



UT Documents

About Me

NAME: [GLENN GREENWALD](#)

I was previously a constitutional law and civil rights litigator and am now a journalist. I am the author of three New York Times bestselling books -- "How Would a Patriot Act" (a critique of Bush executive power theories), "Tragic Legacy" (documenting the Bush legacy), and "With Liberty and Justice for Some" (critiquing America's two-tiered justice system and the collapse of the rule of law for its political and financial elites). My fifth book - "No Place to Hide: Edward Snowden, the NSA and the US Surveillance State" - will be released on April 29, 2014 by Holt/Metropolitan.

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Monday, January 06, 2014

Email exchange with reader over First Look and NSA reporting

Below is an email exchange I had with a reader over questions he asked about our new venture and the reporting we've been doing in the NSA story, which I'm publishing with his permission. I've edited the exchange for clarity and to address several questions that have been raised by others elsewhere. My reply is first, followed by the email he sent:

Colby - Thanks for the thoughtful email. I certainly see that your concerns are voiced in pure good-faith and grounded in political values I share, which is why I want to take the time to point out some of the misconceptions that have been disseminated about what we're doing, along with some of the key facts about our new venture:

(1) I am not a "partner" in the new entity in any legal or financial way. The journalism company that has been created is a non-profit, and I own none of it, and that was the plan from the start. The tech company - created to build privacy technologies and other tools - is for-profit, and I own none of that. The same is true of Laura Poitras and Jeremy Scahill.

My relationship to First Look is fundamentally unchanged from my relationship to Salon and the Guardian: I will write my blog and news articles which they publish. The only formal difference is that, because it's a start-up, we're building the whole thing from the ground up, and part of my work now, and in the future, will go beyond just the journalism I'm personally producing to help shape and construct what the new venture will be. That is a big part of what makes it so exciting for me.

I've long been a critic of establishment media outlets and the deficiencies in American journalism. Before ever talking to Pierre Omidyar, we - Laura, Jeremy and I - decided to build our own media outlet so that we were doing more than just critiquing systemic flaws in US journalism. Creating a new venture would allow us instead to rectify, rather than just complain about, those problems by doing the kind of journalism we think is so woefully lacking.

The ability to create a strongly resourced media outlet devoted to that vision of journalism is something the three of us hoped to achieve, and that's why we're so excited by the new venture. But none of the three of us, including me, has an ownership stake in the new non-profit media outlet.

(2) My comment about how this is a unique and exciting opportunity wasn't about

ownership, since I have none. It was about the opportunity to help build something new and unique. What attracted me - and Laura, Jeremy, Liliana Segura, Micah Lee, Dan Froomkin and others - was the prospect that this is going to be a unique media outlet: a well-supported and uniquely structured institution that is designed from the start to encourage, support and empower - rather than undermine, dilute and neuter - independent, adversarial journalists. The *whole point* of how we're structuring it is to insulate journalists from the pressures - both internal and external - that detract from their independence and ability to do fearless journalism.

I fully understand that people are skeptical: they should be, since we haven't even started yet. I'd be skeptical, too, and would want to see evidence that it will work this way, which can only come from the journalism we produce. But that doesn't deter us from being excited about the potential that we think this will fulfill.

One of the major problems I've had in publishing these documents is that many large media institutions, even the ones with the best journalistic intentions, have all sorts of constraints - financial, legal, cultural - that produce fear and timidity, and that has sometimes slowed down or diluted our ability to publish the way we wanted to. Why would we not be excited about being able to help build an organization explicitly designed to avoid all of that from the start, and to provide an environment where independent journalists can work free of any of those kind of baseless impediments, while having all the support they want and need to produce rigorous, accurate adversarial journalism?

(3) The centrality of me and the NSA story to this new venture has been wildly overstated. Yes, my joining it is what caused there to be a lot of publicity in the first instance, but that's only because we were not ready to announce it when it leaked. This is going to be a general-interest media outlet with many dozens of journalists, editors and others with long and established histories of journalism, and obviously extends far beyond my work or the NSA story. Pierre began planning a new media company before he and I ever spoke a word to each other.

We decided to join forces in late September when Jeremy, Laura and I were beginning to create our own new media outlet, and once we spoke, realized how perfectly our efforts meshed with what he was already trying to build. Mine and Laura's work now obviously focuses on the NSA story, but at some point, that will no longer be true, and the new venture itself will be far, far more diversified from its launch. The very idea that Pierre would stop what he was doing and devote himself to building a new media organization with \$250 million in funding - all motivated by one story that has already been reported elsewhere around the world for 7 months and will continue to be reported in all sorts of other media outlets - is simply ridiculous.

(4) The claim that we are "holding back documents" for some nefarious or self-interested purpose is and always has been false. I have discussed many times before - most prominently [here](#) - why our agreement with our source, along with related legal issues, prevents any sort of mass release of documents, but I have been working endlessly, as has Laura, to continue to publish stories all around the world, including publishing many stories and documents *after we formed our new venture*.

Not only have I published new documents in Norway, Sweden, France, Spain, and Holland *after we formed our new venture*, but I also [published one of the most attention-generating stories yet in the Huffington Post](#) just five weeks ago. Similarly, Laura has published numerous big articles and key NSA documents in both [der Spiegel](#) and [the NYT](#) *after we formed our new venture*. We're doing the exact opposite of this accusation: we're publishing documents and stories aggressively all over the world with other media outlets until our First Look site is ready.

We will continue to publish aggressively with other outlets until we are up and running at First Look. In fact, I am working right now with other news outlets, including in the U.S.,

on big stories. I'm not "holding back" anything: of all the many entities with thousands of Snowden documents, *I have published more NSA documents, in more nations around the world, than anyone.* And there are many, many more that will be published in the short-term.

But - and this is critical - in his *Washington Post* interview with Snowden last month, Bart Gellman noted **"Snowden's insistence, to this reporter and others, that he does not want the documents published in bulk."** From the start, Snowden indeed repeatedly insisted on that.

Anyone who demands that we "release all documents" - or even release large numbers in bulk - is demanding that we violate our agreement with our source, disregard the framework we created when he gave us the documents, jeopardize his interests in multiple ways, and subject him to far greater legal (and other) dangers. I find that demand to be unconscionable, and we will never, ever violate our agreement with him no matter how many people want us to.

That said, we have published an extraordinary number of top secret NSA documents around the world in a short period of time. And our work is very far from done: there are many, many more documents and stories that we will publish.

Toward that end, we have very carefully increased the number of journalists and experts who are working on these documents and who have access to them. We are now working with more experts in cryptography and hacking than ever. One of the most exciting things about our new organization is that we now have the resources to process and report these documents more quickly and efficiently than ever before, consistent with ensuring that we don't make the kinds of errors that would allow others to attack the reporting.

These documents are complex. Sometimes they take a good deal of reporting to fill in some of the gaps. From the start, people have been eager for us to make serious mistakes so they can exploit them to discredit the reporting, and so we work very hard to make sure that doesn't happen. That takes time. Convincing media institutions (and their armies of risk-averse lawyers, editors and executives) to publish documents, the aggressive way we think they need to be published, also often takes a lot of time.

When we began our reporting in June by publishing a new story every day, even our allies - people who work on these issues for a living - complained that the releases were coming too fast to process, understand, or keep up with, and argued that each story needs time to be processed and to allow people to react.

In terms of effects, I think it's hard to argue with the strategy. Even seven months later, the story continues to dominate headlines around the world and to trigger what [Chelsea Manning described in her private chat](#) as her goal when whistleblowing: **"worldwide discussion, debates, and reforms"**. That's why Edward Snowden made clear to Bart Gellman that he "succeeded beyond plausible ambition."

For the same reason, I'm proud that we're trying to amplify the lessons and maximize the impact of these disclosures even more through things like books and films, which can reach and affect audiences that political reporting by itself never can. I've been working for many years warning of the dangers of state surveillance and the value of internet freedom and privacy, and am thrilled to now be able to have those messages heard much more loudly and clearly than ever before by using all platforms to communicate them.

In sum, I know that we have been and continue to be extremely faithful and loyal to the agreement we entered into with our source, and are doing our journalism exactly as we assured him he would. As Snowden himself has said, he thinks that, too. *That* continues to be a critically important metric for me.

(5) Contrary to the false claim repeatedly made, I am not the only person with the documents. From the very beginning, **Laura Poitras has had her own separate full set - and still does** - that she's been working with from the start. Even though people weirdly like to pretend that she doesn't exist in order to falsely claim that I have "exclusive control" over the documents, she's an actual adult human being who exercises her own independent (and quite willful) autonomy and judgment over what documents will be reported and how. Even if I for some dark and secret reason wanted to hold back documents, I don't have the power to do so, since Laura has and always has had her own full set with which she's been working and reporting for many months.

But beyond Laura, there are multiple organizations with tens of thousands of Snowden documents - *tens of thousands!* That includes the New York Times, the Guardian, ProPublica, and Bart Gellman/The Washington Post. Do these conspiracy theorists believe that Pierre is somehow going to control all of them, too, and prevent them from publishing documents? Are they all also "holding back" documents for nefarious ends?

You'll notice that people who cook up conspiracy theories about "holding back documents" always falsely pretend that I'm the only one with the documents because acknowledging the truth - that Laura has her own full set and that multiple media outlets around the world each have tens of thousands of different documents - by itself proves how deranged those theories are.

Finally, there are journalists beyond all of those people with whom we've worked who have had unrestricted access for long periods of time to the full archive of Snowden documents, including Ryan Gallagher. Have we somehow also manipulated all of them into joining our plot to hold back newsworthy documents and then lie about what's in the archive?

The number of people around the world who would have to be complicit in these "withholding document" plots would be breathtaking in order for these conspiracies to succeed.

(6) As for "conflict of interest": I suppose if someone wants to believe that me, Laura, Jeremy, Ryan Gallagher and everyone else working on these documents would find some important NSA story in the archive and then be told that we weren't allowed to publish it because it conflicts with Pierre's business interests - and then we'd all just meekly accept these orders and go about our business - there's really nothing I can say to such a person. How do you prove the negative that you would never tolerate something like that?

Let's leave aside the absurd notion that Pierre set out to create a media organization in order to empower him to suppress stories - only to then build it from the start around numerous people with long histories and sustained reputations for being independent and even uncontrollable. Beyond that, the very idea that this large group of people with a history of very independent journalism against the largest governmental and corporate entities is suddenly going to be told that they're "not allowed" to publish a big story because Pierre doesn't want it published, and we're all just going to passively and quietly obey, is truly laughable to me, but I concede that I can't disprove that to you.

By its very nature, disproving accusations like that is impossible, especially before we've begun to publish. That's precisely why innuendo like that (which can neither be proven nor disproven) is the favorite weapon of smear artists in all realms.

Ultimately, think about how irrational one has to be to claim that Edward Snowden risked his life and liberty to come forward with documents that included big and important stories, and then not only would sit silently by while we suppressed them out of deference to Pierre, but would also continue actively working with us. Yet he continues actively working with us on things like the Christmas film which Laura just produced, his

reaction to the court ruling two weeks ago which he gave to me, and the distribution of his letter to Brazilians through my partner, David Miranda, who is leading the campaign for asylum. He has also repeatedly, and quite recently, praised the work we're doing.

Snowden has, on many occasions, spoken out when he had something to say. Rather than listening to people who don't know the first thing about him purport to speak for his concerns, just go look at what he's been saying and doing about all of this.

As I've long said, my first obligation is to adhere to the agreement I've made with my courageous source, and I am extremely content with how he views the work we're doing with these documents. He is obviously quite content as well, which is rather obviously inconsistent with the innuendo that we're suppressing important documents he gave to us for nefarious, self-serving purposes at his expense.

(7) If you actually think I'm a person who is willing to let someone tell me what to write or not to write - or that I would hide newsworthy documents from the public because someone with money wants me to - then that just means I was corrupted all along, so nothing is being lost. But then - to make this argument effectively - you'd have to say that not only is this true for me, but the large group of other independent journalists who have already joined First Look and the ones who will in the future.

Those who have spouted this accusatory innuendo (and here, I don't mean the ones raising concerns in good faith as you've done, but the plainly malicious attackers) have pretended that I'm the only one working on these documents with First Look, precisely because demonization campaigns work so much better when focused on only one person. It's much easier to try to convince people that I personally have been instantly corrupted than it is to try to convince people that not only I, but also Laura Poitras, Jeremy Scahill, Liliana Segura, Micah Lee, etc. etc. all have been as well.

But that's the case that someone has to make if they want to pursue this accusatory line convincingly. Unless all those other journalists are also corrupted along with me, how can I effectively impose my own corruption on how these stories are reported or suppressed? That's why the people advancing this attack always deceitfully refer to "Glenn Greenwald's partnership with Pierre" without mentioning the large number of other journalists who are part of the venture in a similar capacity to me. They try to mislead people into believing that I'm the only one who has joined First Look because that's the only way their smears can succeed.

Ultimately, in terms of "conflicts of interest", how is this different from working with any other media outlet? Salon has very rich funders: do you think I suppressed stories that conflicted with their business interests? Democracy Now is funded by lots of rich people: do you think Amy Goodman conceals big stories that would undermine the business interests of her funders?

Every effective advocacy group and media outlet that you might like - the ACLU, EFF, CCR - has rich funders. Independent films - whether it be Laura's or Jeremy's Dirty Wars - have rich people funding them, directly or indirectly. Jeff Bezos bought the Washington Post: is Bart Gellman now under suspicion that he will start suppressing Amazon stories from the Snowden archive (and if so, how would Bezos prevent others who have these documents from publishing those stories)? And that's to say nothing of every other big TV outlet and large newspaper and magazine and publishing company with which one might work. There is nothing unique about our new venture in that regard, other than the fact that its non-profit status at least mitigates some of that.

(8) For me, "activism" is about effects and outcomes. Successful activism means successful outcomes, and that in turn takes resources. It's very easy to maintain a perception of purity by remaining resource-starved and thus unable to really challenge large institutions in a comprehensive and sustained way. I know there are some people on the left who are so suspicious of anyone who is called "billionaire" that they think

you're fully and instantly guilty by virtue of any association with such a person.

That's fine: there's no arguing against that view, though I would hope they'd apply it consistently to everyone who takes funding from very rich people or who works with media outlets and organizations funded by rich people - including their friends and other journalists and groups they admire (or even themselves).

But I view it differently: I see resources as a thing needed to be exploited for a successful outcome, to effectively vindicate the political and journalistic values I believe in. And I've seen - particularly over the last six months - how vital serious resources are to doing something like this aggressively and without fear, and not allowing institutional constraints to impede what you want to do. At the end of the day, the choice we're making is to make our form of journalism as potent and effective as it can be.

(9) To answer your question, I absolutely consider myself an independent journalist. In my contract with the new venture - exactly as I insisted on with Salon and the Guardian - are clauses stating that nobody tells me what to write or not to write about, and that - except where stories may create legal liability for the outlet - I have the right to directly post what I write for my blog to the internet without anyone editing or even seeing it first. As was true at Salon and the Guardian, any news articles I write will be done in conjunction with editors and other journalists, but the level of journalistic independence I enjoy will be at least as much as it's been for the last seven years.

I am convinced that my independence won't be impeded by this venture - I believe it will be strengthened - and I believe the same is true of the other journalists who are already building this with us and who will join us in the future. But ultimately, the only actual (i.e. non-speculative) answer to all of that will be found in the journalism we produce. It's very easy for people to attack now since we haven't started yet, because the ultimate evidence disproving their accusations - the journalism we do there - can't yet be cited.

(10) You correctly point out that I've long argued that corporate media environments foster a certain form of subservient, neutered journalism, and ask how I am certain that won't happen to me. Of course I can't be "certain", and I think certainty in that regard would be ill-advised. It's important to recognize that those institutional temptations are powerful if one intends to avoid them.

No human being is intrinsically immune from them: it takes work to maintain your independence and integrity. To announce in advance that I'm "certain" that they won't affect me would be to embrace a hubris that would probably make failure in that regard more likely. But it's definitely not impossible: even at the worst large establishment media outlets, there are individual journalists doing good work despite those pressures and influences.

I had these same questions asked of me when I left my own independent blog to go to Salon, and then again when I left Salon to go to the Guardian: won't you dilute what you say, and won't you be controlled by their editors and owners, and won't you have to comport to their orthodoxies? I don't think anyone can say that my journalism or advocacy changed as I moved from my own blog to Salon and then to the Guardian.

Indeed, the particular concern that some people expressed when I went to the Guardian - that the bitter and protracted feud between the paper's top editors and WikiLeaks would prevent me from continuing to defend WikiLeaks - was immediately put to the test in my very first month there, which is when Ecuador granted asylum to Julian Assange. I spent large parts of my first month at the Guardian warring with large parts of the British press, *including the Guardian*, over their irrational and intense contempt for WikiLeaks (see [here as one example](#)). I never hesitated to [criticize the Guardian when warranted](#) in other cases or take strong positions that I knew were vehemently opposed by its editors. The very idea of modulating or changing what I advocate out of deference to the views and interests of a paper's owners or editors has *never even occurred to me*, and I'm

confident it won't now.

One reason is that I'm not working there alone, but directly with numerous independent journalists for whom I have the greatest respect and with whom I have the closest working relationships, and I think that will serve as reinforcement for all of us. Another is that we're all convinced that this entity isn't being constructed to control or suppress independent journalists but rather to liberate and empower them. Another is that I have a large long-time readership which will be quite vigilant and vocal if I change what I do in any way, big or small. But ultimately, the most important factor is that, while recognizing that nobody is inherently incorruptible, you have to have confidence in what really motivates you, and I do.

Finally, I'm criticized sometimes - and I definitely create some problems for myself - by engaging so much with so many critics, in writing, on Twitter and elsewhere. But the main reason I do that is because it's a vital accountability check. The attribute I've always loved most about online journalism is that it doesn't permit the top-down, one-way monologue that has long driven establishment journalism - you can't avoid criticisms, questions, and attacks from readers and others even if you want to - and I don't want to be one of those journalists who think that the only people worth listening to or engaging with are other established journalists and media elites.

So I have zero doubt that if I did alter the journalism I do or how I do it in response to the environment of this new venture, I would hear that quite loudly and clearly, and that's how it should be. The interactive model of online journalism has always been both a vital resource and check for me.

Thanks for the email, which provoked some points I've been wanting to make for awhile, including some which I recognize extend well beyond the specific concerns you personally raised. As a result, I may publish the exchange, though obviously won't use your name without your permission -

Glenn Greenwald

Dear Glenn,

As a long-time reader and supporter of your work, I'm hoping that you'll take some time to address your readers before the launch of the new platform. I have questions and concerns about this new direction, most of which have been circulating through the media for awhile, but as far as I can tell, haven't yet been answered.

First of all, your reason for joining forces with tech-billionaire Omidyar, beyond "it was a great opportunity and I couldn't pass it up." I don't begrudge your recent success, but I never thought of you as a careerist, either. Rather, your commitment to principle is what's always impressed me the most about your work. And while I can respect your desire to go beyond independent blogging and have an impact on how journalism is practiced, it also seems like there's a tension in your philosophy between the ideal of the self-financed outsider and the practical need to build journalistic institutions powerful enough to compete with the mainstream media.

As you point out in your interview with Natasha, there's room for more than one model in the ecology of progressive journalism, and I know I wouldn't mind if there was a paper the equivalent of

the New York Times that was populist in tone and engaged in truly adversarial reporting. But, could there be? As you've stated again and again over the years, the press we now have is an inevitable by-product of corporate interests owning all of our major media outlets. The reporters who work for those corporations might not begin their careers as loyal servants of the establishment, but that's what they ultimately become. Now you're partnering to build an organization as wealthy, powerful, and influential as any other in the media universe. What makes you think the same thing won't happen to you?

I know you claim that journalistic independence will be built into the new platform, and I'm interested to see how that will work. But there is a big difference between your role as a blogger at Salon and The Guardian, and your partnership with the Omidyar Group. In the former, you were an important, but ancillary contributor, in the latter, a media celebrity whose profile and influence are the main attraction in a \$250 million build-out. Can you really claim to still be an independent journalist, when your participation is so essential to the success of this incredibly costly business venture?

This raises the question of Mr. Omidyar's motivation in pursuing the project and bringing you on board. Your mantra has always been to hold the powerful accountable, but that now obviously includes your own employer and business partner, one of the wealthiest entrepreneurs of the internet era. At the very least, it seems like a brilliant coup for a strategist like Omidyar to have brought so many of the leading lights of progressive journalism into his corporate family.

And the fact that so much of your recent reporting has directly affected the fortunes of Omidyar's biggest competitors, such as Google, Amazon, and Microsoft, poses a serious issue of conflict of interest. What if one of the NSA files includes embarrassing information about Ebay? Can readers really expect that such a revelation would find its way onto the front page of First Look Media?

Finally, there is the issue of the remaining Snowden documents. The whole situation gives the impression that the documents belong to you, rather than the public, and that at least some of them are being withheld for the upcoming publicity blitz. If this is the case, it's disappointing. The longer the public remains ignorant of what's in them, the less of an impact they can have on the crucial debate about reform now taking place.

I do appreciate your time and interest in reading this. I know I'm not the first person to raise these issues, but I hope you take seriously that you are not only a trusted source of information but also a role model to many in the activist community. Please know that I have the utmost respect for your work, and I am eagerly awaiting the launch of the new platform. Again, much thanks.

*Sincerely,
Colby D. Phillips*

posted by Glenn Greenwald | [4:56 AM](#)

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