

Edward Snowden: Traitor or Hero?

In 2013, computer expert and former CIA systems administrator, Edward Snowden released confidential government documents to the press about the existence of government surveillance programs. According to many legal experts, and the U.S. government, his actions violated the Espionage Act of 1917, which identified the leak of state secrets as an act of treason. Yet despite the fact that he broke the law, Snowden argued that he had a moral obligation to act. He gave a justification for his “whistleblowing” by stating that he had a duty “to inform the public as to that which is done in their name and that which is done against them.” According to Snowden, the government’s violation of privacy had to be exposed regardless of legality.

Many agreed with Snowden. Jesselyn Radack of the Government Accountability Project defended his actions as ethical, arguing that he acted from a sense of public good. Radack said, “Snowden may have violated a secrecy agreement, which is not a loyalty oath but a contract, and a less important one than the social contract a democracy has with its citizenry.” Others argued that even if he was legally culpable, he was not ethically culpable because the law itself was unjust and unconstitutional.

The Attorney General of the United States, Eric Holder, did not find Snowden’s rationale convincing. Holder stated, “He broke the law. He caused harm to our national security and I think that he has to be held accountable for his actions.”

Journalists were conflicted about the ethical implications of Snowden’s actions. The editorial board of *The New York Times* stated, “He may have committed a crime...but he has done his country a great service.” In an Op-ed in the same newspaper, Ed Morrissey argued that Snowden was not a hero, but a criminal: “by leaking information about the behavior rather than reporting it through legal channels, Snowden chose to break the law.” According to Morrissey, Snowden should be prosecuted for his actions, arguing that his actions broke a law “intended to keep legitimate national-security data and assets safe from our enemies; it is intended to keep Americans safe.”



Discussion Questions:

1. What values are in conflict in this case? What harm did Snowden cause? What benefits did his actions bring?
2. Do you agree that Snowden's actions were ethically justified even if legally prohibited? Why or why not? Make an argument by weighing the competing values in this case.
3. If you were in Snowden's position, what would you have done and why?
4. Would you change your position if you knew that Snowden's leak would lead to a loss of life among CIA operatives? What about if it would save lives?
5. Is there a circumstance in which you think whistleblowing would be ethically ideal? How about ethically prohibited?

Resources:

Whistle-Blowers Deserve Protection Not Prison

<http://www.nytimes.com/roomfordebate/2013/06/11/in-nsa-leak-case-a-whistle-blower-or-a-criminal/whistle-blowers-deserve-protection-not-prison>

Eric Holder: If Edward Snowden were open to plea, we'd talk

<http://www.politico.com/story/2014/01/eric-holder-edward-snowden-plea-102530.html>

Edward Snowden: Whistleblower

http://www.nytimes.com/2014/01/02/opinion/edward-snowden-whistle-blower.html?_r=0

Edward Snowden Broke the Law and should be Prosecuted

<http://www.nytimes.com/roomfordebate/2013/06/11/in-nsa-leak-case-a-whistle-blower-or-a-criminal/edward-snowden-broke-the-law-and-should-be-prosecuted>

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