

Teaching Government Whistleblowing through Deliberative Discussions

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Abstract

This paper proposes using deliberative discussions in social studies classes to analyze the ethical dimensions of government whistleblowing. Edward Snowden's leak of classified government documents is presented as a controversial act of civil disobedience. Snowden's leak generates differing opinions among citizens on the justifiability of breaking federal law to expose perceived government wrongdoings. A 2013 Pew Research Center poll showed that 55% of United States citizens believed Snowden's act harmed the public interest, while 34% believed it served the public interest. Studying this issue as an act of civil disobedience provides students with opportunities to analyze tensions between personal ethics and public law, as well as opportunities to consider multiple conceptualizations of citizenship, freedom, and security. Deliberative discussions encourage students to think analytically about the issue, make value-based conclusions, and test their positions against the ideas of others in their learning community. To connect theory to practice, I provide a lesson that utilizes the Structured Academic Controversy discussion model.

Introduction

Edward Snowden's unauthorized leak of confidential government documents provides a source of engaging content for secondary social studies educators. His act of government whistleblowing exposes value tensions in American society and offer students a chance to consider multiple conceptualizations of citizenship, security, and freedom. Additionally, student can assess the ethical dimensions of government whistleblowing. These objectives are best addressed through a learning environment that utilizes democratic social interactions via deliberative discussions. Deliberative discussions encourage students to evaluate others' perspectives and construct communal understandings of controversial issues. Utilizing deliberations, however, requires specific pedagogical knowledge on the part of the teacher. In this paper, I construct a rationale for treating government whistleblowing as a controversial act

of civil disobedience, suggest deliberative discussions as the best method to analyze the competing values exposed through government whistleblowing, and connect theory to practice through providing an example lesson based on the Structure Academic Controversy (SAC) model of discussion (Johnson & Johnson, 1988).

Teaching Government Whistleblowing as an Act of Civil Disobedience

Government whistleblowing should not be ignored, nor treated carelessly by social studies teachers. Snowden is accused of breaking United States federal law and fellow whistleblower Chelsea Manning was already found guilty on 17 counts – very serious crimes indeed. On the other hand, teachers should not treat government whistleblowing as a closed issue that is not open for student debate or discussion. The issue is divisive in the American public; 55% of United States citizens believe that Snowden's act harmed the public interest, while 34% believed it served the public interest (Drake, 2013). Snowden's leak presents controversies between personal ethics and public law, as well as individual privacy and national security. Social studies teachers must help students navigate these complex value tensions. Hartoonian and Van Scotter (2012) suggest refinement of our legal system and improvement of our society hinges on how intellectually prepared citizens are to resolve such paradoxical values. Analyzing value tensions can be accomplished by utilizing pedagogical strategies based on the principles of deliberative discussions. Doing so will enable students to investigate conflicting opinions and form their own judgments about government whistleblowing through constructive interactions with one another.

One way to present Snowden's case to secondary social studies students is by treating it as a controversial act of civil disobedience. Civil disobedience is a public, non-violent and conscientious breach of law undertaken with the aim of bringing about a change in laws or

government policies (Rawls, 1971). Snowden, himself, provides reasons for his action that are aligned with this definition of civil disobedience. He said he broke the law because he could not “in good conscience allow the U.S. government to destroy privacy, internet freedom, and basic liberties for people around the world” (Star & Yan, 2013). Elsewhere, Congressman John Lewis, someone who was arrested over 40 times in the sixties for willfully breaking segregation laws, was asked in an interview with *The Guardian* if he thought Snowden was engaged in an act of civil disobedience. He said:

In keeping with the philosophy and the discipline of non-violence, in keeping with the teaching of Henry David Thoreau and people like Gandhi and others, if you believe something that is not right, something is unjust, and you are willing to defy customs, traditions, bad laws, then you have a conscience. You have a right to defy those laws and be willing to pay the price. (Lewis, 2013)

If students consider Snowden’s act as one of civil disobedience, they will be encouraged to think critically about multiple viewpoints and ethical stances – a skill necessary for democratic citizens. Multiple viewpoints on Snowden’s action are easy to find as the media often portrays him as either a hero or villain, as do many public officials. For instance, in opposition to Snowden’s action, President Obama stated, “If any individual who objects to government policy can take it in their own hands to publicly disclose classified information, then we will not be able to keep our people safe, or conduct foreign policy” (Gerstein, 2014). Yet, on the other side, former Congressman Ron Paul said that he believes Americans “should be thankful” for individuals like Edward Snowden because they “see an injustice being carried out by their government and speak out” (Walsh, 2013). Analyzing conflicting views on civil disobedience teaches students reasoning skills that are necessary for citizenship in a democracy.

Additionally, teaching government whistleblowing as an act of civil disobedience opens the door to social criticism of unjust laws and policies – a task scholars deem necessary for democratic life (Westheimer & Kahne, 2004). Scholars support criticism of injustices because this action can lead to societal improvements and a more just social order (Westheimer & Kahne, 2004); however, unabashed criticisms of the U.S. government may lead some students to feel discomfort about the topic. This is particularly true if students are not accustomed to treating patriotism as an unsettled concept in the classroom. Patriotism, often considered love of one's country, may also be conceived as criticizing unjust policies in an effort to promote positive change (Schatz, Staub, & Lavine, 1999). For this reason, social studies teachers must be cognizant of their citizenship aims and their treatment of common values as unsettled concepts. To be successful in promoting justice-orientations to citizenship, teachers should be prepared with the pedagogical tools to teach government criticism and value clarification as a part of a healthy democracy.

In Defense of Deliberations

I posit that government whistleblowing can be utilized as content for deliberative discussions to foster democratic citizenship skills and dispositions in students (McAvoy & Hess, 2013). Deliberation means weighing competing arguments based on their merits (Hess, 2009). McAvoy and Hess (2013) suggest, "Classroom deliberation is important for developing democratic dispositions in which people see each other as political equals, value other points of view, weigh evidence, and become more informed about the political issues they will confront in the public sphere" (p. 19). In the following section, I review the principles of deliberation, the teaching of controversial issues, and establish justification to teach government whistleblowing

aligned with these principles. In the final section, I offer a sample lesson that utilizes deliberative discussion based on the SAC discussion model.

The democratizing power of social studies education has long been touted; however, its existence in schools has fallen short. One reason is competition between different ideological-driven groups and political climates that often work to narrow the social studies curriculum (Evans, 2004). Additionally, teacher-centered pedagogies, instead of student-centered, are commonplace because of the instructional demands placed on teachers to raise scores on high-stakes tests (Au, 2007). Despite these external influences on the curriculum, teachers are ultimately the “gatekeepers” of the curriculum (Thornton, 2005, p. 10). Informed and reflective teachers are needed to foster democratic skills and dispositions in their students. Using deliberative discussions in the social studies classroom can fulfill this need, but requires teachers possess a clear rationale for their instructional choices and communicate this rationale to students.

Deliberations are rooted in Deweyan ideals for a democratic society. Dewey (1916) recognized democratic life involves associations between individuals and their shared experiences. To create learning experience that would benefit democracy, Dewey believed teachers should utilize the natural inclinations of students and the social environment of schools and communities. Dewey (1916) held that learning is inherently a social endeavor as it involves students reflecting upon experiences, forming conclusion, and testing their conclusions against the ideas of others in their community. Deliberation comes through the public evaluation of ideas. Furthermore, Dewey said that learning is a continuous process directed at growth and the capacity for future learning. This capacity for future learning is the ideal social studies teachers must strive towards because of its alignment with democratic aims. An ever-changing

democratic society demands sustained reflective thinking and decision making throughout adulthood.

Apart from Dewey, other philosophical rationales can be found for deliberative discussions. Writing about the social foundations of knowledge, Palmer (1983) suggests that shared exchanges within a learning community construct knowledge. Palmer (1983) said knowing is “the act of entertaining and embracing the reality of the other, of allowing the other to enter and embrace our own” (p. 8). In essence, Palmer’s interactionist ontological perspective represents the democratic openness that deliberative discussion provide, where shared experiences and social interaction strengthen civic bonds, foster communal knowledge, and create dispositions for democratic citizenship. This is especially true when discussing controversial issues because students must consider their classmates’ claims and reasoning while forming and sharing their own claims and reasoning.

Many social studies scholars promote deliberative discussions on controversial issues as a strategy to produce democratic citizens (Harwood & Hahn, 1990; Hess, 2009; Parker, 2006; Parker & Hess, 2001; Tannebaum, 2013; Waterson, 2009). Despite scholarly advocacy, social studies teachers rarely utilize discussion during instruction (Nystrand, Wu, Gamoran, Zeiser, & Long, 2003). This could symbolize a disconnection between theory and practice. Teachers need specialized pedagogical knowledge to implement deliberative discussions. During discussions, teachers turn over some control of the curriculum to the students. This is not an easy task, yet the method holds potential to be a productive means for citizenship education.

Research shows there are multiple benefits to student-centered deliberations in the social studies classroom, including their advancement of democratic values (Gastile & Levine, 2004; Hess, 2009; Parker & Hess, 2001). Since schools are diverse public places (Hess, 2009; Parker,

1997), teachers can take advantage of inter- and intrapersonal political differences (McAvoy & Hess, 2013) and use discussions to prepare students for citizenship in a pluralistic society (Harwood & Hahn, 1990). Also, research suggests that discussions improve critical thinking skills (Harwood & Hahn, 1990; Parker & Hess, 2001), interpersonal skills (Harwood & Hahn, 1990), decision-making ability (Engle & Ochoa-Becker, 1988; Hess, 2009; Parker, 2006), and knowledge about the issues (Hess, 2009). Perhaps most importantly, students enjoy them (Hess, 2009). Yet, to reap the benefits of deliberative discussions, teachers must prepare their students effectively.

Teaching Students to Deliberate Together

Deliberative discussions can foster democratic skills, but students must be prepared beforehand with the proper knowledge and expectations to gain the benefits of the discussion. Recognizing this, scholars advise teaching not only “with” discussion, but also “for” discussion (Parker & Hess, 2001). One method to teach “for” discussion is to scaffold discussion techniques (Flynn, 2009; Hess, 2009; McAvoy & Hess, 2013). In this way, students will become familiar with the roles and procedures to hold successful discussions, slowly gaining more independence and confidence in their practice. It is also recommended that teachers develop and share with students their rationales and expectations for discussions and model appropriate forms of dialogue so students learn how to properly execute deliberative discourse with their peers (Parker, 1997).

Much of the research on discussions recommends emphasis be placed on preparing students prior to execution of the discussion. For example, scholars suggests students should learn the difference between open and closed issues (McAvoy & Hess, 2013; Washington & Humphries, 2011) and between empirical and policy questions (McAvoy & Hess, 2013).

Applying these principles to the case at hand, students should recognize that questioning the justification of Snowden's act is a complex ethical question. Empirical information may inform reasons to support or oppose his act, but cannot itself answer whether or not his act was justifiable. Also, Snowden's case is not used here to pose a policy question as recommended by Hess (2009) (a related policy question might be: Should the US federal government reveal all classified documents?); but instead, considering the justification of Snowden's act deals with what is socially conscientious in a democracy. Snowden's case reveals value tensions that underpin various U.S. policies and the relationship between public laws and citizenship ethics; therefore, I argue it is a worthy public controversy, albeit not a policy issue.

Another salient piece of pedagogical knowledge from the literature is how to establish a classroom environment conducive to discussing controversial issues. Washington and Humphries (2011) recommend teachers build strong relationships and a sense of community among students. Furthermore, teachers must show students that they place value in discussion (Flynn, 2009) and spend time teaching students about the worth, purposes, types, and procedures for discussion (Parker, 1997; Parker & Hess, 2001). Hess (2002) recommends teachers should help students make connections between learning how to discuss issues and what is valuable in the world beyond school. This ensures students recognize the usefulness of deliberation in a democracy.

Scholars also propose preparing students with knowledge of the issue prior to discussions (Hess, 2009). To ensure discussions do not fail, students must be taught the appropriate vocabulary surrounding the subject (Flynn, 2009). Teachers should use primary sources (Flynn, 2009) or other sources to prepare students with subject matter knowledge for discussions (McAvoy & Hess, 2013). This component, not only prepares students with knowledge of

multiple perspectives, but it also hones the skills of interpretation that are supported in the College, Career, and Civic Life (C3) framework (National Council for the Social Studies, 2013).

Perhaps most paramount to discussion preparation is relaying expectations and procedures to students. McAvoy and Hess (2013) recommend that teachers “teach students to share their reasoning with each other, to listen to competing points of view, to consider new evidence, and to treat each other as political equals” (p. 19). Parker (1997) suggests teachers model competent deliberation rooted in knowledge and, elsewhere, recommends teaching students the concepts of humility, caution, and reciprocity in discussions (Parker, 2006). Teachers should encourage students to speak to one another directly (Hess, 2009) and encourage a majority of students to participate (McAvoy and Hess, 2013). If teachers dominate classroom discussion, they may be inadvertently “stealing the show” and students may not have the chance to practice the skills that deliberative discussions attempt to impart. Finally, debriefing students after the discussion is a critical part of the lesson as it helps students deepen connections and become self-reflective about their learning (Hess, 2009).

The Lesson: Is Government Whistleblowing a Justifiable Act of Civil Disobedience?

Tannebaum (2013) advises teachers to incorporate the literature produced by leading scholars into their practices in the secondary social studies classroom (p.108). Lessons constructed on research-backed principles can be of immediate value to practicing teachers, both through direct adaptation or guidance for future planning. Based on the belief that “democracy involves public discussion of problems, not just the silent counting of individual hands” (Mansbridge, 1991, p. 122), this lesson shares the SAC instructional model to produce student deliberation on whether or not Snowden’s actions were justifiable.

This lesson is best implemented in secondary classrooms (grades 9-12) where students are of the age to address controversial issues, value tensions, and unsettled concepts. It fits well in civics or government courses, but could be adapted to other social science disciplines as well. The lesson is presented as a three to four day activity, but if needed, could be shortened by assigning research and annotation of sources outside of the classroom or shortening the initiatory set. The culminating activity is a small-group student discussion based on the SAC model (see Johnson & Johnson, 1988). Since student-centered deliberations are not an easy task, the lesson provides detailed explanations and materials are provided in the appendices.

Lesson Objectives

1. Students will analyze multiple perspectives on Edward Snowden's action by reading and annotating a variety of media sources.
2. Students will evaluate the value tensions and ethical dimensions of Snowden's action by participating in a student-centered deliberation.
3. Students will recognize multiple conceptualizations of citizenship, freedom, law, and national security through their discussion and through writing a report that synthesizes information that they learning.

Lesson Procedures

Initiatory Set (approximately 30 minutes)

1. Share the following quote with students: "One has a moral responsibility to disobey unjust laws." – Martin Luther King Jr., 1963, *Letter from the Birmingham Jail*
2. Ask students: Do you agree or disagree with this quote? Do citizens have the right to break any law? Should good citizens obey all laws? How do you judge if a law is unjust? Are their right ways and wrong ways to disobey unjust laws?

3. After sharing their thoughts, handout a summary of Snowden case (see Appendix A).
This handout includes a definition of important terms.
4. Next, use one or two electronic sources to introduce Edward Snowden's actions (see Appendix B).
5. Working individually, students should write answers to the following questions: Does the act of government whistleblowing appear to be an act of civil disobedience? How do you think Snowden views freedom, law, and national security? Did he act in the best interest of the American people?
6. Reconvening as a whole group, students can share their preliminary thoughts on government whistleblowing.

Developmental Set (approximately 1 hour)

1. Divide students into groups of four, composed of two-person advocacy teams.
2. Assign each two-person team a position either in support of or in opposition to Snowden's action.
3. Provide the appropriate resources to each team (see Appendix C). Ensure students know their tasks, the phases of discussion and skills they should display during each, and a definition of their position with a summary of supporting arguments.
4. *Phase 1 - Learning Positions:* Instruct teams to read the materials and plan their argument. Their argument must inform the opposing team about the perspective within the materials and convince the opposing team of their position.
5. Assist teams as they read, annotate sources, and plan their argument. The instructor may want to use the following prompts with each team: What similarities and differences are

their between the sources? What source is the most important to understanding your position? What underlying values are present in your perspective?

Culminating Set (approximately 1 1/2 to 2 hours)

1. *Phase 2 - Presenting Positions:* Organize students so that each two-person team can present their position to an opposing two-person team. Each team takes turn advocating for their position. Student must listen to the opposing team's argument, take notes, and clarify anything that is not understood.
2. *Phase 3 - Discussing Positions:* During this time, each team rebuts the opposing side and offers counter-arguments. Students should examine the complexity of the issue and seek facts that support both viewpoints.
3. *Phase 4 - Reversing Positions:* Next, assign students the task of arguing for the opposing position, adding new facts and relating it to previously learned information.
4. *Phase 5 - Reaching a Decision:* Finally, ask each group of four to reach a consensus on the issue on the issue of whether or not Snowden was justified in his leak of government documents. Students must summarize and synthesize both positions.
5. Monitor students as they discuss, only interjecting if obstacles to the discussion arise that students cannot resolve themselves. You may need these prompts: What ethical dilemma do government whistleblowers face? Why do citizens disagree about Snowden's action? What are the good outcomes of the leak and how do you know they are good? What are bad outcomes of the leak and how do you know they are bad? How do you believe Snowden views citizenship (freedom, law, or national security) and is it a valid viewpoint?

6. Assign each group to write a report on their decision that utilizes supporting evidence and includes a rationale for their synthesis.
7. At the end of the class, debrief students about their discussion. Ask students: What did you learn about ethical dimensions of civil disobedience? What successes did we experience in our discussion? What can we do to improve our next discussion?

Conclusion

The lesson above provides one example of incorporating deliberation into social studies classrooms based on principles from the literature. Teachers can alter or adapt this lesson to their unique students and classroom environments. If student-centered discussions are new in teachers' classrooms, extended groundwork should be provided to help students prepare to execute an effective discussion. Lastly, teachers should be thoughtful about how to assess the discussion. Teachers can grade students' vocal participation, written reports, and annotation of sources. However, grading vocal participation may reduce the authenticity or organic nature of the discussion as students might feel compelled to speak (Hess, 2009).

Deliberative discussion of controversial issues teaches democratic skills and processes through social interaction and reflective thinking. In the face of high stakes testing and teacher-centered pedagogies, discussion provides a platform to infuse pedagogies for democratic aims. Specifically, government whistleblowing opens the doors to the controversy between public law and personal ethics – a valuable contemplation for all citizens (Hartoonian & Van Scotter, 2012). Additionally, social studies teachers can utilize Snowden's action to teach students about the multiple dimensions and conceptualizations of citizenship, freedom, and security. Sophisticated understandings of these concepts are necessary for an intelligent citizenry.

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Appendix A

Summary of Snowden's Case

In early 2013, Edward Snowden, a former National Security Administration contractor in Hawaii, stole top secret government documents. He then leaked these to several media outlets, including *The Guardian*, *The Washington Post*, and *The New York Times*. These documents revealed numerous government surveillance operations that were unknown or unconfirmed beforehand. Snowden's act is considered to be an act of government whistleblowing. As of December 2013, only 1% of the unauthorized documents had been published. Snowden fled to Hong Kong and then on to Russia. His passport was revoked by the U.S. government. Snowden sought and was denied asylum in multiple countries. In the meantime, Russia granted Snowden temporary asylum where he remains today. He faces charges of theft of government property and violation of the Espionage Act. Snowden also has ties with Wikileaks, as they assisted in his travel out of Hong Kong. Wikileaks is an international organization that seeks to disclose government secrets and other leaked original source materials.

Definition of Relevant Terms

Government Whistleblowing - When an employee in a government agency discloses to the public or to those in authority illegal happenings, corruptions, or some other wrongdoing.

Civil Disobedience - A public, non-violent and conscientious breach of law undertaken with the aim of bringing about a change in laws or government policies.

Law – The system of rules put in place by a state to regulate the actions of its members and may be enforced by imposing penalties.

Ethical Dilemma – A complex situation that involves a conflict between moral obligations, such as the choice between following the law or following one's self-conscience.

Appendix B

Audio Source

Donovan, J. (2014, February). Snowden was justified. *Intelligence² Debates*. Podcast retrieved from <http://intelligencesquaredus.org/debates/past-debates/item/1017-snowden-was-justified>

Video Sources

Ledgett, R (2014, March). The NSA responds to Edward Snowden's ted talk [video file]. Retrieved from http://www.ted.com/talks/richard_ledgett_the_nsa_responds_to_edward_snowden_s_ted_talk?language=en

Snowden, E. (2014, March). Edward Snowden: Here's how we take back the internet [video file]. Retrieved from http://www.ted.com/talks/edward_snowden_here_s_how_we_take_back_the_internet?language=en

Appendix C

Position 1 – In Support of Snowden

Summary of Arguments:

- Provides a public check on the government
- Defends freedom of speech and internet privacy
- Defends the rights of average Americans
- Fights against intrusive government policies
- Executed in a non-violent manner

Sources:

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Position 2 – In Opposition to Snowden

Summary of Arguments:

- Harms national security and foreign policy interests
- Subverted the democratic process by not following sanctioned means of whistleblowing
- Driven by self-interest, not public-interest
- Acted recklessly
- May aided enemies of the United States

Sources:

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