

Who Watches the Watcher? Redux

Permanent Record

Edward Snowden

London: MacMillan, 2019

Citizenseven

'I used to work for the government, but now I work for the public', claims former CIA employee and National Security Agency (NSA) contractor Edward Snowden in the second sentence of recent memoir, *Permanent Record*. That this immodest claim is one of the opening lines tells us much about the aim of Snowden's book. Depending on your point of view, Snowden is either a hero or a villain. His memoir aspires to explain why he took the momentous decision to release some 1.5 million classified documents (which revealed the operations of the NSA and allied agencies) into the care of a select number of journalists¹ back in 2013. His actions have, for now, left him effectively stateless, facing numerous charges in the United States² and in self-imposed exile in Russia.

Like most autobiographies, this seeks to paint its subject's life, and in this case his momentous life choices, in the most positive light possible. Snowden portrays himself as being motivated by the highest of ideals: above all his belief that our online privacy needs to be preserved, not secretly mined by seemingly unaccountable US Government surveillance agencies. He tells us his act was driven by a deeply moral decision to quite simply 'tell the truth' because the 'abuses I witnessed demanded action'. As Snowden explains:

'This book is about what led up to that decision, the moral and ethical principles that informed it, and how they came to be – which means that it's also about my life.' (p. 4)

Snowden's explanation for his actions is simple: the online privacy of everyone

¹ US House of Representatives (House Permanent Select Committee on Intelligence – HSPCI), *Review of the Unauthorized Disclosures of Former National Security Contractor Edward Snowden* (U), September 15, 2016, pp. i-ii.
<<https://www.congress.gov/114/crpt/hrpt891/CRPT-114hrpt891.pdf>>
(hereafter: HSPCI, *Review*)

² The crimes that Snowden is alleged to have committed were detailed in a July 2013 letter from U.S. Attorney General Eric Holder to the Minister of Justice for the Russian Federation. See 'U.S. Letter Says Leaker Won't Face Death Penalty' in *The New York Times* of 26 July 2013 and the *New York Times*' hosting of the letter at <<https://tinyurl.com/ydadha4t>> or <<https://archive.nytimes.com/www.nytimes.com/interactive/2013/07/27/us/27holder-letter-russian-justice-minister.html>>

around the globe was being compromised by the activities of the NSA, so he felt compelled to expose it. This apparent threat is illustrated with this chilling anecdote:

'Deep in a tunnel under a pineapple field – a subterranean Pearl Harbor-era former airplane factory – I sat at a terminal from which I had practically unlimited access to the communications of nearly every man, woman and child on earth who'd ever dialed a phone or touched a computer.' (p. 3)

Snowden creates a narrative arc where his patriotism and idealism is undermined by the corrupt culture and dealings of the two organizations for which he worked. 'Mine is a family that has always answered the call of duty' (p. 21), he writes, noting his maternal grandfather was a Rear Admiral in the US Coast Guard, his father also in the Coast Guard as a chief petty officer, while his mother went to work for the NSA. He records, though with regret, that in the immediate aftermath of the 9/11 attacks he moved from being so 'ambivalent about serving', as it 'seemed pointless', to being so 'outraged' he reflexively supported the Bush Administration's push for war:

'I accepted all the claims retailed by the media as facts, and I repeated them as if I were being paid for it. I wanted to be a liberator. I wanted to free the oppressed. I embraced the truth constructed for the good of the state, which in my passion I confused with the good of the country.' (p. 81)

Snowden then recounts how his passion led him to join the US Army; an ultimately futile venture cut short by injury.³ Following this, pursuing his natural talent for IT, Snowden began his journey through the US intelligence community (which he refers to as the IC). He obtained a Top Secret security clearance and then undertook a number of contracting jobs for firms working directly or indirectly for the NSA or the CIA

It was whilst working for the NSA in Hawaii that Snowden supposedly stumbled upon proof of a 'global system of mass surveillance' when he got to read the classified version of the STELLARWIND document that details the extent and legal basis for the NSA's collection of metadata. According to Snowden, this document outlined activities that were 'so deeply criminal that no government would ever allow it to be released unredacted'. (p. 176).

³ Snowden claims that a medical examination discovered he had 'bilateral tibial fractures' or stress fractures in his legs (*Permanent Record*, p. 88). This might be a trivial detail, except that the HSPCI report pointed to Snowden's claim, reported by the *Guardian*, that he 'broke both his legs in a training accident', when in fact he was 'discharged after suffering "shin splints", a common overuse injury', to build a picture of Snowden as an unreliable narrator of his own history. (HSPCI, *Review*, [see note 1] p. 2)

Although intended to arouse sympathy, parts of his narrative are actually more troubling. “He paints himself as being so torn, so conflicted by what he has discovered within the files of the NSA that he began to suffer from some serious psychosomatic illnesses: he experienced seizures, became withdrawn and deeply depressed. His employers were apparently kept in the dark about this mental decline because, Snowden claims, thanks to the very same internet technology used in the surveillance he was able to work from home and physically stay away from them the vast majority of the time. Eventually, however, the occasional face-to-face meetings he had to attend became too much and he obtained some sick leave. If that is true, then he should surely have lost his security clearances due to being in the throes of a serious mental illness. The fact that he retained his access to classified information is therefore surprising; as is his ability (much later) to physically exfiltrate the classified data out of an NSA bunker in Hawaii to his home.

His flight to Hong Kong, subsequent meeting with a coterie of journalists and then exile to Moscow are also recounted, though the details are sparse and have been contested elsewhere.

Also testing the patience of a critical reader are Snowden’s tortured justifications for becoming a ‘whistleblower’, rather than make internal complaints through the chain of command. Around the time of Snowden’s initial media exposure, he claimed to have officially raised his concerns about the mass surveillance numerous times.⁴ The NSA, however, denied he had done so.⁵ Snowden does not repeat these claims in *Permanent Record*, instead he paints himself, much like Robert de Niro’s character in *Taxi Driver*, as a man who had had enough:

‘A “whistleblower” in my definition, is a person who through hard experience has concluded that their life inside an institution has become incompatible with the principles developed in – and the loyalty owed to – the greater society outside it to which that institution should be accountable. This person knows that they can’t remain inside the institution, and knows that the institution can’t or won’t be dismantled. Reforming the institution might be possible, however, so they blow the whistle and disclose the information to bring public pressure to bear.’ (p. 238)

He paints his whistleblowing as motivated by a desire for ‘restoration’. His disclosures were not ‘a radical act of dissent or resistance, but a conventional

⁴ <<https://tinyurl.com/h2uwajt>> or <<https://www.washingtonpost.com/news/the-switch/wp/2014/03/07/snowden-i-raised-nsa-concerns-internally-over-10-times-before-going-rogue/>>

⁵ HSPCI, *Review*, (see note 1) pp. 16-19.

act of return', in which the malfunctioning institution – in this case the National Security Agency – would be 'given the chance to start over'. (p. 239)

The generally positive reactions to Snowden's book tell us that for many this narrative hits the mark. It was a 'fascinating autobiography' an enthused John Naughton wrote in the *Guardian*, describing Snowden as a 'hero' who had done us 'a great service'.⁶ Jennifer Salzai in the *New York Times* praised it as 'a riveting account and a curious artefact';⁷ while Steven Poole (*New Statesman*) found it to be 'a thoughtful and elegantly written book, with a nice line in tech-inflected imagery'.⁸ 'Permanent Record is an extraordinary book', wrote Cory Doctorow for *BoingBoing*, and went on to claim 'the whole world owes a debt to Edward Snowden'.⁹ Michelle Renee Matisons, writing in *Counterpunch*, defended both Snowden and his book:

'Snowden physically risked his life to challenge surveillance forces and expose deep state machinations. He should be praised for his sacrifices, not nitpicked on his rhetorical fine points in *Permanent Record* or elsewhere.'¹⁰

There have been some discouraging words. Paul Davis in the *Washington Times* presented a non-review – he had not (and indeed would not) read *Permanent Record*. Instead he denounced Snowden's 'true permanent record . . . of lies, betrayal and aid and comfort to totalitarian regimes and terrorist organizations'.¹¹ But the most useful of the critical reviews has been on the Dutch website, Electrospace.net, which devoted three lengthy pieces to Snowden's book, mainly noting the discrepancies between *Permanent Record* and other sources on Snowden's personal history. But Electrospace has also criticised in detail Snowden's core motive, of revealing a 'global system of mass surveillance', arguing that Snowden was deliberately trawling through NSA files to find evidence to support a theory of NSA malfeasance made by external critics. As a consequence he had misread the key STELLARWIND file, which

⁶ <<https://tinyurl.com/yyr8lmuo>> or <<https://www.theguardian.com/books/2019/sep/23/permanent-record-edward-snowden-review>>

⁷ <<https://tinyurl.com/y5sqr6y8>> or <<https://www.nytimes.com/2019/09/13/books/review-permanent-record-edward-snowden-memoir.html>>

⁸ <<https://tinyurl.com/y2sb935b>> or <<https://www.newstatesman.com/Permanent-Record-Edward%20Snowden-book-review>>

⁹ <<https://boingboing.net/2019/09/24/pardon-snowden-now.html>>

¹⁰ <<https://tinyurl.com/wmb4kl8>> or <<https://www.counterpunch.org/2019/11/20/freedom-valor-love-on-snowdens-permanent-record/>>

¹¹ <<https://tinyurl.com/yb5dh6mm>> or <<https://www.washingtontimes.com/news/2019/oct/8/edward-snowdens-true-permanent-record/>>

actually confirmed that its interception metadata *was* targeted, rather than indiscriminate, and that domestic surveillance in the US by the NSA had been explicitly ruled out by the NSA Director, facts that Snowden failed to address or acknowledge in his book.¹²

It is not the intention of this review to cover that particular ground, even though the assumptions about NSA's indiscriminate collection of metadata are at the core of Snowden's claims. Instead, I want to examine two other issues relating to his actions.

The first has to do with Snowden's claims that, even though many of the revelations arising from his leaks suggest he actually considers *most* of the NSA's actions to be illegitimate, he respected the NSA's right to retain its 'legitimate' secrets. Indeed it is arguable that Snowden's proclaimed sacrifice for personal privacy was more a cover for his crusade against all forms of electronic espionage. The second – unintended – impact of his actions, is that this book is another nail in the coffin of Glenn Greenwald's risible 'Panopticon' thesis, spelt out in his own book about the Snowden affair, *No Place to Hide*. As Snowden shows that the NSA sought to hide its ability to conduct mass surveillance, even within its own organization, this undermines Greenwald's argument that the mere existence of the NSA surveillance network has an overt purpose of compelling compliance from the citizenry.

'legitimate government secrets'

One of the many conceits that populate Snowden's account is that he did *not* engage in indiscriminate leaking; that, on the contrary, he sought to protect what he calls 'legitimate government secrets' (p. 8) and was quite responsible in how he went about selecting and disseminating the NSA's documents. In the preface Snowden details two measures he implemented to achieve this. The first of these was his conscious decision that *he* would not release the purloined files directly to the public, instead it would be done indirectly through the filter of a select group of journalists:

'Just as I refuse to presume to be the sole arbiter of another's privacy, I never thought that *I alone should be able to choose which of my country's secrets should be made known to the public and which should not*. That is why I disclosed the government's documents only to journalists. In fact, the number of documents that I disclosed directly to the public is zero. (p. 8 emphasis added)

In a lengthy interview with Joe Rogan in October 2019 to promote the book, Snowden claimed to have imposed conditions on how journalists could use this

¹² See <<https://www.electrospaces.net/2019/12/review-of-snowdens-book-permanent.html>> and <<https://www.electrospaces.net/2020/03/edward-snowden-and-stellarwind-report.html>>.

resource:

'Now, I gave this to journalists under a very strict condition here, *which was that they publish no story in this archives of information simply because it was interesting, no click bait, not anything just because they thought it would make news, it would get them awards.*'¹³ (emphases added)

We can find some evidence of such instructions in this comment that Glenn Greenwald gave on a reddit thread some five years ago,¹⁴ where he addressed why *The Intercept* did not identify Afghanistan in one story whilst Wikileaks had:¹⁵

A screenshot of a Reddit comment. At the top, it shows the user 'glenngreenwald' with a verified badge, 'Glenn Greenwald', '204 points · 5 years ago'. The comment text asks: 'Can you tell us the exact reason they gave for censoring Afghanistan?'. The response reads: 'Without confirming that it was that country, we didn't decide to withhold that country because the NSA told us to. We decided to do it because of (a) our own knowledge and analysis of specific individuals we thought could be endangered and (b) the framework we agreed to with our source.' The last sentence is highlighted in yellow.

↑ glenngreenwald Glenn Greenwald 204 points · 5 years ago

↓ Can you tell us the exact reason they gave for censoring Afghanistan?

Without confirming that it was that country, we didn't decide to withhold that country because the NSA told us to. We decided to do it because of (a) our own knowledge and analysis of specific individuals we thought could be endangered and (b) the framework we agreed to with our source.

For his second measure, Snowden claims he has been careful to exclude certain types of information that he felt deserved continued protection:

'I believe, just as those journalists believe, *that a government may keep some information concealed*. Even the most transparent democracy in the world may be allowed to classify, for example, *the identity of its undercover agents* and the *movements of its troops* in the field. This book includes no such secrets.' (p. 8 emphases added)

It is noteworthy how that paragraph mainly offers this as a belief or an aspiration, one that is not linked specifically to what he leaked to the press, but rather to 'this book'. It is only later that Snowden recounts that, while in Hawaii, he had intended to make some effort to sort through the material:

'I needed a way to work with the files, search them, and discard the irrelevant and uninteresting, along with those containing *legitimate secrets that I wouldn't be giving to journalists*'. (p. 257 emphasis added).

¹³ 'Joe Rogan Edward Snowden Podcast Transcript', 23 October 2019, <<https://tinyurl.com/yc65gyow>> or <<https://www.rev.com/blog/transcripts/joe-rogan-edward-snowden-podcast-interview-transcript-rogan-spends-almost-3-hours-interviewing-snowden>>.

¹⁴ <<https://tinyurl.com/ycmzpzbmb>> or <https://www.reddit.com/r/IAMA/comments/2a8hn2/we_are_glenn_greenwald_murtaza_hussain_who_just/cishysc/>.

¹⁵ See Adam Weinstein, 'Why Did Wikileaks Name "Country X" When Glenn Greenwald Wouldn't?', *Gawker*, 23 May 2014, <<https://tinyurl.com/y8qkq2l>> or <<https://gawker.com/why-did-wikileaks-name-country-x-when-glenn-greenwald-1580634729>>.

Snowden had given a more explicit reassurance in an interview in his Hong Kong hotel room back in 2013 with the *Guardian* trio of Glenn Greenwald, Ewen MacAskill and Laura Poitras:

“I *carefully evaluated every single document* I disclosed to ensure that each was legitimately in the public interest”, he said. “There are all sorts of documents that would have made a big impact that I didn’t turn over, *because harming people isn’t my goal*. Transparency is.”¹⁶ (emphasis added)

He made a similar claim to the *South China Morning Post*, stating: ‘I have to screen everything before releasing it to journalists.’¹⁷

On the face of it, though, Snowden’s much vaunted conditions and claims about document vetting are both absurd and contradictory. If Snowden really had examined the 1.5 million documents he had stolen from the NSA, so he could exclude the ‘legitimate secrets’, why was it still necessary to impose conditions on journalists? Furthermore, it stretches credulity to believe that Snowden could have vetted the 1.5 million documents during the eleven months he was extracting and exfiltrating them, before he absconded to Hong Kong. Indeed, in *Permanent Record* Snowden implicitly concedes that he did not fully understand every aspect of the documents he leaked:

‘Sometimes I’d find a program with a recognizable name, but without an explanation of what it did. Other times I’d just find a nameless explanation, with no indication as to whether the capability it described was an active program or an aspirational desire. I was running up against compartments within compartments, caveats within caveats, suites within suites, programs within programs.’ (p. 217)

Moreover, the media headlines generated by the documents provided to journalists suggest that Snowden’s much vaunted evaluation process was almost non-existent. Media reporting based on the Snowden archive not only covered the mass surveillance that apparently so incensed him, but the bulk of it arguably covered what seems like typical signals intelligence operations by the NSA and its global partners.

Australia spied on Indonesian president Susilo Bambang Yudhoyono, leaked Edward Snowden documents reveal

By national defence correspondent [Michael Brissenden](#)
Updated 5 Dec 2014, 7:20am

¹⁶ *The Guardian*, 11 June 2013, <<https://tinyurl.com/hhvjmzn>> or <<https://www.theguardian.com/world/2013/jun/09/edward-snowden-nsa-whistleblower-surveillance>>.

¹⁷ <<https://tinyurl.com/ngssxdk>> or <<https://www.scmp.com/news/hong-kong/article/1268209/snowden-sought-booze-allen-job-gather-evidence-nsa-surveillance>>

Why Snowden's Revelations Were A Win For China

Snowden's revelations about U.S. cyber-espionage have benefited China economically and politically.



By [Shannon Tiezzi](#)
January 09, 2014



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The Guardian newspaper's decision to publish thousands of GCHQ files after a leak by CIA spy Edward Snowden has "damaged national security", David Cameron has said.

Norway's secret surveillance of Russian politics for the NSA

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Tom Harper, Richard Kerbaj and
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Sunday June 14 2015, 1.01am
BST, The Sunday Times



EXCLUSIVE: US hacked Pacnet, Asia Pacific fibre-optic network operator, in 2009

According to information provided by Edward Snowden to the Post, computers owned by Pacnet in Hong Kong were attacked by the US National Security Agency in 2009, but the operation has since been shut down



Lana Lam

Published: 11:14pm, 22 Jun, 2013

New Snowden docs show U.S. spied during G20 in Toronto



Surveillance during 2010 summit 'closely co-ordinated with Canadian partner' CSEC

Greg Weston · CBC News · Posted: Nov 27, 2013 9:00 PM ET | Last Updated: December 2, 2013

ENGLISH VERSION

Revealed: How the Nsa Targets Italy

DI GLENN GREENWALD AND STEFANIA MAURIZI

NEW ZEALAND SPIED ON WTO DIRECTOR CANDIDATES



Ryan Gallagher, Nicky Hager

March 23 2015, 3:29 a.m.

In short Snowden's original claims to have carefully vetted these documents is dubious at best. As other critics have noted, what actually happened is that 'Snowden simply grabbed everything he could get The claims that Snowden "carefully screened" anything seem, uh, somewhat suspect.'¹⁸

Aside from his mention of US troop numbers and undercover agents – neither of which seem to be in the NSA's remit – Snowden never really spells out which of the NSA's activities in his view actually warranted protection. In fact, Snowden's treatment of this matter is confused and contradictory. For example, at one point when discussing the STELLARWIND report, Snowden argues that it represented a betrayal of the NSA's proper role:

'The NSA's historic brief had been fundamentally altered from *targeted collection of communications* to "bulk collection", which is the agency's euphemism for mass surveillance. (p. 176 emphasis added)

[. . .]

The program's very existence was an indication that the agency's mission *had been transformed, from using technology to defend America* to using technology to control it by redefining citizens' private Internet communications as potential signals intelligence.' (p. 177 emphasis added).

Further on, however, in his defence of his particular type of 'whistleblowing', Snowden criticises leakers, specifically those 'IC officials' who in 2013 revealed to the press they had intercepted a conference call of al Qaeda leaders. Although using this is an example of the IC's hypocrisy to justify his own actions, Snowden nevertheless argued this leak probably had adverse consequences for the NSA and US national security:

'By disclosing the ability to intercept this conference call – that is, if we're to believe this leak, which consisted of a description of the call, not a

¹⁸ <<https://tinyurl.com/ydat2sht>> or <http://littlegreenfootballs.com/article/42213_Der_Spiegel-Snowden_Released_Information_That_Could_Endanger_the_Lives_of_NSA_Workers>

recording – the IC irrevocably *burned an extraordinary means of apprising itself of the plans and intentions of the highest ranks of terrorist leadership*, purely for the sake of a momentary political advantage in the news cycle. Not a single person was prosecuted as a result of this stunt, though it was most certainly illegal, and *cost America the ability to keep wiretapping the alleged al-Qaeda hotline.*' (p. 227 emphases added).

And yet, given what he clearly leaked to the media, it seems that Snowden does not even regard the core tasks of the NSA – the *targeted* interception of foreign communications – as 'legitimate government secrets' deserving of protection. This is something he fails to spell out explicitly in *Permanent Record*. Instead there are only hints. For example, at one point Snowden celebrates that NSA operations against Germany had been exposed:

'Its citizens and legislators were appalled to learn that the NSA was surveilling German communications and had even targeted Chancellor Angela Merkel's smartphone. At the same time, the BND, Germany's premier intelligence agency, had collaborated with the NSA in numerous operations' (p. 330)

Earlier, in his discussion of Section 702 of the FISA Amendments Act, Snowden also revealed that he believed there was no justification for targeting certain categories of person:

'Section 702 of the FISA Amendments Act allows the IC to target any foreigner outside the United States deemed likely to communicate "foreign intelligence information" – a broad category of potential targets that includes *journalists, corporate employees, academics, aid workers, and countless others innocent of any wrongdoing whatsoever.*' (p. 223 emphasis added).

Snowden's attitude on this was made clearer in his interview with Rogan, where he conceded that when it came to evaluating what could be leaked to the public, his criterion was inherently *subjective*:

'So, I gathered evidence of what *I believed to be criminal or unconstitutional activity* on the part of the government, and I gave this to journalists, right?'¹⁹ (emphasis added)

Snowden was seemingly armed with no more than his own belief that the NSA was engaged in activities that could be criminal or unconstitutional, or were targeting people for reasons he could not fathom. He then conducted his own

¹⁹ <<https://tinyurl.com/yc65gyow>> or <<https://www.rev.com/blog/transcripts/joe-rogan-edward-snowden-podcast-interview-transcript-rogan-spends-almost-3-hours-interviewing-snowden>>

clearly rudimentary evaluation which ultimately encompassed most, if not all of the NSA's collection activities

Snowden admitted as much to Rogan, when he argued that even intercepting foreign communications *outside of the US* should also be subject to court approved warrants:

Edward Snowden: Because, so again, it gets back to legitimate secrets and illegitimate secrets. Some spying from my perspective, 'career spy' is okay, right?

Joe Rogan: Agreed.

Edward Snowden: *If you have hacked a terrorist phone, and you're getting some information about that, useful.*

Joe Rogan: Agreed. Yeah.

Edward Snowden: *If you're spying on a Russian general in charge of a rocket division useful, right? There are lines and degrees in that where it's not useful.* Now the examples that I just gave you, these are targeted. This is where you're spying on an individual. They're a known, named person that is being monitored for specific reason that is related ...

Joe Rogan: Hopefully, from a warrant.

Edward Snowden: . . . broadly to things that people . . . Even for foreign intelligence and some indications, you don't need a warrant strictly. *Although, I think they should have warrants for all of these investigations because they established a court for precisely this reason called the Foreign Intelligence Surveillance Court, right?* There's not a judge in the world who wouldn't stamp a warrant saying, "Hey, spy on Abu Jihad over here." Right? If you want to a spy on another guy Boris Badenoff of the rocket division, that that's okay. They're going to go with that.' ²⁰ (emphases added)

In short, there was no real effort by Snowden to discriminate between 'legitimate government secrets' and the 'global system of mass surveillance' he

²⁰ Rogan, see note 19.

Greenwald also seems to share Snowden's zero-sum approach that almost all signals intelligence collection is morally and ethically repugnant. To note one example: after recounting in his book *No Place to Hide* (2014) the high-level assurances of President Obama and others that it was otherwise illegal for the NSA to intercept the communications of a US person without a warrant, Greenwald described this defense as 'odd' as it 'told the rest of the world that the NSA does *assault the privacy of non-Americans*'. (p. 126 emphasis added) Greenwald also seemed perturbed to discover that, contrary to the claims of Obama and the NSA, most of the NSA's activities 'have nothing to do with antiterrorism efforts or even with national security'. The 'Snowden archive' exposed the NSA's involvement in both 'economic espionage' and 'diplomatic espionage'. Indeed the 'sheer scale' of the 'diplomatic surveillance', he asserted, was 'unusual and noteworthy'. (pp. 134, 139 & 142)

sought to expose. To him, in his privileged role as an IT system administrator, with access to everything, all of it was suspect, if not one and the same, and therefore deserving of complete exposure.

And Snowden has done this seemingly unconcerned by the operational and diplomatic damage that these revelations would and *did* have. The 2016 report by the House Permanent Select Committee on Intelligence, for example, reported that the Department of Defense – whose capabilities Snowden suggested he did not wish to compromise – had examined the documents and identified 13 high risk issues:²¹

~~(TS//NF)~~ As of June 2016, the most recent DoD review identified 13 high-risk issues, which are identified in the following table.¹⁷⁹ Eight of the 13 relate to [REDACTED] capabilities of DoD; if the Russian or Chinese governments have access to this information, American troops will be at greater risk in any future conflict.¹⁸⁰

The Intelligence Community had also examined the documents, dividing them into three tiers. Based on their assessment of Tier One, the IC found that 'Snowden's disclosures caused massive damage to national security'.²² The HPSCI report also noted additional expenditures over 2016 and 2017 that were required 'to recover from the damage Snowden's disclosures caused to SIGINT capabilities'.²³ There were also costs associated with:

' . . . the IC's damaged relationships with foreign and corporate partners, the opportunity cost of the time and resources the IC and DOD have spent mitigating the damage of the disclosures, or the costs of improved security measures across the federal government.'²⁴

Snowden's book does not, of course, reflect on the damage his actions caused. On the contrary, he only reviews his successes in terms of changes to legislation to restrict the collection of metadata. But it is clear that for all his talk of protecting 'legitimate government secrets', in practice Snowden did the opposite.

It's hard not to interpret his claims to be exposing the NSA's system of 'global mass surveillance' as a broader pretext for massive data dump aimed at crippling America's signals intelligence capability because he found *all* electronic spying morally objectionable. *Permanent Record* would have been a more

²¹ HPSCI, *Review*, (see note 1) p. 22.

²² HPSCI, *Review*, (see note 1) p. 24.

²³ HPSCI, *Review*, (see note 1) p. 28.

²⁴ HPSCI, *Review*, (see note 1) p. 29.

honest account if Snowden admitted this and it would be a far more plausible explanation for the deliberate exposure of seemingly hundreds of run-of-the-mill targeted collection operations. But to make such a radical admission would undercut Snowden's bid for heroic status.

Big Brother is ~~Not~~ Watching You!

The other more significant achievement of Snowden's book is that he undermines the arguments made by one of the journalists he reached out to, Glenn Greenwald, that the NSA's *covert* global surveillance system functioned as an instrument of *overt* authoritarian control. In his book *No Place to Hide*, Greenwald argued that the very existence of the NSA's capability to observe all our online activities was intended to intimidate the masses into compliance.

Greenwald's bizarre hypothesis was that the NSA was presenting citizens with an 'implicit bargain' where their continued liberty is contingent on the knowledge that at any time, all of their private communications and other electronically stored data can be accessed by the powers-that-be. According to Greenwald's somewhat hysterical formulation, the citizen understands that if they

' . . . pose no challenge and you have nothing to worry about. Mind your own business, and support or at least tolerate what we do, and you'll be fine. Put differently, you must refrain from provoking the authority that wields surveillance powers if you wish to be deemed free of wrongdoing. This is a deal that invites passivity, obedience, and conformity. The safest course, the way to ensure being "left alone", is to remain quiet, unthreatening, and compliant.' (*No Place to Hide*, p. 195, emphases added)

The fundamental problem with this hypothesis, as I noted in my review of *No Place to Hide* in *Lobster*,²⁵ is that the surveillance state models cited by Greenwald do not fit the reality exposed by Snowden. Greenwald referred to theoretical and fictional concepts, specifically Jeremy Bentham's Panopticon, which envisaged a prison with an all-seeing watch tower at its centre; and George Orwell's *1984*, with 'Big Brother' surveilling citizens through the ubiquitous telescreens.

In both cases, this form of surveillance for the purposes of social control is effective because those who are under surveillance are *aware* of the fact. The prisoners in the Panopticon have been officially informed that the wardens can see everything from their tower. In 1984, the citizens know because of their awareness of the capabilities of the telescreen - plus there's the fact that 'Big Brother is Watching You!' posters adorn most buildings and streets

²⁵ <<https://www.lobster-magazine.co.uk/free/lobster72/lob72-no-place-to-hide.pdf>>

Moreover, many of the studies into the psychological effects of surveillance cited by Greenwald actually found that subjects reported significantly greater feelings of stress when they *knew* they were being watched.

Greenwald argues that the program's very existence has been designed to compel compliance from the citizens of the world. However, he himself didn't know about it until he was made aware of it by Snowden's leaks; likewise the vast majority of the world's population.

There also can't possibly be any suggestion that the system was deliberately supposed to gain extra power over the public through being exposed via the media. If that was the intention, then that makes Greenwald complicit in the NSA's dastardly plan. Indeed, in both Greenwald's book and now Snowden's account, it is obvious that the NSA sought to keep its omniscient abilities highly secret and compartmentalised, even from most NSA employees. Indeed, in both Greenwald's book and now Snowden's account, it is obvious that the NSA sought to keep its own omniscient abilities highly secret and compartmentalised, even from most NSA employees.

On page 5 of *Permanent Record* Snowden describes the American Government's programme:

'In secret, it assumed the power of mass surveillance, an authority that by definition afflicts the innocent far more than the guilty.' (emphasis added)

'In secret', are the key words to note, and this is repeated throughout the book. Indeed, a key part of Snowden's narrative is that the NSA not only concealed what it did from outsiders, but even within the NSA the fact that this mass surveillance activity was taking place was not widely advertised. At one point in his narrative, for example, covering his work for the NSA in Japan, Snowden acknowledges how pervasive and persuasive the NSA's public denials of this surveillance were:

'Given the American nature of the planet's communications infrastructure, it should have been obvious that the US government would engage in this type of mass surveillance. It should have been especially obvious to me. Yet it wasn't – mostly because the government kept insisting that it did nothing of the sort, and generally disclaimed the practice in courts and in the media in a manner so adamant that the few remaining skeptics who accused it of lying were treated like wild-haired conspiracy junkies.' (p. 164 emphases added)

Further on, Snowden makes a more important, and perhaps overlooked revelation, that the scale and scope of the mass surveillance program managed

by NSA, was not even obvious to NSA employees, unless you knew about its very existence.

'The material that I disseminated to journalists in 2013 documented such an array of abuses by the NSA, accomplished through such a diversity of technological capabilities, that no one agent in the daily discharge of their responsibilities was ever in the position to know about all of them – not even a system administrator. To find out about even a fraction of the malfeasance, you had to go searching. And to go searching, you had to know that it existed'. (pp. 168-169 emphases added)

More importantly, and contrary to the imagery from Orwell's *1984* that Greenwald used, Snowden also repeatedly reaffirms that the public was deliberately kept ignorant of the fact they were being watched. In one reflection after returning to the US, Snowden mused on public ignorance of the surveillance they were subjected to:

'I thought, pity these poor, sweet, innocent, people – they're victims, watched by the government, watched by the very screens they worship.' (p. 188)

Another instance when Snowden laments not being able to tell his then girlfriend, Lindsay, that his melancholia was due to his 'desire to tell her a truth I wasn't allowed to'. Snowden then reels off a litany of surveillance facts that the public was kept in the dark about:

'I couldn't tell her that my former coworkers at the NSA could target her for surveillance and read the love poems she texted me. I couldn't tell her that they could access all the photos she took – not just her public photos, but the intimate ones. I couldn't tell her that her information was being collected, that everyone's information was being collected' (p. 197)

It is at this very point that Snowden inexplicably signs on to Greenwald's absurd premise with the next phrase: 'which was tantamount to a government threat: If you ever get out of line, we'll use your private life against you.' Except that, as Snowden's own account demonstrates, no one was supposed to know the government was collecting any of this information. He notes, for example, that James Clapper, as Director of National Intelligence, had in 2013 told a 'witting, bald faced lie' to the US Senate Select Committee on Intelligence when he denied that the NSA engaged in the bulk collection of the communications of American citizens. (p. 231)

Another example he gives is of the American Civil Liberties Union's (ACLU) attempts to challenge the NSA's activities. The ACLU was unable to pursue its case because it 'could not prove that its clients had in fact been surveilled'. The

NSA refused to officially confirm that the ACLU's clients were subjects of its surveillance, and the court did not regard leaked information published in the media as acceptable evidence. (p. 232) And then of course Snowden himself describes his own actions as revealing his country's 'secret regime of mass surveillance'. (p. 242)

All of this, of course, conflicts with Greenwald's bizarre and illogical claims that the NSA's entirely *secret* mass surveillance program, that was unknown until Snowden revealed it, was intended to have an *overt* function of enforcing compliance. As George Packer observed in his review of *No Place to Hide*:

'By Greenwald's reasoning, he himself is responsible for making the public afraid by exposing the breadth of the NSA's monitoring, which had previously remained unknown and therefore incapable of creating widespread fear.'²⁶

There were no 'Big Brother is Watching You' posters or social media messages before Snowden released his material to Greenwald and his cohorts. We only knew the NSA had both the capability to see everything and was actively looking because of Snowden's deliberate effort to map the system from the NSA's internal documents. This mass surveillance by the NSA did not work as a 'Panopticon' – i.e. a tool of *overt* social control – until Snowden and Greenwald revealed it. Until then both the fact the NSA could see everything – indeed the fact that they were even watching – had been both deeply concealed and publicly denied.

There is undoubtedly much to learn from reading Snowden's book, particularly about his personal history, including selected details of his brief but ultimately explosive career in the US intelligence community and the cohorts of sub-contractors that support its activities. In amongst the less flattering portrayals it obviously provides Snowden with a chance to put forward his version. But for all the presumed permanence of this particular record, it is a decidedly unreliable memoir.

²⁶ <<https://tinyurl.com/y9meogxb>> or <<https://www.prospectmagazine.co.uk/magazine/the-errors-of-edward-snowden-and-glenn-greenwald>>