

## Mitchell's Musings 7-15-13: Do What I say

**Daniel J.B. Mitchell**



There are now many, many articles about Bradley Manning – the Wikileaks source – and about Edward Snowden – the NSA surveillance leaker. Virtually all of these articles have to do with issues of national security, privacy, civil liberties, etc. So let's make it clear from the outset that this musing is about none of those issues. If you want to read a debate about those issues, you will have no trouble finding it elsewhere.

Another issue has gotten less attention and it's the ultimate question in the field of employment. That question is how do you get folks to do what you want? How do you get them not to do what you don't want? Clearly, neither Manning nor Snowden did what the government wanted them to do. It's very unlikely that either individual was under the illusion that what they were doing was what the government wanted. It is virtually certain in fact that both individuals understood they were doing something that the government didn't want, i.e., leaking secret information.

One thing we know. Just telling folks what to do or what not to do doesn't guarantee they will follow instructions. How many times have you heard the safety instructions before taking off in an airplane? You are told that you should evacuate quickly in an emergency and should not take your belongings. Yet when just such an emergency happened in the recent plane crash at the San Francisco airport, passengers emerged from the aircraft – which was on fire – with personal belongings including roller bags. One passenger reported retrieving his bags first and then getting his child!<sup>1</sup>

As noted above, in the employment setting there has long been recognition of the problem of getting workers to do what you want and not to do what you don't want. In broad terms, the "solution" (I use quotation marks because there is no perfect solution) involves some mix of supervision and systems of reward and penalty. Supervision can involve anything from intense monitoring to clever motivational approaches that, in effect, encourage self-monitoring. Rewards and penalties can involve such things as piece rates or firing.

Particularly in the public sector, when the issue is doing work in house or outsourcing it to some other – often private – entity, ultimately the argument revolves around claims of efficiency. Would the public mission be carried out more efficiently if done directly by the agency tasked

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<sup>1</sup> <http://www.forbes.com/sites/johngoglia/2013/07/07/san-francisco-777-crash-why-did-so-many-passengers-evacuate-with-bags/>

with carrying it out? Or should that agency employ some other entity to do the actual work? What you are asking – from the employment viewpoint – when those questions come up is under which regime are the managerial decisions of supervision and/or rewards and penalties better made and carried out?

Given that perspective, what do the Manning and Snowden cases tell us? Manning was a private in the U.S. Army who had access to official – but secret – databases. It is a given that he didn't do what the Army wanted in downloading documents and passing them on to Wikileaks. We have no way of knowing how he viewed the probabilities of being caught. But that concern is no different from other workplace situations.

Employees who embezzle from their employers, for example, are likely aware that they could possibly be caught but apparently think they probably won't be. They might believe the probability of being caught is low if the safeguards built into the managerial system seem to be loose. It seems there was no automatic flag built into the government computer databases that would flag an Army private downloading a vast quantity of files. Manning might have taken that lack of control to suggest that no one was looking and that he wouldn't be caught.

Now you might argue that the absence of automatic flags/controls in the Manning case proves that outsourcing is better than in-house production. If only the government had outsourced its database accessing to some private entity, controls would have been put in place by that entity to prevent leaks. A private, profit-making entity would have understood that it could lose the contract and perhaps be penalized if leaks occurred. So the profit motive would create the needed incentive to implement safeguards against leaking.

The only problem with that argument is that Snowden worked for a private, profit-making entity and was not employed directly by the government. In his case, the task *was* outsourced. But the private entity for which he worked - Booz Allen Hamilton, Inc. - evidently did not have controls in place that would have prevented his leaks. What the Snowden case shows is that using a private contractor by itself simply changes the locus of where control is needed. If the public agency does its task (in house), it has to control the activities of its employees directly. If it outsources, the public agency has to control the contractor so that the contractor controls its employees appropriately.

What is the lesson to be learned from the Manning and Snowden episodes, therefore, from the employment perspective? Most importantly it is that the decision in the public sector either to do things in house or to outsource should not be viewed ideologically. Manning's leak doesn't prove that outsourcing is preferable. Snowden's leak doesn't prove doing things in house is optimal. But the two cases combined show that a) no system will work perfectly and all the

time, and that b) whether a public agency chooses carry out its mission in house or through outsourcing, it has to implement appropriate, albeit inevitably imperfect, managerial controls. If the decision is in house, the controls must be of the workers. If the decision is to outsource, the controls must be of the contractor.