Under What Circumstances Are Insider Leaks Justified?

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Introduction
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• Inconsistent treatment of those who release information

• Course of action should partially rest on whether or not the leak is considered “justified”
Sagar’s Five Conditions for Justification
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1. Leak must reveal *wrongdoing*.

   • How do you define ‘wrongdoing’?
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   - How do you define ‘wrongdoing’?

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3. Leak should not impose a disproportionate burden on national security.
   • Information gap between government and public.
   • Our Suggestion: Leak is only ‘disproportionate’ if it has a direct and discernable impact on security.
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4. Leaks should utilize the *least drastic means* of disclosure.
   - All options and protocols must be *considered* before leaking to the press.
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5. Individual must be willing to disclose their *identity*. 
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**Justification for future leaks should be based on meeting all six conditions.**
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  - Free from undue influence and consistent with Constitutional protections
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  - Efficacy of reporting wrongdoing within the system?
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• Developing a consistent internal policy on information disclosures
  - “instant declassification” versus “unauthorized disclosure”
Case Study: Edward Snowden
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• June 5th 2013 - Present

• Estimated # of documents obtained:
  • 15,000+ Australian Intelligence Files
  • 58,000+ British Intelligence Files
  • ~1,700,000 U.S. Intelligence Files
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Were Snowden Leaks Justified?

Reveal Wrongdoing
Based on Evidence
Proportinate Burden
Least Drastic Mean
Reveal Identity
Serving Public Interest
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