OMNI
SNOWDEN NEWSLETTER #4, April 15, 2014.

Compiled by Dick Bennett for a Culture of Peace, Justice, and Ecology.. (#1 July 9, 2013; #2 Nov. 1, 2013; #3 Feb. 15, 2014)

My blog:
War Department/Peace Department
http://jamesrichardbennett.blogspot.com/

Newsletters
http://www.omnicenter.org/newsletter-archive/
See newsletters on National Security State (NSS), Pentagon, Secrecy, Surveillance, and many more.
Index:
http://www.omnicenter.org/omni-newsletter-general-index/

An informed, vocal citizenry—preeminently whistleblowers--is the best defense of a democracy, not ten U.S. Navy carrier strike groups.

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NEWS RELEASE
March 10, 2014
Contact: Dick Bennett, 442-4600, jbennet@uark.edu

It's a Crime to Tell the Truth: Iran, Torture, Bill of Rights, and Visiting Snowden in Russia

Lecture by Former CIA Analyst, Ray McGovern
Friday, April 4, 7:30
Giffels Auditorium, Old Main, Uof A

Sponsored by OMNIUA Student Organization, Alexander Ross President.

Plentiful FREE PARKING on Arkansas Ave. metered spaces, yellow faculty and green student spaces in UA lots, and parking garage next to Student Union.

McGovern received the CIA Intelligence Commendation Medal, returning the award on moral grounds. He helped form Veteran Intelligence Professionals for Sanity and the Sam Adams Associates for Integrity in Intelligence (named after McGovern’s colleague at the CIA). McGovern and several other former intelligence officials went to Russia in October to honor Edward Snowden with the Sam Adams Award.

Pulitzer Vindicates: Snowden Journalists Win Top Honor

The Washington Post and the Guardian/US were both awarded one of journalism’s top honors on Monday—the Pulitzer Prize for Public Service—for their separate but related reporting on the NSA's widespread surveillance documents leaked by NSA whistleblower Edward Snowden.
Journalists Glenn Greenwald, Laura Poitras and Ewen MacAskill from the *Guardian* and the *Washington Post’s* Barton Gellman sent shock waves across the globe for their reporting on the leaks—eliciting responses from citizens and governments alike and spurring a new era of backlash against government intrusion. More: [http://www.commondreams.org/headline/2014/04/14-6](http://www.commondreams.org/headline/2014/04/14-6)

It was quite a scene in Washington last week -- when we presented a pair of petitions with more than 100,000 signers in support of Edward Snowden.

The State Department refused to accept even one petition page. Eventually, the Justice Department reluctantly took our petitions: more than 4,000 pages that included cogent comments from many thousands of people.

“Advocates for Edward Snowden, the former NSA contractor-turned-whistleblower pressed for the return of his U.S. passport and his freedom to seek political
"Supporters, including Coleen Rowley, a former FBI special agent who became a whistleblower herself about the agency’s pre-9/11 knowledge, and former CIA analyst Ray McGovern, attempted to deliver thousands of public petitions to the Departments of State and Justice…

"Rowley and McGovern were among the first Americans to visit Snowden in Moscow. They were joined at the petition effort by Norman Solomon, co-founder of RootsAction.org, an online civil liberties group whose website hosted the petition drive."

Large media outlets from several continents were at the RootsAction news conference -- which caused such a stir that a former director of the NSA and the CIA, Michael Hayden, felt compelled to respond. For details, click here.

You can watch the Real News Network video report on our press conference here.

We want to thank you. As a signer, you helped to propel our petitions to have impact. And we’re just getting started.

Now we’d like to ask you to do two important things:

• Forward this message to your friends and urge them to join in signing our petitions for Snowden.

• Give our work a boost by donating to help RootsAction continue this fight. If you throw a few dollars in the hat, you’ll strengthen our efforts.

You helped stir things up in Washington -- reaching people via news media around the world. Now we need your help to continue!

Please forward this email to your friends. They can sign our Snowden petitions by clicking here.

And you can move our work forward with a donation.

Truth must be told: Edward Snowden’s “crime” was to educate Americans and the world about the dangerous growth of the U.S. surveillance state.

Thank you!

---- The RootsAction.org Team
A petition for Edward Snowden’s right to political asylum will soon be delivered to Attorney General Eric Holder.

**Please sign the petition before we present it at the Justice Department.**

Truth must be told: Edward Snowden’s “crime” was to educate Americans and the world about the dangerous growth of the U.S. surveillance state.

**The more signers of our petition, the greater the impact** -- as we reach out to news media everywhere.

That’s why you’ll provide an important boost if you [click here and join with more than 27,000 people who’ve already signed this Hands Off Edward Snowden petition.](

The formal presentation will happen before the end of this month at the Department of Justice in Washington, D.C.

Our petition gets right to the point by telling Attorney General Holder and President Obama:
"I urge you in the strongest terms to make an unequivocal public commitment not to interfere with the travels or political asylum process of Edward Snowden. The U.S. government must not engage in abduction or any other form of foul play against Mr. Snowden."

By clicking here, you can make clear that you support Edward Snowden's right to political asylum.

And after you sign, please share this message with friends.

Thank you!

--- The RootsAction.org Team

Background:
Reuters: U.S. Revokes Snowden's Passport
Universal Declaration of Human Rights
Washington Post: NSA Collects Millions of Address Books
Ray McGovern: Snowden Accepts Whistleblower Award

www.RootsAction.org

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Melanie Jones info@watchdog.net via uark.edu
Feb. 18, 2014

Dear Dick Bennett,

**Edward Snowden has been nominated for the Nobel Peace Prize**

Two Norwegian MPs have put forward the whistleblower's name for honors for "[contributing] to a more stable and peaceful world against abuses of power.

If President Obama, a man responsible for mass drone killings, can then **there's nothing barring the man who helped expose his unconstitutional overreach and threat to international transparency.**

Please, join us in calling on the Norwegian Nobel Committee to listen to these MPs and put Snowden on the shortlist in March, **helping him secure asylum in sympathetic nations and showing Obama he deserves to be pardoned.**

Click here to sign -- it just takes a second.

Thanks,
-- The folks at Watchdog.net

P.S. If the other links aren't working for you, please go here to sign: http://act.watchdog.net/petitions/4244?n=57527037.AH0Euw

The Snowden Files
The Inside Story of the World's Most Wanted Man

List Price: $9.99

IT BEGAN WITH A TANTALIZING, ANONYMOUS EMAIL: “I AM A SENIOR MEMBER OF THE INTELLIGENCE COMMUNITY.”

What followed was the most spectacular intelligence breach ever, brought about by one
extraordinary man. Edward Snowden was a 29-year-old computer genius working for the National Security Agency when he shocked the world by exposing the near-universal mass surveillance programs of the United States government. His whistleblowing has shaken the leaders of nations worldwide, and generated a passionate public debate on the dangers of global monitoring and the threat to individual privacy.

In a tour de force of investigative journalism that reads like a spy novel, award-winning Guardian reporter Luke Harding tells Snowden’s astonishing story—from the day he left his glamorous girlfriend in Honolulu carrying a hard drive full of secrets, to the weeks of his secret-spilling in Hong Kong, to his battle for asylum and his exile in Moscow. For the first time, Harding brings together the many sources and strands of the story—touching on everything from concerns about domestic spying to the complicity of the tech sector—while also placing us in the room with Edward Snowden himself. The result is a gripping insider narrative—and a necessary and timely account of what is at stake for all of us in the new digital age.

[An engrossing narrative designed for suspense, including the contextual interruptions, for example chap. 4 on NSA history. –Dick]


This is an edited extract of the first 7 chapters of The Snowden Files: The Inside Story Of The World’s Most Wanted Man, by Luke Harding, published in the UK by Guardian Faber at £12.99; and in the US on 11 February by Vintage.


Who knew that 1984 was a how-to manual? Of course, George Orwell did not intend for his novel about life in a dystopian, totalitarian society to be a blueprint for a secret surveillance state. Yet, unbeknownst to us supposedly sovereign US citizens, a cabal of militarists, corporate contractors, a handful of in-the-know politicos, and some Rambo-esque intelligence operatives appear to have been ripping pages right out of 1984 to guide their clandestine creation of just such a despotic mechanism deep within our own government.

Snowden writes: "The suspicionless surveillance programs of the NSA, GCHQ, and so many others that we learned about over the last year endanger a number of basic rights which, in aggregate, constitute the foundation of liberal societies."

Amnesty For Edward Snowden

"They who would give up essential Liberty, to purchase a little temporary Safety deserve neither Liberty nor Safety“ - Benjamin Franklin

Some people are saying that President Obama should grant amnesty to Edward Snowden for his alleged crimes in releasing classified records that document the NSA's warrantless, dragnet spying on the communications of average Americans, and I wholeheartedly agree. An
equally interesting question, however, is whether Snowden would be able to raise, and perhaps prevail upon, the necessity defense should he be captured and tried in open federal court.

It is discretionary with the court whether to permit a criminal defendant to raise the defense of necessity, i.e. that his actions were necessary and reasonably calculated to prevent a greater harm than would result from his violation of the law. That is something which, according to recent polls, a majority of Americans might well find to be the case with Edward Snowden's whistle blowing..

The elements of the necessity defense vary among the several federal circuits. It has never been definitively ruled on by the Supreme Court, but it always turns on some variant of the same or similar four elements: (1) was the course of action chosen the lesser of two evils; (2) was the action taken to prevent an imminent harm; (3) was it reasonably anticipated that the action would avert the harm; and (4) was there no legal alternative to violating the law. A case for Snowden can rationally be pleaded on each of these elements.

As to the comparison of evils, Snowden reasonably believed that the NSA's dragnet violation of our Fourth Amendment right to be secure in our persons, papers, houses and effects far outweighs any marginal security advantage the NSA might hope to gain by its dragnet approach to warrantless search and seizure of our personal data and communications. Again, recent polls indicate that a majority of Americans, including those on both the right and left of the political spectrum agree with that assessment.

The harm at issue, the NSA's violation of our basic right to be secure in our persons, papers, houses and effects, our privacy, was not only “imminent,” it was manifest, ongoing and increasing. The NSA was conducting massive, warrantless dragnet searches into our private communications, and has been doing so for several years.

The third factor, did Snowden reasonably anticipate that his action would avert the harm, is often referred to as “efficacy.” In this case, it has in fact proven to be effective, where it has caused the President to publicly state that the NSA's predations on our constitutional right to privacy will be addressed and at least reduced if not totally eliminated.
Finally, where Snowden could be charged with “treason” in addition to statutory charges for disclosing classified material, the fourth question answers itself. There clearly was no legal alternative for him to bring the issue of the NSA’s unconstitutional spying on us except by violating the law prohibiting the release of classified documents.

All four elements of the necessity defense can rationally be articulated in Snowden’s case, but the issue remains whether he would likely be acquitted if he were allowed to present the necessity defense to a jury. The public opinion polls on this point are encouraging, but all the government would need would be twelve jurors who are more susceptible to arguments based on flag-waving “patriotism,” and terrorist scaremongering.

If I were defending Snowden in court against such government excess, I would simply ask that the jurors hearken to the wisdom of Benjamin Franklin who said:

_They who would give up essential Liberty, to purchase a little temporary Safety deserve neither Liberty nor Safety._

B. Franklin, Pennsylvania Assembly, _Reply to the Governor_, 11 Nov. 1755; quoted in _An Historical Review of the Constitution and Government of Pennsylvania_ (1759).

That wisdom, by the way, is something President Obama should take to heart, and then grant amnesty to Edward Snowden, concurrently with issuing a firm, explicit and unqualified executive order to prohibit the NSA from conducting any more searches of our private electronic records and communications, under any circumstances, without first obtaining a search warrant based on a showing of probable cause, as the Fourth Amendment commands.

Before any governmental intrusion into our private communications, a factual showing is required, to the satisfaction of an impartial court, that we are probably engaging in some illegal activity. The NSA’s dragnet searches of everyone’s personal communications, in the name of some imaginary or at best marginal enhancement of our security, falls far short of complying with our essential constitutional liberty to be secure in our persons, papers, houses and effects. ..

[A variation of this article appeared in _The Nation_ (March 10/17, 2014) as a LTE, “Snowden, Necessity Defense.” --Dick]

Maiello writes: "This is the very essence of whistleblowing. Snowden brought information to the public so that the public could reasonably demand changes from its leaders."

READ MORE

*ADG*

Click on the following to read what the *Arkansas Democrat-Gazette* made available Online about Snowden, pro and con, from October 2013 to Feb. 2014, or five months, about 20 items. The subject beckons well-informed rhetoric, political science, and journalism students. [http://www.arkansasonline.com/search/?query=snowden](http://www.arkansasonline.com/search/?query=snowden)

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**Write or Call the White House**

President Obama has declared his commitment to creating the most open and accessible administration in American history. That begins with taking comments and questions from you, the public, through our website.

**Call the President**

**PHONE NUMBERS**

Comments: 202-456-1111  
Switchboard: 202-456-1414

**TTY/TTD**

Comments: 202-456-6213  
Visitor's Office: 202-456-2121
Write a letter to the President

Here are a few simple things you can do to make sure your message gets to the White House as quickly as possible.

1. If possible, email us! This is the fastest way to get your message to President Obama.

2. If you write a letter, please consider typing it on an 8 1/2 by 11 inch sheet of paper. If you hand-write your letter, please consider using pen and writing as neatly as possible.

3. Please include your return address on your letter as well as your envelope. If you have an email address, please consider including that as well.

4. And finally, be sure to include the full address of the White House to make sure your message gets to us as quickly and directly as possible:

   The White House
   1600 Pennsylvania Avenue NW
   Washington, DC 20500

**Contents #1** (in reverse chron. order, **bold** type added by Dick)

(Some entries offer contexts.)

Petitions

July 13: Ellsberg, Why Snowden Had to Flee US

July 8/15: Schell, Hero Snowden vs. End of Privacy

July 5: Weisbrot, Helping Snowden

July 5: Pilger, Morales’ Plane Forced Down

June 26: Blum, Dark History of US NSS, vs. Phillip Agee

June 24: Lindorff, Hong Kong, China, Russia vs Hacker USA


June 19: Greenwald, FISA Fails Oversight

June 13: Greenwald, Snowden, Who Is He?

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Snowden on Civil Rights

Ray McGovern: Snowden Wins Integrity Award

Risen and Poitras, NSA Gathers Social Connections

Rendall and McCloskey, Mainstream Media Misrepresents Muslims

Greenwald, US Hypocrisy Over Russian Amnesty for Snowden

Ridgeway and Casella, Torture
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Masters, Mainstream Media Labels Snowden a “Narcissist”

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Reitman, Snowden and Greenwald
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END CITIZEN SNOWDEN NEWSLETTER #4

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Dick Bennett

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