawful actions, the Act failed to completely eradicate Section 702 of FISA altogether—a reform effort that would symbolize the prioritization of the rights of citizens over the security of liberal democracy.

### **Building the Banopticon**

After a legacy of warrantless spying, the implications of post-9/11 surveillance remain remain in U.S. politics and society, forever creating a strain between state and citizen. "This radical disembedding from the social is another aspect of surveillance capitalism's antidemocratic character. Under surveillance capitalism, democracy no longer functions as a means to prosperity; democracy threatens surveillance revenues" (Zuboff 2015, 86). The trajectory from Bush to Obama, which could be categorized as a transition from the early stage national security apparatus to the Banopticon, is best described by the shift from Bush's reactionary, authoritarian surveillance policy in the wake of September 11 to Obama's full scale shift which had institutional and cultural consequences for the United States. The most unique aspect of Obama era surveillance was the conflation of economy and surveillance, public and private, and citizen and national security state. *Something, Say Something™* (2010) and *Eye on Awareness™* blurred many lines, forming surveillant assemblages who "feel for the state" in an effort to protect democracy. By forging citizen-spies, Obama attempted to "produce [U.S.] subjects who would increase the productivity and efficiency

within structures [while] reproduce[ing] sovereign power rather than resist[ing] its mechanisms” (Ritchie 2015: 181 & 182). But just as Foucault writes of discipline and power, the regulation of U.S. society, even by subtle means, created a disciplinary national security state which was easily susceptible to manipulation.

In building this U.S. Banopticon, rhetoric has also stimulated an ideology of American nationalism that borders on tribalism. Department of Homeland Security (DHS) initiatives contributed to U.S. authoritarianization by making the fight against terror a personal, visceral, and daily pursuit by means of profiling and affective assumption. The “terrorist” became coded not only as an omnipresent entity, but an invisible enemy hiding in plain sight. Bodies were characterized as either transparent or opaque—transparent bodies were perceived as less threatening due to their visible conformity to the national security state’s aesthetics and values while opacity became synonymous with dissent and darkness (Hall 2015). Much like the Anglo-American model that defined early American surveillance systems, the present national security state is inherently gendered and racialized to determine threat level by subjective means. Hall writes,

*The capacity to risk and to have one’s risky ventures securitized is a marker of the privilege of transparency...white people are presumed innocent and people of color are presumed guilty...Some enjoy the privilege of being presumed capable of demonstrating (the absence of) the threat of terrorism. Others are presumed incapable, unwilling, or non-compliant* (Hall 2015: 75-76).

In this way, rhetoric perpetuates American authoritarianization at various levels of U.S. society. From federally mandated wiretapping of assumed jihadists to the school-to-prison pipeline that often criminalizes black and brown bodies before an actual offense has occurred, the Banopticon encourage unity through division, openly securing a subset of the population in an effort to once again prioritize state before citizen.

This rhetorical nature of security and surveillance is a primary sign of the tension between democracy and authoritarianism. “The national security state’s apparatus needs arbitrary power. Such power has its own code, which is meant to govern or justify the behavior of the initiated—after the fact. It operates to protect the state apparatus from the citizenry” (Raskin, Qtd in Shetterly 2013). Directly following September 11, the reconceptualization of perceptions of security, intelligence, and surveillance occurred in the form of subliminal messaging. Bush often spoke in coded language, or rhetoric disseminated through a reproduction of discourse influenced by institutional power relations in order to justify undemocratic and illiberal actions taken in the name of security and defense. The rhetoric of security and terrorism serves as “the dissolution of the civil relations obtaining within and among nations, particularly liberal nations, and thus portends the dissolution of civilization itself” (Noorani 2005: 13).

For example, consider the nature of the mnemonics used to legalize domestic surveillance. By referring to security policy as a means of patriotism and freedom, instead of spelling out the USA

PATRIOTIC Act and USA FREEDOM Act as “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism” and “Uniting and Strengthening America by Fulfilling Rights and Ending Eavesdropping, Dragnet-collection and Online Monitoring,” respectively, the state has found a means to advertise repression and invasion of privacy as genuine U.S. Americanism. Hall writes, “In this manner, the aesthetics of transparency lend a democratic veneer to sites where radically undemocratic practices thrive” (Hall 2015: 66). The ability to reframe the narrative of national security by propagating the notion that a legislative defense of liberty and democracy is incapable of defying the Constitution is a primary example of the minimization of American authoritarianism.

Beyond rhetoric, states of emergency sustain the constant culture of urgency and chaos needed to foster anxiety and terror within the national security state, an essential element of authoritarianism. The modern fear state is unique in that the mere threat of terror to be continuously replicated, even when no genuine threat exists. Presently, the United States is in twenty-eight states of emergency, but it isn’t new—“this month marks the start of our 39th year in a continuous emergency state” (Padhi 2017). Since their conception, emergency powers have presented a threat to democracy and the rule of law. Upon investigating President Truman’s actions following the 1950 declaration of emergency (a mandate that would eventually lead to the war in Vietnam), a committee report found that emergency powers to the executive “conferred enough authority to rule the country without reference to normal constitutional process” (Padhi 2017). Today, this committee warning is almost altogether ignored. As of 2014, fifty-two states of emergency have been placed into effect and thirty are still “active,” with a majority of them stemming from the Bush era. The immediate reactivation of emergency status is detrimental to democracy, especially given the institutional tendency towards widespread surveillance in the postmodern age. Through emergency status, the national security state weaponizes fear, producing “privatized citizens whose paramount concern is personal welfare, [therefore] rendering individuals particularly vulnerable to the crushing strength of institutions” (Lyon 2007: 19). Through the convergence of states of emergency and surveillant society, paranoia serves as a primary tool of panoptic control.

Though this perpetual fear state is an ineffective means of governance, it contributes to a “crimethink” culture—an Orwellian concept referring to the encouragement of misinformation and post-truth in order to make the populace reliant on the state (Orwell 1949)—which often encourages citizen disillusionment and societal longing for protection by any means. Here, the state of emergency enables authoritarianization from the “new strongmen,” populist autocrats and democratically elected “everymen” who provide a “milder, less openly brutal” reign of tyranny (Case 2017). Given new authoritarianism is much more visibly reasonable than old school authoritarianism

of the twentieth century, liberal societies such as the United States are much more susceptible to its subtle anti-democratization.

Still, the national security state is not a new enemy of democracy. Since its conception, the United States security apparatus has plagued society, promoting “lies and self-deception [that] have broken faith with the essential precondition for constitutional government in democracy” (Raskin, Qtd in Shetterly 2013). However, security policies and surveillance practices alone cannot breed tyranny. Lyon writes, “to detect totalitarian tendencies in specific practices is a far cry from declaring that the ‘surveillance society has finally arrived’” (Lyon 2007: 87). In fact, state observance and management is necessary in that it ensures democratic capabilities — specifically by ensuring equal distribution of rights (Lyon 1994: 31). The relevance of the September 11<sup>th</sup> attacks in shaping U.S. authoritarianization is also contested. For while, “The events of September 11 catalyzed a break with the established regulatory model [of United States democracy]... the response to September 11 has been a solution with significant precedents in post-1945 U.S. state history...” (Steinmetz 2003: 325 & 335). Research of Bigo (2006), Giroux (2015; 2016), Lyon (2007), Noorani (2005), and others contends this notion, finding that the institutional manipulation of the relationship between citizen and state, surveillant and surveilled, and the rule of law and public safety have heightened tensions in a post-9/11 era. Regardless of twentieth century origins of American authoritarianism, the illiberalism and undemocratic manifestations of the national security state following the attacks of September 11 depict a unique shift toward “new” authoritarianism.

The United States presently operates through “security in the disciplinary” modeled as “domestically authoritarian and geopolitically imperialist” state (Steinmetz 2003: 338 & 341). Looking forward to the future, citizens would do well to “be alert to the use of the words extremism and terrorism. Be alive to the fatal notions of emergency and exception. Be angry about the treacherous use of patriotic vocabulary” (Snyder 2017: 99). Through countersurveillance measures and resistance of the national security state as it converges with capitalism, there is potential to reverse the effects of the authoritarianization of the United States. However, this can only occur given widespread societal pressure on the three branches by imploring reform of FISA 702. Seeing as recent polling (Eoyang, Freeman, and Wittes 2017) suggests a nationwide confidence in the power of the state to protect the people, by any means, there is little hope for a truly progressive and constitutionally sound implementation of the proposed 2017 USA Liberty Act, the most recent extension of the 2001 Patriot Act and 2015 Freedom Act. Future research of public opinion will illuminate additional defenses against the United States’ authoritarianization that allows for increased state power in the name of security.

## Conclusion

The legacy left behind by actions taken within the Bush and Obama eras has brought the United States to its present predicament. In an era when the authoritarianism of old appears to be reinvigorated by demagoguery in the face of globalization and violent extremism, the revisionism, perpetual anxiety, and nationalism encouraged by national security rhetoric and states of emergency represents a distinct tendency towards authoritarianism. The blatant threats to U.S. Constitutional values exhibited by legislative loopholes, also indicates this legacy of American authoritarianism. Not only has the national security state enabled a culture of U.S. exceptionalism, giving intelligence agencies and Presidential administrations too much power, it has also created a culture of surveillance, replicated throughout society, which trades heightened citizen visibility for decreased state repression. Bush and Obama's jurisdictional misapplications of surveillance serve as a testament to the underlying United States security narrative that Benjamin Wittes (2017) referenced in his speech.

The national security apparatus is continuously bolstered as the premier defense of liberalism, encouraging the convergence of security, surveillance, and democracy across partisan lines, while asserting that the security of liberalism and the security of U.S. citizens are mutually exclusive. This is the most glaring representation of the legacy of U.S. authoritarianism, for "people who assure you that you can only gain security at the price of liberty usually want to deny you both. You can certainly concede freedom without becoming more secure" (Snyder 2017: 100). Following the attacks on September 11, 2001, the administrations of Presidents George W. Bush and Barack Obama committed many oversights and abuses in the name of national security. In attempting to secure the fate of liberalism through legislative directives, recurrent emergency status, and the overall rhetoric of the War of Terror, institutional manipulation within the national security state has fostered authoritarianization within United States—potentially signaling the end of liberal democracy, as we know it.

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