Edward Snowden: Friend or Foe?

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ADJ 243: Homeland Security Law

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Espionage has been a part of America since its earliest days. Today it is not surprising to hear of newer forms of spying like a cyber-attack on a federal agency or intrusions into nuclear power plants that could potentially cause grave damage. One current example of an espionage event officially named by the FBI as *Operation Ghost Stories* occurred around the 2010-time frame. The FBI ran an investigation of at least ten Russian spies that had embedded themselves in communities, universities, and jobs without anyone suspecting (FBI, 2011). These deep-cover spies used stolen identities to obtain a front of being “normal” Americans that to all but knew their true identities. They assimilated into the fabric of our country, and their intent was to gather intelligence and to strike at a strategic time that could occur years down the road. Upon conviction, these unlawful agents were traded in an old-time spy swap (Faulconbridge, 2010). Citizens are aware of foreign spies, but they are alarmed when a spy is one of their own.

**Friend or Foe?**

Edward Snowden born in June 1983 into a family that faithfully served their country in the Federal Government in different capacities (Greenburg, 2013). Gifted with a high IQ, he struggled to find his way, but eventually found his intellect helpful in securing a job with the CIA. He passed a comprehensive security clearance required for the job and ultimately excelled by using his advanced computer skills (Register, 1981). Through his many jobs within the agency, he obtained a top-level understanding and clearance of the surveillance that the U.S. Intelligence Agencies could use with the newly passed Patriot Act. Many accounts point out that Snowden was startled by what was happening that resulted in him ultimately releasing classified findings to the public and foreign governments. Knowing his behavior was illegal, he fled the country and has been in limbo ever since.

An official report released by the U.S. House of Representatives on September 15, 2016 gave a partial review of non-classified material that explained the security breach relating to Snowden (Representatives, 2016). It showed in the review of the Snowden incident that he did release over one million classified documents. Until an official release is promulgated, citizen does not know for sure if all the alleged documents were indeed real thus Snowden did know that he had stolen classified information. The CIA thoroughly vets, screens, and train employees so they know the full consequences of the betrayal of disclosing classified information. He knew what he was doing, and regardless of the personal political ideologies he held, it was breaking the law. It would be great if we could all pick what we want to keep secret and do what we want to do, but these documents had to do with defense, intelligence, and military interests. The pull of the American dream is that we are a nation of laws. Breaking the law has consequences and so the government has charged Snowden under the Espionage Act of 1917 (Greenwald, 2013).

**National Security**

For anyone to fully understand the full dynamics of national security of the United States would obviously be impossible. Wisdom holds that to truly understand any discipline, it takes a lot of time and often includes formal education, doing the work, and constant learning in a myriad of ways. The military knows this and that is why it takes so long to reach a point where one leads in a significant way in the armed forces. Likewise, in counterintelligence, it takes a long time to earn the trust of your adversaries and if discovered it could mean death or torture.

 It is true that Snowden was gifted in his narrow but very important job. Subject matter experts are just that, experts in one area. It will not be a surprise to anyone that cyber security skills are in great demand considering the climate and interconnectivity of our world today, and because of this fact, Snowden had power. Yet, to think one has the full picture of the international landscape is foolish as any teenager that has not taken wise counsel from the parents will tell you when they grow up. It is unfathomable to think that Snowden could grasp the significance of his disclosures to foreign entities is mind boggling. The combined stress, money, and risk he brought upon America is unapparelled. It is true that thinking that the NSA is listening to your conversations is unsettling, yet a worse scenario is having another terrorist act such as the 9/11 attack is much worse.

**Whistleblowing**

 Americans are not naïve, and citizens want to know that laws are being enforced. Several incidents have occurred over our history that have hurt our beliefs of those in trusted positions that were disclosed by brave concerned citizens. Take Karen Silkwood as an example (Los Alamos Science (Lab), 1995). She worked as a chemical technician in the 70s where she discovered and reported several plant safety issues. The facts point to a series of sketchy details surrounding her death. Lessons were learned and an evolution of laws on ways to handle unscrupulous behaviors have been put in place to limit the many documented hardships that accompany sharing in most cases unpopular information. In 1989, the Whistleblower Protection Act was updated to deal with workplace misconduct and that is why there are whistleblowing laws on the books (Printing Office, 1989).

Snowden felt what was going was wrong and there is not crime in that, but he had a choice and that put others at risk. The Patriot Act was published and open for all to see. Releasing so many classified documents was not whistleblowing but was a breach of the highest kind. If he had such a passion to share with the American people about his findings, he would have found a safer way that would not put others at risk. By following safeguards that are put in the Federal Government by reporting and following up would have been a much safe and legal approach.

**Rulebreaker**

 Part of the reason that there is a systematic process to classify for trusted occupations is because when one is trusted, they are held to a higher standard. Some think that mixing your professional life with your private life is asking too much, but much can be learned about how one’s character is demonstrated off the job. During the Tailhook Scandal that rocked the Navy and Marine Corps in the early nineties, aviators of each branch sexually assaulted women during an official event of the Tailhook Association in 1991 (FRONTLINE, Post Tailhook Punishment, Unknown). Attention about the event was brought to senior leadership, but the allegations were dismissed as personal behavior off the job. Lessons learned from that incident directed the Department of Defense the dire need for leadership on the job and off the job as well evidenced by the sexual climate of the military today.

Snowden showed his character when he exaggerated his credentials when he lied about his Army service and educational qualifications. Apparently, the government had not learned its lesson because, in fact, he had a history intentional lying and deception exaggeration of responsibilities in a prior job. His off the job behavior was an indication of his true character. Many questions come to mind why Snowden could continue to be privy to classified documents when managers reprimanded him from obvious protocol breaches. Was it leaderships job to further reprimand Snowden when he began to show questionable behavior. It is fair to say that Snowden is not the only one that needs to be punished.

**Conclusion**

Taking the lessons learned from the past like the deep-cover Russian spy incident, Silkwood’s violations report, and military aviators sexual assault behavior, perhaps the government should do its own spy swapping for Snowden and stand up to its responibilites. His blatant disregard of unauthorized disclosures breaking U.S. law and unknown harm caused to this country, he should reap what he showed and that is to be tried in a court of law within America. Some may argue that he was a hero because he brought to attention to the world what the Intelligence Community was doing to combat terrorism but at what cost (Shetty, 2016). Everyone likes to point fingers but change their minds when it impacts them. Terrorism is not going away and it will be harder to stop them now that Snowden has made it easier for them.

References

Faulconbridge, G. H.-P. (2010, July 9). *Russia, U.S. swap 14 in Cold War-style spy exchange*. Retrieved from Reuters.com: http://www.reuters.com/article/us-russia-usa-spies/russia-u-s-swap-14-in-cold-war-style-spy-exchange-idUSLDE6680KB20100709

FBI. (2011, October 31). *Operation Ghost Stories: Inside the Russian Spy Case*. Retrieved 2017, from https://www.fbi.gov/news/stories/operation-ghost-stories-inside-the-russian-spy-case

FRONTLINE. ( Unknown). *Post Tailhook Punishment*. Retrieved from PBS: https://www.pbs.org/wgbh/pages/frontline/shows/navy/tailhook/disc.html

Greenburg, A. (2013, December 16). *An NSA Coworker Remembers The Real Edward Snowden: 'A Genius Among Geniuses'*. Retrieved from https://www.forbes.com: https://www.forbes.com/sites/andygreenberg/2013/12/16/an-nsa-coworker-remembers-the-real-edward-snowden-a-genius-among-geniuses/?partner=yahootix#4776e015784e

Greenwald, G. (2013, June 22). *On the Espionage Act charges against Edward Snowden .* Retrieved from https://www.theguardian.com: https://www.theguardian.com/commentisfree/2013/jun/22/snowden-espionage-charges

Los Alamos Science (Lab), V. X. (1995, November 23). *The Karen Silkwood Story*. Retrieved from PBS: http://www.pbs.org/wgbh/pages/frontline/shows/reaction/interact/silkwood.html

Printing Office, G. (1989, April 10). *Public Law 101-12--APR/ 10, 1989.* Retrieved from 103 STAT. 16: https://www.gpo.gov/fdsys/pkg/STATUTE-103/pdf/STATUTE-103-Pg16.pdf

Register, F. (1981, December 4). *Executive Order.* Retrieved from National Archives: https://www.archives.gov/federal-register/codification/executive-order/12333.html

Representatives, U. H. (2016, September 15). *Executive Summary ofReview ofthe.* Retrieved from https://www.hsdl.org: https://www.hsdl.org/c/section/newsletter/

Shetty, K. R. (2016, September 16). *Pardon Edward Snowden*. Retrieved from https://www.nytimes.com: https://www.nytimes.com/2016/09/15/opinion/pardon-edward-snowden.html?\_r=1