

Two government whistleblowers: daniel ellsberg and edward snowden

[History](#), [American History](#)



Government officials have historically condemned government whistleblowing, though it has played an essential role in the formation and evolution of modern democracies. Although thousands of government whistleblowers have come forward in recent decades, few have achieved the same notoriety as Daniel Ellsberg and Edward Snowden. In 1971, Daniel Ellsberg leaked the Pentagon Papers to the press, detailing years of government deception and crimes committed during the Vietnam War. Ellsberg represented the most notorious government whistleblower of all time until 2013, when Edward Snowden, a contractor for the National Security Agency, released thousands of highly classified documents concerning the NSA's domestic surveillance program, which violated the privacy rights of American citizens. While both Ellsberg and Snowden sought to end the policies of administrations that violated the rights of its citizens, Ellsberg's act of whistleblowing has a moral distinction and justification that Snowden's act lacks; moreover, because of the cause he fought against, the manner in which he publicized classified information, and the consequences generated by his actions, Ellsberg represents the better whistleblower.

Ellsberg represents the case of a government insider retaliating against an administration's unjust war in a manner that held the government accountable, heightened government transparency, and established a precedent for whistleblowers to come. As a senior military analyst at the Pentagon during the Vietnam War, Ellsberg had inside access to highly classified information as well as a direct role in the creation of the Pentagon Papers. His highly integrated role in the government and vast knowledge of prior administrations gave him a fundamental understanding of and respect

for the political significance associated with civil disobedience (Gladwell). Ellsberg's understanding of the risks of whistleblowing both on a national and a personal scale and choice to come forward despite those risks showed the severity of the situation and the need for the American public's attention. By leaking the Pentagon Papers, Ellsberg sought to upend a policy of drafting soldiers in a war that directly led to the deaths of young American soldiers with the potential to cause thousands more (Delmas). After recognizing its inability to win the Vietnam War, the American government continued pouring countless amounts of money, soldiers, and resources into the war while lying to the American public about its success. Because the United States committed numerous war crimes and deceived the American public in an unjust war, Ellsberg was morally justified in leaking the information detailing the government's transgressions (Delmas). After trying and failing to bring the Pentagon Papers to the Senate, Ellsberg went public with information pertinent to the government's deception while withholding highly sensitive information that jeopardized national security and ongoing diplomatic efforts (Gladwell). Although Ellsberg leaked thousands of documents detailing years of government abuse and deception, more than necessary to prove the government's wrongdoings, he did not include documents about efforts to negotiate peace and release prisoners of war (Gladwell). By disclosing only the information pertinent to the government's deception, and by doing so only after exhausting institutional alternatives, Ellsberg fully attempted to minimize the harms of his actions (Delmas). Ellsberg's leak not only provided an important check on the government that has since heightened government transparency but also established a

precedent for government whistleblowers in the future. Exposing decades of government deception during war time not only gave the American people the knowledge and opportunity to hold the government accountable for their crimes but also forced the government to act with more transparency in future military efforts. Ellsberg's leak of the Pentagon Papers to the New York Times resulted in the Supreme Court case *New York Times Co. v. United States*, which allowed the New York Times to publish classified information without government censorship and provided a path for whistleblowers in the future (Elliot).

Edward Snowden represents the case of an outsider that exposed highly classified secrets of the intelligence community in a manner that held the government accountable for civil liberties violations while creating lasting consequences for the United States. Snowden gained access to the NSA's innermost secrets not as a government official personally involved in their creation but as a contractor that serviced the computer systems that managed these secrets. Unlike Ellsberg, Snowden did not have authorized access to highly classified information, and he only accessed it by illegally hacking and stealing information from the computer systems the NSA hired him to manage (Delmas). Snowden also carried a history of hacking, as his previous supervisor at the CIA issued a derogatory report in his personnel file questioning his motives and suspecting him of illegally accessing classified computer files (Schmitt). By leaking information on the NSA's surveillance system, Snowden attempted to prevent a future, intangible threat that jeopardized the civil liberties and privacy rights of American citizens.

However, the program that Snowden exposed was designed to save American lives and prevent another catastrophic terrorist attack like 9/11, and it satisfied the proportionality, just cause, and necessity requirements of just war theory (Gladwell). Additionally, the NSA's surveillance program had full authorization under the USA PATRIOT Act, a piece of anti-terrorism legislation that gave sweeping search and surveillance to foreign intelligence agencies and eliminated the checks and balances that previously inhibited intelligence agencies from abusing those powers (Gladwell). Contrary to Ellsberg, Snowden made no attempt to consult with formal institutions before going public, and thousands of the files he released concerned ongoing operations and programs that had no relevance to the NSA's domestic surveillance program (Johnson). Thousands of the files Snowden released detailed overseas military operations, foreign intelligence sources, and vital methodologies, jeopardizing national security and the government's ability to gather foreign intelligence (Delmas). By leaking thousands of irrelevant files directly to the media, Snowden did not take the same precautions Ellsberg did to minimize the harms and future consequences of his actions. Snowden's leak resulted in meaningful policy change that inhibits intelligence agencies from encroaching on the American public's civil liberties, but they also came with unintended consequences that still affect the United States today. As a direct result of Snowden's leak, Congress enacted the USA Freedom Act, which imposed limits on the bulk collection of telecommunications metadata on American citizens by intelligence agencies, including the NSA (Elliot). While the Freedom Act rectified many of the violations Snowden exposed, debates about Snowden's personal motivations

for whistleblowing overshadowed meaningful conversation on the government's wrongdoing. Snowden's leak also compromised the NSA's ability to gather foreign intelligence, resulted in multiple years and billions of dollars to rebuild the NSA's operations, and threatened the United States' relationship with many of its closest allies, including Germany (Johnson).

Ultimately, because of the injustice he fought against, the precautions he took to minimize the harm of his actions, the consequences he generated, and the way he handled those consequences, Ellsberg's whistleblowing is not just morally distinctive from Snowden's whistleblowing but also morally justifiable. The Vietnam War is largely recognized as one of the United States greatest failures, not only because of its lack of necessity and just cause but also because of the egregious way in which the military handled its operations. Ellsberg's leaks served as a catalyst for the end of a war that directly caused thousands of unnecessary deaths on both sides of the war. While Ellsberg fought to end an unjust war that cost thousands of innocent lives, Snowden attempted to expose a program designed to save American. Although the NSA did encroach on American privacy rights and committed an injustice in doing so, the war the NSA initiated had a just cause. The manner in which Ellsberg leaked the Pentagon Papers, both in terms of the channels he exhausted as well as the scope of the information he released, showed his genuine care for the American public and the sustainability of the United States' political institutions. By bringing the Pentagon Papers to the Senate in an attempt to hold public hearings, and by leaking limited information to the press after those attempts failed, Ellsberg genuinely attempted to

minimize the effects of his leak. Snowden, on the other hand, not only leaked thousands of files with little to no relevance to the domestic surveillance program but also leaked them directly to the press, with no prior effort to bring the information up through formal channels. Finally, Ellsberg's leak generated far greater benefits for the American public and the American government than Snowden's did, and his willingness to accept the personal consequences of his actions showed that he cared for his movement than his self-interest. Ellsberg anticipated spending the rest of his life in prison after leaking the Pentagon Papers, yet he stayed in the United States and openly faced the consequences of his actions, knowing that he had a vital role to play in collective change (Elliot). Snowden, on the other hand, took asylum in both Hong Kong and Russia, notorious for their privacy rights violations. By fleeing the country rather than facing the consequences, and by taking asylum in places whose values directly contradict the ones he supposedly fought for, Snowden acted out of self-interest rather than genuine concern for the American public.