



Written by [Joe Wolverton, II, J.D.](#) on January 3, 2014

Snowden to Increase Public Profile in 2014

Edward Snowden (shown) isn't finished exposing damning details of the federal government's unconstitutional surveillance programs.

In [an article published in the *Wall Street Journal*](#), Benjamin Wizner, an American Civil Liberties Union (ACLU) lawyer working with the whistleblower, reveals that in 2014 the world "can expect to see [Snowden] engage a little more in the public debate."



Although he declared that his "[mission's already accomplished](#)," Snowden seems determined to keep the bright light of revelation shining on the Obama administration's denial to millions of people of their fundamental freedom from unwarranted searches and seizures. Wizner also told NBC's *Meet the Press* that "Mr. Snowden wants to return to the United States, but not if the cost is a long prison term. Instead, the government should take into account the public service Mr. Snowden performed...."

There seems to be movement in that direction. [The Associated Press reported on January 2](#) that "The *New York Times* and *Guardian* newspapers have called for clemency for Edward Snowden, saying that the espionage worker-turned-privacy advocate should be praised rather than punished for his disclosures."

Certainly, a couple of newspapers, regardless of their national prominence, don't have the power to force the hand of the federal government, but it is notable recognition of the service done to the rule of law and the Constitution by the former NSA sub-contractor.

"He doesn't believe that the cost of his act of conscience should be a life behind bars," says Wizner. "There are lots of times when people violate the law and society decides for one reason or another to look forward rather than backwards. I think that this is one of those cases."

Presently, Snowden is a guest of Vladimir Putin, having resided in Russia since last June. Snowden reached out to Brazil for asylum, promising the Brazilian government he would assist in its efforts to discover the scope of U.S. surveillance in that nation.

This overture drew the ire of retired General Michael Hayden, former director of both the NSA and the Central Intelligence Agency (CIA). As reported by the *Wall Street Journal*, Hayden told the CBS Sunday morning show *Face the Nation*:

He has offered to reveal more American secrets to those governments in return for something. And that something is asylum. I think there is an English word that describes selling American secrets to another government and I do think it is treason.

There is also an English word that describes purposefully creating facts out of thin air and it is lying. The truth is Snowden has sold nothing. Every secret disclosed by Snowden has instantly become public property, an act which has doubtless kept him from reaping millions he could have received on the black market for the immense cache of information he possesses.

The *New York Times* seems to understand this. [In its article calling for clemency](#) or a "substantially



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reduced punishment” for Snowden, the *Times* writes, “Considering the enormous value of the information he has revealed, and the abuses he has exposed, Mr. Snowden deserves better than a life of permanent exile, fear and flight.”

Although the *Times* is rightly praised for its advocacy of leniency for Snowden, the paper called for a reduced punishment. That brings up the question: punishment for what? What laws has Snowden broken? Regardless of the lengths it has gone to to paint Snowden as a traitor and a threat to national security, the Obama administration has failed to make a legally substantial case against the former network specialist.

Not that it hasn’t tried. As [The New American reported in June 2013](#), the Obama administration has filed charges against Snowden. According to the criminal complaint filed by the federal government against Snowden in the U.S. District Court for the Eastern District of Virginia, Snowden will be charged with theft, “unauthorized communication of national defense information” and “willful communication of classified communications intelligence information to an unauthorized person.”

The last two counts are violations of the Espionage Act of 1917.

The *Washington Post* story on the filing of the espionage charges against Snowden reported that the Eastern District of Virginia District Court was chosen by the Justice Department because Snowden’s former employer, Booz Allen Hamilton, is headquartered within that jurisdiction and it is “a district with a long track record of prosecuting cases with national security implications.”

Given the material role *The Guardian* has played in the Snowden saga, one would think the paper would offer a more strongly worded defense of his activities. *The Guardian* wrote that it hopes “calm heads within the present (U.S.) administration are working on a strategy to allow Mr. Snowden to return to the U.S. with dignity, and the president to use his executive powers to treat him humanely and in a manner that would be a shining example about the value of whistleblowers and of free speech itself.”

Again, why should Snowden be treated with anything other than dignity? Furthermore, what “executive power” does the president possess, other than perhaps the authority to pardon Snowden should he ever be charged, tried, and be found guilty of a crime?

For now, Snowden remains in Russia. Judging from Barack Obama’s harsh treatment of previous whistleblowers, there is little hope that he would ever pardon Snowden. Despite his campaign promises to encourage whistleblowing, the president has [consistently persecuted and prosecuted each and every one of them](#).

With the formal filing of the charges against him, Snowden becomes the eighth person to be charged under the Espionage Act by the Obama administration.

Supporters of the president may wonder why he didn’t think this through a little better and provide the whistleblowers with the protection he promised rather than seek to silence the journalists who break the stories given them by these well-informed sources.

The answer to that question was given in a comment made “rather gloatingly” by “a national security representative” to Lucy Dalglish, executive director of the Reporters Committee for Freedom of the Press: “We’re not going to subpoena reporters in the future. We don’t need to. We know who you’re talking to.”

Given this president’s propensity for rapidly and relentlessly enlarging the size and power of the surveillance state apparatus, it is certain that the national security representative’s statement is truer



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than we would like to believe.

For now, Snowden is safe and he has an open pipeline through which he can send to the Internet (and thus to the world) the substantial amount of evidence he yet retains of the NSA's unconstitutional surveillance activities. Given the vast scope of the disclosures already made by Snowden, however, it seems that any additional revelations would be adding a thimble full of overreaching in what is already an ocean of despotism.

In 2014, one would hope that Edward Snowden will continue his selfless efforts to expose the full panoply of NSA surveillance programs of which he has evidence and that he will resist the undoubtedly enticing temptations to sell this information to foreign governments or to cultivate a cult of personality that would make himself the center of the story.

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