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# Snowden, Russia's Favorite U.S. Dissident

By Michael Bohm

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Is Edward Snowden a traitor or hero? While public opinion in the U.S. clearly favors traitor, Russian politicians and the Kremlin-friendly media have turned him into a "hero of democracy" and a "U.S. dissident."

Alexei Pushkov, the State Duma's International Affairs Committee head, perhaps best represented the prevailing government — and, by default, popular Russian — view when he recently wrote on Twitter: "By listening in on phone calls and tracking Internet activity, U.S. intelligence agencies have violated the laws of their own country. In this sense, Snowden, like [WikiLeaks founder Julian] Assange, is a human rights activist. ... They are new dissidents."

If Snowden receives asylum in Russia, he will face

a serious moral dilemma: His will be living in a country with a far worse record than the U.S. on government abuse and transparenc y.

But Pushkov is wrong on several counts. First, the NSA did not indiscriminately eavesdrop on the private phone calls of Americans without a court order. It tracked "metadata" by sorting general information about calling patterns, not the content of the calls.

Second, the NSA program is fully legal and has been upheld by several U.S. court rulings, which likened it to what the U.S. Postal Service does when it reads addresses that are written on envelopes. The courts ruled that Americans willingly give up this information to third parties to complete their calls and send their letters. At the same time, however, the contents within the envelope, like the content of phone calls, are constitutionally protected against search and seizure without a court warrant.

Although the NSA surveillance program was secret, the U.S. legislative branch (the House and Senate intelligence committees) approved the program, and the judicial branch (the U.S. Foreign Intelligence Surveillance Court) provided constant oversight during the seven years of its existence. Since Snowden did not reveal anything illegal on the NSA's part, he would not be protected under U.S. whistleblower-protection laws.

Nonetheless, Pushkov wrote on Twitter that he supports the idea of political asylum for Snowden because he is being "persecuted" by the U.S. government "on political grounds."

This is the same line Pushkov and Kremlin-friendly analysts have used to defend another "U.S. dissident" — Private Bradley Manning, who released 700,000 classified documents to WikiLeaks, the overwhelming majority of which were also not protected under U.S. whistleblower laws.

Instead of engaging in Assange-like vigilantism by leaking classified information indiscriminately, Snowden should have appealed to U.S. lawmakers, the Freedom of Information Act or the inspector general to declassify the NSA program to achieve his self-proclaimed goal of sparking a public discussion and debate over the program. Manning should have leaked only those documents that revealed true government abuse, certainly not those that revealed the identity of U.S. informants or classified diplomatic cables that had no public service value whatsoever.

In Snowden's case, the leaks looked more like the works of a narcissistic Herostratus. According to statements he made to the South China Morning Post newspaper and published Monday, he joined Booz Allen Hamilton, an NSA contractor, with the express intent of getting

a security clearance and leaking classified NSA documents. Meanwhile, Manning's motive was to take revenge on the U.S. for the failures and traumas he incurred in the army as a result of a gender-identity disorder. These are hardly the profiles of a true whistleblower.

By claiming that Snowden and Manning are genuine whistleblowers who have become victims of U.S. government persecution, Pushkov and other Russian opinion makers have flipped the two scandals completely on their heads. This brings back echoes of the "Free Angela Davis!" slogan, a massive Soviet propaganda campaign in the late 1960s and early 1970s to defend U.S. Communist Party leader Angela Davis. Davis faced charges in the U.S. of being an accomplice in a murder case, but the Kremlin claimed she was persecuted exclusively for her political beliefs.

Interestingly, Russia's own top whistleblower — Alexei Navalny — is portrayed by the same pro-Kremlin analysts and media outlets as the subversive leader of a fifth column who is financed by the U.S. State Department to carry out an Orange-style revolution in Russia. Another prominent Russian whistleblower, Sergei Magnitsky, died in 2009 after being denied medical care in pretrial detention and after he exposed a $230 million corruption scheme among officials at the Interior Ministry and tax inspectorate.

If there is anything Orwellian about the Snowden scandal, it is not that the U.S. has become a "Big Brother," listening in on Americans' private conversations. It is the way Russia has lionized two U.S. criminals, while criminalizing Russia's true whistleblowers and opposition leaders. Navalny is being tried on embezzlement charges, while Magnitsky is being tried -- posthumously -- on tax evasion charges.

During a recent meeting with journalists from RT state television, President Vladimir Putin commented on the NSA surveillance program, saying disingenuously that government eavesdropping on its citizens is "acceptable if it is done within the limits of the law."

If Putin was referring to Russian law, he should answer the following questions: Who makes, interprets and enforces Russia's laws? Independent bodies with checks and balances, or Kremlin-loyal organs? How many times do Russian courts approve the warrants after the surveillance has already occurred, and how many times does the FSB listen in on private conversations without a warrant?

Take, for example, the eavesdropping on opposition leader Boris Nemtsov's phone conversations in December in which he used abusive language to criticize several colleagues in the opposition movement. Nemtsov's phone conversations were published by the Kremlin-friendly Life News website three days before a planned protest march in an attempt to split the opposition leadership. Andrei Soldatov and other independent intelligence analysts believe that only Russian intelligence agencies have the equipment to eavesdrop on Nemtsov and other opposition leaders.

This is clearly a violation of Russian law because Nemtsov's conversations were exclusively private. They did not belong to the category of "the public has a right to know" because they did not expose corruption, abuse of power or any other crime.

Thus, while the NSA surveillance program was aimed at finding terrorists in a haystack, the FSB, it would seem, is more interested in smearing opposition leaders. But, then again, as

United Russian leader Irina Yarovaya infamously said recently, the country's opposition leaders "do not differ at all from terrorists."

Forty years ago in the U.S., spying on the opposition led to the resignation of President Richard Nixon and the prosecution of 43 top officials and executors of the crime. In Russia, those who spy on the opposition are, most likely, first in line to receive promotions and big bonuses.

Imagine if there was a "Russian Snowden" who worked in the FSB, leaked classified information to a British newspaper about the agency's massive internal surveillance programs and fled the country. It is doubtful that Pushkov and others would hail him as a political dissident or a brave symbol of democracy, human rights and government transparency.

The irony is that if Snowden ever does receive asylum in Russia, he will be living in a country that has a far worse record than the U.S. in terms of government abuse and transparency. And if Snowden is true to his stated values and wants to continue his mission in Russia as a libertarian and privacy rights activist, he will definitely have his work cut out for him.

Before Russian politicians and the media get too worked up over the U.S. persecution of "dissidents" like Snowden and Manning, they should spend a little more attention to their own dissidents — whistleblowers, human rights activists and members of the opposition who are being harassed, intimidated and jailed by the state. Even Angela Davis would agree with that.

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