



Interview with Edward Snowden

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Zain Raza (ZR): Edward Snowden, thank you for joining us at this late hour. I want to start with you with some history of intelligence agencies and well-known operations that received less attention, but nevertheless became scandals back in the day. So COINTELPRO by the FBI, Kios by the CIA, Operation Mockingbird, MKUltra and many others. In 1975, the church committee was established to investigate some of the abuses committed back down by the FBI, CIA and NSA. Could you give us some background on the surveillance state, these programs and even some examples where perhaps these agencies and the operations made some positive contributions?

Edward Snowden (ES): Yeah, sure. So the main thing that we're looking at when we look back at the church committee, which is an event in the 1970s, as you mentioned, that was actually born out of an act of extremely radical lawbreaking. People forget this because the church committee has a very strong reputation in the United States as being this congressional committee that actually lifted up the veil of secrecy off of the CIA, off of the FBI and looked for the first time in a very substantive and actually adversarial way into what they were doing and went. Is this lawful? Is this constitutional? And even if it's both. Is it right? And unfortunately, they found the many loose things weren't the case. Now, why I say this was born of a radical act of lawbreaking that many people forget, is that we had the media, Pennsylvania burglaries in the United States in 1974, I believe, which many people have never heard of. Even Americans have never heard of this. And this was where a group of citizens who saw things happening in the country, they saw the president was acting in ways that they considered to be contrary to the national interest perpetuating wars that were costing American lives, supporting draft that was robbing people of their future for conflicts that we - in these individuals believed never should have been involved in. And so they formed a group called the Citizens Committee to investigate the FBI. And do you know what they did? They broke into the FBI office. They literally closed an FBI field office, waited until a holiday period. When the FBI agents were out of the office, everybody was watching. Sorry, a big boxing event. So nobody was going to be there at work. And when this happened, they literally broke the lock, went in, broke up all the safes, stole all the documents, took them to a barn and sorted them out, started mailing them to newspapers. Many newspapers refused to publish them, so they mailed them to more until eventually the dam broke. Somebody started printing the truth and eventually investigation had to be had because what it revealed was not only things in the FBI. Well, that was specifically what had happened there was that they were focussing on the FBI. But the intelligence had gone out of control, whether it was our internal intelligence services in the United States. This is the FBI, the external intelligence services, that spy on people who are sitting in the room there with

you, the CIA, the NSA, they were doing what they thought had political benefits, even if it was contrary to our national identity.

Now, what do I mean by this? They argue that they were acting in the defence of national security. We always hear - that's kind of the code word we hear. Don't worry. I turned the screen off there, that was not a tech problem. And this is the - this is the lead in the FBI argued, look, they were monitoring radical clerics inside the United States who they considered to be in contact. They said they suspected them to be in contact with foreign agents. They didn't have any proof of this, but they said, look, maybe it's happening. The attorney general saw this case and said, all right, we want to do this. I'll sign off on it personally. I'll put my reputation at risk. Such is the danger that this individual presents, even though they're an American citizen. They authorise placing this individual on a watch list in the event that there were some kind of national emergency, some kind of protest movement that really, really started to, shall they say, destabilise the government. They'll bundle this guy off into camps. And of everybody that the FBI was tracking, everybody who's sort of the danger to the American government from their perspective. They said this man was the most dangerous.

And this is quoting their words from the standpoint of national security. For people in the audience who may not be familiar with who that is, that was the most famous civil rights leader in the history of the United States, Martin Luther King Junior. Civil rights advocate who sought to establish recognition of racial equality in the United States. Now, this happened not because he was threatening to bomb places, not because he was doing anything dangerous, but this determination that he was the core threat to the interests of the United States, came two days after he gave his most famous speech, the I Have a Dream speech during the march on Washington. Beyond this, the FBI was going further. They weren't just saying he's a threat to national security. They wrote letters based on information that they had gathered by monitoring him in hotel rooms where he had actually - it was then known to them, had had affairs with other women. And they mailed one of these recordings to him along with a letter. This was when he was being awarded the Nobel Peace Prize for his activism and said, if you don't kill yourself within a certain time period, I believe it was thirty six days, it might have been - it was somewhere under 40 days. They will reveal the truth, destroy his reputation, so on and so forth. And again, this was routine. This was the kind of thing that was happening there. And why do I say this? Why do I dig up this sort of ancient history? Why do we sort of think about things that were back under J. Edgar Hoover's FBI?

Well, it's because these things continue. This is not a radical departure from the operation of intelligence agencies. This is what they do in the dark. This is what happens when you're not looking. This is what happens when they get enough leash, when they get comfortable enough that they won't be held to the account of the public or the law when they go too far. And this here is something that you might go: Oh all right. You know, maybe, maybe that happened back then. But we had this church committee, we had these investigations. We saw and they tried to assassinate Castro. God knows how many times we saw they were doing not just COINTELPRO, which was this kind of FBI program that was monitoring the domestic political opposition in the United States, not just CIA programs like MKUltra, where they were funding U.S. and Canadian universities to experiment on U.S. and Canadian citizens, college students, to try to develop sort of a method of crude brainwashing sort of opinion changing through a combination of sleep deprivation and drugs like LSD. These kinds of

things were extraordinary excesses. And, yes, they ended them. But these same concerns with racial activists never went away, just changed its face. In 2015, we saw that the FBI was again monitoring civil rights groups. Protests in Baltimore when they marched for the Black Lives Matter movement.

They got aeroplanes that they contracted that were secretly run by the FBI. They weren't registered in a way that the government was going to say, these are our planes. They're doing surveillance missions. It was uncovered by journalists because they saw a flight path that looked like this. Citizen journalists saw there were planes that during the period of this protest just constantly circled the city again and again and again. And when they looked at later and they actually started forcing the government when they started going to records, when they started looking at congress, sorry, contracts, they went, you know, this is something that the government is going to have to admit sooner or later. We're going to get caught red handed on this. So we need to admit. And they did admit it. They said, look, we did it. But we're just simply trying to maintain the peace. We're just simply trying to maintain national security. What this actually means is the same thing that it meant when they were monitoring Martin Luther King. National security doesn't mean what it sounds like to me. National security isn't about preventing foreign troops from landing on U.S. shores, right. We have the largest military spending in the world. We outspend the next 10 nations combined. We can fight a war with the next 10 nations combined and beat them handily. We are an extraordinarily advanced nuclear nation. Our national security is not in question, particularly from political movements, but national security, from the perspective of an intelligence officer, whether that they're CIA, the NSA or the FBI, means stability of the current political system. Now, I don't mean democracy. You're right. I don't mean the people who are voting. I mean, the parties that are in power, the personalities that are in power cannot be threatened in a way that could sort of radically provoke snap elections, new changes, changes in procedures, policies that agencies would shut down. The government would be really restructured in new ways. That's what they mean by national security. And that's something that I think is not very well understood.

ZR: So to continue the discussion of history, can you briefly list some whistleblowers who perhaps did not get that much reach as you did, but did meaningful work and influence your views?

ES: Absolutely. So when we start at the beginning, the individual you would consider the father of American whistle-blowing would be Daniel Ellsberg, which in the same sort of period was protesting the Vietnam War. He was a very senior analyst for a corporation called Rand. He worked for the government in every way that matters. He was the kind of guy who would be briefing the secretary of defence. And he revealed a secret study, a top secret study that said, look, the U.S. lied its way into the Vietnam War and they continued to lie to perpetuate the war. They had basically thrown the monkey wrench in every peace deal intentionally because they were worried about the political consequences of it. And this was despite the fact that it was a war they can't win. But let's fast forward and leave sort of what we would consider the ancient history of whistleblowing and get into more modern things, right, the post 9/11 era. And it took this long because the church committee, which was again, extremely adversarial to the intelligence agencies, was not their friend. It was not their defender. It was not their cheerleader. Those held for about two or three decades. But then we got the September 11th attacks and this intelligence community complex, right, all the spy

agencies that had felt very sore for these 20 years, 20 plus years, had created a secret wish list of all of the changes to law that they would have wanted if they could have passed them. But they knew that they never would have passed with popular support in the United States because they violated the Fourth Amendment of our Constitution, which is the prohibition against not just the unreasonable searching of your home, your electronic communications, where people are listening to your phone calls, where they're breaking into your house, placing cameras. But the seizing of your personal things or your communications in the first place. You couldn't just pull things off the line without a warrant from a court. Well, this was sort of a secret plan that was sitting with the Department of Justice, and had been negotiated with the intelligence agencies. When September 11th happened, it came off the shelf. They called it the Patriot Act. And in that moment of national crisis where everybody had been terrorized quite successfully by an extraordinary attack. And in this moment of vulnerability, these agencies exploited that moment of national trauma to pass this. There was almost no dissent. There was, I think, a single dissenting vote in the House from an extraordinarily brave woman. But these things swept into power overnight. But there were individuals who were working in these agencies who saw this happening from the other side. And although the government publicly at the time was saying, look, this isn't going to affect Americans, it's not going to affect your rights, is not going to affect our allies.

This is only about al-Qaeda. This is only about terrorists. This is only about bad people, far away people, the enemy. Don't worry about it. There's nothing to fear. Individuals like Thomas Drake, Bill Binney, Kirk Wiebie, Ed Loomis. These individuals were sitting at the NSA and they went, well, if this is the case, why are we ordering huge amounts of electronic equipment and putting them inside the United States at telecommunications providers that aren't monitoring foreign communications, they're monitoring wholly domestic communications. And they went through proper channels. They went to the NSA's inspector general. This is sort of an internal watchdog, right, it's supposed to be a relic of this 1978 era reform of the church committee that says, look, when there's problems in classified areas, you go to this watchdog in the government, you tell them what's going on and they'll fix it. They'll investigate. They'll find are these activities unlawful or are they unconstitutional or are they contrary to the values of the nation? Are they waste, fraud or abuse of the government's authorities? And when they did this, when they went internally, this one individual, particularly Thomas Drake, is the one the government came after the hardest. The NSA's number two lawyer, they've got about a hundred lawyers. This guy was the number two. He talked to Thomas Drake personally. Thomas Drake said, look, I understand the mission. I understand we're in a moment of national crisis. But what you're doing is a violation of the constitution, a fact which, by the way, was not affirmed by the courts in a meaningful way until more than 10 years later passed, 2013. But the program was eventually amended because of the kinds of things that he brought forward in 2006. There were some amendments to the program as well. But the NSA's internal process, this watchdog that was supposed to be protecting the constitution, that was supposed to be waiting for men like Thomas Drake to stand up and say, whoa, somebody is breaking the rules here. He responded like this: "If you came to me, someone who was not read into the program and told me that we were trying a mock, essentially inviting the Constitution. There's no doubt in my mind, I would have told them, you know, go talk to your management. Don't bother me with this. You know, you did the minute he said if - if he did say: you're using this to violate the Constitution. I mean, I probably would've stopped the conversation at that point, quite frankly. So, I mean, if that's what he said, he said, then anything after that, I probably wasn't listening to anyone."

This new wave of whistleblowers, the Thomas Drakes, the Bill Binney's, the Kirk Wiebes , Ed Loomis, even the John Kiriakous, the Chelsea Mannings - if it had not been for them and their examples, I might have replicated their mistakes. Thomas Drake, for going through these proper channels was hounded by the U.S. government. He was charged under the Espionage Act, the same laws they accuse me of violating. This is a law that does not provide a fair trial. You are literally prohibited by law from presenting your defence to the jury. You can't tell them why you did what you did and have them decide if that was basically a relevant enough threat to the operation of the system that your acts made sense. The same way that in the United States, even a murderer can say, look, this person was threatening my life and the jury can consider maybe this was self-defence, is denied to whistleblowers in the United States who reveal information to journalists - under U.S. law, it doesn't matter. These men did it anyway. They did everything right. They even went to Congress. Going to journalists was an act of last resort. And for that, the U.S. government destroyed their lives. None of them continued in their career. Many of their pensions were threatened. Thomas Drake was charged with multiple felonies. Bill Binney was pulled out of the shower at gunpoint. Chelsea Manning is currently serving 35 years in prison in the United States. And I say, if it had not been for these individuals, what I did, my own actions and the public benefits that have derived from them would not have been possible.

ZR: We know from the leaks that the NSA has a global surveillance program and is collecting massive amounts of private data. But I would like to touch on details that specifically relate to Germany. Can you talk about these leaks and how did it affect the public here?

ES: So I won't get into specific programs that haven't been described by journalists before because I make sure the people who are doing the documents get a chance to check my biases. If I'm sort of speaking from the hip, there's a chance that I say something wrong, I make the wrong political calculus. And even though there is no guarantee of harm or even likelihood of harm, I have tried to act in absolutely the most responsible way, an overly responsible way to establish that the government will respond the same. The government will retaliate the same, regardless of how careful the whistleblower is, whether an individual in the United States goes to WikiLeaks where they publish these things directly unredacted on the Internet themselves, or whether they work as I did, where you have a system of checks and balances, where journalists have the material, they make the publication decisions, not myself. And then they even give the government a chance in advance of publication to review the stories and go, hey, maybe you guys don't understand the details here. Maybe you don't see the big picture here. Maybe there's one little sentence here that you don't quite get. We'll put a human life at risk here. And because of this, we'd like to share this evidence with you that that is, in fact, the case and for you to consider whether or not you want to modify your story as a result. And that has been followed in every case in the reporting that has arisen from me. But despite that, the US government makes no distinction whatsoever. And I think this is an important thing to establish because it means the government is not actually concerned with harm mitigation. They're not actually concerned with saving lives with protecting programs or ensuring that human sources or the efficacy of our security apparatus continues unimpeded. What they're looking for are easy arguments, things that sound persuasive at first glance, like saying, oh, this is going to endanger sources and methods. Oh, these journalists have blood on their hands. But when you look at cases, for example, the case of Chelsea Manning, again, she went to trial. The U.S. government was able to present their

best evidence. They had control. It was a military court. They could hold secret proceedings for sections if they wanted to present classified information. And despite all of this, the government was asked by the judge to present evidence of any harm that came as a result. And again, remember, in the case of Chelsea Manning, these were things that were presented on WikiLeaks. They eventually made their way to the public in completely unredacted form. And these were classified documents, I think roughly three quarters of a million, both military records and diplomatic records and in court in front of the judge, the US government said we can't demonstrate that anyone has been hurt, that anyone has died. And we aren't even going to try because from our perspective, it doesn't matter.

Now if this is the case and I know we've run a little bit long here, but this is a central point that I think a lot of people don't quite get, because much of the media is afraid to confront this point because they're afraid they'll lose access to government officials, to anonymous sources, to senior White House officials, senior administration officials in whatever country they're in, their equivalent. If they don't simply repeat it, if they don't just say, well, these officials said this and treat it as if it's reliable rather than challenging the claim. But what's actually happening here? Why is this happening? If they're not interested in saving lives, if they're not interested in protecting these things, and if Chelsea Manning was going to trial in 2013, four years after the documents were revealed in 2009. And in four years, the government couldn't show that anyone had been hurt. Maybe it's just about changing the subject. Maybe the government would rather talk about the theoretical risks of journalism. When you're in an open society with a free press where mistakes could possibly be made, someone could possibly be hurt. Although it's never happened. Not in national security reporting. Not the way we've seen. We have no public evidence. Not in my case, not in Manning's case, not in any other case that we can think of. Not Ellsberg, not Binney, not Drake. If this is the case, they don't want to talk about the theory - or they do want to talk about the theoretical risks of journalism instead of the concrete harms of their policies, of their programs, of the decisions, the way this is affecting everyone in the United States and around the world. They don't want to have a conversation about what's been done. They want to have a conversation about what might happen if you don't trust them. What might happen if journalists investigate them in the absolute worst case? And I say, ladies and gentlemen, the absolute worst case that could happen is that we don't ask those questions, is that we do simply trust the government because we have evidence that when we do that, things go wrong. You asked generally about what kind of programs were happening not just in Germany, but around the world. This is the one that everyone's familiar with, the PRISM timeline.

PRISM is a particular collection program under a specific authority in the United States. It's a little bit legalistic, but it's called Section 702 of the FISA Amendments Act. This was passed in 2008 as a revision of the Protect America Act of 2007. And this was when the U.S. Internet service providers, the one that everybody relies on around the world, started going beyond what the law required to cooperate with the government and give them access to people's data without warrants. Now, the U.S. government will go: no, no, this isn't true, this isn't true. And in a very narrow sense, they have an argument about American citizens. If you're a U.S. citizen, they have to get a warrant before they can force these providers to give this information to them. The providers can still voluntarily give it to them. And this is, in fact, a business model for places like AT&T. AT&T will give your information to the government. AT&T is one of the largest telecommunications providers in the United States. They'll give this information to the government as long as they pay for it, even without a

warrant. They'll use lower standards of requests like subpoenas. But it's not just PRISM. There's also what's called the Upstream Collection Program. Now, this happens both under that same authority. Section 702, of the FISA Amendments Act, that's the FAA 702 at the top. This is the transatlantic Internet cables and the ones that are happening under the ground. This was happening not only in the United States and every sort of bound border exchange point. Every major Internet exchange point in the United States. But happening in Germany through the BND, they have their own code names for it. And they were kind of trading communications with the NSA of German communications as if they were baseball cards. We saw programs that were being used to analyse these, right, which were not what you would expect. This wasn't about thwarting plots from Osama bin Laden, but rather the NSA's own documents. This is a top secret classified report that's being reported on here. They were using this information. Everything that's pulled from these Internet service providers, everything that's pulled from these communications of these strands of the world to spy on things like the pornography viewing habits of people that they consider to be radicalizers. Now, these were individuals that their own documents said were not terrorists. They were not known to be associated with violence. They were not promoting violence. But they considered -they were considered to be people who had persuasive arguments about why a more radical version of Islam would be more attractive. And so they wanted to stop it by going, this is a conservative religion, maybe we can leak this and discredit these. You might think that's appropriate, but, you know, this is these are the kind of questions that we should answer publicly, politically, rather than have a few officials behind closed doors to the GCHQ, the British NSA was intercepting webcam images from people around the world. Anybody who is using Yahoo! Messenger back in the day, I believe it was every five minutes it was snapping a picture from the webcam or it was intercepting a picture from the web stream every five minutes and saving those largely permanently over very long periods of time. They - the British government knew it had sexually explicit images and they knew a lot of their employees had looked at them. They kept going anyway. It was happening in Australia. This is recently actually post-2013 where new metadata bulk collection laws, right, this is the government's preferred way of describing mass surveillance, which is this indiscriminate targeting of surveillance where you collect everyone's communications, whether they're terrorists, whether it's you, whether it's the person sitting next to you, whether it's your mother, whether it's the person you walk by on the street. Everybody's communications are collected. These kinds of laws are sweeping the world. It's legal in the United States. It's legal in candidates, legal in Australia. I believe Germany is actually beginning to embrace this as well under laws that they say are reform laws, but are actually making things worse. But when they have access to these laws, what are they using them for? Well, in Australia, the Australian Federal Police used it to try and identify the source of a journalist whose reporting they didn't like very much. We saw in the U.S. Australian exchange, they were trading information about the communications of American law firms, which, by the way, the US NSA is prohibited from spying on without a warrant.

But the Australians did it for us and then passed the information to us. So that was all OK. Even though that's supposed to technically be a violation of law. And what were these lawyers doing? Right? They weren't negotiating arms deals. This wasn't about transnational terrorism. They were representing the trade partners of Australia. I believe it was Indonesia. A trade deal about the price of shrimp and clove cigarettes. We saw the British were hacking the Belgian telecommunications provider, even though they had legal ways to get it, that information simply by asking the Belgians for support. But all of these things get back to

something quite simple here, which is the idea that governments don't like to ask permission. Governments don't like to follow procedures. Governments don't like to be bound by the same laws that you and I are. When they draft these laws, they create exceptions. When there aren't enough exceptions, they make their own. And as long as they have this shield of the state secrets privilege, this sort of shade of secrecy that they can cover their actions with. By the time we the people, by the time journalists, by the time the public learns about them, the officials who are most responsible for these violations of our rights are often out of office. And this is why the only reason this continues, sorry, the only reason this kind of paradigm can continue is because we don't punish officials who do this even in the most egregious cases. Yes, Barack Obama authorised the warrantless wiretapping of everyone in the world, in the United States. Americans, he collected their communications, unconstitutionally seized them, which is a violation of the Fourth Amendment. The courts ruled that his programs of mass surveillance related to telephone metadata had not only been unlawful from the time they were authorised more than 10 years before, but were likely unconstitutional and they described them as Orwellian in their scope. But that's surveillance, right? You might go: all right, as terrible as that is, he's just spying on them. In the Bush White House, he literally tortured people, right? He committed clear war crimes. Obama, to his credit, did end the torture program in its most direct incarnation. He's continued the drone program. He expanded the surveillance program, but he did not investigate the Bush administration. And when we have this two tiered system of justice, where when you're a whistleblower and you go to the number two lawyer in the NSA and you go, hey, you know, these new programs might be violating the law, they might be violating the constitution. He tells you to get lost. He puts the Department of Justice on you. You get investigated. You lose your job. You lose your house. You lose your wife. You lose your freedom because you go to jail. You get arrested. But if you are the president and you tortured people, you have people killed, people who you don't know, people who you don't have identified, people who just happen to be holding a cell phone the spy agency tells you that at one point was associated with terrorism, you will never see the inside of a courtroom. Instead, you'll see a book deal. Instead, you'll get, you know, Medals of Freedom pinned around your neck by all these other people. This creates a system of incentives that will shape human behaviour in obvious ways. If you are the president, you have unlimited power. You knew that you could get away literally with murder. And no one would hold you to account for it. Why wouldn't you? Now, there are some people who might have the moral fibre to hold back from that. There might be some who will go: I won't do this. I won't do that. And that's better than nothing. But how do we get powerful officials, whether it's the president of the United States, whether it's the chancellor in Germany, whether it's the president, Russia or China or anywhere else to abide by all rights, to respect all people everywhere at all times. The only way we can actually make sure that happens is if we can see what they're doing when they're doing it. We can witness crimes and then we can enforce penalties. That's something that's missing. And until we change that, we and ultimately, liberal society around the world, will be at risk.

ZR: So, Edward, I like to run one last question from us than some public ones, so forgive us if we take a few more minutes of your time. In 1975, Senator Frank Church who we just talked about with the church committee appeared on NBC and said if this government ever became a tyranny, if a dictator ever took charge in this country, the technological capacity that the intelligence community has given the government could enable it to impose total tyranny. And there would be no way to fight back because the most careful effort to combine together and resistance to the government, no matter how private it was done, is within the

reach of the government to know. This was 1975 and you've been saying this. Do you think with Trump in power now this warning will turn to a reality?

ES: I think the focus on Trump is a mistake. You can look anywhere, look at any newspaper, look at any sort of public commentator, and you can see all of the criticisms of the Trump policies and administrations and all of the issues that they have. They're right. They're clear. It's obvious. Yes, we are in uncharted times. Yes, we are facing a period, not just a localised risk, but of systemic risk. But what should we actually be looking at, right? Faith in elected leaders to fix our problems is the mistake that we keep repeating. When President Obama was elected to the White House, he said all of the right things, right? He said he was going to make a more equal America. We were going to move into a period of cooperation rather than partisanship. He said he was going to close Guantanamo on day one of his administration. It's still going to be open on his last day of his presidency. He said there's gonna be no more warrantless wiretapping in America. We don't do that. We don't need that. That's not who we are. And in fact, he expanded it. He made it worse. It went deeper. It got better. It got more sophisticated, it got more pervasive. And it continues, right? If we're hoping for a champion, if we're waiting for a hero, we will be waiting forever, because it's not a politician that you're looking for. It's the people in this room. It's you. It's the person sitting next to you. All of us have a responsibility we can't fix by ourselves as individuals. But we don't need to. What we have to do is make one change. A small change, a positive change that can be replicated, that can be shared. We need to create our ideas. We need to think about these problems. We need to identify not that Trump is a bad person, but why he is so threatening and we need to start creating defences for it. Moreover, we need to realise that defence is not enough. We need to create an offence for free and open society. We need to recognise that one of the central problems right now is one of debate.

Words no longer have the same meaning that they once meant. We hear words like terrorism and we go, oh, that's terrible. As long as it's terrorism, we have to stop everything. And when you think about terrorism like a normal person, that makes a lot of sense. Nobody wants people flying planes in the towers. Nobody wants people detonating bombs and marketplaces or on subways or shootings in the street. Right. But terrorism doesn't have a single agreed upon definition. There are governments charging people with terrorism who are simply acting in ways that are traditionally considered to be political protest, right. Many governments, particularly the British governments, particularly bad here, where they consider any threat to sort of that systemic stability, even if it's an act of journalism, even if it's an act of speech, suddenly is transformed into an act of terrorism, right? But it's not just terrorism. It also happens on the positive side of our language, in addition to the negative side of our language, when we think about things like freedom and openness, democracy, liberty, human rights. Right? We've moved from a belief that as long as things are proper and appropriate, as long as things are moral, they're sustainable, they're supportable. They're things that we should back. To a belief that legality is the same thing as morality, as long as the government says someone broke the law, we infer, we believe instinctively it means they did the wrong thing. But ladies and gentlemen, sometimes the only moral action, the only moral choice is to break the law.

Germans know this far better than many other countries. But it's not a uniquely German problem in the United States, whether we're talking about the abolition of slavery, the prohibition of alcohol, whether we're talking about the enfranchisement of women, allowing

them to vote. All of these activities were considered to be threats to the stability of the days. These were things that terrorized institutions and government officials. These made these individuals uncomfortable. It made them feel vulnerable. It made them feel threatened. And you know what? That was exactly the right choice. When people are progressing the boundaries, when they're expanding the borders of human rights, right? That always begins as a riot against orthodoxy, whether it happens in the street, whether it happens in the newspaper, whether it happens in writing, whether it happens on the TV. It is a contest against the status quo. You have to remember that all of these injustices that happen all through our history, the worst things that you can imagine, whether it's in your domestic history or in international history, were legal at the time. Abuses of human rights are always legal in the national context. When the government wants to do those kinds of things, at least for the period of operation, it may be years later that it's condemned. It may be years later that it's disowned, it may be years later that someone sees the inside of the courtroom. But power is its own law, and we have to think about how do we remediate that? How do we make things a little bit better there? And this is a difficult question. I can't claim that I have the answer, but I think one of the things that we start forgetting about is to recirculate basic principles, basic ideas that everybody needs to share if we're really going to live in a free society, if we're really going to live in a free world. And that's that human rights belong to everyone.

The worst excesses of the U.S. surveillance system are premised upon a single idea, which is that Americans get one set of rights. Everybody else gets basically no rights. And you know, if you're an American, that might sound fine. And that's the reason that these policies still enjoy some support as they go "well, it's not happening to me. I don't care." Right? "I'm not the one being threatened." But 95% of the world's population lives beyond the borders of the United States. And the same is true of practically every country, right? The percentage just changes here and there. But it's a big world and we have a lot of people. And if we're gonna protect the rights of anyone, we have to be able to protect the rights of everyone. And this gets back to thinking about, well, why do we have rights? What are we protecting? What are we trying to create? What are we envisioning? Where are we trying to go? And I would argue this is the idea of liberty. But if you ask people and ask the person next year what liberty means to them, right, they might not be able to articulate it very clearly. Everybody will have a different answer, right? And we need to think again about what liberty means today. I think liberty is the right to ask - sorry. Liberty is the right to act without permission. It's the ability to make a choice without worrying what it's going to look like in some government databases without having to worry about what some government bureaucrat is going to do. Are they going to be upset? Are they going to retaliate? Are they going to do something that will impact your rights, your freedoms? Right? Liberty is being able to live day to day, moment to moment, in an instant from your own head, from your own self, from your own community, thinking about your family rather than thinking about structures that owe you no loyalty, that see you as more of a potential threat, than a potential ally. Right? And this is something that really isn't a solution, right? But it is a beginning.

If we can agree that in a free country, in an open society. The number of times people have to ask permission to do things, the times people have to register to do things, the times the people have to worry that government officials are going to be trawling through their web history, they're going to be looking at the records of who is in this room right now. Because I hate to tell you, ladies and gentlemen, if you have a cell phone on you right now, you've left a

permanent record of being at this talk. Not that it's going to get you thrown in jail, but that it's discoverable. And an intelligence agent who might be sitting like me in Hawaii or sitting in Darmstadt or Ramstein or one of these other areas idling, could look at these and make inferences about who you are, about what you believe, about what you're likely to do. I don't believe that we should live in a world where every time you pick up the phone to call someone you love, to talk to a friend, to share an idea, to just tell someone about what was happening in your day that you need to think what's this going to look like? That is many things, ladies and gentlemen, but I would argue that that is fundamentally illiberal. It is fundamentally unfree and it is fundamentally unjust and it should change.

ZR: Ursula from Karlsruhe: how does a normal day for you look like?

ES: (*laughs*) I do talks in Munich. No, but seriously, one of the most extraordinary things about my life passed 2013 is that I ended up in exile, right. My government did absolutely everything it could to make sure that I wouldn't be heard. They cancelled my passport when I was flying to Latin America, which would be considered to be a fairly neutral region of the world. When they knew I was transiting through Russia. We don't know why. Right. The government won't actually reveal the decision making at the time here, but no one had informed me that my passport had been cancelled by the time I left. The government of Hong Kong has said that the US government might have been in the process, but they hadn't actually officially cancelled it so far as they were concerned. But by the time I landed in Russia, I could no longer travel. And when I was trapped in the Russian airport, I couldn't leave, right? I didn't say, Hey, let's go into Russia. This is good enough. I applied for asylum in 21 different countries around the world. One of which was Germany, right? Others were France. Places like Norway. All of them found reasons not to respond or to say no, except those countries, those neutral countries in Latin America. When it was heard that maybe the Bolivian president, Evo Morales, during a trade summit in Russia, might secretly take me back to Bolivia to enjoy asylum there, which, by the way, the United States itself recognizes what they consider to be a fundamental human right to seek and enjoy asylum.

This is in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and many other international agreements, which in the U.S. systems of law are actually superior to statutory obligations, superior to, for example, the Espionage Act. They're on a higher tier law with the Constitution considered the supreme law of the land because the Constitution has provisions in it about the treatment of treaties. But despite this, when they thought I might be in a presidential plane that has diplomatic immunity, that can't be interfered with crossing Europe to go to Latin America, four European countries closed their airspace to block Evo Morales from travelling back home just on the mere rumour that I was onboard. And this meant I couldn't travel. I still can't travel because they were afraid of what I might say. They're afraid of what people might think if they heard other opinions, other viewpoints, right? Now, this is a long way of saying that, yeah, now I live in exile. And, you know, you would think it would be really difficult. And there are costs. You know, I'm not home. I'm away for the holidays. It's difficult to see my family. And of course, there's a lot that anybody misses about being at home.

You know, even speaking their own language on the street, right? Russia's a very different society. But, while I put my head down at night on a pillow in Russia, I wake up and I speak every day around the world. I'm part of a different conversation. Global conversation that

today, thanks to technology, can no longer be stopped. And this for me is a source of hope. Because for the longest period, governments loved exile, it was their favourite tool, right, for countering revolutionaries and radicals, because if they executed people, right, it would lose them favourability. People would think the government was too harsh, but if they simply forced people out, kept them outside the borders, and wouldn't allow them to enter freely on penalty of imprisonment or death, they could stop the conversation. And for them, that was the most important part.

But those old bad tools of political repression are beginning to fail, and not just for the United States, ladies and gentlemen, because the United States is not contrary to what may be popular in some radical sources circles. The biggest dangerous, most bullying threat to human rights in the world. There are other countries, countries that are even worse. Countries that are more intrusive. We have new surveillance laws being passed in Russia that are incredibly extreme. Russians call it the big brother law. And if Russians are calling it the big brother law, you've got to watch out. The United Kingdom, the United Kingdom passed the most extreme surveillance measure in the history of the Western world, in a free and open society that was backed by their now prime minister called the Investigatory Powers Bill, right? Doesn't sound particularly threatening, doesn't sound particularly dangerous, but it encoded and enshrined in law the mass surveillance regime, the kind of bulk collection that we were discussing before. All kinds of different government agencies in the U.K. can now trade around people's web histories, not just the intelligence services, not just and MI5, not just and MI6, not people you would think like James Bond types. Not just police, but places like tax agencies, places like health administrations, like local bureaucracies, simple government agencies that should never have access to this type of information, now can because it's being collected, it's being protected. It's considered the proper action government we see in countries like China. They're passing new surveillance legislation under the same guise of anti-terrorism legislation that the United States has used sort of political cover for curtailing rights. And when they were challenged on it, a Chinese official said, why are you bothering us? We're doing the same thing the United States did. And the sad thing here is that they have a point. This should never be the state of the world, right? The reason we were so successful coming through the Cold War, the reason the Berlin Wall falling down was such an extraordinary accomplishment, not just for people in Germany, but people throughout Eastern Europe and beyond, was we had a clash of cultural values where there were governments on one side that said we will stop at nothing, particularly in terms of domestic surveillance and things like that. Organizations such as the Stasi, which would be running a stridently huge informant networks throughout communities and things like that. And on the other side, we had governments that would accept some restraints and would say this was actually a distinguisher. This was what made them good. This was what made them just. This was how you could see that their example was worth emulating because they could foreclose upon these methods, at least to some extent, we know it's not true in all cases because of what we just described earlier with Martin Luther King Jr.

But largely in the most aggressive sense, they could say: we don't need these powers. We reject these powers because they are corrosive, not just to civil participation, right? Not just to what people feel in their communities, but to trust in government. If people can't trust us, if people can't identify with us, we can't be successful. And this is something that you see in most societies around the world that have serious struggles with low level corruption, right? The question is, when somebody encounters upon a police officer, what do they think? Do

they think this is a problem? Do they think they need to get a bribe ready? Or do they feel safer? Right? I grew up in a mindset in the United States, justified or unjustified, just the way I was raised, the political systems into which I was indoctrinated. When I saw a police officer, I felt better. Right? That's no longer the case for me now. But not just for me. A lot of people around the United States look at police and they go, these don't look like police anymore these look like soldiers. We have military equipment that's being transferred to police.

And again and again, when we look at these things, when we look at how we live, when we look at the choices we have, you know, you ask me, how do I live every day? I wake up in the morning and I smile. Glad for the decisions that I took before. Yes, they cost a lot, right? Yes, they were not enough. Yes, we got new reforms, but they don't make a dent in the level of injustice that we see sort of surging around the world across borders and every place and every region right now. But I had an idea of what I can do next. And I would ask you. Turn that question around on yourself. I don't mean this as a criticism. I mean, this is an opportunity and think how are you living your life when you wake up in the morning? You think about going to work, right? You think about what you've got to do, your obligations to your family. You haven't gone to the grocery store, whatever, what shows are on tonight. This is normal human life. Nobody looks down on you for this. Nobody should look down on you for this. But think about the opportunities that you have, right? Because there are no heroes. Nobody is going to save you, right? There are only heroic actions. There are only heroic choices. There are only people who moment by moment see bad things and recognise. Maybe I can do something. Maybe I can't fix everything, but maybe I can make progress. Maybe I can make things better. Maybe I am the one that I'm waiting for. And as soon as you start thinking like that, you'll realise that you are.

ZR: Edward Snowden. Edward Snowden, human rights advocate, activist and whistleblower, thank you so much for joining us today.

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