



These Leaks Are Not Libertarian

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The Snowden and Manning cases invert the principle laid down by the late James “Scotty” Reston of the *New York Times*, who noted that “the ship of state is the only ship that leaks from the top.”

Most genuine political “leaks” in Washington do, indeed, emanate from the White House, Congress or other high-level sources. Most genuine political “whistleblowing,” on the other hand, emerges from the trenches of government, from frustrated or disgruntled insiders. Most espionage in Washington, sad to say, has venal motives, in which secrets are traded to a foreign government for money. The present cases are in a different category altogether and represent a fundamental clash of cultures.

The culture of national security, defense, foreign relations and counterterrorism is, of necessity, suffused with secrecy. It cannot be otherwise. Those unwilling or unable to accommodate this reality should stay away from these fields. Those who participate in service to the American republic face special responsibilities to balance the requirements of their work with the protections of citizen liberties contained in the constitution, to which they have sworn an oath as a condition of employment.

In contrast, the culture of cyberspace (for want of a better term) is self-consciously libertarian. The culture proclaims that “information wants to be free.” This is a laudable aspiration, though difficult to attain in daily life. All too often, this doctrine has been used to justify theft of intellectual property, to legitimize violations of privacy and to excuse felonies.

The occupants of cyberspace often conflate terms of greatly differing meaning. Whistleblowing can be a legitimate and even necessary antidote to abuses of authority. There is hardly an institution in our society—governmental, corporate, financial, educational, religious—which may not from time to time need public exposure of internal transgressions. Whistleblowing can be (though is not always) an honorable individual response to institutional corruption, even if it entails a violation of contractual obligations. Each case must be judged on its merits.

What Manning and Snowden allegedly did is not whistleblowing; it is anarchy. To expose mountains of classified information and entire programs of national security is not to seek rectification of abuses but the destruction of important institutions created by law to defend the Republic. If the wisdom or utility of public policies is at issue—as such matters often should be—then the appropriate response is to challenge the law or policy. Poor law justifies reform, but not gross lawlessness.

In the American political culture, libertarianism is consistent with patriotism. Indeed, most American libertarians are very patriotic, while advocating a greatly reduced role for the state. The two identities may come into conflict, but thinking citizens can question or disagree with government policies, or even the role of government, without raising questions about their commitment to the republic. There is no inherent contradiction here.

In contrast, anarchism is intrinsically subversive to the constitutional order.

The American constitution—to which Manning and Snowden swore an oath—seeks to achieve a balance and reconciliation of individual liberty with civic responsibility. The dynamic tension between these two goals of our society is constant and never-ending. The advent of the digital world and of cyberspace does not invalidate the need for balance. Only the anarchist jettisons civic duty in the guise of serving personal freedom.

The recent revelations about the workings of our national-security state are appropriate topics for public concern and debate—even for reform. But they are not matters of shame. By contrast, the revelations about abuses at Abu Ghraib were truly and deeply shameful, and therefore legitimately worthy of exposure.

Make no mistake: the damage inflicted on the national interest by Manning and Snowden is real; in all likelihood, human lives will be lost in consequence. The cost of their actions can never be known, but it is real.

The average American jury can distinguish between acts of individual responsibility, even if they transgress the law, and acts of individual recklessness. The denizens of cyberspace need to learn the difference. They cannot hide behind the honorable cloak of the libertarian.

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