

RESOLVED: The disclosure of classified information by unauthorized persons is detrimental to the security and morale of the citizenry.

At 3PM on 14 November 1940, the German high command, using a top secret cipher machine called “Enigma”, sent an encrypted order to the German Air Force to destroy the British city of Coventry two days hence, writes William Stevenson (1976) in his book A Man Called Intrepid. Unknown to the Germans, the workings of the Enigma machine had been previously compromised by British intelligence (All intercepted and decrypted German Enigma messages were termed “Ultra” by the Allied powers.) Thus, within minutes of the order being given, an Ultra decryption of the original German message was placed in front of the British Prime Minister, Winston Churchill. Churchill had two days to decide what action to take -- whether to order the evacuation of Coventry or to remain silent. His judgment was to leave the city and its residents to the mercies of the Germans.

Would there be any conceivable reason, one might ask, for the Prime Minister not to do all within his power to protect the city? Further, had a British reporter obtained prior information about the German plan, would that reporter perhaps have come to the reasonable conclusion that it was both proper, ethical and legal to write a column alerting the people of Coventry about their impending fate? Without consideration to anything other than the immediate consequences to Coventry, the German plan might certainly have merited public disclosure in order to save the city and its residents. But, might there have been issues of greater significance, which no reporter could have foreseen, such that divulging Germany’s plan may have cost Britain far more than the loss of this one city?

Churchill allowed Coventry to be decimated because to alert the city would have been to make it known to the Germans that their most high level codes had been broken. The Germans

would then have made some radical changes to Enigma, cutting off this vital source of British intelligence. Churchill determined that "Ultra" was too valuable a source of intelligence to risk, and decided to take no action, leaving the city to burn and the people to their own fate, but the Germans had no hint that their code was compromised (Winterbotham, 1974). Some historians argue that Ultra was of such immense value that it shortened WWII by not less than two years (Hinsley, 1993). Simply stated, Mr. Churchill felt that keeping the secret of Ultra was of *greater significance* to the ultimate fate of his nation than was the saving of a given city.

There are present day parallels to the events of 1940.

On July 2, 2006, during a CBS television broadcast of Face the Nation, in response to moderator Robert Scheiffer's question about members of the news media taking it upon themselves to make decisions about divulging classified information, New York Times executive editor Bill Keller defended that paper's decision to print reports about secret government programs designed to help fight the war on terror (CBS News, 2006), stating:

"Yeah.... Sometimes we're thrust in the awkward position of having to make a decision against the advice of elected officials."

Countering Mr. Keller's assertions, President George Bush remarked:

"...the disclosure of this program is disgraceful. We're at war with a bunch of people who want to hurt the United States of America and for people to leak that program and for a newspaper to publish it does great harm to the United States of America."

Mirroring Mr. Bush, Vice President Cheney stated:

"What I find most disturbing about these stories is the fact that some in the news media take it upon themselves to disclose vital national security programs."

Are newspaper editors in a better position than elected officials and legally-designated classifying authorities to determine the significance of a secret program to the nation's national security; or, might there often be a strategy of *greater significance* than is apparent to the press? Too, what are the motives of those who would dishonor their oaths by divulging classified information to a reporter?

The motives of those who disclose secrets are mixed; they may leak for personal or political advantage, to gain revenge, to shift blame onto others, to block reform or change. Sometimes leakers disclose to reveal injustice or from a sense of patriotism. However, sometimes their motives border on the pathological – a childish delight at revealing forbidden knowledge and seeing it in print. There are thousands of persons with access to classified information, so some will inevitably be in opposition to any given program by any given administration, feeling as though the decisions of their elected and appointed officials are improper, and will therefore rationalize leaks under the guise of being a “whistleblower.” Whistle-blowers are viewed as "serving a higher purpose," striving to insure the public good.

It isn't that simple, however, as former CIA general counsel Anthony A. Lapham told the NY Times (Shane, 2006). Lapham has welcomed the public debate over CIA and NSA practices in fighting terrorism, but questions the "higher purpose" argument: "There's a premise that it's O.K. for someone to leak because they're serving a higher purpose, a higher loyalty," he said. "Well, the next thing you know, you have a whole building full of people with a higher loyalty, each to a different principle. And pretty soon you don't have a functioning intelligence agency."

Lapham's argument has validity. What intelligence agency can be effective if it cannot guard its own secrets? Further, the definition of a "whistle blower" is someone who reports a known or suspected violation of the law, and there are a number of legitimate channels for

registering complaints or charges of illegality or impropriety. The proper forums for doing so are the Inspector General of the agency, or the Justice Dept or members of Congressional intelligence oversight committees, or the legal counsel of one's own choosing – but certainly not to a reporter. If a person doesn't express his or her concerns with the very entities created for such matters, then that person's altruistic motives should be questioned, since the illegal transfer by an oath-breaker of classified information to a reporter is no more legitimate or honorable than the activities of the agency with which that person takes issue.

Why is the unauthorized disclosure of classified information both irresponsible and harmful?

Divulging classified information compromises methods and sources.

As Churchill determined, sometimes it is not the information itself that is most important to keep confidential, but the sources and methods by which the information was gathered. Rarely is a reporter in a position to know what source or method the intelligence agency used to collect the information, so reporting the information may wittingly or unwittingly provide a grain of useful information to one's enemies, such that the informant and collection techniques can be discerned. The enemy will therefore change their method of communicating or will eliminate the source of the leak. For example, what a particular foreign leader eats for breakfast may not seem to be of any military significance and some may think the reporting of that information would therefore cause no harm; but, the consequences to the person or technological device which gathered and reported such trivial information would most certainly be grave. Too, there may be long-range implications of even greater significance, should close and intimate access to that head of state be terminated.

Divulging classified information diverts vital resources from the war fighting effort.

Regardless whether the information divulged results in a major or seemingly minor setback to defense efforts, the mere fact that there are person(s) within the agencies, or on congressional

staffs, or elsewhere, who are taking it upon themselves to surreptitiously contact reporters is an indication of probable disclosures of other, extremely sensitive information. Whether or not public disclosure of classified intelligence programs provides strategic, tactical, or no useful information whatsoever to the enemy, the merest trickle from the dam is an indication of potentially huge rot within the bowels of the structure. Counterintelligence officers simply have no way of knowing how systemic and deep the traitorous activity may be and must therefore devote enormous amounts of time and effort toward the matter, causing a dangerous diversion of manpower and attention away from the business of fighting the intelligence war, plus potentially damaging the careers and certainly the morale of many dedicated and innocent workers at the agencies, thereby degrading the overall war effort.

Inaccurate and incomplete reporting cause mistrust and fear amongst the citizenry.

One of the most unfortunate, and possibly dangerous, aspects of revealing classified information may not even be what it reveals to the enemy, but what is being misreported to the country's own citizenry, causing much long-term fear, anger and mistrust of our own government. Senator Pat Roberts (2006), Chair of the Senate Intelligence Committee, stated during a May 19, 2006 committee meeting: "I am very disappointed at those colleagues of mine who know exactly what is going on behind the closed doors of our intelligence agencies, yet are intentionally misrepresenting the facts for the sole purpose of creating additional anger at the current administration for purely political purposes, disregarding the long term consequences which will result from those seeds of mistrust & hatred they have planted in our midst, and around the world, doing the enemy's work for them. They utter their misrepresentations knowing that our intelligence officials are powerless to respond to the inaccuracies, lest they divulge even more information to the enemy. Spoken & written about often enough, the lies become the reality of the common man's beliefs."

**Conclusion:**

There is always going to be conflict between the government and the Fourth Estate over the question of what should be reported, by whom, and when. There is no doubt, however, that one of the primary responsibilities of government and the press is to accurately inform -- or at least not to misinform -- the citizenry, within the bounds of wartime disclosure. Only those with proper access and a complete knowledge of intelligence programs, methods and sources are in a position to accurately assess those bounds and the *greater significance* that disclosing classified information may have; while those without full knowledge and benevolent intent may cause extreme and lasting damage to the country by divulging portions of wartime secrets, plans and programs.

## References

CBS News (2 July 2006). Face the Nation broadcast. Transcript retrieved 5 July 2006 from [http://www.cbsnews.com/htdocs/pdf/face\\_070206.pdf](http://www.cbsnews.com/htdocs/pdf/face_070206.pdf)

Hinsley, F.H. (1993) *Introduction to Codebreakers; The Inside Story of Bletchley Park* (Oxford University Press). Volume: 43 Issue: 9 (1993, September) Ppg 15 – 20

Roberts, Pat (2006). *The Congressional Record*, vol 152, 2006. Retrieved 6 July 2006 from <http://frwebgate5.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=22946011995+1+0+0&WAISaction=retrieve>

Shane, Scott (2006). There Are Leaks, And Then There Are Leaks. *The New York Times* (2006, April 30). Final, Section 4, Page 4, Column 1

Stevenson, William (1976). *A Man Called Intrepid* (Harcourt Brace Jovanovich, New York, 1976.) in CIA Historical Review Program (2 July 1996). Retrieved 6 July 2006 from [http://www.odci.gov/csi/kent\\_csi/docs/v20i1a04p\\_0001.htm](http://www.odci.gov/csi/kent_csi/docs/v20i1a04p_0001.htm)

Winterbotham, F.W. (1974). *The Ultra Secret*, (Weidenfeld and Nicolson, London, 1974.), ppg 82-84.