

A British Precursor to Snowden Case

More than a decade ago, as President George W. Bush sought legal cover for invading Iraq, the National Security Agency spied on key UN diplomats with the hope of blackmailing them. But British intelligence officer Katharine Gun leaked the secret and like Edward Snowden today changed the debate, Marcia Mitchell recalls.

By Marcia Mitchell

“It’s déjà vu all over again,” baseball icon Yogi Berra famously observed, a comment that is eminently appropriate today to Edward Snowden’s leak of secret surveillance operations by the National Security Agency. The déjà vu now refers to an earlier leak of the NSA’s secrets before America was taking notice.

Clandestine snooping by the NSA? A member of an intelligence agency leaking secrets to expose the operation? All that’s new here is the abundant attention focused on this latest example of the NSA’s enormous power to play by whatever rules it establishes, or by no rules at all.

Last time around, it was the *London Observer* revealing NSA’s clandestine operation. This time it’s the *Guardian*. British press lighting the stage, illuminating an American cast. Also, entering into the heated, certainly contentious, discussion about the Snowden disclosure is a panoply of concerns. National security versus civil rights, the extent and powers of the Patriot Act, the sharing of secrets, hero versus criminal, whistleblower or leaker. All hot topics.

Here’s the déjà vu aspect that deserves our attention: A decade ago, this same powerful agency launched a spy operation against representatives of six members of the UN Security Council in an attempt to convince those members to vote in favor of a U.S.-UK resolution legitimizing the invasion of Iraq.

It doesn’t take rocket science to determine just how personal information about the six diplomats could be used to influence their vote to, according to NSA’s secret memorandum, “obtain results favorable to US goals.” In the ten-year-old case, newspapers worldwide (except in the U.S.) ran banner headlines about “US Dirty Tricks at the UN.” Readers wondered about a game of high-stakes blackmail.

Katharine Gun, a British Secret Service officer stationed at GCHQ in Cheltenham, England, received a copy of NSA’s invitation to join in the illegal UN Security Council operation, and made the same decision as did Snowden. She leaked the information. She was 27 at the time. Snowden is 29.

Within a matter of weeks, Katharine Gun was arrested for high crime against her country. President George W. Bush and British Prime Minister Tony Blair withdrew their controversial war resolution to the UN Security Council, but went to war anyway with a so-called "coalition of the willing."

Later, looking back, Michael Hayden, the NSA's director at the time, told C-SPAN's Brian Lamb that the NSA works only within the confines of the law, within "what's legally permitted." This would not be the only time he would insist that everything the NSA did was in compliance with the law.

But one of the questions that will not go away, especially with the present attention focused on the Snowden case, is what U.S. intelligence can do legally and what it cannot. For the most part, the fact that Hayden's claim is at best controversial and at worst a lie has escaped public notice until now. But not this time, because the media are watching and Snowden is speaking out.

In an extensive interview, Snowden defended his seeking sanctuary in Hong Kong and denied that he was, in fact, defecting to China, which some pundits have called "an enemy of America." China, he observed, is not America's "enemy." The two countries are significant trade partners and are not at war. Apparently, he feels safer in Hong Kong than in the U.S.

Snowden left the country believing he was a target of a vengeful government determined to imprison him for the rest of his life for having leaked NSA secrets. As for questionable Big Brother behavior by intelligence agencies, "It will only get worse until policy changes," he said.

Seeking a paradigm switch, which both protects individual privacy and the nation's security, presents a challenge to all Americans, except for those determined to retain the status quo.

Snowden is right to be concerned about the quality of his future life. Katharine Gun didn't run. After first denying that it was she who leaked the NSA illegal spy operation, she confessed. Married only a few months, she knew at the time that her plans for the future were shattered. After a year awaiting trial, charges against her were dropped the day her trial opened at the Old Bailey. The UK government chose not to argue that the invasion of Iraq was legal, a demand by the Defense.

Still, life for Katharine Gun after she was granted freedom has been hard. An expert in Oriental languages and a Mandarin translator at the time of her arrest, she has found it difficult to find and keep employment. For a time, she tried living in another country. She knows that nothing will ever be the same. Yet, she has no regrets.

As she left the courtroom, Katharine Gun's response to questions about why she did what she did were very much like Snowden's. "I only followed my conscience," she said, adding, "I would do it again." This holds today.

Actor Sean Penn put it beautifully in speaking about Katharine Gun: "It was a decision of conscience in a world where nobody celebrates that. She will go down in history as a hero of the human spirit."

But ex-Prime Minister Blair saw Gun differently, and would likely see Snowden through the same lens. Blair said: "We are going to be in a very dangerous situation as a country if people feel they can simply spill out secrets or details of security operations, whether false or true, and get away with it."

For Snowden, time will tell what "getting away with it" really means.

Marcia Mitchell is co-author of *The Spy Who Tried to Stop a War: Katharine Gun and the Secret Plot to Sanction the Iraq Invasion*.
