

MY VIEW: JOHN F. ANDREWS

Searching for signs of intelligence in the spy empire

Now that we know something about the Hoovering to which our National Security Agency has been subjecting everyone's communications in recent years, many observers have been revisiting 1984 and speculating about what George Orwell might say if he were to return with an update of his celebrated novel. My guess is that he'd place Big Brother and his surrogates under the aegis of an even higher authority. This figure would regard himself as a beneficent father, a man whose vigilance goes well beyond that of a protective older sibling. He'd repeatedly assure people that his ministrations are as "transparent" as they can safely be. And he'd want this comforting notion to be associated not only with his benign oversight but with his self-image as a caring, paternal head of state.

I imagine this Orwellian "Transparent" this watchful Superdad, as altogether sincere in his conviction that a dangerous world requires him to possess comprehensive knowledge about potential threats and to maintain unfettered control of the means to address those threats. He'd be advised by intelligence specialists whose duty is to be on constant alert for anyone who might challenge the scope and secrecy of their vast information-gathering apparatus. And as a trustful, well-meaning overseer, he'd wholeheartedly support their insistence that anyone who attempts to share sensitive material with reporters or with other unauthorized sources must not only be apprehended but disciplined in a manner that will deter others who might be tempted to follow suit.

Like *The Guardian's* Glenn Greenwald and an increasing number of other critics, among them a growing bipartisan coalition on Capitol Hill, I am deeply concerned about the claustrophobic insularity I've just described. I find it hard to see how a system designed to be as rigidly impenetrable as this could be depended upon to permit even the sagest commander in chief to distinguish reliably between a treacherous "enemy of the state" and a loyal citizen who cherishes his country but has reluctantly concluded that some of its most influential leaders are engaged in activities detrimental to its highest interests and at odds with its core values.

I find it telling that Daniel Ellsberg, now celebrated for leaking the Pentagon Papers to *The New York Times* and the *Washington Post* in 1971, has fervently endorsed whistleblower Edward J. Snowden's call for more clarity and accountability in the workings of today's executive branch. He applauds Snowden's efforts to expose surveillance procedures that go far beyond anything that has been publicly communicated or even fully understood by those in Congress who are

responsible for monitoring them. Ellsberg also vigorously defends Snowden's controversial decision to evade America's criminal justice system. Ellsberg points out in a July 9 article for the *Washington Post* that "there is zero chance that" Snowden "would be allowed out on bail if he were to return now, and close to no chance that, had he not left the country, he would have been granted bail," as Ellsberg himself was four decades ago. "Instead, he would be in a prison cell like Bradley Manning, incommunicado."

I fervently hope that today's White House can bring itself to acknowledge the excesses and strategic perils that have now been brought to light, not only by Snowden but by a number of other investigators. It should take steps to limit further damage, both to itself and to a troubled international community, by reining in a bloated data-gathering empire that has become so uncontrolled, indeed uncontrollable, that it places our most fundamental liberties in serious jeopardy. I'll also be relieved if a president I've long admired can benefit from an unsparing dissident's embarrassing but salutary revelations and devise a fair, and not unduly punitive, way for Snowden to repair of his own volition to a nation whose government must now seem about as amicably disposed to him as the Grand Inquisitor.

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