Global Media Journal Australian Edition Vol 5.1

5 Editorial
Hart Cohen and Antonio Castillo

8 Refereed Papers
8 Weeding out WikiLeaks (and why it won’t work): legislative recognition of public whistleblowing in Australia
A. J. Brown -- - John F Kearney Professor of Public Law, Griffith University, Australia

27 Globally Networked Public Spheres? The Australian Media Reaction to WikiLeaks
Terry Flew & Bonnie Liu Rui – Creative Industries Faculty, Queensland University of Technology, Australia

Christian Fuchs – Chair in Media and Communication Studies, Uppsala University, Sweden

77 “Call me, Love, Your Wife”: Wikileaks, the 9/11 Pager Messages and the framing of ‘history’
Lisa Lynch – Department of Journalism, Concordia University, Canada

95 Propaganda and the Ethics of WikiLeaks
Randal Marlin – Carleton University, Canada

108 WikiLeaks and Mega Plumbing Issues – Unresolved Dilemmas Revisited
Rod Tiffen – University of Sydney, Australia

126 Internet Piracy as a Hobby: What Happens When the Brazilian Jeitinho Meets Television Downloading
Vanessa Mendes Moreira De Sa – University of Western Sydney, Australia

142 Cries from Babylon: The Problem of Compassion in Australian Refugee Policy
Jonathan Foye & Paul Ryder – School of Communication Arts, University of Western Sydney, Australia

157 Essays

157 Can we Handle the Truth? Whistleblowing to the Media in the Digital Era
Dr Suelette Dreyfus, Dr Reeva Lederman, Dr Rachelle Bosua, Dr Simon Milton - The University of Melbourne, Australia

ISSN: 1835-2340

Volume 5, Issue 1: 2011
WIKILEAKS: Journalism and the 21st Century
Mediascape

Global Media Journal © 2011
WikiLeaks in Mexico: a penetrated State, the fall of an ambassador and a frustrated president
Claudia Magallanes Blanco and Ana Lidyia Flores Marín – Universidad Iberoamericana Puebla, México

“If they’re collecting all of this information, they’re surely using it, right?” WikiLeaks’ Impact on Post-Soviet Central Asia
Christopher Schwartz – Managing Editor NewEurasia (English)

Fiction

The Big Geek
Christopher Kremmer

Presentation

‘How Wikileaks will transform mainstream media’, Introduction by Peter Fray, Presentation by Kristinn Hrafnsson.
USYD Package – A Sydney Ideas lecture co-presented with the Department of Media and Communications at the University of Sydney, Australia

Postgraduate Submissions

An examination into Australian news coverage of Papua New Guinea
Jessica Carter — University of Sydney, Australia

Can WikiLeaks Save Journalism and Democracy?
Josh Rosner — University of Canberra, Australia

Book Reviews

David Leigh & Luke Harding
*WikiLeaks: Inside Julian Assange’s War on Secrecy*
Reviewed by Hart Cohen — University of Western Sydney

Yahya R. Kamalipour (Ed.)
*Media, Power, and Politics in the Digital Age: The 2009 Presidential Election Uprising in Iran*
Reviewed by Tim Hamlett — Hong Kong Baptist University, HK

Carl Hoffman
*The Lunatic Express: Discovering the World . . . via Its Most Dangerous Buses, Boats, Trains, and Planes*
Reviewed by Rob Ewing — Hong Kong Baptist University, HK

Lindsay Tanner
*Sideshow: Dumbing Down Democracy*
Reviewed by Myra Gurney — University of Western Sydney, Australia
Global Media Journal: Australian Edition invites the submission of essays and research reports that focus on the field of Communication, Media and Journalism. The online journal hosted by the School of Humanities and Communication Arts, University of Western Sydney (UWS) is led by an editorial committee from UWS and the University of Sydney and assisted by an advisory board made up of national and international scholars. The journal is part of the international Global Media Journal network.

The Australian Edition of the Global Media Journal (GMJ/AU) has published online since 2007. The journal publishes essays, commentary, postgraduate papers, book reviews and interviews including the Australia Media Monitor, an update that covers contemporary issues in the Australian media.

The GMJ/AU editorial team is composed of Associate Professor Hart Cohen, Dr. Antonio Castillo, Dr. Juan Salazar, Dr. Tim Dwyer, Dr. Milissa Deitz, Dr. Rachel Morley, Ms. Myra Gurney, Mr. Roman Goik and Ms. Lisa Kaufmann.

This issue of Global Media Journal, Australian edition, has taken a significant step in choosing to focus its attention on the WikiLeaks phenomena. The call for papers for the issue elicited a strong response. We were aware that WikiLeaks has provoked significant controversy in its relatively short existence. The refereed papers, essays, book reviews and presentation by Kristinn Hrafnsson – the spokesperson of WikiLeaks - all reflect the robust debates currently circulating around the WikiLeaks phenomenon. In some respects, the emergence of WikiLeaks was tailor-made for public media exposure and analysis. Despite an early lack of interest by the mainstream media, Wikileaks persisted until it won due recognition with its web-based whistleblowing model and significant assault on classified files – most from the alleged whistleblower, Bradley Manning, the US army private accused of leaking classified documents to WikiLeaks.

Our interest in WikiLeaks stems from the impact it has generally had on the contemporary mediascape, and in particular on the practice of investigative journalism. It may be a fitting engagement for our Australian-based journal for as Lisa Lynch has written, the Australian context was one of the earlier sites for a WikiLeaks revelation:

On March 19, 2009, Australian citizens learned that their government was considering a mandatory national filtering system that would prevent them from accessing websites ostensibly identified as having connections to child pornography. This revelation, which engendered substantial political fallout, was remarkable to some observers because of the way the story emerged. The plan was made public neither through a leak to a print journalist nor through a whistleblower’s televised press conference, but instead via a copy of the filter list posted anonymously on Wikileaks, a Swedish-hosted website run by an international collective dedicated to untraceable document-leaking.¹

While Assange has likened himself – in his role as WikiLeaks founder and chief spokesperson – to a journalist and publisher, questions persist as to the lines he draws between source, reporter and publisher. This is a line increasingly blurred by the Internet-led methodology deployed by WikiLeaks.

Our interest in WikiLeaks was emphatically brought into focus by the emotive and devastating images of the so-called “Collateral Murder” video, provided by a whistleblower/Pentagon insider and uploaded and then redistributed virally via YouTube. Our immediate sense of the video material was not shock, but recognition.

David Finkle’s remarkable book, The Good Soldiers, treated this episode in 2009. In a passage over about nine pages, Finkle reproduced the banter and invective on the sound track of the video as the Apache helicopter’s crew moved on their targets/victims. The Good Soldiers was published well in advance of the release of the “Collateral Murder” video and herein lies one of the extraordinary aspects of WikiLeaks: its capacity to transform revelations and exposures of secrets to a global audience numbering in the millions. Compared to book circulation, this is attention-getting on a massive scale.
Our second encounter with WikiLeaks was with its next major operation – the release of the Afghan War Logs in the context of their publication by The Guardian in August 2010. The expanded edition of The Guardian released on that day with its pages of analysis of the logs, was an extraordinary publishing moment for the mainstream media – with participation by The New York Times and Der Spiegel. These deals between the mainstream media and WikiLeaks – generally thought of as the most politically liberal and progressive news organisations – have both expanded and contracted in the latter stages of the engagements by WikiLeaks – one punctuated by a controversial release recently of yet another round of embassy cables.

This new release moved a number of our authors for this issue to revise their contributions –awakening yet another series of questions about the management (or mis-management) of information of this kind. The Guardian was critical of WikiLeaks for releasing the un-redacted cables and Julian Assange has countered with a stinging criticism of the role played by the mainstream media in this latest episode.

In the context of the agenda of issues raised by the emergence of WikiLeaks, it is the case that significant public debate has increased in frequency in the last months. One such debate was held in City Recital Hall Angel Place in Sydney as part of IQ² Australia debates. The “resolution of the house” was that “WikiLeaks is a force for good”. This concern for assessing ethical behaviour in the public interest is a frequent theme associated with WikiLeaks and in particular, Assange often defends WikiLeaks with a moral justification (the public interest) for the leaking of secrets.

Those opposed take an equally strong moral position on the damage to governmental operability caused by leaks. While we could try to call on Kantian philosophical categories to assist in settling the moral dimensions to this debate, it is the case that our interest at Global Media Journal Australia is not to resolve these moral questions. It is rather to interrogate the ‘force’ itself – to find how WikiLeaks not only changed the rules of journalistic practices, but also changed the way we think about the ‘rules.’ They created a step-change or second-order change to the world of investigative journalism and in this sense are a ‘force’ to be reckoned with.

Finally, there are many people to thank for this issue. Our colleagues at the Media and Communication Department, The University of Sydney, very kindly provided the copy of Kristin Hrafnsson’s address – with introduction by Peter Fray, Publisher and Editor in Chief of the Sydney Morning Herald – at the Seymour Centre, Sydney, June 17. Thanks to Professor Gerard Goggin, Dr. Penny O’Donnell, and Dr. Stephen Maras for their assistance in providing this material. We would like to thank our authors, essayists, book reviewers and referees for this issue – indispensable in maintaining our standards of scholarship.

Our entire editorial team here at Global Media Journal, Australian Edition contributed tirelessly to the production of this issue, thanks to all of them. We would also like to thank the following people for their work, advice and support: Maisie Cohen, Frank Davey, Peter Hutchings and Lynette Sheridan Burns.

Hart Cohen and Antonio Castillo
Issue editors
September, 2011
Notes

1. Lynch, Lisa, “We’re going to crack the world open,” Journalism Practice, 4: 3, 309 —318, first published on: July 8, 2010 (iFirst)

Note: We at Global Media Journal do not endorse the views of any of the authors who have contributed their work to this issue. However, we have respected their views and have scrutinised the materials submitted for fairness, accuracy and consistency. This is the gold standard of scholarship and journalistic integrity. We welcome reader comments and suggestions and any errors found will be acknowledged in updates to the issue on a regular basis.
Weeding out WikiLeaks (and why it won’t work): legislative recognition of public whistleblowing in Australia

A J Brown  John F Kearney Professor of Public Law, Griffith University, Australia

Abstract

Even in midsummer, the historic Ellingham Hall, Norfolk, is a grey place. For Australians used to brighter sunshine year round, it would retain that slight English dinginess even if its most famous resident was not under house arrest. Yet, among the legal problems facing the Australian citizen Julian Assange, the most important challenges are not especially well known. Assange founded WikiLeaks in 2006 as a website dedicated to the secure receipt and anonymous publication of inside information too sensitive or risky for information-holders to release any other way. The bulk if not the entirety of disclosures of public importance since that time were not authorised by the institutions concerned. In other words, as intended, they constitute ‘leaks.’ Questions of when unauthorised disclosure of information is warranted, and by whom and how such judgments are to be made, are not new in democracies that have long wrestled with the public interest value of whistleblowing. However, the entry of new media into this territory, spearheaded by WikiLeaks, has brought public whistleblowing to the forefront of international debate as never before. This article reviews key political responses to WikiLeaks, internationally but especially in Assange’s home state of Australia, for their lessons for current and future directions in law reform with respect to public whistleblowing.

Introduction

Public whistleblowing involves disclosure outside the organisation concerned or other official channels, typically to or in the wider media. Not all leaking is necessarily whistleblowing (for example, it may involve information which is politically sensitive, but does not necessarily evidence wrongdoing). Similarly, not all whistleblowing necessarily involves leaking (for example, when it involves internal or regulatory disclosures, as discussed below). Nevertheless, public whistleblowing does typically constitute leaking, since it places unauthorised disclosures into the public domain, and often sees a whistleblower remain an anonymous or confidential source, at least initially. Public whistleblowing has long provided the quintessential example of what whistleblowing is about, to the extent that some researchers question whether disclosures which do not reach the public domain should be categorised as whistleblowing at all.

The first part of the article discusses the rise and impacts of WikiLeaks as a media organisation catering especially to whistleblowers. It shows the importance of these and other definitional issues to a full understanding of the regulatory and legal context in which WikiLeaks and like organisations now sit. The second part of the article explains, however, that this regulatory context is not new. In the integrity and accountability systems of some liberal democracies, the process of statutory recognition of the role of public whistleblowing has been underway for more than 20 years. In Australia and the UK, legislative
design has come to focus squarely on practical questions about how the public interest in ‘unauthorised’ disclosure should be recognised, as well as by whom – including a new provision in Queensland, Australia, that appears to represent the simplest legal test of its kind in the world today.

Against this grain, the third part of the article reviews current attempts to single out WikiLeaks and new media publishers for special treatment, simply because they have developed new specialties in the recruitment of confidential sources. The knee-jerk reactions of some US and Australian authorities to this new manifestation of an old phenomenon, including their inconsistent treatment of more traditional publishers using identical tactics of source recruitment, highlights the need for a more considered approach. Finally, some elements of that approach are previewed. Key among these are a more practical response to the management of public whistleblowing, including not only further Australian commitments to effective public interest disclosure legislation, but lessons from Australia’s new federal media “shield law”, which strengthens journalists’ ability to protect the identity of confidential sources.

In conclusion, challenges continue to confront the process of whistleblowing law reform as a whole. Equally, questions remain about the obligations of all media publishers, in terms of how they access and publish confidential information, irrespective of whether they are characterised as part of the ‘new’ or ‘traditional’ sectors. The answers do not lie, however, in blanket rejections of unauthorised disclosure as inherently contrary to the public interest – but rather in recognising the value of the type of ‘sunshine’ for which Australian climates are famous, and which in the new media era is only a more powerful force. Faced with this era, the conflicted responses of some Australian leaders, under the shadow of an unsustainable US government position, have reinforced the need for a long-term vision about the role of public whistleblowing in ensuring integrity in government. Fortunately, such a vision offers benefits for government, the media, whistleblowers and the broader public alike.

Whistleblowing and leaking

Aimed at exposing abuse of power among institutions anywhere in the world, WikiLeaks was launched in December 2006 as a website specialising in the untraceable receipt and publication of documentary evidence from whistleblowers and other leakers. Since 2009, combined with controversy surrounding Julian Assange’s relations with traditional or ‘old’ media, the strategy has made the organisation a game-changer in debates over public whistleblowing. WikiLeaks has been described as “a byword for debate about the very nature of journalism and the role of journalists.”

At least two effects have been especially fundamental: WikiLeaks’ convincing promises of a new level of technological anonymity and untraceability to those whistleblowers and other sources who seek it (that is, who do not otherwise do anything to identify themselves), and its commitment to publish more source material or primary evidence than was ever possible, and possibly desirable, in the pre-internet media age. This second innovation has been the source of some defining criticisms. Australian author John Birmingham described WikiLeaks as “not so much a reporting outlet as a stateless, digital hive-mind with revolutionary pretensions.” This assessment focused on signs that one idea may have been to facilitate the indiscriminate leaking of vast volumes of information simply because it was confidential, and therefore likely to de-stabilise whatever powerful institutions or regimes it concerned, irrespective of actual content. In
fact, the site’s stated and operating philosophies have always been more traditional – even if ill-defined and problematic in other ways. From inception, the site has been aimed at whistleblowers, or others in custody of information which they believe should be in the public domain for reasons of public interest, however contested and contestable. WikiLeaks continues to describe its own raison d’être as “principled leaking.” Critics have been quick to observe the extent to which it, too, has been forced to be selective in how it chooses and presents those disclosures that its personnel consider of greatest public importance.

It is questionable whether the objective of publishing newsworthy confidential information for the purpose of promoting political transparency and accountability can be properly described as ‘revolutionary.’ Even if so, this objective as much reinforces as differentiates WikiLeaks’ place among the traditional media – at least in respect of the core values ascribed to leaked information. According to the investigative journalist Andrew Fowler, WikiLeaks and Assange have done no more than deliver “an old-fashioned idea reborn: real journalism is simply the disclosure of whatever powerful interests want kept secret.” Whether revolutionary or not, this reality is central to the behaviour of the free media and its role in any democracy. Even when classed as leaking – i.e. unauthorised disclosure irrespective of subject or motive – the veteran political journalist Laurie Oakes describes such disclosure as no less than the difference between a democracy and an authoritarian society ... The risk of being found out via leaks makes those in authority think twice about telling porkies [lies], performing their duties sloppily, behaving badly, or rorting the system."

Despite assessing this to be “probably not the generally held community view”, Oakes argues that “leakers, whatever their motivation, serve the public interest” simply because of their importance to free journalism (being first with important news is, in essence, what being a reporter is all about).” Assange’s tensions with traditional media organisations are owed in part to the fact, according to Fowler, that “journalists, too, will have to be more demanding of governments if they are to be believed or trusted.”

Like other media, WikiLeaks’ target sources have been those who would release inside information which they know or believe to provide evidence of wrongdoing within, or by, organisations, institutions or governments and which needs to be addressed in ways that as yet, it has not been. In other words, it is the sources themselves who are called upon, by virtue of their position and judgment, to provide the first stage of editorial discretion. There are other logical target sources, including individuals who may not be insiders (and therefore not whistleblowers), but who are privy to important information for which no effective official or media avenue exists. However, whistleblowers remain the primary targets, and it is whistleblower-sourced material that has given WikiLeaks such impact.

In established liberal democracies, there is no reason to believe that whistleblowers attracted by WikiLeaks differ from those that have gone before – although this remains a key question for study. To date, US and Australian research suggests that the majority of organisational citizens choose and prefer to reveal their concerns about wrongdoing within their own organisation first, or via other official channels, and are only inspired to “go public” in very limited circumstances. These are mainly when internal or regulatory disclosures are not actioned to a whistleblower’s satisfaction, when whistleblowers begin to suffer detrimental outcomes as a result of the disclosure(s), and when public disclosure comes to be perceived as an avenue of last resort or defence. Theories as to when whistleblowers are likely to go to the media in the
first instance – especially with desires for the type of anonymity assumed in the original WikiLeaks model – are only now being empirically tested.\textsuperscript{13}

What is known from the longer history is that whistleblowing often has a recognisable public value, even though naturally, and commonly, conflict-ridden. Accordingly, its role is increasingly recognised in the integrity and accountability systems of modern societies, as symbolised in the United States by the US Whistleblower Protection Act 1989. From research, policy and existing legislation, it is already established that key tests of the validity of disclosure revolve not around interests and motivations as perceived by either the source or the recipient, but around a more objective idea of ‘the public interest’ served by a given disclosure, based on its subject matter and implications. Given that perceptions of personal and official wrongdoing come in all shapes and sizes, one threshold for identifying ‘public interest’ whistleblowing is that the possible wrongdoing affects more than simply the personal or private interests of the person making the disclosure.\textsuperscript{14} This is just the first of a number of definitional challenges, with the key questions becoming how, when, and by whom, it is to be decided that a disclosure meets definitions which attract different legal consequences to those that otherwise apply. However, these challenges are not new, and have been the focus of legislative change in a number of jurisdictions.\textsuperscript{15} Within this process, the need for legislative recognition of the role of public whistleblowing has become increasingly axiomatic, at least in principle.\textsuperscript{16}

Statutory recognition of public whistleblowing

Despite not being a new issue, the recognition of public whistleblowing has posed special problems in those jurisdictions trying to deal with the matter – for many of the same reasons that WikiLeaks has now brought these questions to a head. Given that the impetus for recognising whistleblowing at all tends to flow from disclosures that reach the public domain, the citizens of functioning democracies are left in little doubt as to the value of public whistleblowing. Even if only a small proportion of all whistleblowing, seminal events such as the US Pentagon Papers (1971), Watergate (1973), and the unraveling of systemic corruption in Australia through the Fitzgerald Inquiry (1987-1989)\textsuperscript{17} show the significance that attaches to public as opposed to simply internal or regulatory whistleblowing. Nevertheless, statutory recognition of this ultimate form of whistleblowing is progressing down a long and very unfinished road.

Even when generalised commitment to protection of whistleblowing has been strong, there are three reasons why statutory recognition of public whistleblowing has been slow. First, in common law countries, it has sometimes been presumed that public whistleblowers might not need explicit legal protection, given the principle that a person may always assert a public interest defence to a criminal or civil breach of confidentiality.\textsuperscript{18} As long ago as 1994, an Australian Senate Select Committee on Public Interest Whistleblowing concluded that this principle no longer provided “any degree of certainty in the law”,\textsuperscript{19} with similar acknowledgement underway within the UK itself. Nevertheless, Australia’s first permanent whistleblowing law – the Whistleblowers Protection Act 1993 (South Australia) – chose to preserve, rather than codify, this ill-defined principle. This legislation applied to disclosures made to any “person to whom it is, in the circumstances of the case, reasonable and appropriate to make the disclosure” – a provision which did not necessarily disturb the common law position, and theoretically included the media, but without being at all clear on the point.
The second obstacle to reform was an assumption that, if an effective public integrity system was built which protected internal and regulatory whistleblowing, then public whistleblowing should no longer ever be required. Despite recommendations that public whistleblowing should be protected at least where a disclosure concerned a serious, specific and immediate danger to public health or safety, Australia’s next law – the Whistleblower Protection Act 1993 (Queensland) – neutralised the common law principle by excluding the media as a valid avenue for public interest disclosures. Most of Australia’s State whistleblowing laws, and many international ones, followed suit.

A third, related, but even more naive, assumption was that it remained best to leave government with the final say as to when public disclosure of official information was or was not in the public interest. The Whistleblower Protection Act 1989 (US) extended legal protection to disclosures outside official channels, only where “not specifically prohibited by law and if such information is not specifically required by Executive order to be kept secret in the interest of national defence or the conduct of foreign affairs.” Recent laws, such as Canada’s federal Public Servants Disclosure Protection Act 2005, have provided similarly – protecting a public disclosure “if there is not sufficient time” to disclose through official channels; but only in respect of imminent, substantial and specific dangers to life, health, safety or the environment, or a “serious offence” under law; and not in respect of any information “the disclosure of which is subject to any restriction created by or under any Act of Parliament.” In many instances, this becomes self-neutralising legislation.

Over any of these approaches, the more logical step was to explicitly recognise and codify public whistleblowing, and instead provide workable rules. The first known law to attempt this was Australia’s Protected Disclosures Act 1994 (New South Wales). Contrary to other Australian approaches, this was, until recently, the only law to expressly include a ‘journalist’ among the persons to whom public officials can blow the whistle – as a last resort, and provided the disclosure is “substantially true.” This reform was followed, four years later, by the more influential Public Interest Disclosure Act 1998 (UK), which extended employment protection and compensation rights to employees who make ‘further’ disclosures beyond the employer and regulators, provided the disclosure is reasonable in all the circumstances, not made for personal gain, and either has already been raised with the employer or a regulator, or involves (a) reasonable fears of victimisation, (b) reasonable belief that evidence was likely to be concealed or destroyed, or (c) an exceptionally serious concern.

This “three-tiered model” of (1) internal, (2) regulatory and (3) public whistleblowing is now recognised internationally as the logical approach. Nevertheless, in practice it continues to be viewed with ‘unease’ by some policymakers. Among the countries that have legislated for public sector whistleblower protection of any kind, very few have expressly protected disclosures at the third tier, with Romania emerging in recent analyses as the only European country to do so apart from the UK. Australia, however, can again claim to be providing leadership in the field. In Queensland, major, tragic, criminal medical negligence in a public hospital led to fresh recommendations in 2005 that concerned insiders should be able to ‘escalate’ their complaints to central agencies and then to the media. While this recommendation was initially rejected, in 2007 the three-tiered model was endorsed at Australia’s national (federal) level by the incoming Rudd Labor government. Committed to reversing its predecessor’s draconian approach to the treatment of whistleblowers and journalists alike, the government undertook to match NSW and at least protect disclosures where a “whistleblower has gone through the available official channels, but has not had success within a reasonable timeframe and ... where the whistleblower is clearly vindicated by their disclosure.”
At the same time, an audit of government secrecy by Irene Moss AO, commissioned by a national coalition of media organisations (Right To Know), recommended that legislation “should at least protect whistleblowers who disclose to the media after a reasonable attempt to have the matter dealt with internally or where such a course was impractical”;\textsuperscript{31} as did Whistleblowing in the Australian Public Sector, launched by the federal Special Minister of State, Senator John Faulkner in September 2008.\textsuperscript{32} As a result, in 2009 a House of Representatives Committee chaired by Mark Dreyfus QC MHR, reported that public whistleblowing must be part of the scheme. According to its report, experience had shown that internal processes “can sometimes fail”, that “the disclosure framework within the public sector may not adequately handle an issue and that a subsequent disclosure to the media could serve the public interest”, and that any other approach would simply “lack credibility.”\textsuperscript{33}

While the committee’s recommendation was narrow,\textsuperscript{34} the Rudd Government’s response confirmed that all types of wrongdoing covered by its proposed Public Interest Disclosure Bill could be the subject of further, public disclosure, provided a number of tests were met. Confirming the complexity of the problem, no public disclosures were to be protected where they related to “intelligence-related information” or were to a foreign government.\textsuperscript{35} The commitment to legislative reform was renewed in September 2010, after the August federal election, when a minority Labor government was formed with the support of the Independent MP, Andrew Wilkie, a former military officer and national security analyst who publicly blew the whistle on the lack of evidence to support Australia’s imminent participation in the war in Iraq. The agreements underpinning the government included commitments to open and transparent governance, and to have “legislation to protect whistleblowers” passed by June 30, 2011.\textsuperscript{36} When this deadline loomed without any Bill, nor any further consultation between the government and key stakeholders, the Government altered the deadline for finalisation of the legislation to “the end of 2011.”\textsuperscript{37}

In the meantime, Queensland also moved to review its legislation, and set a new bar in its Public Interest Disclosure Act of September 2010.\textsuperscript{38} In an act of leadership, and using a simplified form of the NSW formulation from 16 years earlier, the Bligh Labor government expanded the scheme onto the three-tiered model. The Act provides that public officials will continue to receive legal protections if they take a public interest disclosure to a journalist – provided they have first taken it to an official authority, and that authority has (i) “decided not to investigate or deal with the disclosure”; (ii) investigated but not recommended “the taking of any action”; or (iii) not notified the person, within six months of the disclosure, whether or not the disclosure was to be investigated or dealt with.\textsuperscript{39} While the reform presupposes that a whistleblower must first attempt to make their disclosure within “official channels”, it compares favourably with existing precedents. Given the flexibility of the internal and regulatory disclosure regime provided by the Act, and recognition in the parliamentary debates that internal or regulatory decisions “not to investigate or deal with” a disclosure would include a “deemed refusal” to act,\textsuperscript{40} the provision appears workable within the integrity system in which it sits.

In context, this element of the new Queensland legislation arguably provides the simplest and clearest provision to date for public servants to be able to go public with serious concerns about wrongdoing. While other elements of the reformed regime may not yet accord with international best practice, on the issue of public whistleblowing it has set a new standard. Crucially for present purposes, there is also no attempt to exclude new media in general, or WikiLeaks in particular, from the definition of media to which such disclosures might be made. The definition of a ‘journalist’ is simply “a person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media.”\textsuperscript{41} While this is a somewhat traditional definition, and presupposes some degree of full-time, part-time or past professional experience in the field of news
publication, there is no real question that it would include the staff or volunteers of an at least semi-professional, web-based publisher such as WikiLeaks. The significance of this fact will now be further discussed.

Weeding out WikiLeaks?

By contrast, with the developments outlined above, the predominant response to WikiLeaks as a publisher who specialises in attracting whistleblowers has been one of knee-jerk quasi-hysteria. While some of the US official reaction may be overblown as suggested by *Time Magazine* correspondents, its underlying presumption against the legitimacy of any unauthorised disclosure of official information is consistent with the longer history of conflicted policy over the role of public whistleblowing. It is also primarily traditional media organisations in the US who have been embarrassed by WikiLeaks’ publications. At the US government’s request, *The New York Times* – who was later on publisher of material shared by WikiLeaks – had previously sat on the story for over a year, that the US Government was conducting illegal electronic surveillance of its own citizens, before eventually publishing it in December 2005.

The US Congress has proved incapable of reforming whistleblowing regimes such as its own 1989 legislation, but protection of public whistleblowing has continued to receive some support from the “reporter’s privilege” flowing to investigative journalists from the US Constitution’s First Amendment protection of free speech. Here, it has become clear that, far from seeing whistleblowing in historical context, the US and other governments have reacted to WikiLeaks as if both this particular publisher, and its sources, are somehow entirely different from the other media to whom such protection flows. Political disapproval has seen a concerted effort to re-categorise WikiLeaks as something other than a publisher of news or journalism, specifically to ensure that it cannot claim the “reporter’s privilege.” US legislators have also made clear that they are not prepared to countenance the inclusion of any organisation like WikiLeaks in the definition of journalism for the purpose of a federal journalism “shield law.” Such laws entitle journalists, if called to give evidence in legal proceedings, to make a case to withhold the identity of their confidential sources. Reform of evidence laws to create an adequate journalists’ privilege has been debated for as long as whistleblowing legislation itself. However, the reaction to WikiLeaks is credited as having sealed the fate of federal US reform of this kind, with two reform Bills dying after four years of effort with the end of the 111th Congress in January 2011. By contrast with the definition of journalism provided in Queensland’s *Public Interest Disclosure Act*, volunteer, part-time or recreational web publishers were to be excluded from the US reform, in favour of persons who ‘regularly’ participate in news publishing “for a substantial portion of the person’s livelihood or for substantial financial gain.”

Although a range of US journalism interests including the Society of Professional Journalists (SPJ) distanced themselves from WikiLeaks, the dangers of such restrictive legislative categorisations of journalism was well-stated by the SPJ prior to the WikiLeaks controversy: “if you have too narrow of a definition... it is the first step to have the government defining what a journalist is. The next step would be the licensing of journalists, and we would be opposed to that.” In the end, to make sure, US congressmen reportedly prepared an amendment to exclude WikiLeaks from any protection, if the Bills had passed.

An equivalent reaction is evident in the significant legal woes confronting Julian Assange. While including the personal Swedish charges which gave rise to his British house arrest, the most grave is a US grand jury investigation based in Alexandria, Virginia. Since at least December 2010, this has been assessing whether
charges can be laid not only against alleged whistleblowers; but against WikiLeaks personnel for receiving and communicating the information. The investigation’s subpoenas reportedly indicate it is investigating offences involving, but not necessarily limited to: “conspiracy to communicate or transmit national defence information” in violation of the US Espionage Act; “knowingly accessing a computer without authorisation or exceeding authorised access” in violation of the Computer Abuse and Fraud Act; and “knowingly stealing or converting any record or thing of value of the United States.”

If WikiLeaks personnel can be prosecuted for gaining information by direct hacking or theft, there is no question that US authorities will do so – for the same reason that the lawless behaviour of News International Ltd staff in hacking the phone records of numerous public figures, for publication in the London-based News of the World, has attracted widespread opprobrium. However the notion of prosecuting a media organisation for simply communicating or converting confidential information flies in the face of any recognition of the political and cultural realities of the importance of public whistleblowing. Apart from the emergence of any evidence of hacking or theft, the only basis on which the US might prosecute WikiLeaks personnel is if shown to have participated directly in the illegal release of information itself – i.e., not the act of publishing, but the act of whistleblowing. Here the attempt to impose a new and different standard on the conduct of WikiLeaks as a new media player has reached almost farcical proportions. In August 2010, the Pentagon labelled WikiLeaks' activities as a “brazen solicitation to US government officials to break the law”, and called on WikiLeaks to “do the right thing”, return confidential information and desist from encouraging further leaks. In fact, for all the reasons pointed out in the first part of the article, this rationale for trying to weed out WikiLeaks as different from the traditional media relied on the abandonment of any sustainable legal standard. At time of writing, the WikiLeaks site complied at least partly with the Pentagon demand, stating that “like other media outlets conducting investigative journalism, we accept (but do not solicit) anonymous sources of information ... We do not ask for material.”

For example, the Wall Street Journal provides a ‘safehouse’ online drop-box for confidential information, which its site promotes in these terms:

We want your help

Documents and databases:

They're key to modern journalism. But they're almost always hidden behind locked doors, especially when they detail wrongdoing such as fraud, abuse, pollution, insider trading, and other harms. That's why we need your help. If you have newsworthy contracts, correspondence, emails, financial records or databases from companies, government agencies or non-profits, you can send them to us using the SafeHouse service.

What to send us:

SafeHouse's interests are as broad as the world The Wall Street Journal covers – including politics, government, banking, Wall Street, deals and finance, corporations, labor, law, national security and foreign affairs. We're open to receiving information in nearly any format, from text files to audio recordings and photos. ...
In Australia, the Australian Broadcasting Corporation (ABC) News website acknowledges explicitly this kind of solicitation is aimed at inside sources:

If you have a news tip or you are a whistleblower who would like the lid lifted on a story of public interest, you can contact the ABC News Online Investigations Unit.

The ABC News Online Investigative Unit encourages whistleblowers, and others with access to information they believe should be revealed for the public good, to contact us.

To leak a story, please fill out the form below and click the “Send” button.

Please click here if you wish to send information anonymously.\(^{52}\)

The US government does not appear to have demanded that News Corporation or the ABC desist from soliciting confidential information in an identical way. This is because the standard now imposed on WikiLeaks is not one which has been, or realistically can be, imposed on any media organisation – at least, not in any nation claiming to have free media and a commitment to liberal democracy. Even *The New York Times*, which has taken particular steps to help isolate WikiLeaks from itself and other media organisations,\(^{53}\) appears to have more recently recognised the risk of this action. Noting the Obama administration’s “unprecedented crackdown” on official leaking using the *Espionage Act*, at least one *The New York Times* correspondent is now prepared to describe WikiLeaks as a publisher of information rather than simply a source, noting that the US government is now engaged in a rare effort to prosecute “those who publish secrets, rather than those who leak them.”\(^{54}\)

**Lessons from, and for, law reform**

In Australia, against the trend of positive developments noted earlier, authorities have danced on the edge of the same, blind anti-WikiLeaks line. US official thinking resonated in Australia in December 2010, when within days of WikiLeaks’ publication of a large volume of US diplomatic cables, Prime Minister Julia Gillard agreed publicly with US leaders that Assange had “broken the law.”\(^{55}\) However, not only was the law which Assange had allegedly broken not identified, but even upon searching, the Australian Federal Police could not find one. Similarly, the Attorney-General, Robert McClelland promised assistance to any US investigation and canvassed cancellation of Assange’s Australian passport. However, this threat was countermanded by the Foreign Minister, Kevin Rudd – responsible for passports and consular assistance to Australians – who pointed out that the government had no basis for treating Assange differently to other Australian citizens or media.\(^{56}\) Ultimately, the Prime Minister’s claims rested simply on the premise that WikiLeaks’ acts must be illegal because the “foundation stone” of its publishing lay in an “illegal act” – the unauthorised disclosure by the leaker or whistleblower.

This position was consistent with some other actions of the Australian government, which somewhat like the Obama administration, has been credited with commencing twice as many criminal investigations into official leaks as the predecessor it criticised.\(^{57}\) Nevertheless, the blanket assumption that any release of unauthorised information must be treated as unlawful, irrespective of the public interest, stands in sharp contrast with...
other more positive Australian and international trends. Just as Queensland legislators adopted a definition of journalism into which WikiLeaks would fit, Australia’s own federal journalism “shield law” – taking the form of amendments to the Evidence Act 1995 (Cth) – adopted an even more inclusive definition. Unlike the US legislative effort, these reforms bore fruit in March 2011, after a number of false starts. The reform was spearheaded by the Opposition Senator George Brandis, and independent Andrew Wilkie. Both their Bills proposed to define ‘journalist’ to mean a person “who in the normal course of that person’s work may be given information by an informant in the expectation that the information may be published in a news medium.” In the end, the government also accepted an amendment proposed by the Australian Greens, to extend the privilege to any person “engaged and active in the publication of news”, with the definition of “news medium” expanded to “any medium.” Either definition, but certainly that which passed, would include a web publisher such as WikiLeaks – a fact that was obvious, given that the amendments were made directly under the shadow of the WikiLeaks storm, even if WikiLeaks itself was not mentioned in parliamentary debate.

The passage of Australia’s federal journalism “shield law” does not replace the need for whistleblowing law reform. It shields journalists from automatic prosecution for contempt of court, and even when it applies, does nothing to protect whistleblowers from prosecution for releasing information. Indeed, the movement towards a “shield law” led Opposition Senators to twice call on the government to progress the “complementary legislation designed to protect whistleblowers who make confidential disclosures in the public interest ... these pieces of legislation should be concurrently introduced for comprehensive consideration.” Nevertheless, both lines of reform reject the absolutist position that just because disclosure has not been specifically authorised, it should be treated as incapable of reflecting sufficient public interest to mean that it should not also be treated as unlawful.

Controversy over WikiLeaks has reinforced the rationale for frameworks in which unworkable presumptions against any disclosure are removed, and contestation over the competing public interests made more manageable. Faced with the challenges of the new media age, present responses reinforce the need to maintain a clear, long-term vision about the role of public whistleblowing in public life. Definitions of what is, or is not, of sufficient public interest to justify unauthorised disclosure require newly negotiated reference points. Just as whistleblowing is recognised as legitimate by reference to agreed concepts of the wrongdoing that should be disclosed, secrecy requires re-legitimation with reference to the actual harm that disclosure would occasion.

The key questions are those with which the design of public whistleblowing provisions have already been grappling. The special challenge posed by WikiLeaks is the reminder that not all disclosures might be identifiable in advance as dealing with subjects with clear public interest contest (such as agreed categories of wrongdoing). As well, new capacity for disclosure and publication of large volumes of information may reveal a new picture of how institutions behave, which in itself may identify types of wrongdoing which have not previously been discernable or identifiable, or which contribute to changes in standards of integrity. However, these are challenges to which policy solutions can be found. Within the Australian government’s current proposals, any blanket assumptions that particular categories of information are incapable of warranting public disclosure (whether because they are “intelligence-related”, or involve “protection of international relations” or “Cabinet confidentiality”) are destined for more problems. But against this, the acceptance of the principle of public whistleblowing as an element of a three-tiered model, and the relative simplicity of a test such as that in the new Queensland public interest disclosure legislation, auger well for a more visionary approach.
The second key question reinforced by the advent of the new media is by whom the calculation of sufficient public interest is to be made. WikiLeaks has re-energised this question by making it more conceivable that it might be answered in a new and more democratic fashion, if also chaotic and destabilising – by the people themselves, including whistleblowers. The new information age has brought an explosion in the proportion of people who can make decisions for themselves about the value of information, and indeed to help spread it, irrespective of traditional assumptions regarding merit, capacity or skill. The logic of statutory recognition of public whistleblowing has been reinforced by the need for new principles and rules. Without these, as Australia’s House of Representatives Committee reported in early 2009, more insiders will simply resort to leaking in ways that are more difficult to control and address, including “anonymous disclosure of official information on [internet] sites such as WikiLeaks.”

At the other extreme, government might theoretically answer the challenge by simply making all information transparent. Another senior Australian politician, Malcolm Turnbull, has responded to WikiLeaks by observing that the real solution for governments who wish to avoid the embarrassment of unauthorised disclosures, is to conduct all business in a way that can stand up to scrutiny, if or when its details become publicly known. As typified by the Spycatcher case in which Turnbull successfully fought the Thatcher government’s attempts to suppress the memoirs of a former British intelligence officer, the answer lies in clearer principles for when and how disclosure serves the public interest, and some independent adjudication of when those principles are satisfied. Finally, as stated by Justice Michael Kirby, one of the judges in that case, “it cannot be left to individual employees to be the final arbiters of the public interest that would obscure disclosure”, but “likewise, it cannot be left entirely to the holders of the secrets. They may be blinded by self interest, tradition or the covering up of wrongdoing – so that they do not see where the true public interest lies.”

The WikiLeaks controversy thus reinforces the rationale for a new whistleblowing framework, so that current unworkable presumptions against any disclosure are removed, and such conflicts made more manageable. Whether or not new rules are needed to regulate how and by whom confidential information is published, it is well established that new rules are needed to govern when it may be disclosed without liability to the officials who disclose. Faced with the challenges of the new media age, present responses reinforce the need to maintain a clear vision of the role of public whistleblowing. In turn, this reinforces why Australian leaders, and perhaps others, need to hold their nerve and put in place the type of public interest disclosure legislation to which they have committed.

Conclusion: WikiLeaks in context

This article has reviewed key political responses to WikiLeaks, placing these in the context of a longer process of statutory recognition of public whistleblowing, for the purpose of identifying future directions in law reform. Some of the responses to WikiLeaks are, in fact, not reactions against whistleblowing nor publication of confidential information in itself, but to particular conflicts over methods and standards of publication. They are also arguments over the responsibility of the media towards their own confidential sources and other innocent parties – all topics deserving of ongoing research and debate. Serious questions continue to confront the duties and obligations of all media publishers, in terms of how they access and publish confidential information, irrespective of whether they are characterised as part of the ‘new’ or ‘traditional’ sectors. However none of these questions change the reality that web-based
publishers such as WikiLeaks are involved in the collection and creation of news; nor that as an avenue for whistleblowing, they have vividly confirmed much that we already knew.

This article has dealt only with the recognition of public whistleblowing. We know that for whistleblowing to play its role in allowing or forcing improvement in the integrity of institutions, the risk of the ‘front page’ test provided by traditional and new media alike is just one of three main legal drivers for change in institutional culture, practices and leadership. Also imperative are better systems for more productive management of internal and regulatory whistleblowing, especially through strong lead agency support and oversight, and practical remedies for public officials whose lives and careers suffer as the result of having made a public interest disclosure – especially the awarding of compensation for damage flowing from organisational failures to act, support, and protect. In the Australian context, this last imperative is currently the most neglected, although it is the area in which British precedents have been most promising. Also, the article has touched simply on the recognition of whistleblowing as it applies to the government sector. By contrast, with some jurisdictions, only marginal progress has been made in Australia towards whistleblower protection in the business and non-government sectors.

Nevertheless, the contrast between Australian, British and US responses reinforces the need for leaders to hold their nerve in enacting effective public interest disclosure legislation. In the case of federal legislative reform in Australia, there is ground for concern that if the reform timetable continues to slip, institutional inertia and resistance may mean that many years pass before the opportunity is regained. Plainly, there continue to be answers in our own experience, consistently with past recognition of the power of ‘sunshine’ as an integrity mechanism in Australia, which in the new media era is only becoming a more powerful force. Faced with the challenges of this era, conflicting responses have reinforced the need to maintain a long-term vision about the role of public whistleblowing in ensuring integrity in government. Fortunately, such a vision offers benefits for government, the media, whistleblowers and the public alike.

References


Commonwealth Parliamentary Debates (Hansard), House of Representatives, Canberra.


Queensland Parliamentary Debates (Hansard), Government Printer, Brisbane.


Footnotes

1. This article draws on the paper “Flying Foxes, WikiLeaks and Freedom of Speech” presented to the International Whistleblowing Research Network Conference, Middlesex University, London, June 24, 2011. It also draws on work-in-progress under the Australian Research Council funded project, Blowing Boldly: The Changing Roles, Avenues and Impacts of Public Interest Whistleblowing in the Era of Secure Online Technologies (ARC DP1095696). The author thanks his colleague Dr Suelle Dreyfus, and colleagues Simon Milton, Rachelle Bosua and Reeva Lederman from the University of Melbourne for assistance and contributions to the thinking in this article; the two anonymous reviewers; and Julian Assange for a discussion about whistleblowing at Ellingham Hall, Norfolk, UK (June 17, 2011).

2. Whistleblowing is taken to mean the “disclosure by organisation members (former or current) of illegal, immoral or illegitimate practices” under the control of that organisation, “to persons or organisations that may be able to effect action” (Miceli & Near 1984: 689). For good reason, this well accepted definition focuses on wrongdoing “under the control of their [the whistleblower’s] employer”, but it should be noted that organisation members who are not necessarily employees can or should also often be seen as falling within the definition.


12. For Australian research, conducted by the author and colleagues in 2005-2009 under the Australian Research Council-funded project Whistling While They Work: Enhancing the Theory and Practice of Internal Witness Management in Public Sector Organisations (ARC LP0560303). See Brown (2008); Annakin (2011); Roberts, Brown & Olsen (2011), forthcoming. This research included survey and interview data drawn from 8,800 public servants across 118 federal, state and local government agencies, along with analysis of the practices and procedures of a further 186 agencies (total 304 agencies).

13. Under the project described at n.1, above.

14. See Senate Select Committee (1994:par 22); and Brown (2008:8-13) and associated discussion.

15. See Calland & Dehn (2004); Lewis (2010).


17. On the role of whistleblowing at the inception of Australia’s Fitzgerald Inquiry, see Brown (2009a).

18. This principles is descended from the English principle that ‘there is no confidence as to the disclosure of iniquity’: Wood V-C in Gartside v Outram (1856) 26 LJ Ch 113 (at 114). For an extended discussion, see Attorney-General (UK) v Heinemann Publishers (1987) 10 NSWLR 86, per Kirby P at 166-170.


23. Section 16(1.1).

24. Protection Disclosures Act 1994 (NSW), s 19. Now Public Interest Disclosures Act 1994 (NSW), s 19. ‘Journalist’ was and is defined to mean “a person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media” (s 4).
25. Employment Rights Act 1996 (UK), ss 43G and 43H, as inserted by Public Interest Disclosure Act 1998 (UK); see explanatory guide by Public Concern At Work at http://www.pcaw.co.uk

26. As described by Vandekerckhove (2010:16-17).


29. For background, see Media Entertainment and Arts Alliance (2007), Official Spin: Censorship and Control of the Australian Press 2007 (8-10); Brown (2007).


34. Where the matter has been disclosed internally and externally, and has not been acted on in a reasonable time having regard to the nature of the matter, and the matter threatens immediate serious harm to public health and safety’: House of Representatives (2009), Recommendation 21.


36. Agreement between Hon Julia Gillard, Prime Minister and Andrew Wilkie MHR, 2 September 2010, clause 3.4. See similarly, Agreement between Hon Julia Gillard, Prime Minister et al and Tony Windsor MHR and Rob Oakeshott MHR, 7 September 2010, clause 3.1(e).


38. For background to this reform, see Brown (2009a, 2009b, 2010).

39. Section 20, Public Interest Disclosure Act 2010 (Qld). “Journalist’ is defined to mean ‘a person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media”': s 20(4).

40. Queensland Parliamentary Debates (Hansard), Brisbane Australia, September 16, 2010: 3413, per the Hon Anna Bligh, Premier of Queensland.

41. Public Interest Disclosure Act 2010 (Qld), s 20(4).
42. See Calabresi (2010); Zakaria (2010).

43. Mayer (2011:54).


59. The *Evidence Amendment (Journalists’ Privilege) Bills 2010* (Cth) was led by the Brandis Bill, although it was an almost identical Bill introduced by Andrew Wilkie which was supported by the government. See Brandis Bill 29 September 2010; Wilkie Bill 18 October 2010;


68. See Attorney-General’s Department (2009). This review of Part 9.4AAA of the *Corporations Act 2001* (Cth) was limited to compliance and enforcement of the corporations law, rather than any comprehensive approach to whistleblowing concerning all major types of potential wrongdoing within or by non-government employers, and has not been finalised or publicly reported on.

**About the Author**

A.J. Brown is a Professor of Public Law, Griffith University, Gold Coast, Queensland, Australia. Since 2003 Professor Brown has been a Senior Research Fellow and Senior Lecturer at Griffith University, researching and teaching in a range of areas of public accountability, public policy and public law. He currently leads several research projects on the future of federalism.
Globally Networked Public Spheres?
The Australian Media Reaction to WikiLeaks

Terry Flew & Bonnie Rui Liu
Creative Industries Faculty, Queensland University of Technology, Australia

Abstract

The global release of 250,000 US Embassy diplomatic cables to selected media sites worldwide through the WikiLeaks website, was arguably the major global media event of 2010. As well as the implications of the content of the cables for international politics and diplomacy, the actions of WikiLeaks and its controversial editor-in-chief, the Australian Julian Assange, bring together a range of arguments about how the media, news and journalism are being transformed in the 21st century.

This paper will focus on the reactions of Australian online news media sites to the release of the diplomatic cables by WikiLeaks, including both the online sites of established news outlets such as The Australian, Sydney Morning Herald and The Age, the ABC’s The Drum site, and online-only sites such as Crikey, New Matilda and On Line Opinion.

The study focuses on opinion and commentary rather than straight news reportage, and analysis is framed around three issues: WikiLeaks and international diplomacy; implications of WikiLeaks for journalism; and WikiLeaks and democracy, including debates about the organisation and the ethics of its own practice. It also whether a “WikiLeaks Effect” has wider implications for how journalism is conducted in the future, particularly the method of ‘redaction’ of large amounts of computational data.

WikiLeaks and the public sphere theories

The theory of the public sphere is commonly seen as one of the major contributions of media and communications theory to the social sciences. First presented by Jürgen Habermas in The Structural Transformation of the Public Sphere (Habermas 1989), the concept of the public sphere draws upon a historical and sociological account of the rise of liberal-capitalist institutions and the modern state from 17th and 18th century Europe to the present day. Habermas proposed that social institutions such as the mass media have played a critical role in enabling citizens to debate matters of public significance, and through such debates a rational-critical discourse can emerge through which public participation bears upon the conduct of the state, thereby better securing the relationship between the promises of liberal democracy, its potential empowerment of citizens, and the practice of public institutions.

Jostein Gripsrud (2009) has observed that Habermas’s conception of the relationship of knowledge, communication and debate to notions of “the good society”, has clear echoes in philosophies of the
Enlightenment, most notably Immanuel Kant’s analysis of how knowledge can enable self-emancipation of human subjects, and John Stuart Mill's defence of freedom of expression as the best means of ensuring both the accountability of governments and the protection of individual rights and freedoms. As developed by Habermas, the public sphere is however, something of an historically self-limiting concept. The rise of mass media, large corporations, the corporatist state, the increasingly instrumentalist and privatised use of knowledge, and the rise of “information management” professions such as advertising and public relations, were all seen by Habermas as factors making “focus on individuals enlightening themselves and each other while controlling government through the public use of reason was more difficult to maintain … as mass organisations and mass media had thoroughly changed society and the conditions of public communication” (Gripsrud 2009: 7). Habermas referred to this as the “re-feudalisation of the public sphere”, becoming a forum for the representation of power and pseudo-debates, as the real processes of decision-making became increasingly obscured from public view.

It is the critical realist element of public sphere theories that most clearly differentiate them from liberal media theories as developed in the “Four Theories of the Press” paradigm (Seibert 1956). Habermas observed that the evolution of media, from small-scale newspapers and magazines to large-scale industrial conglomerates owned by those with a diverse range of interests and significant power networks, meant that the freedom of the media from state control was not the only, or possibly any longer, the primary concern in maintaining a democratic public sphere. As liberal societies are also capitalist societies, the dynamics of capitalism as they impact upon media – including concentration of ownership and control, class-based and other social inequalities, commodification, and the intertwining of economic and political power – were seen by Habermas as undermining the capacity of commercial media to realise the citizenship principles associated with “Fourth Estate” ideals. At the same time, public sphere media theories have often incorporated a ‘tragic’ account of the relationship of media to citizenship in liberal-capitalist societies (Garnham 1990; Dahlgren 1995), where the public sphere appears to be consistently imperiled by the rise of commercial media interests. Given the dialogic conception of public discourse that Habermas identifies as being central to the public sphere, it is not surprising that, as John Thompson has observed, Habermas was inclined to interpret the impact of newer communication media, like radio and television, in largely negative terms … because the communication situation they created [was one] in which the reception of media products had become a form of privatised appropriation” (1995: 258).

A number of writers have identified the possibilities created by the Internet and digital media technologies to develop a virtual public sphere (Poster 1997), or what Benkler (2006) termed the networked public sphere. Habermas was himself pessimistic about the potential for the Internet to revivify the public sphere, expressing concern about “the fragmentation of … mass audiences into a huge number of isolated issue publics” (Habermas, 2006: 423). The potential for Internet communications to generate new forms of the public sphere and civic engagement has been widely debated, particularly when it is also acknowledged that the public sphere concept needs to be understood in the plural rather than the singular, and this has led to a questioning of Habermasian pessimism about new media (Dahlgren 2005; McNair 2006; Gripsrud 2009; Breese 2011).

If the Internet having the potential to enable a virtual public sphere constitutes the first relevant contextual factor, the intersection between media and globalisation, and the question of whether a global public sphere may be emerging, provides the second. Giddens (2002), Tomlinson (2007) and Castells (2009) have identified globalisation as a cultural phenomenon as much as an economic one, and give global
media technologies a central role in scalar transformation. Ingrid Volkmer argued that developments in international communication technologies, combined with the rise of global news services, “have established a new transnational political news sphere, which deeply transforms conventional notions of the (national) public sphere within a new transnational space” (Volkmer 2003: 11). Brian McNair has argued that the public sphere is shifting from a national, to an increasingly global, phenomenon so that

…the twenty-first century public sphere is much more complex and interconnected, and it is global, interacting with the local, and using ICTs to involve global publics in engaging the key issues of the time … Politics has become globalised, and so has the means of debating it (2006: 143).

In the field of international political economy, the rise in the number, size and significance of non-state actors in international relations has given rise to a literature on the nature of global civil society (Lipschutz 2005), and how the ways in which such entities use communications media can give rise to a global public sphere (Crack 2008).

The concept of counter-publics was developed by Warner (2002) in relation to those in subordinate positions who organise collectively to contest dominant ‘public’ positions in the wider society, such as those surrounding race, gender and sexuality; McKee (2006) and Breese (2011) are among those who have used such a concept to understand the plurality of forms of media and how they critically engage with civil and political society. From a different perspective, Chantal Mouffe (1999) critiqued Habermas for his underlying assumption that principles of rationality and open debate can and should mitigate conflict in complex modern societies. Mouffe instead proposed that a more equal and democratic social order needs to instead be based upon agonistic pluralism, whereby

…a well functioning democracy calls for a vibrant clash of democratic political positions’, and ‘the prime task of democratic politics is not to eliminate passions from the sphere of the public, in order to render a rational consensus possible, but to mobilize those passions towards democratic design (1999: 751).

WikiLeaks as a case study in the global and virtual public sphere

In many respects, the WikiLeaks site provides an ideal case study for considering questions about whether the 21st century public sphere is, or should be, more global, virtual and agonistic in its nature. Founded in 2006, and describing itself as “an uncensorable system for untraceable mass document leaking” (Moss 2010), WikiLeaks has carried confidential cables relating to: the treatment of detainees at the US Camp Delta military base at Guantanamo Bay; the ‘bibles’ of the Church of Scientology; membership of the far-right
British National Party; the 2008 Peruvian oil scandal; a 2009 accident at the Natanz nuclear facility in Iran; toxic dumping on the Ivory Coast; corruption by former Kenyan leader Daniel arap Moi; correspondence among climate scientists related to global warming; and the alleged list of web sites to be blocked by authorities in Australia, Denmark and Thailand through mandatory Internet filtering (Wikipedia 2011).

Notionally headed by the peripatetic Australian Julian Assange, but with over 1,200 registered volunteers worldwide, WikiLeaks has in many ways epitomised the spirit of the global and digital counter-publics that the Internet has brought forth, and for whom the term “global civil society” is too formal to truly capture their modus operandi. Brigid Delaney, writing in the *Sydney Morning Herald*, describes them in these terms:

WikiLeaks has become the story of the new, globalised, hyper-mobile age – an age in which the importance of physical place has receded, and community work, expression and politics are increasingly taking place in cyberspace.

The children of this globalised age, including Assange, are new nomads: nation-stateless, hyper-connected, international, using English as the lingua franca, travelling from place to place on cheap flights, staying on couches or in short-term sublets …

Work in this globalised world is untethered by geography – all you need is a laptop and a Wi-Fi connection. Assange epitomizes something of the spirit of the age. He moved 37 times by the time he was 14, and seems to be at home in this wandering, homeless state – a true citizen of the world (2010).

WikiLeaks may have remained an interesting but marginal case study of interest to new media analysts and would-be Deleuzians, but for three major leaks that it undertook in 2010. In April 2010, it released classified video footage showing a 2007 U.S Air Force strike in Baghdad, Iraq, where the pilots killed 12 unarmed people, including two Reuters employees, whose cameras were mistaken for weapons. The video, titled “Collateral Murder”, saw the term ‘WikiLeaks’ move from something of interest to hackers and security agencies to one of the most searched for terms on Google (Wikipedia, 2011). In July 2010, WikiLeaks released 92,000 documents related to the war in Afghanistan between 2004 and 2009, hosting them both on its own site and making them available on a selective basis to the *The Guardian* in the UK, *Der Spiegel* in Germany, and *The New York Times* in the US. This was followed, in October 2010, by the release of around 400,000 documents relating to the Iraq war, among which were claims that the US government had ignored reports of torture by the Iraqi authorities since the war began in 2003. Finally, and most famously, in November 2010 there was the release of over 250,000 diplomatic cables from 274 US embassies from around the world. These were made available to, and published online by, *The Guardian, The New York Times, Der Spiegel, Le Monde* in France, and *El País* in Spain, and a range of other publications, including the Fairfax newspapers in Australia, *The Sydney Morning Herald* and *The Age*.

In developing a distinctive research angle on the mountain of material and scholarship that has emerged, or is now emerging in relation to WikiLeaks, we have sought to analyse its claims to being part of a new global and virtual counter-public sphere in a counter-intuitive way. Acknowledging that while Assange may claim to be a global citizen, he is nonetheless certainly an Australian one – at least in terms of the passport that he holds – we have undertaken an analysis of how WikiLeaks was reported in the Australian media.
We have focused on the period in which the US diplomatic cables were released from 28 November 2010, and its aftermath, up to and including the period of his appeal against the decision by English courts to allow his extradition to Sweden on sexual assault charges on 25 February, 2011. We have focused on the print/online media rather than television and radio, and on opinion and commentary pieces more than on direct news coverage. The study looked at the online coverage of WikiLeaks in the three major newspapers – *The Australian, The Sydney Morning Herald* and *The Age* – as well as commentary on the Australian Broadcasting Corporation’s online sites, *The Drum* and *The Drum Opinion*. In order to get a sense of differences in analysis between mainstream media and online-only sites, we also looked at the commentary about WikiLeaks on the subscription-based site *Crikey*, and on the freely available online public affairs sites *New Matilda* and *On Line Opinion*. In order to best frame what is a large amount of material, we have focused analysis on three thematic areas:

- **Claims that WikiLeaks ushers in a new era of radical transparency in the conduct of international relations, and that this can in turn address a longstanding anomaly in liberal interpretations of the public sphere, which contrast the domestic arena as one of legitimate democratic political contestation, but international relations being required to circumvent questions of political openness and transparency due to the primacy of “reason of state”;**

- **The impact of WikiLeaks on journalism, not simply in terms of bringing new material into the public domain, but in terms of both the use of computational techniques to generate news material, and the challenge to mainstream journalism from what Benkler (2011) terms the networked public sphere;**

- **Whether publication of the diplomatic cables by WikiLeaks advances democracy, and whether it should be best understood as affirming core principles of liberal democracy, such as a free press and investigative journalism, or as a challenge to liberal democracy. In this light, the question of the ethics of the organisation itself become relevant.**

### Radical transparency and the public sphere: WikiLeaks and the conduct of international relations

The release of the US diplomatic cables can be seen as an action consistent with Assange’s concept of radical transparency as the vital means of challenging political power in an age where information and ICTs are at the core of its operations. In his essay for *The Monthly* on Julian Assange, Robert Manne summarised the relationship between power and information in Assange’s thinking in this way:

Contemporary conspiracies rely on unrestricted information flow to adapt to and control their environments. Conspirators need to be able to speak freely to each other and to disarm resistance by spreading disinformation among the people they control, something they presently very successfully achieve. Conspirators who have control over information flow are infinitely more powerful than those who do not (2011: 52).

What Manne refers to as Assange’s ‘cypherpunk’ ideology, borne out of a long involvement in hacker movements and the ‘digital underground’ (Dreyfus 1997), should not be read as a variant of mainstream
liberalism, which is how much of the media commentary has read WikiLeaks, but as a more radical critique of the state that identifies computer technologies as being at the centre of the contemporary information war (Manne 2011).

In an information war, diplomatic cables are an interesting point of attack, as they go right to the heart of foreign policy. Much of the debate about the release of the US diplomatic cables in November 2010, both in Australia and internationally, focused upon the extent to which citizens have a right to expect transparency on the part of their governments in the conduct of international relations, as compared to the argument that a degree of secrecy and confidentiality is a necessary condition for the effective conduct of international diplomacy. Democratic political theory frequently makes an exemption to the general proposition that greater public participation and open communication between governments and their citizens, which is at the core of the concept of the public sphere, in the case of foreign policy. The realist perspective on international politics argues that disagreements about policy goals, which are institutionalised in liberal democracies around parliamentary and other forms of political competition, must be subordinated to wider questions of “reason of state” in the international arena (Gilpin 2002). It also implies that states must have the capacity to act independently of their citizens when required in the interests of national security, whether this involves intelligence-gathering activities, confidential negotiations with other states, or even in some instances intervening directly in the affairs of other sovereign states.

Assange and his WikiLeaks colleagues rejected such a realist perspective, seeing it as both putting power before principles, and as potentially self-defeating, as its claims to an intellectual leadership on the part of the state is not grounded in the ideas, beliefs and moral authority of its citizenry. As a result, it is always vulnerable to charges of lacking legitimacy. Assange referred to exposing the inner machinations of government as a form of “secrecy tax” (quoted in Manne 2011), which is less about bringing sunlight to bear upon the political sphere – the classic liberal defence of a free press and the public sphere – than about the more radical principle of throwing sand in the gears of governments and corporations. As Assange himself put it:

The more secretive or unjust an organization is, the more leaks induce fear and paranoia in its leadership and planning coterie. This must result in minimization of efficient internal communications mechanisms (an increase in cognitive “secrecy tax”) and consequent system-wide cognitive decline resulting in decreased ability to hold onto power as the environment demands adaptation.

Hence in a world where leaking is easy, secretive or unjust systems are nonlinearly hit relative to open, just systems. Since unjust systems, by their nature induce opponents, and in many places barely have the upper hand, mass leaking leaves them exquisitely vulnerable to those who seek to replace them with more open forms of governance(2006).

While arguments of this nature have a long lineage, two factors in the 2000s have made many particularly receptive to the WikiLeaks concept of leaking as a form of counter-power. The first is the protracted nature of the wars in Afghanistan and Iraq, and the many and varied diplomatic failures of the US administration and its allies. As a general rule, those who were critical of the decisions made by governments to send troops to Iraq are the most likely to support the release of the US diplomatic cables. The second factor has been the curious way in which information secrecy has come to operate in the aftermath of the 9/11 attacks.
on the US. As one of the factors seen as leading to the 9/11 attacks was a lack of information sharing among various government agencies, there has been an intensified effort to share information more widely.

At the same time, the heightened concerns about security have seen more and more information being classified as confidential, and not to be circulated to the wider public. The result has been the creation of an absurdly large number of information ‘insiders’, at the same time as the arguments for withholding information to the public on the grounds related to “national security” have been extended far beyond what many would consider to be reasonable. Ben Eltham (2010) noted that the cache of US diplomatic cables had been distributed through the US government’s SIPRINET (Secret Internet Router Protocol Network), which over two million US government officials had access to, and which had more than 180 US agencies signed up to by 2005. Eltham observed that:

[i]n an ironic turn that Michel Foucault would surely have applauded, the sheer amount of information now hiding behind government and corporate firewalls makes this information increasingly vulnerable to disclosure … the wonder is that it hasn’t been leaked sooner (2010).

As a general rule, those who have most vocally support the contribution of WikiLeaks to international diplomacy have also been the most highly critical of the engagement of the US and its allies in the wars in Afghanistan and Iraq, and what has been seen as complicity of major media outlets in perceived official deceptions around these conflicts. Representative examples include John Pilger in On Line Opinion (a piece originally published in the New Statesman), and Jeff Sparrow in The Drum:

Something has changed. Reality is no longer what the powerful say it is. Of all the spectacular revolts around the world, the most exciting is the insurrection of knowledge sparked by WikiLeaks (Pilger 2011).

With the WikiLeaks cables, we’re not discussing personal modesty. We’re talking about decisions with real implications for a world we all have to live in … however embarrassing the US spokespeople might find it, WikiLeaks’ enhanced pat-down is a good thing for democracy. There’s some junk that just needs to be touched (Sparrow 2010a).

Making wider connections between politics, media and technology, Brian McNair drew attention to the extent that:

What we see in WikiLeaks is the result of the dissolution of boundaries which hitherto kept information secure within nation states, within governments and their agencies, secret to all but a powerful few. Digital technology and the Internet have eroded those boundaries, accelerated the flow of information beyond the capacity of any institution to contain it for long, and dramatically increased its accessibility (2010).

The number of critics of WikiLeaks in terms of its impact on international diplomacy has been relatively few in the Australian media. Michael Fullilove, Director of the Global Issues program at the Lowy Institute, argued at The Drum that the randomness with which WikiLeaks disclosed diplomatic information was disturbing, and the rationale for the dumping was incoherent, except as part of a general opposition to secrecy and closed-door diplomacy (Fullilove 2010). Russell Trood, a Liberal Senator, critiqued the WikiLeaks philosophy as being “grounded in a naïve conviction that complete transparency at every level
will result in better government”, and that “by attempting to impose transparency by force, WikiLeaks has probably set back the cause of open government by at least 10 years” (Trood 2010).

These were certainly minority voices, however, in contrast to the US, prosecution of Julian Assange did not become a cause célèbre issue among political conservatives. More common were the observations along the lines of Jeff Sparrow’s point, also made on The Drum, that “If you’re a democrat, it’s a pretty basic principle: the public should know what the government does in its name” (Sparrow 2010a).

What WikiLeaks means for journalism?

The debate about what WikiLeaks has meant for journalism is strongly connected to questions related to media, democracy and the public sphere. McNair (2010) has argued that it revives the public sphere, albeit in a form that is considerably more global, virtual and pluralistic than how it was first envisaged by Habermas. The rise of WikiLeaks exemplifies a wider context of what McNair has termed cultural chaos, where digital media and ubiquitous computing power are shifting the boundaries between journalism and the wider society, from a context of information scarcity to one of information abundance (McNair 2006). The WikiLeaks releases have also raised issues about who and where are the investigative journalists of the 21st century, and whether, as Emily Bell from The Guardian put it, “this is the first real battleground between the political establishment and the open web … [which] forces journalists and news organisations to demonstrate to what extent they are now part of an establishment it is their duty to report” (Bell 2010). Writing in The Drum, Jeff Sparrow made the point that “WikiLeaks practices outsider journalism in a time when many reporters prefer to boast about being insiders” (Sparrow 2010b). Some of the discomfort that WikiLeaks generated among journalists was how it drew attention to the gaps between the democratic mission of journalism and the extent to which “journalists accustomed to walking the corridors of power are quite likely to end up sharing the attitudes and sensibilities of those they’re supposed to scrutinize” (Sparrow 2010b) – a point that has been made by Daniel Hallin (1994), among others. In awarding Julian Assange the 2011 Martha Gelhorn Prize for Journalism, the judges observed:

WikiLeaks has been portrayed as a phenomenon of the hi-tech age, which it is. But it’s much more. Its goal of justice through transparency is in the oldest and finest tradition of journalism. WikiLeaks has given the public more scoops than most journalists can imagine: a truth-telling that has empowered people all over the world. As publisher and editor, Julian Assange represents that which journalists once prided themselves in – he’s brave, determined, independent: a true agent of people not of power (quoted in Deans, 2011).

The question of whether the activities of WikiLeaks are understood to be journalism has two dimensions. The first is a legal one. If the material published by WikiLeaks can be considered to legitimately constitute news, and therefore be in the public interest to make available, then WikiLeaks can be considered to be a publisher, which gives it considerable protections under laws pertaining to freedom of the press. In the US, where a case against WikiLeaks or Assange would be most likely to be pursued, the majority opinion of the US Supreme Court in the Pentagon Papers case in 1971 reinforced earlier judgments that the Espionage Act and other national security legislation did not trump the freedom of expression provisions in the First Amendment of the US Constitution unless it could be proven that “particular expression posed a clear and
immanent danger of serious harm” (Peters 2011). Recognising that the journalism criteria has been critical to setting limits on the part of US government agencies to prosecute the organisation, WikiLeaks has described itself as a “not-for-profit media organization” that has adopted “journalism and ethical principles”; the words ‘journalism’ and ‘journalist’ appear 19 times in the ‘About’ page of WikiLeaks online site (Peters 2011). In his analysis of the legal questions arising from the WikiLeaks case, Yochai Benkler concludes that:

as a matter of First Amendment doctrine, WikiLeaks is entitled to the protection available to a wide range of members of the Fourth Estate, from fringe pamphleteers to the major press organisations of the industrial information economy (Benkler 2011: 41).

The second relates to what WikiLeaks indicates about the future practice of journalism. While Julian Assange has argued in some publications that “it is not necessary to debate whether I am a journalist” (The Guardian 2010), he has also argued that WikiLeaks is the harbinger of a new form of “scientific journalism”, allowing readers access to the primary documents from which journalists make interpretations of the factual data, and that it has reinvigorated the traditions of investigative journalism associated with the Pentagon Papers and the Watergate revelations. In an op-ed piece published in The Australian at the time of the release of the diplomatic cables, Assange described “scientific journalism” in these terms:

WikiLeaks coined a new type of journalism: scientific journalism. We work with other media outlets to bring people the news, but also to prove it is true. Scientific journalism allows you to read a news story, then to click online to see the original document it is based on. That way you can judge for yourself: Is the story true? Did the journalist report it accurately? (2010).

In this respect, WikiLeaks can be seen as part of a wider range of trends in journalism, including citizen journalism (Flew & Wilson 2010), networked or open source journalism (Beckett 2008; Benkler 2011), and computational journalism. News outlets such as The Guardian have been pioneering the use of computational journalism, most notably in the UK parliamentary expenses scandal, where readers were encouraged to work through the large amounts of publicly available information to identify anomalies and potential matters of public interest (Flew et. al. 2012).

In Australia, a major inhibitor to the WikiLeaks release of the US diplomatic cables opening up wider debates about their implications for the future of journalism was the manner in which the Fairfax news media outlets chose to release them. By staggering the release of the cables through a series of front-page ‘scoops’, the Fairfax editors essentially approached the cables as an exercise in a very traditional form of investigative journalism. In correspondence with the SMH editor-in-chief Peter Fray, the ABC’s Jonathon Holmes identified that this was primarily for reasons of commercial advantage:

The volume of material in the Australian referenced cables means we are still mining the source documents. There are, for instance, several potential stories in each cable; to put the material online would be to give access to our competitors in the local market (quoted in Holmes 2010).

The Fairfax approach to make the cables selectively available only after their own staff had extracted lead stories from them, was at odds with the spirit in which the material had been made available to mainstream media outlets by WikiLeaks, which Assange described as scientific journalism. Fairfax were under no
obligations to adhere to Julian Assange’s scientific journalism model in order to make use of the material provided. But in choosing to follow the very traditional path of using unique access to information to scoop their competitors, they missed the wider significance of the leaks over and above the information contained in the cables, which is the ability to make large amounts of information available electronically to the public, with only limited filtering and redaction by news journalists and editors. To use Brian McNair’s (2006) terms, Fairfax were behaving in a manner consistent with journalism in an age of information scarcity, in an environment now characterised by information abundance.

WikiLeaks again drew attention to the simmering tension that has been a feature of the 2000s surrounding the question of who is a journalist. As the Internet has made it much easier for people to publish and distribute their own material, in the context of a more open and networked public sphere, there have been various attempts to draw a dichotomy between “professional/reliable” journalists “unprofessional/unreliable” bloggers or citizen journalists (see e.g. Knight 2008). Adler (2011) has observed in the US context the “somewhat muted” defences of WikiLeaks among organisations representing journalists and publishers in the US, where very general arguments for the need to protect a free press co-existed with a dislike for public advocacy on the part of journalists, opposition to Assange’s openly advocacy-driven mission, and opposition to Assange’s methods. In Australia, the bulk of the commentary on what WikiLeaks might mean for journalism took place either on the ABC’s The Drum or outside of the mainstream news media in the new online-only media outlets. Having been the sole recipient of the US diplomatic cables, the Fairfax media organisations somewhat curiously took themselves out of the wider debates about how journalism in the 21st century would differ from that of the 20th century by handling the cables suggested that they saw no real differences, despite the very different manner in which such information had found its way to them as compared to traditional journalistic techniques. Jonathon Holmes (2010) made the point that claims made about commercial advantage were not a line of reasoning that has prevented The Guardian, The New York Times, Der Spiegel, Le Monde or any other of WikiLeaks’ collaborators from posting cables to support their stories … we’re having to take them [Fairfax journalists] on trust, and we shouldn’t have to (Holmes 2010).

Alan Kohler, publisher of the Business Spectator, made the point at The Drum that the mission that WikiLeaks declares itself to have – “to get the unvarnished truth out to the public” – did not apply in the Australian instance “where it was first handed to Fairfax to be published” (Kohler, 2010). It is in this context that Kohler concluded that “this time the material was given to a few newspapers first so that it would make a splash; next time, or perhaps the time after that, it won’t have to be” (Kohler, 2010).

WikiLeaks and democracy: the WikiLeaks effect

For many of the supporters of WikiLeaks, its contribution to democracy is self-evident. As noted earlier, ABC Drum contributor Jeff Sparrow argued that “If you’re a democrat, it’s a pretty basic principle: the public should know what the government does in its name” (Sparrow 2010a), and WikiLeaks facilitates the more open flow of public information. In awarding its Gold Medal to Julian Assange, the Sydney Peace Foundation’s director, Stuart Rees, observed that:
Assange’s work is in the Tom Paine *Rights of Man* and Daniel Ellsberg *Pentagon Papers* tradition—challenging the old order of power in politics and in journalism. Assange has championed people’s right to know and has challenged the centuries old tradition that governments are entitled to keep the public in a state of ignorance. In the Paine, Ellsberg and Assange cases, those in power moved quickly to silence their critics even by perverting the course of justice (Sydney Peace Foundation 2011).

The comparison to Tom Paine has also been made by John Pilger (2011), and in awarding the Sydney Peace Prize to Assange, former SBS journalist Mary Kostakidis described WikiLeaks as “an ingenious and heroic website that has shifted the power balance between citizen and the state by exposing what governments really get up to in our name.” In receiving the award, Assange described WikiLeaks as being “engaged in a … generational struggle for a proposition that citizens have a right and a duty to scrutinise the state” (Sydney Peace Foundation 2011).

It should be noted that, in Australia, writers from both the political left and right found common cause in supporting Assange, in contrast to the US. Some made the point that, as an Australian citizen, Assange had the right to expect assistance from his government when facing criminal charges in another country, and found the hostile reaction of the Gillard Labor government to be inappropriate (Turnbull 2010; Trood 2010; Haigh & Tranter 2010). Several avowed conservatives declared themselves to be WikiLeaks supporters, not least because many of the cables reflected poorly on members of the current Labor government. The former Liberal leader and current Shadow Minister for Communications, Malcolm Turnbull, cautioned that “Governments and politicians should be careful not to make a martyr of Assange and fools of themselves” (Turnbull 2010). Former Liberal MP Ross Cameron argued that

Assange is forcing us to rethink our assumptions about how much protection the ordinary person needs from the truth … the democratic project was founded on the principles of transparency and trust but has been overtaken by a culture of secrecy and spin (Cameron 2011).

Cameron also argued that debating the pros and cons of WikiLeaks and Assange missed the wider point that they:

represent something much bigger … the arrival of the Internet, with its ability not just to reach a wider audience instantly, but to recruit millions of people to the task of collecting, correcting and disseminating knowledge has seen an irreversible shift and devolution in power (Cameron 2011).

In a similar vein, *The Economist*’s anonymous American blogger defended Assange against the criticism of cyberpunk luminary Bruce Sterling that Assange was an irresponsible “crypto-utopian”, arguing that:

the silver couch-surfers philosophy appears to be some sort of mundane, mainstream democratic liberalism … Julian Assange and his confederates have made dull liberal principles seem once again sexily subversive by exposing power’s reactionary panic when a few people with a practical bent actually bother to take them seriously (*The Economist* 2010).
At the same time, there were those on the left who were more critical of Assange and WikiLeaks. In some instances, this was related to the circumstances of Assange's arrest in London, which was not on espionage charges, but in relation to allegations of sexual assault relating to prior sexual encounters in Sweden. The debate on WikiLeaks on the Australian left blog Larvatus Prodeo (larvartusprodeo.net) was an example of this, where it was argued that the charges could not simply be dismissed as arising from a political conspiracy (see also Dalton 2010; Brull 2011).

A different line of criticism from the left was developed by Guy Rundle, writing in Crikey. Rundle distinguished between what he termed the “WikiLeaks effect”, or a generalised process of using digital media technologies to challenge power relations through the release of information into the public domain, and the developing scenario at WikiLeaks itself, where:

the very methods that WikiLeaks has had to legitimately undertake to lead the cables out, and keep them in the public eye, has brought it at times close to being the sort of Le Carresque info deal that its very process is meant to render obsolete (Rundle 2010).

Rundle’s critique is similar to that made by Geert Lovink and Patrice Riemens (2010), who observed that WikiLeaks was an example of what they refer to as a Single Person Organisation (SPO) based upon charismatic leadership. They argue that

SPOs are recognizable, exciting, inspiring, and easy to feature in the media. Their sustainability, however, is largely dependent on the actions of their charismatic leader, and their functioning is difficult to reconcile with democratic values. This is also why they are difficult to replicate and do not scale up easily (Lovink & Riemens 2010).

Robert Manne argued that Assange’s ‘cypherpunk’ ideology should not be read as a variant of mainstream liberalism, but as a more radical critique of the state that identifies computer technologies as being at the centre of the contemporary information war (Manne 2011). It is in this aspect of Assange’s radicalism that led Paul Monk to compare WikiLeaks unfavourably to Daniel Ellsberg and the Pentagon Papers in The Australian, arguing that whereas Ellsberg released the classified documents as someone who believed that the US government had taken a wrong turn in relation to the Vietnam War and that it was his role to help that government learn from its mistakes, Assange’s aim is to disrupt US diplomacy and render the state – and other states – more dysfunctional in their ability to conduct their affairs (Monk 2011).

In these debates, there are two conflicting conceptions of the role of public information in relation to power in liberal democratic societies. One views the role of public information as being one of enabling the polity to work better, viewing societies that are more democratic as also being more effective across a number of criteria. This would be a liberal interpretation of the public sphere. The other argues that the state, the media and the corporate sector have become more and more embedded with one another, and that withholding information from the public has become central to their modus operandi. In this latter worldview, what is needed to challenge centralised power is what Jeff Sparrow refers to as the “journalist as outlaw” (Sparrow 2010b). Chris Berg argued that WikiLeaks walks both sides of this fence: it aims both to be a repository of data and documents, providing a safe haven for whistleblowers, and it has an activist agenda in relation to particular campaigns, such as pushing for the exit of US troops from Afghanistan and Iraq (Berg, 2010).
A variant of this argument, presented from the other side of the political divide, was made by Slavoj Zizek, published at (of all places!) the ABC’s Religion and Ethics site. In this essay, Zizek argues that WikiLeaks is caught between “the radical act of publishing secret state documents”, and its recuperation as “another chapter in the glorious history of the struggle for the ‘free flow of information’ and the ‘citizens right to know.’” In the latter instance it runs the risk of becoming little more than “a radical case of ‘investigative journalism’”, and a project akin to that depicted in Hollywood films such as All the President’s Men, where “corruption is shown to reach the very top, yet the ideology of such works resides in their optimistic final message: What a great country ours must be, when a couple of ordinary people can bring down the President of the US” (Zizek 2011). Zizek’s argument is similar to that of Guy Rundle: to the extent that WikiLeaks comes to represent something more than a “sort of mundane, mainstream democratic liberalism”, it needs to articulate its radical informational project to social movements seeking change in other spheres of public life.

Considering the relationship of WikiLeaks to a broadening and deepening of democracy, as distinct from an affirmation of liberal democracy in the face of complacent media, raises the question of Julian Assange as the public face of WikiLeaks. Much of the criticism of WikiLeaks that has been published over the last 18 months centres on the apparently autocratic tendencies of the most famous Australian news publisher since Rupert Murdoch, often by disaffected former comrades such as Daniel Domscheit-Berg (who since set up his own rival organisation, OpenLeaks). Among the evidence provided is the well-known response of Assange to one of his colleagues who questioned his decision to suspend Domscheit-Berg:

I am the heart and soul of this organization, its founder, philosopher, spokesperson, original coder, organizer, financier and all the rest. If you have a problem with me, piss off (quoted in Poulsen & Zetter 2010).

A lot of this is prurient, and in some instances malicious – as argued by Benkler (2011) in relation to profiles of Assange published in The New York Times – but it nonetheless raises interesting questions about the ethics of democratic practice. A defining feature of Assange and his colleagues has been their roots in computer hacking cultures. The many works on hackers and hacking cultures point to a high degree of idealism but also a strand of elitism. Disdain for those who set up hackable digital media sites also goes with a consciousness that, by nature of the complex work involved in understanding computer code, only a small sub-set of the population could ever be hackers. By nature of what is involved, the public could never be engaged as full co-participants in hacking culture, and Lovink and Riemans found an element of this in WikiLeaks and its approach to oppositional social movements:

WikiLeaks is … an organization deeply shaped by 1980s hacker culture, combined with the political values of techno-libertarianism that emerged in the 1990s. The fact that WikiLeaks was founded – and to a large extent is still run – by hard-core geeks is essential to understanding its values and moves … this brand of idealism (or, if you prefer, anarchism) is paired with a preference for conspiracies, an elitist attitude and a cult of secrecy (never mind condescension). This is not conducive to collaboration with like-minded people and groups, who are relegated to being the simple consumers of WikiLeaks output (Lovink & Riemens 2010).
The ethical dimension of WikiLeakswas also raised by Pesce (2010) and Manne (2011), who noted the interesting affinity between hackers and security agencies: the former present themselves as the sworn enemies of the latter, but the relationship between the two is akin to that of the old Mad magazine “Spy vs. Spy” comics, where the opponent is beaten using methods that render the victor indistinguishable from their foe. At the same time, and perhaps paradoxically, WikiLeaks was also equipped for the element of media that is based around celebrity culture. Julian Assange became the public face and official spokesperson for WikiLeaks, but Mark Pesce asked “Why does WikiLeaks need a public face?”, if it functions at least in part as a dropbox service that provides anonymity to whistleblowers. The fact that Assange was its public face has meant that the fate of Assange in dealing with the UK courts and the future of WikiLeaks became imbricated in ways that don’t automatically follow from what the site actually does.

When pointing to any limitations of WikiLeaks as an instrument for democratising the networked public sphere, we need to be aware of what can be termed the “WikiLeaks Effect”, or the “Assange Effect”, which is here to stay regardless of what happens to the site. Lovink and Riemens concluded that:

> if something like it did not exist, it would have to be invented. The quantitative – and what looks soon to become the qualitative – turn of information overload is a fact of contemporary life … To organize and interpret this Himalaya of data is a collective challenge that is clearly out there, whether we give it the name ‘WikiLeaks’ or not” (Lovink & Riemens 2010).

It brings together in a single, concentrated case study a wider set of forces around movements to use the Internet to achieve greater political transparency, the challenges of what Benkler terms the “networked fourth estate” to the practices of mainstream political journalism, and the possibility of thinking anew about democracy in an age of social media that recognises the limitations of representative models and the possibilities of more ‘monitory’ and participatory approaches.  

**Conclusion**

This paper has drawn upon debates about the theory of the public sphere and its relationship to political society to provide a framework through which to evaluate the significance of WikiLeaks in general, and its release of over 250,000 US diplomatic cables in November 2010 in particular. In outlining Jürgen Habermas’s original conception of the public sphere, it was noted that three debates that have arisen have been: whether the Internet is enabling the development of virtual public spheres; whether public spheres increasingly operate on a global rather than a national basis; and whether we need to speak in terms of plural and contested public spheres and agonistic politics rather than a unified and critical-rational public sphere. In all of these instances, WikiLeaks provides a particularly interesting and important case study.

Our case study approach was somewhat counter-intuitive in that we focused upon reactions to the WikiLeaks release of the US diplomatic cables in the Australian media. While noting the claims made for WikiLeaks as a precursor to a global and virtual counter-public sphere, we drew upon the fact that its founder Julian Assange is an Australian – perhaps the most famous Australian in the global news media business since Rupert Murdoch – to consider whether there were distinctive elements of the Australian coverage of the events. We drew upon the online news sites of major Australian newspapers as well as on online-only sites, and our focus
was on opinion and commentary rather than straight news reportage. We framed the discussion around three issues: WikiLeaks and the challenge of “radical transparency” to international diplomacy; the implications of WikiLeaks for journalism; and WikiLeaks and democracy, including debates about the organisation and its leader and public face, Julian Assange.

Whatever one makes of the ethics of releasing diplomatic cables, and whether organisations such as WikiLeaks can be entrusted not to put lives in danger in the process of doing so, there seems little doubt that it has revived an understanding of journalism as being about promoting radical transparency and challenging government secrecy in foreign policy. In that respect, it is consistent with earlier traditions of investigative journalism, such as the publication of the Pentagon Papers in 1971, updating such techniques to an age of digital networks and ubiquitous information.

Whether Julian Assange’s notion of a “secrecy tax” provides a meaningful frame through which to interpret such acts of information warfare can be debated, but there is little doubt that it identified and acted upon what in retrospect was a large contradiction in national security policies, of simultaneously promoting large amounts of information among ‘insiders’ while withholding more and more material from public view. It would take little in such a context for an insider to turn critic and be able to release vast amounts of confidential information into the public domain. The fact that so much of this was occurring in the context of particularly unpopular wars in Afghanistan and Iraq made it likelier, but it was WikiLeaks who were the “first movers” into this politicised informational space.

One feature of the Australian reaction was that there was little in the way of calls for punitive action against Assange in the media, even among political conservatives. Indeed, the call on the part of the Gillard Labor government for criminal action to be pursued against Assange and WikiLeaks seems to have generated views across the political spectrum that, regardless of debates about the merits of the actions taken, Assange warranted appropriate forms of support and protection as an Australian citizen. Moreover, in so far as WikiLeaks provides a securely encrypted framework for large-scale whistleblowing through the leaking of large amounts of digital data, there will be a lot more of such activities in the near future: we can speak of a “WikiLeaks Effect” or an “Assange Effect” in information counter-flows that exists almost independently of the nature of the person or organisation that chooses to pursue such avenues.

The impact of WikiLeaks on journalism is considerable, and greater than many in mainstream news media outlets are prepared to openly acknowledge. It is not simply that WikiLeaks is associated with a new form of investigative journalism where access to data displaces access to sources as a driver of new information (recognising that one still needs to ‘inside’ sources to get this particular data). It is more that its rise to prominence, which was not as sudden as it may first appear, raised uncomfortable questions about why mainstream news journalists were not doing more of this investigative work themselves. For those who criticise contemporary journalism for accommodating itself to readily to the realities of power and influence, as a condition for a privileged ‘insider’ status, WikiLeaks was a potent reminder of what can be achieved by the determined outsider to such regimes of power and influence.

At the same time, the release of the US diplomatic cables in November 2010 relied upon a relationship to key mainstream news outlets, and the manner in which they were dealt with varied considerably among these. While some, most notably The Guardian in the UK, have seen in the practices of WikiLeaks some
pointers towards the future of journalism, others such as the Fairfax media in Australia failed to connect the innovations of WikiLeaks to the material provided, preferring instead to try and maintain the increasingly tenuous dichotomy between professional journalists and everyone else in the networked public sphere. As a number of Australian writers pointed out, such approaches will only serve to accelerate the decline in the 21st century of newspapers as we have known them.

On the question of WikiLeaks and democracy, a significant difference exists between those who view the actions of WikiLeaks as part of what The Economist referred to as “mundane, mainstream democratic liberalism”, and hence within longstanding traditions of whistleblowing and investigative journalism that is consistent with liberal democracy, or whether it points towards new kinds of radical informational project and oppositional counter-publics. Interestingly, it is those taking the latter view, such as Guy Rundle in Crikey, who have argued that a cult of secrecy within WikiLeaks with its roots in hacker subcultures acts as a barrier to connecting up the WikiLeaks project to social movements seeking change in other spheres of public life and politics. At the time in which this paper was being completed, a further 251,000 US diplomatic cables were released from the WikiLeaks site in an unredacted format, meaning that confidential information about diplomatic informants could be derived directly from the cables. WikiLeaks blamed The Guardian for the leaks, arguing that it had divulged a secret password in a 2011 book published by its journalists (BBC 2011). For critics of WikiLeaks on the basis of its lack of accountability for the use of sensitive materials, this action would support their questioning of the organisation as well placed to take over the role of traditional news media. At the same time, it points to how online information can be virally disseminated in ways that go beyond not only the traditional media gatekeepers, but also putative new ones such as WikiLeaks.

The case study provided here about WikiLeaks as a new form of globally networked public sphere, and how it was understood in the Australian news media, has pointed to wider issues concerning the ethics of democratic practice. WikiLeaks is a highly relevant case study in the issues that arise around Keane’s (2009) conception of democracy taking an increasingly ‘monitory’ form, Castells’ (2009) understanding of power and citizenship as increasingly networked and global, and Benkler’s (2006; 2011) notion of a networked public sphere. Around all of these theories of the 21st century polity in an age of networked global media and a more open and participatory media culture lies the question of who may be the new champions of the public sphere and democratic ideals if it is not traditional parliamentary representatives, political parties and large-scale news media outlets. The case of WikiLeaks presents us with a picture of both the opportunities and limitations that arise from computer hackers taking on the role of investigative journalists, and stepping into the networked space of the contemporary, and increasingly global, public sphere.
Footnotes

1. The Martha Gellhorn Prize for Journalism is awarded for factual journalism in English that exposes establishment propaganda. (Ed. Note)

2. The Fairfax media organisation are publishers of the Sydney Morning Herald, The Age (Melbourne) and the Australian Financial Review, and owners of a range of other newspaper, magazine, radio and online media properties. The WikiLeaks material was published in The Sydney Morning Herald and The Age.

3. This is not to say that media outlets were opposed to what Assange had done: the editors of most major Australian newspapers signed an open letter to Prime Minister Julia Gillard, through the Walkley Foundation, opposing prosecution of Assange in Australia or the US, on the grounds that WikiLeaks was “doing what the media have always done: bringing to light material that governments would prefer to keep secret” (MEAA 2010). It is to say that, in the terms used by Benkler (2011: 61-64), the approach of Fairfax and other mainstream media was akin to that of The New York Times, in publishing the WikiLeaks material but distancing itself from the organization and its approach to information gathering, as distinct from The Guardian’s “strategic embrace of the networked models of journalism” (Benkler 2011: 63).

4. Almost immediately after the release of the cables, the Attorney-General Robert McClelland announced that the Australian Federal Police would conduct an investigation into Assange and WikiLeaks, and would fully co-operate with US authorities in their criminal investigations. McClelland also indicating that Assange may have his Australian passport revoked and be arrested if he returned to Australia, while Prime Minister Julia Gillard declared the release of the cables to be ‘illegal’, although it was not clear what Australian laws may have actually been broken.

5. The term “monitory democracy” is used by John Keane; see The Life and Death of Democracy (2009). Eltham (2010) discussed WikiLeaks as an experiment in monitory democracy.

References


Fraser, N. (1992). Rethinking the Public Sphere: A contribution to the critique of actually existing democracy. in C. Calhoun (ed.), *Habermas and the Public Sphere* (pp. 109-142). Cambridge, Mass: MIT Press.


Poster, M. (1997). Cyberdemocracy: The Internet and the Public Sphere, in David Porter (ed.), Internet Culture (pp.201-217), New York: Routledge.


About the Authors

Terry Flew is Professor of Media and Communications in the Creative Industries Faculty at the Queensland University of Technology (QUT), in Brisbane, Australia. He is the author of New Media: An Introduction (Oxford, 2008- 3rd Edition), Understanding Global Media (Palgrave, 2007), and The Creative Industries, Culture and Policy (Sage, 2012). He is a Chief Investigator in the Australian Research Council Centre of Excellence for Creative Industries and Innovation. He is currently a Lead Commissioner of the Australian Law Reform Commission, chairing the National Classification Scheme Review.

Dr. Bonnie Rui Liu is a Lecturer in Journalism and Communication at the Communication University of China, and received her PhD from the Creative Industries Faculty at the Queensland University of Technology in 2011. Her research areas include journalism, media and communication, and her PhD focused on the independent television production industry in China. She is working on a book on Australian Mass Communication that will be published by the Communication University of China Press in early 2012.
Abstract

The task of this paper is to analyse how WikiLeaks relates to capitalism. It deals specifically with the questions: Is WikiLeaks a counter-surveillance medium? Is it a form of alternative medium and alternative journalism? How does WikiLeaks relate to the liberal and socialist worldviews? The role of WikiLeaks as a watchdog organisation is analysed and the role of surveillance, counter-surveillance and transparency is discussed (section 2). The paper assesses how ideology and worldviews shape WikiLeaks self-understanding (section 3) and WikiLeaks is connected to journalism and alternative media theory (section 4). Finally, some conclusions about the role of WikiLeaks in contemporary capitalism are drawn (section 5).

Introduction

WikiLeaks is a non-commercial and non-profit Internet whistleblowing platform that has been online since 2006. It was founded by Julian Assange and is funded by online donations. Whistleblowers can upload documents that are intended to make misbehaviour and crimes of governments and corporations transparent – that is, visible in the public. Documents can be uploaded anonymously by making use of an online submission form. WikiLeaks’s main servers are based in Sweden.

In April 2010, WikiLeaks published a video titled “Collateral Murder” that showed a situation where US air forces killed civilians and journalists in Iraq. The topic making the news with respect to WikiLeaks in late July 2010 was that the platform had published more than 90 000 top secret documents from American military sources about military operations in Afghanistan.

According to news sources (Der Spiegel 2001:70-86), the documents:

- show that special command forces such as the US Task Force 373, have killed enemies who were listed on death lists
- outline failed operations (including the killing of civilians)
- show that the Americans and their allies are facing serious problems in the military conflict with the Taliban and Al Qaeda
point to the fact that unmanned fighter drones used in Afghanistan are error prone and have been involved in many accidents.

WikiLeaks released almost 400,000 US Army documents about the Iraq war (“Iraq War Logs”) in October 2010 and one month later released more than 250,000 files documenting correspondence between the US State Department and diplomats (“Diplomatic Cables”). These are just some of the most well known leaks.

In December 2010, WikiLeaks was permanently in the world news because Julian Assange was sought with a European arrest warrant issued in Sweden for the suspected sexual assault of two women. This event followed shortly after the release of the US Diplomatic Cables, which spurred speculations of a relationship between the two events. After Assange turned himself in to British authorities on December 7, 2010, there were reports that the US Justice Department planned to accuse Assange of espionage (New York Times 2010). The fact that an Internet-based political project has had the power to become the subject of world politics shows the relative importance of political online communication today and illustrates the importance of studying WikiLeaks in the area of media and communication and Internet studies more broadly.

The circumstance that has led WikiLeaks to becoming a subject of world politics has resulted in academics such as Yochai Benkler and Manuel Castells, two of the most prominent techno-optimistic Internet scholars, to once again in a techno-euphoric manner, stress the political power of the Internet and social media. According to Benkler (2011),

WikiLeaks can be said to be an exercise in counter-power, because it disrupts the organisational technical form in which governments and large companies habitually control the flow of information about their behavior in ways that constrain the capacity of others to criticize them – that is, affect the behavior of those others so that it is different than what those others would have preferred – and because it increases the probability that the outcomes of their behaviors will be closer to those they prefer (728).

Castells (2011) has said that WikiLeaks is indicative of the fact that “cyberspace, populated by autonomous sources of information, is a fundamental threat to the ability to silence, on which domination has always been based.”

Contrary to this deterministic optimism, this paper suggests it is necessary to critically assess WikiLeaks based on a political economy framework in order to evaluate its limits and potential.

Dwayne Winseck (2011) provides a map of the landscape of political economy research in media and communication studies by identifying four approaches to the political economies of media:

- Neoclassical Political Economy of the Media
- Radical Political Economy of the Media
- Schumpeterian Institutional Political Economy of the Media
- The Cultural Industries School.
The second paradigm, which can best be called Critical Political Economy of the Media or Marxist Political Economy of the Media, questions the connection of the media to exploitation and domination and aims at providing intellectual means that contribute to emancipation. The second paradigm is the only way for intellectually working towards a truly participatory, democratic, commons-based and public media system within a just society.

Important topics of the Critical Political Economy of Media and Communication include: media activism, media and social movements; the commodification of media content, audiences and communication labour; capital accumulation models of the media; media and the public sphere, communication and space-time; the concentration of corporate power in the communication industry; the media and globalisation; media policies and state regulation of the media; communication and social class, gender, race; hegemony; the history of communication industries, media commercialisation, media homogenisation/diversification/multiplication/integration, media and advertising, media power (Mosco 2009; Murdock & Golding 2005; Wasco 2004; Hardy 2010).

Critical Political Economy analyses the media and communication in the context of exploitation, class, domination, power structures, ideology, contradictions and struggles. The methodological approach employed in this paper is Critical Political Economy, therefore WikiLeaks’ role in contemporary capitalism is analysed and special consideration is given to its connection to liberal ideology, alternative worldviews and struggles.

The overall task of this paper is to analyse WikiLeaks relation to capitalism. One subtask of this paper is to discuss what kind of medium WikiLeaks is: is it a counter-surveillance medium? Is it a form of alternative medium and alternative journalism? The analysis of the application of the notions of surveillance/transparency and alternative medium is the focus of this paper. Furthermore, the paper tests degree to which the worldviews of liberalism and/or socialism underlie the WikiLeaks projects.

In section 2, WikiLeaks is analysed with the help of the categories of power, surveillance and transparency. In section 3, the political worldview underlying WikiLeaks is assessed. The notions of journalism and alternative media are applied to WikiLeaks in section 4. Finally, some conclusions are drawn in section 5.

**WikiLeaks, power, surveillance and transparency**

WikiLeaks explicitly establishes a connection to surveillance theory by describing itself as “the first intelligence agency of the people” (WikiLeaks 2010: paragraph 14). It also describes itself as a watchdog project: “We believe that it is not only the people of one country that keep their government honest, but also the people of other countries who are watching that government” (WikiLeaks 2010: 4; WikiLeaks 2011: 10). From the perspective of WikiLeaks as a counter-surveillance project, it is interesting to further explore the theorising of WikiLeaks with the help of surveillance theory and media theory. In general, one can distinguish between general and more specific definitions of surveillance. General definitions see surveillance as having both normatively positive and negative aspects, whereas the more specific definitions see surveillance as a normatively negative form of coercive power and domination.
General concepts of surveillance make one or more of the following assumptions:

- There are positive aspects of surveillance (Haggerty 2006: 36). Surveillance has two faces, it is enabling and constraining (Lyon 1994: ix; Marx, 2007: 535; Zureik 2003: 42).

- Surveillance is a fundamental aspect of all societies (Norris & Armstrong 1999: 5; Rule, 2007: 14).

- Surveillance is necessary for organisation (Dandeker 1990; Giddens 1984, 1985, 1987).


There are a number of problems that general surveillance concepts face:

- A general notion of surveillance places both negative and positive aspects of surveillance on one categorical level and therefore may trivialise repressive information gathering and usage.

- General surveillance studies support the ideological celebration and normalisation of surveillance.

- A general surveillance concept does distinguish between information gathering and surveillance, therefore no distinction between a surveillance society and an information society and no distinction between surveillance studies and information society studies, can be drawn.

- A dialectic should not be assumed at the categorical level of surveillance, but at a meta-level that allows one to distinguish between surveillance and solidarity as positive and negative respectively at the side of systematic information gathering.

- Etymologically the term surveillance implies a relationship of asymmetrical power, domination, hierarchy, and violence.

General surveillance concepts can also be characterised as being ‘neutral’ or ‘neutralising’ because by identifying potential positive meanings of the term ‘surveillance’, they neutralise the critical potential of the term for engaging in a fundamental critique of power and domination and create a conceptual confusion and conflation that poses a disservice to a critical theory of society.

WikiLeaks makes information about organisations that abuse power available to the public by allowing the anonymous submission of secret documents that are analysed, summarised and presented on the WikiLeaks website. If WikiLeaks were understood as being a form of surveillance in the general neutral understanding of the term, then it could not be distinguished from other Internet projects like Wikipedia because both Wikipedia and WikiLeaks are systematic forms of gathering and assessing information, which is the core of neutral surveillance definitions. The difference, however, is that WikiLeaks is engaging in political struggles, is an explicitly politically motivated project, and wants to make information public that has to do with the abuse of power.
Wikipedia is an encyclopaedic knowledge dissemination project aimed at presenting “well-written, balanced, neutral, and encyclopaedic, containing comprehensive, notable, verifiable knowledge” (Wikipedia 2011). In contrast,

WikiLeaks is a buttress against unaccountable and abusive power. […] We propose that authoritarian governments, oppressive institutions and corrupt corporations should be subject to the pressure, not merely of international diplomacy, freedom of information laws or even periodic elections, but of something far stronger – the consciences of the people within them (WikiLeaks 2010: paragraphs 16f).

A notion of surveillance different from the general, neutral concept of surveillance is needed for theorising WikiLeaks because it is a project that makes knowledge, that stems from political conflicts and struggles, available. We therefore have to turn to negative, critical notions of surveillance for better understanding WikiLeaks.

There are no purely normatively positive concepts of surveillance (approaches that see that surveillance is always a good phenomenon), however there are approaches and theories that say that surveillance should be conceived as negative phenomenon. For Max Horkheimer, the “method of negation” is “the denunciation of everything that mutilates mankind and impedes its free development” (Horkheimer 1947,1974: 126). For Herbert Marcuse, negative categories are “an indictment of the totality of the existing order” (Marcuse 1941: 258) and at the same time “already contain their own negations and transcendence” (Marcuse 1936,1988: 86). Negative concepts “contain an accusation and an imperative” (Marcuse 1936,1988: 86).

A negative concept of surveillance characterises an aspect of the negativity of power structures, contemporary society, and heteronomous societies. It uses the notion of surveillance for denunciating and indicting domination and domintative societies. By doing so, it wants to point towards emancipation and a ‘dominationless’ society, which is conceived as also being a society without surveillance. In a negative theory, surveillance is a negative concept that is inherently linked to information gathering for the purposes of domination, violence, and coercion and thereby at the same time accuses such states of society and makes political demands for a participatory, cooperative, dominationless society that is not only a society where cooperative modes of production and ownership replace classes and the exploitation of surplus value, but also a society where care and solidarity are substituted for surveillance. Such a concept of surveillance is inspired by critical theory’s analysis and accusation of domination and exploitation and its identification of the need of struggles against dominative and exploitative orders of society. A neutral concept of surveillance provides a disservice for a critical theory of surveillance as it makes critique more difficult and may support the ideological celebration and normalisation of surveillance.

The most well known negative theory of surveillance is the one by Michel Foucault. For Foucault (1977), surveillance is a form of disciplinary power. Surveillance prepares “a knowledge of man” (Foucault 1977: 171), a knowledge about “whether an individual” is “behaving as he should, in accordance with the rule or not” (Foucault 1994: 59). WikiLeaks wants to make public knowledge about powerful institutions in order to monitor if they are behaving, as they should, in accordance with certain normative rules:
The power of principled leaking to call governments, corporations and institutions to account is amply demonstrated through recent history. The public scrutiny of otherwise unaccountable and secretive institutions forces them to consider the ethical implications of their actions. Which official will chance a secret, corrupt transaction when the public is likely to find out? What repressive plan will be carried out when it is revealed to the citizenry, not just of its own country, but the world? When the risks of embarrassment and discovery increase, the tables are turned against conspiracy, corruption, exploitation and oppression (WikiLeaks 2010: 13; WikiLeaks 2011: 30).

For Foucault, surveillance is also a purposefully systematically organised act of observation for controlling human subjects. Surveillance is “permanent, exhaustive, omnipresent” (Foucault 1977: 214). Surveillance is based on “a principle of compulsory visibility” (187), it is a “system of permanent registration” (196), in which “all events are recorded” (197). Foucault argues that in order to secure domination, disciplines make use of certain methods such as the hierarchical observation, the normalising judgment, and the examination (170ff).

The instrument of hierarchical observation establishes the connection – disciplines-surveillance – because the “exercise of discipline presupposes a mechanism that coerces by means of observation” (170). WikiLeaks as an organisation is a contrast to the cases of a detective agency, a secret service, corporate workplace surveillance or consumer surveillance, as it is not involved in systematically gathering data about powerful institutions that show how they abuse power. Others, who have access to certain data, supply them to WikiLeaks. These data might sometimes be the result of systematic data gathering that is permanent, exhaustive, and omnipresent and the data might sometimes be deliberately recorded without the knowledge of the powerful organisation that are monitored. In many cases, the documents submitted to WikiLeaks are not external and unknown to powerful institutions, but rather are known to them and stem from the inside of these institutions. They want to keep certain information unknown to the public in order to protect their own power.

The analysis shows that the documents submitted to WikiLeaks share the aspect of the negative surveillance concept as disciplinary power that wants to show if powerful organisations are abusing power or not. The task that WikiLeaks has set itself is to discipline powerful organisations: leaking “is a motivating force for governments and corporations to act justly” (WikiLeaks 2010: paragraph 20; WikiLeaks 2010: 36). Further, “[w]hen the risks of embarrassment and discovery increase, the tables are turned against conspiracy, corruption, exploitation and oppression” (WikiLeaks 2011: 30). The documents submitted to WikiLeaks are normally not the result of systematic, purposeful, permanent surveillance operations carried out by WikiLeaks, but rather only partly stem from systematic, purposeful and permanent acts of surveillance and to another degree from the circumstance that individuals, who have access to data that documents power abuse and that stems from the actions and information generated by powerful organisations themselves, submit material to WikiLeaks, which then analyses, systematises and presents this material to the public.

A main difference between WikiLeaks and corporate- and government-surveillance is that the latter remains hidden, secret, and in many cases unknown, to the subjects under surveillance. In contrast, WikiLeaks wants to make data about powerful organisations available to the public. WikiLeaks does not employ the term surveillance for describing itself, but rather employs the notion of transparency:
Today, with authoritarian governments in power in much of the world, increasing authoritarian tendencies in democratic governments, and increasing amounts of power vested in unaccountable corporations, the need for openness and transparency is greater than ever. WikiLeaks interest is the revelation of the truth. Unlike the covert activities of state intelligence agencies, as a media publisher WikiLeaks relies upon the power of overt fact to enable and empower citizens to bring feared and corrupt governments and corporations to justice (WikiLeaks 2011: paragraph 31; see also: WikiLeaks 2010: paragraph 13).

Further, WikiLeaks:

…is a global group of people with long standing dedication to the idea of improved transparency in institutions, especially government. We think better transparency is at the heart of less corruption and better democracies. By definition, spy agencies want to hoard information. We want to get it out to the public (WikiLeaks 2010: paragraph 55).

Corporate watch platforms (such as CorpWatch Reporting, Transnationale Ethical Rating, The Corporate Watch Project) and WikiLeaks, are attempts by those resisting asymmetric economic and political power relations to struggle against the powerful classes by documenting data that should make power transparent. There is a difference between surveillance used for erecting visibility over oppressed groups and which is the attempt to control and further oppress them, and the attempt to make the powerful transparent and which is a self-defence mechanism and a form of struggle of the oppressed or on behalf of the oppressed in order to try to defend themselves against oppression. “‘Surveillance’ suggests the operation of authority, while ‘transparency’ suggest the operation of democracy, of the powerful being held accountable” (Johnson & Wayland 2010: 25).

Johnson and Wayland (2010) point out that the notion of transparency should be used in relation to economic and political power. WikiLeaks is a mechanism that tries to make power transparent by leaking secret documents about political and economic power. WikiLeaks does not so much itself engage in collecting information about the powerful, but relies on anonymous online submissions by insiders who realise wrongdoings of institutions and want to contribute to more transparency of what is happening. WikiLeaks has to a certain degree both a focus on political and economic transparency:

Publishing improves transparency, and this transparency creates a better society for all people. Better scrutiny leads to reduced corruption and stronger democracies in all society’s institutions, including government, corporations and other organisations. A healthy, vibrant and inquisitive journalistic media plays a vital role in achieving these goals. We are part of that media (WikiLeaks 2011: paragraph 8).

WikiLeaks has some parallels with corporate watch platforms. They have in common that they are both Internet projects that try to make powerful structures transparent as part of the struggle against powerful institutions. The Internet provides means for documenting such behaviour. It can help to watch the watchers and to raise public awareness. In recent years, corporate watch organisations that run online watch platforms have emerged.
Examples of corporate watch organisations include:

- CorpWatch Reporting (http://www.corpwatch.org)
- Transnationale Ethical Rating (http://www.transnationale.org)
- The Corporate Watch Project (http://www.corporatewatch.org)
- Multinational Monitor (http://www.multinationalmonitor.org)
- crocodile: Collaborative research on corporations (http://www.crocodyl.org)
- Endgame Database of Corporate Fines (http://www.endgame.org/corpfines.html)
- Corporate Crime Reporter (http://www.corporatecrimereporter.com)
- Corporate Europe Observatory (http://www.corporateeurope.org)
- Corporate Critic Database (http://www.corporatecritic.org)

For example, Transnationale Ethical Rating aims to inform consumers and research corporations. Its ratings include quantitative and qualitative data about violations of labour rights, of human rights, layoff of employees, profits, sales, earnings of CEOs, boards, president and managers, financial offshoring operations, financial delinquency, environmental pollution, corporate corruption and dubious communication practices. Dubious communication practices include an “arguable partnership, deceptive advertising, disinformation, commercial invasion, spying, mishandling of private data, biopiracy and appropriation of public knowledge” (Transnational Ethical Rating 2011). The task is to document corporate irresponsibility.

Figure 1 shows an example of Transnational Ethical Rating’s entry for Google. The ‘infocom’ violations include ‘spying’: “By downloading Google’s browser, Chrome, users agree to give up copyright to their own files” (Transnational Ethical Rating 2011). Online corporate watchdog organisations document and gather data about the corporate irresponsibility of corporations.
Using media (such as the Internet in the case of online watch organisations and WikiLeaks) to resist and struggle against domination by making the latter transparent is not new and not specific to the Internet. Parallels in trying to establish watchdog media can be found in relation to earlier media, such as the video camera: The Los Angeles Police Department (LAPD) stopped the Afro-American Rodney King in his car on March 3, 1991 after a freeway chase. King resisted arrest, which resulted in a brutal beating by the police, from which he suffered a fracture of a leg and of a facial bone. The four police officers Briseño, Koon, Powell, and Wind were tried for police brutality and acquitted by a LA court in April 1992. George Holiday filmed the beating of King with a low technology home video camera. When the news of the acquittal of the officers and the video made their way to the mass media, outrage spread and many observers came to hold the view that both the LAPD and the justice system engaged in racism against Afro-Americans. The event triggered riots in Los Angeles in April 1992.

John Fiske (1996) discusses the role of video cameras in the Rodney King example and other cases in order to show that the miniaturization, cheapening, and mass availability of video cameras changes surveillance. “Video technology extends the panoptic eye of power […], but it also enables those who are normally the object of surveillance to turn the lens and reverse its power” (Fiske 1996: 127).

The videolow allows the weak one of their few opportunities to intervene effectively in the power of surveillance, and to reverse its flow. […] The uses of videolow to extend disciplinary surveillance can be countered […] by those who turn the cameras back upon the surveillers (Fiske 1996: 224f).
The difference between the video camera and the Internet is that the Internet functions at the same time as means of information production, diffusion and consumption, it is more global in reach, allows fast, cheap and easy distribution and provides integrated platforms (such as WikiLeaks), where single users submit user-provided content that can reach a mass audience. The separation between private and public communication, personal and mass communication is thereby sublated, something which has led Castells to characterise the contemporary Internet as a form of mass self-communication:

It is mass communication because it can potentially reach a global audience, as in the posting of a video on YouTube, a blog with RSS links to a number of web sources, or a message to a massive e-mail list. At the same time, it is self-communication because the production of the message is self-generated, the definition of the potential receiver(s) is self-directed, and the retrieval of specific messages or content from the World Wide Web and electronic networks is self-selected (Castells 2009: 55).

WikiLeaks is a form of anonymous mass self-communication: the content is provided by individual leakers, who can with this way reach a global public and mass audience and remain anonymous at the same time.

Today, we live in an age where the Internet shapes the lives of many of us. The Internet has become a new key medium of information, communication, and co-production. Therefore, paraphrasing Fiske, we can say that the Internet extends the panoptic eye of power, but it also enables those who are normally the objects of surveillance to turn their eyes, ears, and voice onto the powerful and reverse the power of surveillance. We can in such cases speak of Internet counter-surveillance or 'subveillance'. WikiLeaks and corporate watchdog organisations make data about powerful organisations public; they are attempts to make the secrecy of power public and transparent. Whereas surveillance is mainly kept secret and unknown to those who are monitored, watching is a self-defence reaction on behalf of the dominated to the accumulation of power and the surveillance and oppression of citizens, workers, consumers and ‘prosumers.’

The concept of watching the powerful shares with Foucault’s theory of surveillance, the idea that subjects are made visible with the help of knowledge. Watchdog organisations do however, not necessarily or only partly, systematically and permanently collect data in a secret way, but rather make existing data available to the public. New knowledge about the powerful are generated (e.g. ethical ratings) and published and unknown facts are discovered and published. The main difference between surveillance conducted by the powerful and by watchdog organisations, is that the latter's main task is the publishing of data about the powerful. The parallel between the powerful surveilling dominated groups and watchdog organisations making power transparent, is mainly the potential effect – disciplinary power. Powerful groups try to advance the accumulation of power (money, decision power, hegemony), by controlling the behaviour and thoughts of subordinated groups and individuals with the help of surveillance procedures. They discipline their behaviour, but keep the collected data secret. Watchdog organisations collect and publish or leak information about powerful organisations in order to try contributing to the limitation or abolition of asymmetric power. The disciplinary power that watchdog organisations try to exert is a form of counter-power that is a reaction to the disciplinary power exerted by powerful institutions (companies, governments, etc) – watching is a information-based, self-defence mechanism and counter-power struggle against domination.

Power can be theorised in two ways. On the one hand, thinkers like Max Weber define power as the “chance of a man or a number of men to realise their own will in a social action even against the resistance of others.
who are participating in the action” (Weber 1978: 926). Power here is necessarily a form of violence and coercion. The problem of this definition is that it does not allow a clear line of separation between power and domination. Weber defines the latter as “probability that a command with a given specific content will be obeyed by a given group of persons” (Weber 1978: 54), which is quite similar to the definition of power. It is therefore theoretically more feasible to conceive of power as a more general phenomenon than of domination.

Anthony Giddens defines power as “transformational capacity”, the capability to intervene in a given set of events so as in some way to alter them” (Giddens 1985: 7), as the “capability to effectively decide about courses of events, even where others might contest such decisions” (Giddens 1985: 9). For Giddens, power is related to (allocative and authoritative) resources, to material facilities and means of control. Power is characteristic for all social relationships, it “is routinely involved in the instantiation of social practices” and is “operating in and through human action” (Giddens 1981: 49f).

Based on this alternative tradition of theorising power, we can define power as the disposition over the means required to influence processes and decisions in one’s own interests, and domination as the disposition over the means of coercion required to influence others or processes and decisions. This means that power, the control of resources like money, political influence, definition capacities), can be distributed in more symmetric and asymmetric way. Dictatorship is a centralisation of economic and/or political and/or ideological power; participatory democracy is a more symmetric or equal distribution of economic, political and cultural power. Watchdog organisations like WikiLeaks exist because we live in societies that are shaped by asymmetrical economic, political and cultural power structures. They are reactions to these situations; they try to build counter-power to the exertion of asymmetrical power that excludes, dominates, oppresses or exploits humans and struggle for a more symmetric distribution of power by trying to make otherwise information about powerful institutions available to the public.

The power elite – large corporations, governments, and military institutions – distinguishes itself from ordinary citizens and most civil society organisations by two features: one is that these actors have a lot of economic and political power, which allows them to strongly shape our world, and two they also have the resources to keep parts of their activities invisible (Mills 2000). Therefore, for example, corporate crime frequently remains undetected. Power is based on a dialectic of visibility and invisibility: powerful actors want to make their enemies and opponents visible, while they want to remain themselves invisible. They engage in surveillance in order to make visible and in order to keep their own operations and gathered information invisible. Power is always related to making information about enemies and opponents visible, while at the same time making and keeping the collected information non-transparent, inaccessible, and secret. WikiLeaks and corporate watchdog organisations cut into the power dialectic of visibility of those under surveillance and invisibility of the powerful by helping to make invisible power structures visible. This is itself a process of power-making and power-generation because these are processes that try to force visibility on the powerful. WikiLeaks and other watchdog organisations engage in watching the powerful. During the Vietnam War, television made visible the horror of the killing fields that would have otherwise remained invisible. In a similar fashion, WikiLeaks has made visible hidden and secret realities of warfare today.

There are certainly limits to watchdog organisations. They are generally civil society projects because it is unlikely that big corporations or governments would support initiatives that tend to criticise corporations and governments with big amounts of money. Therefore, such projects are frequently based on precarious, self-
exploitative labour, and are confronted with a lack of resources such as money, activists, time, infrastructure, influence etc. If political or economic institutions offer support, then there is a danger that they try to influence the activities of such projects, which can severely damage or limit the autonomy and critical facility of such projects.

They seem to be trapped in an antagonism between resource precariousness and loss of autonomy that is caused by the fact that the control of resources is vital for having political influence in contemporary society, and that resources in this very society are unequally distributed so that corporations and established political actors have much more power and influence than other actors. Given this situation, it would be a mistake not to try to organise citizens’ initiatives, but one should bear in mind that due to the stratified character of capitalism it is more likely that such initiatives will fail and remain unimportant than that they will be successful in achieving their goals. Only the challenging of different resources towards watchdog organisations can contribute to weakening these limits.

Given that it has now been shown that WikiLeaks is a watchdog organisation, the question arises how the political goals and interests of this watchdog organisation look like. Watchdog organisations are not critical per se, their character rather is shaped by underlying worldviews and political practices. The next task is therefore to analyse the worldviews that are related to WikiLeaks.

WikiLeaks, liberalism and socialism

Reviewing classical and contemporary concepts of liberalism, Gaus and Courtland (2011) in an encyclopaedic article about liberalism, argue that a common characteristic is that “liberals accord liberty primacy as a political value”. Liberalism differs in this respect from radical democracy/participatory democracy: “Radical democrats assert the overriding value of equality” (Gaus & Courtland 2011).

In liberalism, “freedom is normatively basic, and so the onus of justification is on those who would limit freedom, especially through coercive means” (Gaus & Courtland 2011). The fundamental Liberal principle is that “political authority and law must be justified, as they limit the liberty of citizens. Consequently, a central question of liberal political theory is whether political authority can be justified, and if so, how” (Gaus & Courtland 2011). In an earlier work, Gaus argued that:

Freedom of speech, religious toleration extended to wide toleration of competing conceptions of the good life, anti-establishmentarianism (aimed at both religion and substantive views of human perfection), and a sphere of privacy are fundamental liberal commitments. Liberal public concerns focus on honoring these commitments but also on protecting fundamental civil interests, such as bodily integrity. Civil interests also include the maintenance of some sort of justified system of property rights (Gaus 1996:175).

Socialists in contrast to liberals, think that “the rewards of production […] are due to society as a whole, and to its members equally, rather than to particular individuals” (Barker 1991: 485). In the realm of property and labour, “means of production are commonly possessed” in a socialist society (Barker 1991: 485). Important values in socialist thought include equality, communal and co-operative production, workers’ control of production/self-managed companies (Barker 1991) and socio-political solidarity (Buzby 2010). Socialism maintains that the source of human value is human creativity and cooperation liberated
from class power: “Socialist humanism declares: liberate men from slavery to things, to the pursuit of profit or servitude to ‘economic necessity’. Liberate man, as a creative being – and he will create, not only new values, but things in super-abundance” (Thompson 1959).

The notion of socialism is not limited to the economic realm, although the economy is seen as important foundation of society. Held (1996: 271) says that a key feature of participatory democracy is the “direct participation of citizens in the regulation of the key institutions of society, including the workplace and local community”. Participatory democracy, the political dimension of socialism, involves the “democratisation of authority structures” (Paternan, 1970: 35) in all decision-making systems, such as government, the workplace, the family, education, housing, etc. “If individuals are to exercise the maximum amount of control over their own lives and environment then authority structures in these areas must be so organised that they can participate in decision making” (Paternan 1970: 43).

Participatory democracy theory uses a wide notion of the political that extends beyond the sphere of government into the economy and culture. “Spheres such as industry should be seen as political systems in their own right” (Paternan 1970: 43). So on the one hand, socialism in its economic dimension is a system “within which the means of production are socially owned” and in which on the other hand in general “the allocation and use of resources for different social purposes is accomplished through the exercise of what can be termed ‘social power”, which is “power rooted in the capacity to mobilise people for cooperative, voluntary collective actions of various sorts” (Wright 2010: 121).

Table 1 summarizes some main differences between liberalism and socialism.

<table>
<thead>
<tr>
<th></th>
<th>Liberalism</th>
<th>Socialism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic value</td>
<td>Freedom</td>
<td>Equality</td>
</tr>
<tr>
<td>View of society</td>
<td>Individualism</td>
<td>Sociality, solidarity</td>
</tr>
<tr>
<td>Economy</td>
<td>Private property</td>
<td>Collective ownership</td>
</tr>
<tr>
<td>Source of wealth</td>
<td>Capital</td>
<td>Co-operation of creative human beings</td>
</tr>
<tr>
<td></td>
<td></td>
<td>freed from exploitation</td>
</tr>
<tr>
<td>State and politics</td>
<td>Private affairs are not</td>
<td>Grassroots democracy</td>
</tr>
<tr>
<td></td>
<td>controlled by the state</td>
<td></td>
</tr>
<tr>
<td>Culture</td>
<td>Plurality of interests and</td>
<td>Universal rights and interests</td>
</tr>
<tr>
<td></td>
<td>worldviews</td>
<td></td>
</tr>
<tr>
<td>Political struggle</td>
<td>Regulating state</td>
<td>Capital interests, exploitation, capitalist</td>
</tr>
<tr>
<td>against:</td>
<td></td>
<td>state, ideology</td>
</tr>
</tbody>
</table>

Table 1: Differences between liberalism and socialism
How does WikiLeaks relate to political worldviews? In order to answer this question, it is best to analyse WikiLeaks self-description with the help of critical discourse analysis. One principle of critical discourse analysis is applied: focus analysis (van Dijk 2011: 398) Focus analysis assesses how, and to what extent, focus (special stress) is given to certain topics and how these topics are predicated. Until December 3 2010, WikiLeaks was accessible on the website wikileaks.org. On the same day, the domain service provider EveryDNS cancelled WikiLeaks’ URL. With the help of the Pirate Party Switzerland, WikiLeaks moved its official site to wikileaks.ch. The old and the new site have different mission statements (wikileaks.org: WikiLeaks 2010, wikileaks.ch: WikiLeaks 2011). These mission statements express the self-understanding and self-definition of WikiLeaks and are therefore suited for critical discourse analysis. The content of these self-definitions is related to liberal and socialist political worldviews both in a quantitative and a qualitative way.

I numbered each paragraph in the two WikiLeaks’ self-definition. For each paragraph, I classified, which topics are discussed, which resulted in a category system consisting of seven topics. Table 2 shows the total number of occurrences of each topic in the two documents and the corresponding paragraph numbers.

<table>
<thead>
<tr>
<th>Category</th>
<th>Total number (paragraphs in WikiLeaks’ self-definition 1)</th>
<th>Total number (paragraphs in WikiLeaks’ self-definition 2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whistleblowing, leaking documents</td>
<td>10 (1, 11, 12, 30, 36, 37, 42, 45, 46, 47)</td>
<td>6 (5, 6, 13, 22, 28, 32)</td>
</tr>
<tr>
<td>Making government transparent, watching governments, open government</td>
<td>22 (2, 3, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18, 19, 20, 21, 28, 29, 55, 56, 60)</td>
<td>16 (8, 9, 10, 11, 23, 24, 25, 26, 27, 29, 30, 31, 33, 37, 44, 45)</td>
</tr>
<tr>
<td>Explanation of technology</td>
<td>8 (10, 33, 38, 39, 40, 41, 43, 44)</td>
<td>2 (2, 17)</td>
</tr>
<tr>
<td>Making corporate power transparent</td>
<td>11 (13, 15, 16, 17, 20, 22, 23, 24, 25, 26, 27)</td>
<td>11 (8, 11, 30, 31, 33, 38, 39, 40, 41, 42, 43)</td>
</tr>
<tr>
<td>Free speech</td>
<td>10 (19, 20, 31, 32, 34, 35, 43, 49, 50, 51)</td>
<td>10 (3, 7, 18, 19, 20, 21, 32, 34, 35, 36)</td>
</tr>
<tr>
<td>Journalism</td>
<td>3 (48, 52, 53)</td>
<td>7 (1, 4, 8, 12, 13, 14, 16)</td>
</tr>
<tr>
<td>WikiLeaks organisation</td>
<td>6 (54, 55, 56, 57, 58, 59)</td>
<td>3 (2, 9, 15)</td>
</tr>
</tbody>
</table>

Table 2: Results of a quantitative analysis of topics occurring in WikiLeaks two self-understandings (data source: WikiLeaks 2010, 2011)
The analysis shows that the most important element in both self-definitions of WikiLeaks is that by document leaking, it wants to make government power transparent, watch governments and advance the establishment of open governments. Making corporate power visible is a secondary topic. There are only 11 paragraphs that discuss this topic in both WikiLeaks’ self-understandings opposed to 22 respectively, 16 paragraphs that discuss government transparency. In the first self-definition, the word government is mentioned 41 times, in the second 36 times (WikiLeaks 2010; 2011). In the first, company/companies is mentioned one time, in the second three times and corporate/corporation(s) 17 times in the first and 21 times in the second (WikiLeaks 2010; 2011). WikiLeaks (2011: 22) provides a list of its most important leaks: 29 (63%) leaks concern governments, 13 (28%) companies and banks and 4 (9%) religion. This circumstance confirms that WikiLeaks gives more weight to politics than to political economy and ideology.

WikiLeaks defines itself in its self-description as first of all a liberal project that protects freedom of speech and tries to strengthen democracy by making government corruption visible. In the second paragraph of the first self-definition, WikiLeaks defines itself purely in relation to government leaking, not corporate leaking: “We believe that transparency in government activities leads to reduced corruption, better government and stronger democracies” (WikiLeaks 2010: 2). In defining itself as WikiLeaks does as “a global group of people with long standing dedication to the idea of improved transparency in institutions, especially government” (WikiLeaks 2010: 55), WikiLeaks places an emphasis on governments. The problem of the WikiLeaks’ self-descriptions is the strong focus on documenting government corruption, whereas documenting corporate irresponsibility and corporate crimes seems to be a subordinated goal. This creates the impression that corrupt governments are the main problem of our world and that corrupt, exploitative and criminal corporations are less problematic.

In addition, the liberal values of freedom and plurality are frequently invoked, for example when WikiLeaks says that governments that conceal information from citizens violate freedom in general, and freedom of speech and the freedom of the press to be unrestrained (WikiLeaks 2010: 18, 19, 21). WikiLeaks sees itself as working for the “defense of freedom of speech and media publishing” (WikiLeaks 2011: 3) and refers in this context to the Universal Declaration of Human Rights (ibid.) and Thomas Jefferson (WikiLeaks 2011: 16). WikiLeaks’ self-definition has a liberal bias because it sees big governments as the main problem, which reflects the liberal tendency to never trust governments and has a strong focus on the liberal core value of freedom (WikiLeaks is defined as a freedom of speech and freedom of information project) and the value of information plurality.

WikiLeaks mentions as one of its goals to promote “good governance”: “Open government answers injustice rather than causing it. Open government exposes and undoes corruption. Open governance is the most effective method of promoting good governance” (WikiLeaks 2010: 13). The concept of “good governance” has been employed by the International Monetary Fund (IMF) for describing conditions indebted and poor countries have to fulfill in order to get an IMF loan. These conditions include on the one hand the commitment of the debtor countries to fight corruption and on the other hand “improving the management of public resources through reforms covering public sector institutions” and “supporting the development and maintenance of a transparent and stable economic and regulatory environment conducive to efficient private sector activities” (IMF 1997). This means that the concept of good governance is an expression of neoliberal international politics that aim at deregulating, liberalising and privatising the public sector, cutting state budgets for education, welfare, social security and health care in
poor countries and opening investment opportunities for western companies that transfer wealth and profit created in poor countries back to the west.

David Harvey (2007) gives examples of how IMF austerity programs have resulted in the increase in poverty and inequality and argues that the management and manipulation of crises by the IMF and other institutions results in the “deliberative redistribution of wealth from poor countries to the rich” (Harvey 2007: 162) and is an expression of neoliberal accumulation by dispossession. Good governance is a measure for orienting the state on “conditions for economic expansion” (Jessop 2002: 267). Given the fact that WikiLeaks to a certain degree is concerned about the negative effects of corporate power (WikiLeaks 2010: 22-27; WikiLeaks 2011: 29-43), it is surprising and self-contradictory that it employs the neoliberally-connoted notion of “good governance” in its self-definition.

WikiLeaks does not ignore the importance of criticising and watching of corporate power in its mission statements, but subordinates it to government watching. Corporate power is frequently relegated to one form of corruption among others: “WikiLeaks may be at the heart of another global revolution – in better accountability by governments and other institutions” (WikiLeaks 2010: 60). Leaking affects “authoritarian governments, oppressive institutions and corrupt corporations” (WikiLeaks 2010: 17, 2011, 33). One can not only observe here that governments are always mentioned first, but also a strange separation that implies that corporations are not necessarily oppressive institutions, but only in those cases where they are corrupt.

The problem of WikiLeaks’ self-understanding is that it idealises freedom of speech and information and liberal values and separates corporate domination from state domination. The very liberal values that WikiLeaks embraces (freedom of speech, freedom from government intervention, freedom of information) have in modern society never been realised because markets and capitalism privilege corporations that tend to dominate public expression and opinion by privately controlling large parts of the means of expression, information and speech. Liberal values are their own immanent critique because they have never been realised in capitalism and are contradicted by liberalism’s emphasis on private property rights.

Jürgen Habermas has stressed – in this context – that the liberal public sphere limits its own value of freedom of speech and public opinion because citizens in capitalism do not have same formal education and material resources for participating in public sphere (Habermas 1991: 227) and that it limits its own value of freedom of association and assembly because big political and economic organisations “enjoy an oligopoly of the publicistically [sic] effective and politically relevant formation of assemblies and associations” (Habermas 1991: 228).

The non-transparency of power that WikiLeaks criticises is not external to liberal values, but is an integral part of liberal-capitalist regimes. Corporate power and the support of corporate power by the capitalist state is kept secret in order to maintain and expand capitalist rule, it is legitimised by liberal values such as privacy and private property. Corporate domination and state domination are not separated in modern societies, but are connected. Contemporary states support corporate rules by protecting private property, enforcing neoliberal policies and fighting wars that install a global new imperialist rule (Fuchs 2010b; Fuchs c, 2011; Harvey 2005). WikiLeaks has a liberal bias, it argues for liberal values and thereby ignores that liberalism is a core cause of the phenomena WikiLeaks questions. The question that will therefore be covered in the next section is if WikiLeaks has the potential to act as a socialist alternative medium.
WikiLeaks, journalism and alternative media

McQuail (2010: 561) defines a journalist as a person, who creates “informational reports of recent or current events of interest to the public”. In an earlier version of the same book, McQuail (2000: 340) defined journalism as “paid writing (and the audiovisual equivalent) for public media with reference to actual and ongoing events of public relevance”, which led Harcup (2009: 3) to ask: “Can journalism never be unpaid?.”

McQuail’s shift towards a more general definition of the journalist may reflect the rise of phenomena like political blogging, participatory journalism (Deuze 2010), grassroots journalism (Gillmor 2006), citizen journalism (Allan 2010; Bruns 2008), alternative online journalism (Atton 2009; 2010) and radical online journalism, which “questions taken-for-granted forms of doing journalism” (Atton 2004: 60) and provides news are created by those affected by power.

The question “who is a journalist?” remains contested, with on the one hand traditional scholars arguing that journalists are professionals that “are hired to make profits by selling their products. This has always been the case throughout the development of the profession” (Donsbach 2010: 39). On the other hand, there are observers saying that “participatory journalism is any kind of news work at the hands of professionals and amateurs, of journalists and citizens, and of users and producers benchmarked by what Benkler calls commons-based peer production” (Deuze 2010: 271). Notwithstanding this discussion, there seems to be a general consensus that at the most basic level the definition of journalism has to include a focus on “finding things out, then telling people about them via newspapers, radio, television or the Internet” (Kinsey 2005: 124). If an important aspect of journalism is the systematic creation, publishing and provision of news stories, then the question arises if WikiLeaks is a journalistic project.

The question of whether WikiLeaks is a journalistic medium has been of practical relevance in Sweden. Chapter 2 of the Swedish constitutional Law on Freedom of Expression (Yttrandefrihetsgrundlagen) guarantees the right to anonymity of journalistic sources. Public authorities and others are not allowed to inquire such sources, breaching this regulation can be fined and punished with imprisonment of up to one year. The Personal Data Act (Personuppgiftslagen) does not apply to journalistic media, which means that it is easier for such media to reveal information that is of public interest about humans without violating integrity/privacy rights. Journalistic production is exempted from the Personal Data Act, privacy rights are in these cases overruled by the Freedom of the Press Act and the Fundamental Law on Freedom of Expression. This means that if WikiLeaks is recognised as a journalistic medium in Sweden, it is hard for it to be censored and controlled and it is strongly protected by the laws of freedom of expression. In order to be guaranteed these constitutional rights, a website has to obtain a certificate of publication (utgivningsbevis) by the Authority for Radio and TV (Myndigheten för radio och TV). For example, the conditions are that the site can only be changed by the editors, is a coherent product, a connection to Sweden and has a competent publisher (Myndigheten för radio och TV: 2011). WikiLeaks’ servers are based in Sweden, but it did not apply for a certificate of publication until August 2010.

In the first version of its self-understanding, WikiLeaks defined itself as a public service that is designed to protect journalists, whistleblowers and activists (WikiLeaks 2010: 1) and as “an excellent source for journalists” (2010: 48). In its revised self-understanding, WikiLeaks (2011) defines itself as journalistic medium, which reflects the discussions about constitutional protections for WikiLeaks. The revised self-understanding already in the first paragraph points towards WikiLeaks journalistic qualities: “Our goal is to bring important news and information to
the public. We provide an innovative, secure and anonymous way for sources to leak information to our journalists (our electronic drop box)” (WikiLeaks 2011: 1). WikiLeaks furthermore says that it is a “media outlet [...] conducting investigative journalism” (WikiLeaks 2011: 4) and an “inquisitive journalistic” medium (WikiLeaks 2011: 8) that “has provided a new model of journalism” and like “a wire service [...] reports stories that are often picked up by other media outlets” (WikiLeaks 2011: 12). Leaked document summaries are interpreted as news (WikiLeaks 2011: 52f).

The difference between WikiLeaks two self-definitions is that the second one defines WikiLeaks no longer as source for journalists, but as a new form of journalism that is comparable to a news agency. The number of references to journalism is larger in the second document (see table 1) and the definition of WikiLeaks as a form of journalism is the starting point and focus of the first section of the self-definition, which shows the relevance of this question for WikiLeaks.

The Iceland-based company, the Sunshine Press, operates WikiLeaks. Its servers are based in Sweden. WikiLeaks provides content to the public and creates summaries as news stories. It can therefore be considered to satisfy the broad consensus definition of journalism as the systematic creation, publishing and provision of news stories. Swedish law requires professionalism for recognition of a website as journalistic medium that holds constitutional protections. Given the circumstance that Julian Assange acts as chief editor of WikiLeaks, and that WikiLeaks is operated by an organisation, a professional organisation is a given. That this organisation has a non-profit character is no limit, but rather enhances WikiLeaks’ autonomy from corporate and political influences. WikiLeaks also has a Swedish context (required for the Swedish utgivningsbevis) because its servers are based in Sweden. Servers are the crucial material backbones of online media, so an important Swedish context of WikiLeaks is given. It therefore seems that all conditions that are required so that WikiLeaks could obtain a Swedish utgivningsbevis are satisfied.

WikiLeaks is a form of journalism that can best be characterised as watchdog journalism. Watchdog journalists are interventionist by advocating the interests of disadvantaged groups, are critical of power and tend to define their activities and goals in terms of the public interest instead of market interests (Hanitzsch 2007). Deuze (2005) argues that journalism is an ideology that is characterised by five elements that without a doubt can also be found in the self-understanding of WikiLeaks: public service, objectivity, autonomy from power, immediacy/actuality, ethics. Deuze (2003) sees alternative online media as a form of online journalism that questions mainstream news media making.

Christian Christensen (2010) makes three observations about WikiLeaks:

- WikiLeaks’ editorial control gives it a certain power that distinguishes it from other social media.
- National laws and contexts are important for protecting whistleblowing.
- The circumstance that the Afghan Diaries became so well-known was due to the circumstance that WikiLeaks released them first to the The Guardian, The New York Times and Der Spiegel, which would show that the death of journalism-hypothesis is wrong, “that mainstream journalism still holds a good deal of power”, that these three mainstream media were “professionally, organisationally and economically prepared for the job of decoding and distributing the material provided” and that “WikiLeaks has reminded us that structure, boundaries, laws and reputation still matter” (Christensen 2010).
While I fully agree with the first two observations, I am critical of Christian Christensen’s third point because it sounds too much like a celebration of the power of mainstream media.

Yes, mainstream media like The Guardian, The New York Times and Der Spiegel have the economic, reputational and political power to reach the public, whereas an alternative medium like WikiLeaks is less likely to be recognised, read and mastered by the everyday citizens. It is no surprise, but rather a reflection of the political economy of the media in capitalism, that on the one hand the The New York Times is ranked 88 in the list of the world’s most accessed websites, Spiegel Online 143, The Guardian 168, and on the other hand WikiLeaks is much less accessed and known and ranks only 28,167th (Alexa.com 2011). The power of mainstream media is not to be celebrated, but should rather make us worry. Mainstream media are prone to pressures by advertisers, companies, lobbyists and governments that can result in filtered, censored news that are uncritical and exclude critical voices. It is no surprise that The New York Times reported that there was US government pressure not to release news about the Afghanistan Diaries (The war logs articles, New York Times July 25, 2010). It is desirable that alternative media like WikiLeaks do not have to rely on corporate channels in order to reach the public, but have the power and visibility to directly reach a mass public. The unequal media and communication power structures characteristic of the capitalist media system make this difficult and thereby create the risk that leaked documents published by WikiLeaks will be censored, distorted or ignored. Changing this situation requires to give more economic-political- and attention-power to alternative media.

Is WikiLeaks an alternative medium? Alternative media can on the one hand be defined as self-organised journalistic production projects and on the other hand as journalistic projects that voice non-mainstream views (Fuchs 2010a; Sandoval & Fuchs 2010; Sandoval 2009). Five main differences between mainstream media and alternative media can be identified (see table 3). According to Fuchs and Sandoval (Fuchs 2010a; Sandoval & Fuchs 2010; Sandoval 2009), the most relevant dimension for speaking of an alternative medium is critical content. They therefore speak of alternative media as critical media.

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Capitalist Mass Media</th>
<th>Alternative Media</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journalistic Production</td>
<td>Elite journalism</td>
<td>Citizens’ journalism</td>
</tr>
<tr>
<td>Media Product Structures</td>
<td>Ideological Form and Content</td>
<td>Critical Form and Content</td>
</tr>
<tr>
<td>Organisational media Structures</td>
<td>Hierarchical media organisations</td>
<td>Grassroots media organisations</td>
</tr>
<tr>
<td>Distribution structures</td>
<td>Marketing and public relations</td>
<td>Alternative distribution</td>
</tr>
<tr>
<td>Reception practices</td>
<td>Manipulative reception</td>
<td>Critical reception</td>
</tr>
</tbody>
</table>

Table 3: Potential dimensions of traditional and alternative media (Fuchs 2010a)
Critical media, according to this perspective, provide oppositional content that are alternatives to dominant repressive heteronomous perspectives that reflect the rule of capital, patriarchy, racism, sexism, nationalism and so on. Such content expresses oppositional standpoints that question all forms of heteronomy and domination. So there is counter-information and counter-hegemony that includes the voices of the excluded, oppressed, dominated, enslaved, estranged, exploited, dominated. One goal is to give voices to the voiceless, media power to the powerless as well as to transcend filtering and censorship of information by corporate information monopolies, state monopolies, or cultural monopolies in public information and communication. In order to judge if WikiLeaks is a critical medium, the extent to which it questions contemporary forms of domination and exploitation must be analysed: that is, to what extent it reflects that which in section 3 has been characterised as a socialist worldview.

Section 3 showed that WikiLeaks’ goals have a liberal bias, which does not automatically mean that its practices are completely alien to socialism. WikiLeaks’ self-understandings have a section that is devoted to corporate power and corporate corruption (WikiLeaks 2010: 22-27; WikiLeaks 2011: 38-43): WikiLeaks posits the criticism that large corporations have tremendous economic and political power. It makes eleven points about what is problematic about corporate power (WikiLeaks 2010: 24; 2011: 40). These points can be summarised as focusing on the following topics: corporations have centralised decision making power, they provide no civil rights for employees (no freedom of speech and association, human rights are limited, no privacy, permanent surveillance) and their economy is centrally planned. These are good points that are certainly elements of a socialist worldview, but one important criticism of corporations is missing: that they are centrally owned by a class of private owners who exploit the labour power of workers and employees in order to accumulate profit that is their private property. Questions concerning class and exploitation are left out. One gets the impression that WikiLeaks sees companies as just another form of oppressive government and reduces corporations to government mechanisms. The difference, is, however that companies not only oppress, they, in contrast to governments, have the general feature of exploiting labour power.

Another problem is the assumption that it is possible to civilise corporations: “WikiLeaks endeavours to civilise corporations by exposing uncivil plans and behaviour. Just like a country, a corrupt or unethical corporation is a menace to all inside and outside it” (WikiLeaks 2010: 27). “Corporations will behave more ethically if the world is watching closely” (WikiLeaks 2011: 43).

One can daily hear stories about corporate irresponsibility: for example, that British Petroleum was responsible for one of the world’s worst ecological disasters in the Gulf of Mexico. Others are constantly in the news such as stories that iPods and iPads are produced in China under inhumane conditions by workers who commit suicide because they cannot stand the working conditions, and so on. There are daily stories about child labour, precarious labour conditions etc.

The problem is that such a multitude of stories, and WikiLeaks here is no exception and directly admits this in its self-description, makes us believe that corporate irresponsibility and corporate crimes against humanity are the exception rather than the rule and can therefore be fixed within capitalism by “civilising corporations”. But what if corporations are uncivilised as such, if their behaviour is always exploitative and irresponsible? Then capitalism and corporations cannot be civilised and made ethical, and exposing uncivil plans and behaviour should be aimed at transforming and civilising the whole.
But what is a corporation? A machine-like organisation that accumulates capital by exploiting workers who create surplus value that is transformed into profit. Exploitation is always uncivilised and acts to degrade humans to an inhumane status. Therefore, corporations cannot be civilised and can never act ethically. In order to civilise society, corporatism and all other forms of domination need to be abolished. In its new mission statement, WikiLeaks (2011) abolished the passage about civilising corporations, which could be an indication that it has changed its political assessment of capitalism.

WikiLeaks can be seen as an alternative media project: it tries to provide information that uncovers the misuse of power by powerful actors; it is an Internet-based medium that enables critiques of power structures. It is however, thus far only to a limited extent a critical project because it seems to aim at reforming and not abolishing structures of exploitation and domination, underestimating the exploitative character of corporate power. It therefore falls short of aiming at the categorical imperative of criticism - to help overthrow all relations that alienate them from their human essence by exploiting and oppressing them. WikiLeaks has however a potential to become not only an alternative medium that watches power abuse, but a critical medium that helps and aims at overcoming structures of domination. This requires it to overcome its liberal bias by changing its self-understanding and to embrace more engagement in the practice of corporate watching currently subordinated to government watching.

Conclusion

Following the leak of the Afghanistan documents, US government representatives and conservative commentators heavily criticised WikiLeaks and Julian Assange. US National Security Adviser General James Jones said that WikiLeaks “could put the lives of Americans and our partners at risk, and threaten our national security” (America.gov 2010). Mike Mullen, chairman of the Joint Chiefs of Staff, commented that WikiLeaks “might already have on their hands the blood of some young soldier or that of an Afghan family” (The New York Times, 2011). Marc Thiessen, a former speech writer for George W. Bush, argued in The Washington Post that WikiLeaks “is a criminal enterprise”, constitutes “material support for terrorism”, and that the “Web site must be shut down and prevented from releasing more documents – and its leadership brought to justice” (The Washington Post 2010) Former Republican Vice Presidential candidate Sarah Palin said that Assange

is an anti-American operative with blood on his hands. His past posting of classified documents revealed the identity of more than 100 Afghan sources to the Taliban. Why was he not pursued with the same urgency we pursue Al Qaeda and Taliban leaders?” (Alternet.org 2011).

Such statements strongly twist reality. They are ideology at its purest. War is always about killing the enemy. In Afghanistan, US soldiers and their allies kill military enemies and, as is known, (not only since the WikiLeaks documents), this has also resulted in numerous civilian casualties, and Al-Qaeda and Taliban fighters kill US and allied soldiers as well as Afghan civilians by suicide attacks. This double-sided violence has created a spiral of attacks and counter-attacks that sadly has caused many casualties. The materials published by WikiLeaks that document violence, do not cause violence. Rather, violence is caused by the military conflicts in Afghanistan and Iraq. One gets the impression that US politicians think that military violence does not exist if it is unknown. One is reminded here of the US coverage of anti-Iraq war protests
in many US mainstream media, where the protesters were described with terms such as anarchists, violent mob, vandals, rioters, mayhem, chaos, aggressive and so on and the impression was invoked that the main violent problem is not the war itself, but those protesting against the war (Fuchs 2005).

The truth about WikiLeaks’ Afghanistan documents is that the platform has the potential to make visible the scale of brutality, violence, and horror of warfare and military conflicts. These and subsequent leaks about the US government and other powerful institutions has resulted in the circumstance that WikiLeaks is perceived by ruling groups as a threat and defined as an enemy. It is therefore no surprise that following ‘Cablegate’, in December 2010, EveryDNS cancelled WikiLeaks’ domain and Amazon, PayPal, the Swiss bank PostFinance, MasterCard, Visa, Apple and the Bank of America stopped the provision of payment-and other services to WikiLeaks. WikiLeaks’ counter-power against dominant powers was answered by the latter powers’ turning against WikiLeaks itself.

WikiLeaks is not politically value-free and not neutral in its operations. No journalist and no medium is neutral, but rather is always politically biased because how issues and events are reported, what is not reported, which priority is given to certain stories, which quotation by which person is mentioned first in a story, how often a certain opinion is mentioned in a story, how advertising and funding influences the basic framework of a medium, are all political biases. Therefore, the publication of the Iraq and Afghanistan documents on WikiLeaks is certainly a political move intended to help put an end to the US invasion of Iraq and Afghanistan. It is political in the same sense that any news article carries political messages, interests, and intentions. But in contrast to mainstream news, it is politically honest when Julian Assange talks openly about his anti-war motivations:

This material shines light on the everyday brutality and squalor of war. The archive will change public opinion and it will change the opinion of people in positions of political and diplomatic influence. [...] There is a mood to end the war in Afghanistan. This information won’t do it alone, but it will shift political will in a significant manner. [...] The most dangerous men are those who are in charge of war. And they need to be stopped (Spiegel 2010).

Political honesty is a virtue that many politicians and newsmakers are all too often missing. The wars in Afghanistan and Iraq not only help to secure the United States’ global political hegemony, they also secure the access to economic resources and markets and are therefore expressions of the new imperialism. These wars are examples of how the violence of the political economy of capitalism works. WikiLeaks however does not realise in its self-understanding that these wars and contemporary power structures in general are not matters of bad governance, but of the imperialistic intersection of state, corporate and military interests. WikiLeaks threatens the imperialist military-state-corporate complex and should therefore better realise and acknowledge its own critical potential.

To uncover and document such realities is uncomfortable for those powerful actors, who want to twist reality by making what really happened in the daily reality of war, corporate crime, and corporate and government corruption, unknown. WikiLeaks is a project that makes unknown reality known, it transforms that which is kept secret and invisible by governments and corporations into visible reality. WikiLeaks can be seen as an alternative media project: it tries to provide information that uncovers the misuse of power by powerful actors, it is an Internet-based medium that enables critiques of power structures.
WikiLeaks is a watchdog journalist organisation that wants to make secret asymmetric power transparent and is therefore an alternative media organisation. It is only to a limited extent a critical media organisation because it fails to realise that liberalism is at the very heart of contemporary corporate-, government- and military-domination. Instead of identifying with socialist values like participatory democracy and equality, it identifies itself with liberal values such as plurality, corporate responsibility and good governance.

At the same time, WikiLeaks’ practice poses a threat to the capitalist corporate-military-government complex. WikiLeaks’ practice to a certain degree questions liberal institutions that per se result in the abuse of power, domination and exploitation.

There has been, from the outset, something about its activities that goes way beyond liberal conceptions of the free flow of information. […] The aim of the WikiLeaks revelations was not just to embarrass those in power but to lead us to mobilise ourselves to bring about a different functioning of power that might reach beyond the limits of representative democracy. […] This is precisely our situation today: we face the shameless cynicism of a global order whose agents only imagine that they believe in their ideas of democracy, human rights and so on. Through actions like the WikiLeaks disclosures, the shame – our shame for tolerating such power over us – is made more shameful by being publicized” (Žižek 2011).

The positive potential of WikiLeaks is that it transcends its own values and realises its potential for becoming a critical, socialist watchdog medium. Socialist watchdog projects are not an end-in-itself, but rather self-defence mechanisms in social struggles that aim at the establishment of participatory democracy.

Footnotes

1. Authors’ translation from Spanish: “En cambio, el ciberespacio, poblado de fuentes autónomas de información, es una amenaza decisiva a esa capacidad de silenciar en la que se ha fundado siempre la dominación” (Castells 2011).

References


About the author

Christian Fuchs holds the chair professorship in media and communication studies at Uppsala University’s Department of Informatics and Media. He is author of the books *Internet and Society: Social Theory in the Information Age* (Routledge, 2008, paperback 2010) and *Foundations of Critical Media and Information Studies* (Routledge 2011). Fuchs is also co-editor of Internet and Surveillance. *The Challenges of Web 2.0 and Social Media* (Routledge 2011). He is coordinator of the research project “Social Networking Sites in the Surveillance Society” (2010-2013), which is funded by the Austrian Science Fund FWF.
“Pls Call, Love, Your Wife”: the online response to WikiLeaks’ 9/11 pager messages

Lisa Lynch Department of Journalism, Concordia University, Canada

Abstract

This article explores Twitter and online forum discussions of WikiLeaks’ November 2009 leak of 9/11 pager messages, placing them in the context of ongoing debates about the meaning of 9/11, about online privacy, and about the presentation of online information. I argue that the real-time online response to this leak was articulated according to five primary interpretive frames: an affective frame characterised by a purely emotional response to the messages; a privacy frame which focused on the legal and moral implications of violating the privacy of pagers users; a history frame which saw the messages primarily as an online historical archive; a data frame which focused on the messages as a data set to be aggregated and visualised; and a conspiracy frame which saw them as potential evidence of a 9/11 cover-up. This polysemic response to the 9/11 pager messages, I suggest, stems partly from the way in which 9/11 has been inscribed into cultural memory. At the same time, the response also foreshadows the more recent interpretive conflicts over WikiLeaks’ releases that have led media figures, activists, and scholars to question the effectiveness of the WikiLeaks’ project of provoking reform through the release of classified or suppressed data.

Introduction

In late November of 2009, the transparency activist organisation WikiLeaks released 578,000 textual pager messages dating from September 11, 2001. The pager messages – all from Manhattan or surrounding boroughs – were a combination of routine pages, emergency response activity, and attempts to locate friends, family and colleagues in the wreckage of the Twin Towers. Like most of WikiLeaks’ material, the messages had been illegally obtained and anonymously sent to the site for publication. Unlike prior WikiLeaks releases however, they were published in a manner calculated to draw wide public attention. Departing from their customary practice of uploading a document file to their main site, WikiLeaks created a separate website for the pager leak, 911.WikiLeaks.org. There, a steady stream of messages were published between 3 a.m. on November 25th and 3 a.m. on November 26, with WikiLeaks synchronising release times to the exact moment when the pager messages were first sent.

Over the course of the day, as media outlets took note of the leak, thousands of curious visitors flocked to 911.WikiLeaks.org in order to watch the messages unspool. From the evening before the first message’s publication until late the following day, those who read the pager messages also gathered online to discuss their significance. Using the hashtag #911txts on Twitter, or visiting forums such as Reddit or sites like The Huffington Post, they debated the meaning of the leaks, disseminated what they thought were particularly
important messages, and responded ethically and emotionally to the discovery of publicly available messages from government officials and private citizens caught up in the chaos of 9/11.

This article focuses on this online response. Drawing on a Twitter archive, forum posts and blog comments, I explore how several pre-existing debates — including debates over the meaning of 9/11, over the consequences of online privacy invasion, and over the value of WikiLeaks’ overall project - prompted markedly different responses to the messages. Placed in the context of such debates, the online response to the pager leak can be seen as an illuminating snapshot of public response to 9/11 eight years on. As this article goes to press, the 10th anniversary of the September 11 attacks has provoked fresh interest in how the event has been enshrined in public memory, and this snapshot will hopefully add to that emerging conversation.

My intention however, is not merely to focus on the representation of 9/11, my discussion of the online conversation about the pager leak is equally intended to highlight the difficulty of trying to create consensual meaning about raw data. As I will show, while those who discussed the pager messages on the day of their release largely accepted WikiLeaks’ assertion that the messages were genuine, they disagreed about the interpretation of the pager messages, the messages’ appropriate mode of delivery, and the reason that WikiLeaks had released the messages to the public. Perhaps the most striking of these interpretive disagreements had to do with WikiLeaks’ own motives for releasing the material – though the leak was characterised by WikiLeaks as being of largely historical interest, a portion of the online audience assumed that WikiLeaks had intended the leak to dispute the official story of the 9/11 attacks. This polysemic response to the 9/11 pager messages, I suggest, stems partly from the way in which 9/11 has been inscribed into cultural memory. At the same time, the response also foreshadows the more recent interpretive conflicts over WikiLeaks’ releases that have led media figures, activists, and scholars to question the effectiveness of the WikiLeaks’ project of provoking reform through the release of classified or suppressed data.

Leaking in search of an audience: WikiLeaks and the media before “Collateral Murder”

In April of 2010, American journalists and international correspondents wedged into a crowded press conference in Washington D.C.’s National Press Club, waiting to hear WikiLeaks founder Julian Assange announce a highly anticipated leak of a US military video that his organisation had obtained and decrypted – the so-called “Collateral Murder” video. Though most US and international journalists had scarcely heard of WikiLeaks before that moment, this was about to change.

Over the next few months, the group began to release an unprecedented cache of leaked material pertaining to US military and diplomatic activities, coordinating with an evolving series of media partners including The New York Times, Die Spiegel, The Guardian, and Al Jazeera. Despite friction between Assange and these partners, the relationships resulted in a flood of media coverage of both WikiLeaks’ material and of the organisation’s structure and goals. By the end of 2011, WikiLeaks worked with dozens of media outlets around the world to release US diplomatic cables, while at the same time Assange himself became a media celebrity – in part due to his compelling and articulate persona, but also as a result of accusations of Swedish charges of sexual misconduct that led to house arrest in Britain and
possible extradition. For better or worse, the overwhelming majority of those who became acquainted with WikiLeaks during 2010-2011 learned about the organisation through coverage in the mainstream media.

Given the intense media coverage of WikiLeaks, its releases, and its mercurial founder, it is easy to overlook the fact that between 2006 and 2009 the organisation labored in comparative obscurity. Few mainstream journalists consulted the site regularly, and (aside from a minor media blitz when the site’s US domain was shut by a California judge in 2008) reporters who did tended to focus on the WikiLeaks’ more accessible disclosures, often showing little interest in the organisation responsible for disseminating them. This indifference did not go unnoticed by WikiLeaks: the group sometimes used Twitter to complain about the media’s lack of interest in a particular leak or their unwillingness to cite WikiLeaks as the source of the material.\(^5\) At a December 2008 speech at the annual hacker convention Chaos Communication Congress, Assange disparaged journalists as being unwilling or unable to understand the importance of many leaked documents, nothing that “what you hear about in the media (from WikiLeaks) are items of the greatest salacious interest” (Assange 2008).

Yet, apart from the group’s tactics of giving a heads-up to an occasional reporter, WikiLeaks did not do much on their own to galvanise media interest in their activities – in fact, reporters sometimes had difficulty contacting the organisation for interviews about leaks (Lynch 2009). Given this tendency for WikiLeaks to keep a low profile, the orchestrations around the release of the pager messages marked a distinct shift in method. Though both the effort involved and the subsequent media response remained relatively moderate, the attempt to generate media interest in the pager leak was a first step towards a redefined media strategy designed to attract more attention from legacy media outlets and thus, the public at large.

WikiLeaks’ approach to publicising the pager leaks included outreach to legacy media as well as direct outreach to followers using Twitter as a promotion tool. Though there is no public record of WikiLeaks’ media strategy, media coverage of the leak suggests several media outlets had advance, embargoed access to the material. Wired published an advance piece on the leaks on the magazine’s Threat Level blog, and CBS.com’s computer security columnist Declan McCullagh published a detailed report on the leaks on the morning of the 25. In turn, WikiLeaks linked to the CBS.com story on their Twitter stream, describing it as a “great initial analysis”, and also linked to a The Guardian story written using the Wired piece as a source.

If the increased effort to court legacy media anticipated WikiLeaks’ future media collaborations, their use of Twitter to publicise the pager leak reflected a growing interest in the possibilities of the communications platform that equally foreshadowed the important role Twitter would soon play in the organisation’s day-to-day activities. WikiLeaks had actively maintained a Twitter account since February of 2009, and by the date of the pager leak had acquired 14,500 followers – a fraction of the nearly one million followers they had amassed as of mid-2011, but still a steadily increasing cohort. For the most part, these followers signed on because their interests in computer culture or information freedom had led them independently to WikiLeaks, or because a specific leak had led them to become curious or concerned about the site.\(^6\) A number of journalists had also begun to follow WikiLeaks on Twitter over the course of 2009, but the Twitter feed, like the WikiLeaks site, was not heavily trafficked by the mainstream press.
Prior to the 9/11 pager leak, WikiLeaks had begun to tentatively explore the power of Twitter as a means of routing around traditional media outlets, sending out direct links to their own material and drawing attention to instances when WikiLeaks material was covered by alternative media or in the blogosphere. But the Twitter campaign around the pager messages was the most aggressive promotion WikiLeaks had attempted. Two days before the release, WikiLeaks announced the nature of the leak, tweeting that “3AM Tuesday, NY Time, we will release >500k intercepted 9/11 text msgs live over 24h, synced to their original intercept.” The evening before the leak, WikiLeaks used Twitter to draw attention to the use of a separate website for the event: “WikiLeaks to release over half a million 9/11 intercepts http://911.WikiLeaks.org/” Soon after the website launched, WikiLeaks tweeted that “Live broadcast of half million 9/11 pager intercepts has started http://911.WikiLeaks.org.” As the day progressed, WikiLeaks announced impending “real-time” events from 9/11 in the manner of historical re-enactment: “Plane impact in 1.5 hours, 8:45 EST, #911txts http://911.WikiLeaks.org holding firm.” “WTC south tower will collapse in 1 minute. http://911.WikiLeaks.org.” Over the next few weeks, the group tracked down all media references to the pager leak and tweeted links of the articles.

In addition to using Twitter as a means to announce the pager leak’s arrival, progression and outcome, WikiLeaks capitalised on the ability of Twitter to publicise events by establishing the hashtag #911txts as a platform for discussing the messages. The use of a hashtag was equally novel for WikiLeaks, perhaps partly inspired by a recent case in which a hashtag (#Traffigure) had been used successfully by WikiLeaks and others to protest a British press injunction. In comparison, WikiLeaks was only moderately successful in building critical mass around the #911txts hashtag, in part due to their own method of deployment (the tag was applied inconsistently in their own feed, though 911. WikiLeaks.org directed readers to use it to discuss the material). #911txts did not become one of the day’s most popular, or ‘trending’ hashtags, accumulating just over 1500 tweets over the course of two days. Still, the hashtag consolidated the online conversation, and attracted lurkers who followed the tag adding their own remarks. The resulting traffic created a strong enough Twitter presence to attract further followers to WikiLeaks. On the day following the leak, the organisation’s Twitter follower count jumped by 2000, and on the following day by about 1000 – over a 20 percent increase in followers over the course of two days. Assuming that only a small percentage of those followed the event on Twitter would have been motivated to follow WikiLeaks, this jump in numbers suggests the extent to which Twitter became a forum for discussing the pager messages.

As a primary destination for those actively discussing the 9/11 leaks, the #911txts hashtag can thus be considered a representative sample of public online response to the pager leaks. A coding analysis was performed on approximately 1,500 tweets posted this hashtag from the 24-hour period following the messages’ release. This analysis revealed that those who responded to the pager messages using this hashtag gravitated towards five interpretive frames: first, an affective frame characterised by a purely emotional response to the messages; second, a privacy frame which focused on the legal and moral implications of violating the privacy of pagers users; third, a history frame which saw the messages primarily as a historical archive; fourth, a data frame which focused on the messages as a data set to be aggregated and visualised; and a fifth, a conspiracy frame which saw them as potential evidence of a 9/11 cover-up. In what follows, I expand on each of these framings and provide examples of their manifestation, beginning with the frame shaped by what I argue has been the dominant media narrative of 9/11 over the past decade: the pager messages as a tale of personal tragedy and personal heroism.
Mediating the pager messages: 9/11 as public drama and the affective frame

Media and communications scholars have written extensively about US media coverage of the 9/11 attacks, focusing on the role of such coverage in shaping public understanding of the event, its causes, and its consequences. Much of this analysis has noted the intensely personal nature of 9/11 reporting, not only at the time of the attack, but in anniversary features and in stories that reference the ongoing struggles of victims. In particular, scholars have focused on what Marita Sturken has described as the “compulsive repetition” in the media of some of the more horrific details surrounding the collapse of the Twin Towers (Sturken 2004). This continual reference to the events of 9/11 has been seen as at once cathartic (Kitch 2003; Kaplan 2005), allowing for collective ritual mourning; and manipulative (Kellner 2004; Nacos 2007; Grusins 2004), fostering a sense of continual fear and vigilance in post-9/11 America. As well, the commemorative focus of media coverage has been seen as an implicit valorisation of US domestic and foreign policy: as David Simpson noted in 9/11: The Culture of Commemoration:

The deaths of 9/11… occurred within a culture of commemoration that was already primed to resort to sanctification and personalization in the cause of upholding the image of a flourishing civil society and a providential national destiny… (Simpson 2006: 31).

Even as it appropriates 9/11 as part of the US political imaginary, the persistent foregrounding of the personal drama in the mass media has also depoliticised 9/11 by eliding connections between the event and to the long history of US foreign policy. In The Shock of the News, Brian Monahan (2010) describes this depoliticised coverage as a form of “public drama”. According to Monahan, the emotional nature of the coverage transformed it from a political event into a story of personal loss and heroism, and thus

allowed the dramatic, emotional, theatrical and simplistic representation of this complex and consequential historical moment to influence how political leaders, media officials and others have constructed and used the dominant notions of 9/11 in the years since” (Monahan 2010: 10).

Though Monahan’s work focuses on US coverage of the event, a similar argument has made concerning international coverage of 9/11 that focused on the personal drama of 9/11 victims at the expense of critical assessment of US actions before or after the event (Pludowski et al. 2007).

Over the past decade, media outlets have re-staged the “public drama” of 9/11 not only through replaying news footage from the original event, but through the dramatisation of evidence released afterwards as the result of investigations or legal actions. In 2006, for example, the Fire Department of New York released the 911 calls placed on 9/11 in response to a FOIA request from The New York Times and 9/11 victims’ groups. Though the portions of the calls in which the voices of private citizens could be heard were largely redacted, the calls still contained the attempts of operators to calm their desperate and often dying interlocutors. Media responses to these releases focused in large part on their emotional intensity, using the recordings as a means to revisit the dying moments of 9/11 victims or the heroism of responders. The Washington Post, USA Today and National Public Radio (NPR) embedded audio recordings of particularly dramatic phone calls, including excerpts of a particularly unnerving exchange between Melissa Doi (a 31-year-old systems manager trapped in the World Trade Center) and a 911 operator, in which Doi died while on the phone.
For media audiences listening to these recordings, these harrowing calls facilitated a sense of connection to the drama of 9/11 while reinforcing a reading of the event as a narrative of victimhood and heroism. Intentionally or not, by releasing 9/11 pager messages in a form which suggested historical reenactment, WikiLeaks was similarly participating in the fostering of the public drama around 9/11. Predictably, reportage in The Guardian, BBC, MSNBC and elsewhere focused on republishing messages that related to the personal tragedy of the event; the headline of The Guardian article, in fact, was the pager message “Plane has hit WTC. Pls call, love, your wife” (Pilkington 2009). In the most explicit example of repurposing the messages as public drama, CNN deployed voiceover actors to narrate particularly poignant messages while archive images from the collapse of the Twin Towers played on the screen. Though WikiLeaks described CNN’s video as “somewhat sensationalist”, they were pleased enough by the attention to link to the video on their Twitter stream.

Given this context for their presentation, it is understandable that Twitter users who used the #911txts hashtag to record their observations about the WikiLeaks pager release often described their experiences of the messages in emotional terms, seeing them as an affective extension of the public drama of 9/11. These observers tweeted and re-tweeted messages that gave evidence of personal tragedy, sometimes including their commentary on the feeling that the message provoked as they read it. One observer rebroadcast the pager message “ARE YOU OK? PLEASE EMAIL OR CALL, WHAT FLOOR IS JOSH ON?” and added the comment “it is agonizing to wonder whether they are alright.” Expressions of sadness were common. Some observers experienced this sadness as cathartic: “brought to tears today 2x by @WikiLeaks #9/11txts! Pls hug up your family for Thanksgiving & pray for peace”, while others claimed the messages were making them too sad to continue. “Must stop – making me sad;” one noted; and another wrote “Read through #9111txts until I hit ‘I love you daddy’ and had to stop. Still just a little raw.”

The Twitter conversation about the affective content of the messages was also divided between those who encountered the pager messages in the media or on Twitter, and those who chose to devote a portion of their day to following the time-released messages at 911.WikiLeaks.com. The second group sometimes described their reading of messages throughout the day as a “compulsive” or “obsessive” act: one observer asked, “is anyone else reading obsessively reading the #911txts?” The fact that the leak coincided with the US Thanksgiving holiday meant that for some US observers such compulsive reading competed with holiday activities. One follower noted that he was “reading the 9/11 pages and watching the Lions and the Packers”, suggesting he was unable to stop reading the messages, yet was not sufficiently moved by them to consider pausing the match.

“Creepy voyeurism type thing”: pager messages through the privacy frame

As affective responses to the pager messages accumulated in the #911txts hashtag stream, some who were following the hashtag expressed their discomfort with this mode of engagement. In their ambivalence towards – or outright condemnation of – those who focused on the emotional content of the pager messages, these sceptical observers demonstrated the tension between the affective frame, which seemed to mandate witnessing and shared grieving; and the privacy frame, which recast witnessing as voyeurism. This tension was made explicit in a comment suggesting that reading the pager leaks insulted
the privacy of the dead: “OK seriously I don’t thinking its right to reveal 9/11 text messages. Show some respect. People died.” By framing the messages primarily as privacy violation, observers suggested that affective responses were disrespectful, not empathetic. One tweet noted there was a “creepy voyeurism type thing going on with #911txts: have people nothing better to do?” while another observer claimed that “the whole WikiLeaks #911txts thing is intermittently fascinating but seems a bit like rubbernecking at the site of a terrible accident.”

That the pager messages should spur a heated discussion about online privacy concerns is hardly surprising, given increasing attention to online privacy issues over the past several years. The ability of corporations and government agencies to collect data on private citizens has led to international concern about whether an individual’s “right to privacy” has been significantly eroded in the information age (Jorgenson 2010). Citizen-sponsored privacy initiatives (including those employing cryptographic techniques to resist surveillance), have attempted to reclaim the online space for private activity, but in the period since 9/11 governments have used arguments about the need to fight potential terrorist threat to further encroach on online privacy (Chadwick 2006).

While it might seem that those who rejected an affective response to the 9/11 pager leak were rejecting the dominant media narrative of 9/11 in favour of a new focus on privacy, the fact is that the “public drama” coverage of 9/11 had long been subject to such a challenge, particularly when such coverage involved the releases of personal communications. In the case of the 9/11 phone calls, there was considerable public ambivalence about the aggressiveness with which the *New York Times* pursued the release of the information (Weiss 2006); after the calls were made public, an editorial in *The Wall Street Journal* criticised broadcast media for their coverage of the emotional exchanges, describing the decision to replay these calls a form of “prime-time pornography” (Nacos 2007).

Those who used the hashtag to argue, as one observer commented, that reading the pager messages was “breaching everyone’s privacy”, thus echoed previous critiques of 9/11 media coverage. But privacy advocates sometimes instead framed their comments in terms of a larger conversation about online privacy invasion. For example, observers drew analogies between the pager leak and an incident in 2006, when America Online made public their user database. Though the database had been superficially “anonymised” by AOL, the company failed to realise it was easily to discover information about specific users. One reader of the pager messages noted that “The 9/11 pager intercepts are like the AOL search data dump: a major privacy violation but hard to stop reading.” Another responded that the leaks were “also similar (to the AOL dump) in that it’s a slow motion disaster: A web search 2 years out could turn up evidence of a spouse’s affair, etc.”

Still others who felt that the pager message publication was a privacy violation specifically condemned Wikileaks’ history of publishing private information. As an organisation whose practice of “involuntary transparency” (Lord 2007) regularly involves the publication of material deliberately hidden from public view, Wikileaks had long prompted debate over when and if such exposures were merited. This debate became most heated when releases included private correspondence, such as the leaked personal emails of Sarah Palin in September 2008 and the emails of Holocaust denier David Irving in November 2009. Several commenters in the #911txts stream saw Wikileaks’ actions in releasing the pager messages as a similar, or more egregious, case of crossing the line. One observer noted, “the Wikileaks guys are criminals. Doesn’t anyone see this is a crime?”
Observers who tried to draw attention to the specific privacy issues in the WikiLeaks pager leak – noting, for example, that the page logs contained phone numbers, occasional names, and pager CAP codes – were themselves subject to condemnation by those who felt that the messages should not be looked at all. In place of any specific objections, those who refused to read the messages often gestured instead towards the larger issues behind the leak: “What about the private life in the USA?” “Where’s the outrage over these 9/11 texts? How can anyone not be concerned that this data even exists?”

Such comments reflected the fact that, at least in the US, there was indeed public concern about the privacy implications of leaking the messages, not least because the nature of the leak made WikiLeaks unusually vulnerable to charges of privacy invasion. Perhaps proactively, WikiLeaks asserted that the release of the messages was actually intended to draw attention to privacy vulnerabilities: spokesman Daniel Schmitt claimed the pager data was sent to the group by an anonymous source wishing to raise awareness around issues of privacy and data retention. However, the argument that violating the privacy of those who sent pager messages on 9/11 was aiding the cause of data privacy held little weight with those who found fault with the release. In the days following the leak, WikiLeaks acknowledged that privacy concerns had tainted the conversation about the leaks, remarking defensively on their Twitter feed that “journalists covering 911 pager privacy [should not] shoot the messenger; deal with the big issue.”

“An interesting archive”: the pager messages as historical record

WikiLeaks may not have legitimised their actions in the eyes of privacy advocates by claiming the messages drew attention to privacy violations, but they were more successful in a second strategy of legitimisation: their framing of the messages as historical documents and of the leak as the release of a historical archive. On the landing page of 911.WikiLeaks.org, WikiLeaks described the pager messages as “a significant and completely objective record of the defining moment of our time”, adding that they hoped “its entry into the historical record will lead to a deeper and more nuanced understanding of how this tragedy and its aftermath may have been prevented.” News articles about the pager messages quoted this claim throughout the day, reinforcing WikiLeaks’ suggestion that the messages were primary source material for historians to mine for information.

Describing the messages as an online historical archive, WikiLeaks drew an implicit comparison between the pager messages and other attempts by scholars and curators to create online archives. The push to make historical materials accessible online dates back from the mid-1990s, with the past five years seeing a dramatic increase in efforts to scan primary source material, to archive born-digital material, and to generate “memory repositories” that record stories and collect ephemera connected to specific events. In fact, a major online archive of materials connected to 9/11 is already in place: the September 11 Digital Archive. This collection, comprised of voluntary submissions ranging from government emails to scanned flyers to personal narratives, was created in the months following 9/11 as a partnership between scholarly organisations, granting agencies, and the Smithsonian, and is still in active use by scholars. In early 2011, the Library of Congress allocated funds to permanently house the archive on the Library’s servers.

The URL chosen by WikiLeaks for the pager message archive – 911.WikiLeaks.org – closely resembles that of the September 11 digital archive, which is located at 911.digitalarchive.org. It is hard to tell if this
was a deliberate attempt to borrow legitimacy from the larger, established archive, but the group’s claim that the pager messages had scholarly value was clearly wielded strategically. The ‘historical’ value of the material shifted the focus from leaking to archiving, and served as an additional defence against those who condemned WikiLeaks for violating the privacy of the authors of the pager messages. Framing the material as history also rendered it less political – suggesting that rather than serving as an intervention into present-day debates, the archive was a means for historians and the interested public to gain a “nuanced understanding” of events that had already transpired.

Reflecting WikiLeaks’ own framing and that of media reports, this understanding that the pager messages should be seen as ‘historical’ appears repeatedly in the #911txts twitter archive. The claim that the messages were worthy of scrutiny as historical documents was used to challenge those who called for a boycott of the messages on privacy grounds: shortly after a commenter urged others on Twitter to “show some respect” and ignore the messages, a reader of the messages countered that “WL posting the #911txts has nothing to do with not paying respect to those dead. It is important historical data and we should be thankful.” Another commenter, echoing WikiLeaks’ own language, described the messages as an “amazing objective record of the 9/11 attacks through 24 hours of pager messages.” Other commenters urged “anyone interested in history to have a look”, and noted that the messages were “an interesting archive for historians.”

Other Twitter messages within the #911txts hashtag did not specifically call the messages ‘historical’, but rather presented them as forms of evidence, re-tweeting moments in which the messages documented various events on 9/11, such as the collapse of the North and South Tower, the error messages sent out by financial servers, the first use of the word ‘terrorist’, and the effort to ascertain the safety of the daughters of President Bush, whose code names were apparently Twinkle and Turq. These messages did not have the shock value of the emotionally-laden responses to personal communications from the stream, but rather functioned as a way to re-enact the day from an event-oriented standpoint, creating a timeline of the events surrounding the fall of the Twin Towers. That none of this information was novel did not seem to change what readers perceived as the historical value of the messages: as one tweet noted, “are we going to discover anything interesting? Still a great record of a key moment in recent history anyway.”

Visualising tragedy: the pager messages as data

If those who discussed the pager messages as ‘historical’ information managed to sidestep the charge that reading the messages was a form of voyeurism, another group within the #911txts hashtag stream pushed the detachment even further, taking the messages as a data set to be archived, indexed, searched and visualised. Their efforts to map the WikiLeaks data can be seen in light of an increasing trend towards data visualisation as a means of “making sense” of large data sets in the public realm.12 Using ready-made engines or creating their own ways of revealing patterns in the database, experts and amateurs generated visualisations and indexes of the leaked messages beginning on mid-day on November 25 and throughout the following week. Their efforts included graphs of pager numbers and email addresses (http://onearmedman.com/research/mining911pages), tag clouds, searchable SQL databases (http://keyboardcowboy.ca/911search/), scripts for database import, animations, charts and timelines (http://www.vizworld.com/2009/11/911-pager-data-visualization/).
While the #911txt hashtag was still active, these visualisations were distributed on Twitter by their authors and fans. Programmers also shared technical speculations on the hashtag, such as “wondering how hard it would be to programmatically find all two-factor auth pages” or “instead of quoting single messages, you could do a quantitative corpus linguistic analysis.” As this last comment suggests, the data frame was also embraced by those who wished to anonymise the messages out of privacy concerns. Another commenter called for a search interface that would allow the curious yet privacy-conscious access to the messages: “Is anyone working on an anonymised version of the #911txts so that respectful people can read through without feeling so invasive?”

Though the tweets that embraced the data frame for interpreting the pager message release reflected, on the surface, a purely technical approach to the messages, the data projects which resulted from those working inside the data frame had quite different functions and emotional effect. While some visualisations focused on relatively neutral aspects of the data such as message frequency, others, such as Jeff Clark’s animated “phase burst” visualisation of the 100 most common words used in messages (http://neoformix.com/2009/Sep11PagerData.html), had a far more poignant quality. And while searchable databases worked well for those who saw that data in terms of its historical value, they were also tools used by those searching the messages for evidence of government conspiracy.

“Looking for shenanigans”: the pager messages through a conspiracy frame

Conspiracy narratives about 9/11 – usually involving the complicity of the Bush Administration in the attacks on the Twin Towers and Washington – have continued to play a significant role in the ongoing attempts to “make sense” of 9/11 in the US and elsewhere. For the past decade, what has come to be known as the 9/11 ‘Truth’ movement has persisted both in the US and internationally despite widespread official condemnation and public scorn. Indeed, scholars have argued that the strength of the truth movement reflects a general shift back into a conspiracy mentality in the US, after the ebb of conspiracy thinking at the end of the Cold War (Pratt 2003).

The numbers suggest that 9/11 conspiracy belief is much stronger than media narratives might acknowledge: in the US a 2004 Zogby poll found that half of New York City residents believe that US leaders “knew in advance that attacks were planned before or on September 11, 2001, and they consciously failed to act;” and a 2006 Scripps-Howard Poll revealed that more than one third of Americans believe that is either likely or very likely that the US government either assisted in the September 11 attacks or deliberately wanted them to happen because it wanted to go to war in the Middle East (Knight 2008).

Given the tenacity of the 9/11 truth movement, it was inevitable that the WikiLeaks pager leak would be seen as a possible challenge to the official narrative of 9/11. Beyond being ideal fodder for the 9/11 truth movement, the reading of the pager leak as proof of a government cover-up was also predetermined by the messages’ distribution via WikiLeaks. The organisation’s customary practice – both before and after the 9/11 pager leak – has been to release material intended to have an impact on an ongoing political or financial cover up; for example, documents providing evidence of extrajudicial assassination in Kenya or financial improprieties at banks such as Kaupthing or Julius Baer. Despite WikiLeaks’ own emphasis on
the historical status of the pager leak, a sizable number of those who followed the release assumed that WikiLeaks intended that the pager messages be treated in the same way as the rest of the WikiLeaks archive – namely, as evidence of some sort of wrongdoing. As one observer commented in the #911txts hashtag stream, “the whole point [of the leak] is to look for possible shenanigans.”

If the emergence of the conspiracy frame was predictable, however the way that conspiracy emerged as a topic in the #911txts hashtag was less so. Instead of any actual discussion of conspiracy in the hashtag stream, observers posted bemused speculations about what conspiracy theorists might make of the evidence. Before WikiLeaks had begun releasing the pager messages, one commenter speculated as to whether conspiracy theorists would be “quieted or made louder” by the leak, prompting another to respond that “some will spout off, of that I’m sure.” Soon after the messages began appearing on 911. WikiLeaks.org, an observer commented that the pager messages were “lots of fun reading … conspiracy theories commence”, while others remarked that the messages were “fascinating for conspiracy theorists” and revealed “how rumours and conspiracy theorists started.” Some commenters expressed hostility towards the mere idea that the pager messages might be used as evidence of conspiracy, making statements such as: “911txts (are) pretty interesting stuff…conspiracy theorists can go choke on this, though,” “I would like all the conspiracy theorists to STFU,” and “All the morons looking for conspiracies in the #911txts need to get a freaking life. You guys SUCK.”

Marginalised by such comments, anyone in the #911txts stream interested in promoting the notion of conspiracy did so indirectly, re-tweeting cryptic or suggestive pager messages. These included several messages that claimed that bombs went off in the Twin Towers and at the Pentagon, and one message (eventually the most re-tweeted of all the leaked pager messages) that cryptically declared “STOP! CONNIE RICE PULLED THE PLUG! CIA ADVISED (sic).” There was also one instance of a fake pager message that was not in the original database but was falsely re-tweeted in the hashtag stream in order to suggest that Jews were behind 9/11: “ALL JEWS EVAC MANHATTAN PLAN ZION COMMENCES IN FIVE HOURS.” Real or fake, the pager messages were placed in the hashtag stream without comments as to how they might challenge dominant narratives of 9/11, leaving them open to interpretations outside the frame of conspiracy.

The absence of explicit conspiracy talk within the #911txts hashtag thread did not go unnoticed by those who were following the tag. Concerned that the hashtag had not become popular enough yet to ‘trend’ on Twitter, an observer in the thread asked satirically, “where are all the conspiracy theorists?” In fact, those who had an interest in discussing the conspiracy implications of the pager messages had already gravitated towards online forums including Reddit, The Huffington Post, and the conspiracy sites AboveTopSecret and Prison Planet. At the social-news site Reddit and the Huffington Post, conspiracy theorists sparred with conspiracy debunkers over the possible meaning of the messages. Each site received more than 1,000 responses in their respective discussion threads, meaning that the conversation on these forums was as lively as the conversation on Twitter. On the websites however, even though conspiracy interpretations sparked debate, conspiracy theorists were not ostracised. According to the comments made at The Huffington Post, the very existence of a discussion thread on 9/11 conspiracy was a significant departure from the Post’s policy of deleting comments left by “truthers”. Truthers expressed their gratitude to The Huffington Post for allowing them to have the conversation about the pager leak on that site, and also speculated that the pager messages themselves could bring about broader acceptance for the 9/11 truth movement.
On AboveTopSecret and Prison Planet conversations evolved somewhat differently, as those who participated in discussion threads were less focused on debating whether the messages might demonstrate conspiracy than on how they might do so. In remarks resembling those on the #911txts hashtag, a few posters on these forums expressed ambivalence about the messages, responding to them affectively or expressing privacy concerns. For the most part, however, the emphasis in the conspiracy forums was on finding clues in the messages. At AboveTopSecret, discussion moved between connecting acronyms in various pager messages to the role of the US military in the attacks, and debating the accuracy of messages referring to ‘explosions’ at the World Trade Center and near the Pentagon. For some, these messages affirmed suspicions that bombs were used to bring down the Twin Towers: for others, the misinformation simply reflected the chaos of events.

In the discussion thread on the Prison Planet forum, conspiracy thinking about 9/11 competed with conspiracy thinking about global warming. In the midst of speculations as to the meaning of individual pager messages, an argument arose as to whether the 9/11 pager messages were a decoy intended to distract attention away from the emails of climate scientists leaked by WikiLeaks days before. The ‘Climategate’ emails had been the subject of extended discussion on Prison Planet, as some on the site saw them as proof that global warming was itself a conspiracy. As posters debated which conspiracy should take priority among the ‘researchers’ who participated in the forum, political affiliations threatened to overtake the discussion of conspiracy. One poster described those interested in the climate scientist emails as ‘neocons’ who wanted to shut down discussion of 9/11 for political reasons, asking: “is it possible to not clutter this thread with continued Neo-Con talking points by desperate PNAC members yelling ‘NOOOOOOOO DO NOT LOOK AT THE PAGES!!!!!!!!! NOOOOOOOOOOO DO NOT EXPOSE THE HUNDREDS OF TIMESTAMPED PIECES OF EVIDENCE PROVING BOMBS IN THE BUILDINGS!’”

Another member of the forum attempted to reconcile the two sides, arguing that “both leaks are significant” and that ‘patriots’ needed to “walk and chew gum at the same time (i.e., decipher both sets of data at once). Patriotism, in this framework, referred to the ability to point to understanding structures of power that extended beyond politics.

As the above exchange suggests, conspiracy emerged as the most complex of the interpretive frames used to ascribe meaning to the 9/11 pager texts. Conspiracy theorists were the most attentive to the actual contents of the pager messages: they saw them as important because they might reveal something new about 9/11 that would change the fundamental meaning of the event itself, and thus challenge how 9/11 has been used in the intervening years as a justification for US activity around the world. For truthers, unravelling the mystery behind 9/11 meant mapping out the interconnections between powerful individuals and institutions whose cleverly hidden machinations had left faint trails only they had the tenacity to follow.

In his essay “Good Manners In the Age of WikiLeaks,” Slavoj Zizek suggests that there is a struggle within WikiLeaks between a conspiratorial understanding of the world and a ‘liberal’ understanding in which WikiLeaks is reduced to “a radical case of ‘investigative journalism’” (Zizek 2010). The pager leak exemplifies this tension: even as WikiLeaks itself promoted a frame for the messages that resisted the conspiracy narrative, conspiracy theorists’ attempts to “look for shenanigans” in the material acted in the fashion in which WikiLeaks themselves had encouraged in the past. Assange’s frustration with the appropriation of the pager messages by conspiracy theorists is reflected in an interview with the Belfast Telegraph the following summer. Dismissing the claims of the truth movement, Assange remarked that he
was “constantly annoyed that people are distracted by false conspiracies such as 9/11, when all around we provide evidence of real conspiracies” (Bell 2010).

In the end, however, conspiracy theorists were not long distracted by the pager messages. Online conversation about the messages dwindled within a few days. Stragglers who had missed the messages over the Thanksgiving holidays continued to discover them over the course of the following week, and a few forum posters continued to debate their significance, but little emerged from the efforts of those who tried to decode them for any deeper meaning. The leak faded from public view until the following summer, when researchers used the messages to plot an “emotional timeline” of September 11, showing what range of emotions were present in the pager. The report, popularised in Psychology Today, momentarily reawakened interest in the messages, but also reinforced the media narrative of 9/11 as an emotional experience. In the end, the affective narrative of the pager messages as a facet of the “public drama” of 9/11 lingered longest in public memory.

Conclusion: framing WikiLeaks

About a month after the release of the 9/11 messages, WikiLeaks suspended its online operations. Though publicly they maintained this was in order to concentrate on fundraising, the move offline was also connected to the processing of a data leak that required the full attention of core members of the operation. Assange and others headed to Iceland, where they began work on the de-encryption of a US military video depicting an aerial attack on supposedly unarmed civilians walking down a street in Baghdad. In April, when the organisation released the video, they fundamentally changed their way of working with the media and with leaked material. Advance publicity for the leak – and a well attended press conference – produced a wave of international attention that overshadowed coverage of earlier releases. Like the pager messages, the video was released on a separate WikiLeaks website: this time, however, the website had a far different feel. Instead of discussing the video as a “completely objective account” to be entered into the “historical record”, WikiLeaks chose to frame the leak as a political act, titling the website “Collateral Murder”, editing a version of the footage, and providing contextual information that steered observers towards a predetermined reading of events.

This shift to an activist framework startled WikiLeaks followers familiar with the organisation’s usual manner of presenting source material in a comparatively neutral manner. In an interview on The Colbert Report, Assange defended his choices, arguing that as long as the “full source material” was available for the public to judge independently, the choice of editorialised framing was permissible. But the “Collateral Murder” clip was highly polarising: from that moment onwards, WikiLeaks would be seen as a politically motivated organisation with an interest in challenging US policy – in particular, as Assange himself has asserted, with “stopping two wars” that the US is currently waging in the Middle East. In consequence, WikiLeaks has been the subject of US legal inquiry, their funds have been blocked by US financial companies, and their website has been declared off limits for US military and diplomatic personnel.

WikiLeaks’ release of 9/11 pager messages can be seen as an end and a beginning. The leak marked the end of the early days of WikiLeaks – a time when the organisation’s activities briefly and occasionally became the focus of public attention, but when the organisation itself remained largely unexamined in
terms of its structure, its intention, and its operating practices. It also marked the end of WikiLeaks as an organisation whose politics could be of less interest to its followers than the material it chose to release. At the same time, the pager leak was the beginning of a new WikiLeaks, an organisation that used media savvy and theatrics to gain the broadest possible attention for its source material. In this regard, the new WikiLeaks has been highly successful: the leaks after “Collateral Murder” have been the focus of global attention, and have spurred conversations around the globe about the way in which the United States has conducted itself in what may be the twilight of its days as the self-appointed chief puppeteer of the world’s political and economic theatre.

At the same time, it remains to be seen whether these global conversations will ultimately result in political or social change. Just as pre-existing interpretive frames managed to hijack and distort the conversation about the 9/11 pager leak, the interpretive frames that have guided international understanding of US politics have shaped conversations about recent WikiLeaks releases. Most troublingly, the US military video, the Iraq and Afghan SIGACTS, the diplomatic cables, and especially the Guantanamo dossiers, are often discussed in terms of what WikiLeaks as an organisation has come to stand for. If the “old” WikiLeaks found itself challenged by the polysemic responses to the material it released to the world, the “new” WikiLeaks faces exponentially more challenges, as the organisation wages information warfare across different cultures, different continents, and against different structures of power and governance.

Footnotes

1. The website is now offline; the leaked material can still be found in various torrent streams, including http://thepiratebay.org/torrent/5452454/9_11_tragedy_pager_intercepts_-_WikiLeaks_%5BTxt_-_Csv_-_ENG%5D

2. Twapperkeeper, a hashtag archiving service, was used to collect approximately 1500 tweets on November 24–25. The archive is located online at http://twapperkeeper.com/hashtag/911txts. Unless specifically noted, all Twitter messages cited in this article can be found in this online archive. For the purpose of this article, the messages from this archive will be anonymized, meaning identifying information from the messages (user; date) will not be used in the text.

3. For an extensive discussion of journalists’ relationship with WikiLeaks before the release of the Collateral Murder video, see Lynch, “We’re Going To Crack The World Open.”

4. Several media outlets – The New York Times being the most vocal among them – have disputed the idea that they had ‘partnered’ with WikiLeaks, characterizing their relationship with WikiLeaks as being the same as a relationship with any information source (Hendler 2010).

5. For example, WikiLeaks expressed exasperation with media coverage of Climategate, noting that the organisation was often overlooked as the original source. On November 23, the organisation tweeted “Yes, we were the first to reveal the climate research emails: know the source.”
6. A number of Sarah Palin fans begin to follow WikiLeaks after her personal emails were leaked to the site, and white supremacists began following WikiLeaks after the site leaked a mailing list for the British National Party.

7. All messages from WikiLeaks can be found at http://twitter.com/#!/WikiLeaks

8. After a British court granted a ‘superinjunction’ barring The Guardian from reporting that they had been banned from mentioning an investigation into the illegal dumping practices of Trafigura, the comedian Stephen Fry, The Guardian editor Alan Rusbridger, and WikiLeaks urged their Twitter followers to discuss Trafigura online. Within hours, the superinjunction was withdrawn.


10. In the wake of the pager leak, a US Congressman called for an investigation of WikiLeaks’ activities (that investigation never moved forward, though US criminal investigation of WikiLeaks is now underway for subsequent releases by the site).


14. For a discussion of the rise of online archives and the “digital humanities” movement, see Svenson 2010. A discussion of the idea of the online “memory repository” can be found in Jesiek and Hunsinger, 2010.

15. The 9/11 pager messages were the first WikiLeaks “data dump” to be visualized in this manner: over the summer of 2010, the release of SIGACTS connected to the wars in Iraq and Afghanistan spurred another series of data visualizations, including several from the Guardian and other WikiLeaks media partners.

16. The discussion is archived at http://www.reddit.com/r/reddit.com/comments/a7xpt/conspiracy_theories commence WikiLeaks_to_release/


18. The discussion is archived at http://forum.prisonplanet.com/index.php?action=printpage;topic=145873.0
19. The discussion is archived at http://www.abovetopsecret.com/forum/thread521939/pg1

20. ‘PNAC’ here refers to the Project For The New American Century, a conservative think tank (1997-2006) that has long been of interest to conspiracy theorists.


References


http://digitalhumanities.org/dhq/vol/4/1/000080/000080.html


About the Author

Dr. Lisa Lynch is an Assistant Professor of Journalism at Concordia University, Montreal, Québec, Canada. She has published and worked on WikiLeaks for several years.
Propaganda and the Ethics of WikiLeaks

Randal Marlin Carleton University, Canada

Abstract

Much concern has been expressed about the political power wielded by WikiLeaks, an organization devoted to challenging established power by providing a safe, anonymous conduit for whistleblowers. Some view this organization as treasonous, or in violation of laws prohibiting espionage, and have called for the assassination of its founder, Julian Assange. This paper sketches some of the different ethical parameters and nodal points involved in the WikiLeaks phenomenon: the anonymous leakers, the WikiLeaks organization, the mass media outlets favoured by WikiLeaks, the general public, and possible political and legal responses to the leakages. The issue connects with some familiar ethical questions: the newspaper publisher’s treatment of leaks from anonymous sources, the ethics of (non-anonymous) whistle-blowing, the ethics of violating secrecy, and the ethics of propaganda use.

I review Margaret Somerville’s arguments leading to her conclusion that WikiLeaks are on the whole a bad thing. I argue, making use of historical examples, that she doesn’t take sufficiently into account the potential for good from WikiLeaks, particularly in the light of an increasingly propagandized society where truth is obscured by muzzling government or corporate officials, discouraging investigative reporting, and making use of sophisticated public relations techniques to condition the public mind. I conclude that WikiLeaks could well be a good thing, but the potential could be undermined by irresponsible behaviour by the operators. Its effectiveness could also be undermined by pseudo-leakages or other ways of discrediting the personnel and operations of WikiLeaks.

Introduction: the ethical parameters

Much has been written recently about the ethics of WikiLeaks, the mechanism devised by Julian Assange and others whereby those with access to secret government or corporate documents (legitimately or through hacking), are provided with the means for exposing them anonymously on the internet. Whereas whistleblowers in the past might have contemplated exposing government or corporate wrongdoing, their own careers usually suffered, sometimes terminating abruptly. With anonymity, this strong deterrent to whistle blowing is removed. The benefits from enabling timely exposure of official deceptions can be enormous, such as avoidance of a costly and ill-fated war. Daniel Ellsberg, who leaked official documents that contradicted the optimistic claims from US military leaders about progress in the Vietnam War, wishes he had done so earlier to greater effect. Not surprisingly, he has expressed support for the WikiLeaks exposures alleged to have been provided by Private Bradley Manning.

Proper assessment of the ethics of WikiLeaks requires us to move beyond a single perspective looking only at the positive effects. What is the possible harm from WikiLeaks? What other ethical parameters come into play?
besides calculation of probable outcomes in each individual case? A wide array of ethical concerns arises from the fact that different elements connect the initiating leaker to the general public. When Daniel Ellsberg went to The New York Times and other media with his Pentagon Papers he was an identifiable source.

By contrast, selected media to which Assange’s organisation passed on voluminous secret communications, were not in direct contact with the leaker. This makes it difficult or impossible for the publisher to suggest to readers possible motivations for the leak, which in turn could have bearing on the truth or proper interpretation of the leaked matter. A favourable assessment of WikiLeaks’ ethics supposes the leaker to be sincerely motivated by the public interest, exposing some vital deceptions perpetrated on an unsuspecting public. But other motivations are possible: retaliation by disaffected workers, enhancement of career prospects by ensuring the demise of a superior, political or financial opportunism, or perhaps just sheer mischief.

Other ethical considerations abound. Secrecy can often be justified on the grounds that without assurance of confidentiality, full and frank discussion of sensitive matters would not be possible. For this reason at least some Cabinet discussions merit protection from freedom of information disclosures. Our privacy is important and confidentiality must be respected when a government, legitimately, seeks personal information from us. Writers of letters of reference can be expected to be less candid if they anticipate that confidentiality will not be respected3. The mere threat of WikiLeaks will make officials less inclined to keep records where disclosure would adversely affect their interests. How will future historians gain insight into the thinking, planning and decision-making of our contemporary world if this happens? Other consequential considerations include the outing of pro-US informants, who stand to be brutally treated by the Taliban or other groups who see the informers as spies or betrayers. Besides these consequentialist considerations, there are ethical concerns about breaking one’s pledge of confidentiality where this has been given, and the consideration of loyalty to the institution one is paid to serve.

We need to keep track of the different nodal points in assessing the ethics of WikiLeaks. There is the ethical situation of the employee who decides to make use of WikiLeaks as a conduit for ‘whistleblowing’ for some other, perhaps less laudable, aim than the public good. There is the somewhat different situation of the WikiLeaks organisation when they receive the documents. If they decide whether or not to disseminate documents they have some part of the moral responsibility that goes with editorship. Indeed, one of the criticisms of the WikiLeaks operation is that it exercises considerable political power without the responsibility that goes with elected office. Then there are the media outlets that Assange or others decide to favour with the documents. They have to reckon with the fact that they are cooperating in a process that starts with violation of trust. Finally, in the line of dissemination, we have the general public, that needs to decide how to react to the disclosures.

Ethical considerations don’t end with the dissemination process. There is also the matter of how state officials, with or without public support, react to the disclosures. Assange’s dissemination of hundreds of thousands of military dispatches, “The War Logs,” from Afghanistan and Iraq, and their selective publication in The New York Times, The Guardian and Der Spiegel in late July 2010, led to expressions of outrage in some official quarters4. Former GOP House Speaker Newt Gingrich said publication of the WikiLeaks documents on Afghanistan should be considered an “unconscionable” act of treason5. Tom Flanagan, a former senior adviser to Canadian Prime Minister Stephen Harper, reacted to leaks of diplomatic correspondence a few months later by saying he thought it would be fitting to have Assange assassinated.
Later he retracted his ‘glib’ remark, but the full set of words, though stated jocularly, indicates a serious edge at the time he made them. US Senate Minority Leader Mitch McConnell called Julian Assange “a high-tech terrorist,” who “has done enormous damage to our country.”

Some credible sources have argued that this kind of reaction is overblown. For the moment the mere existence of this kind of reaction has immediate repercussions on the ethical enterprise of WikiLeaks, because the real possibility of harm to the original leaker must enter the ethical reckoning. Pvt. Manning, the U.S. army private suspected, on the basis of admissions he made to a confidante by email, of leaking “The War Logs” and other materials has been incarcerated and made to suffer sleep deprivation, psychological intimidation and public humiliation for his alleged acts, in violation of fundamental rights, such as the presumption of innocence, the right not to be tortured, and the right to a fair trial. It appears that the source of the suspicion came from Manning’s private correspondence and not from WikiLeaks itself, but the saga shows that risk to the leaker of being found out is always a possibility, despite assurances to the contrary, and has to enter the ethical reckoning. Just as Assange believes that exposing official deceptions will improve democracy, the officially sanctioned power wielders see it as threat to the existing order by an un-elected group and therefore the reverse of democracy. In that light they may view WikiLeaks as subversive and treasonous, meriting any and every means necessary to counter them, constitutional or otherwise. The fact that there are people willing to take extreme measures against the WikiLeaks organisation, is one more thing to take into ethical consideration, even if we consider such measures to be utterly wrong, for multiple reasons.

Before leaving this general overview of the different ethical perspectives on WikiLeaks, a word on the notion of ‘deontology’ may be helpful. This perspective stands as an alternative to consequentialist reasoning and is epitomized by the Kantian philosophy according to which the obligation to tell the truth is based on rational considerations and is categorical, admitting of no exceptions. Whatever else it may imply, deontology stands for the view that calculation of consequences of actions is not the only criterion for deciding ethical matters.

For the utilitarian, maximising the overall good for the greatest number is the touchstone for evaluating all ethics. Not so for the deontologist, who will allow some actions to be right or obligatory even though they don’t maximise the overall good (at least as far as one can tell, without making assumptions about Providence). It needs to be pointed out that, as thus understood, there are different possible deontological positions. Luciano Floridi writes that “A deontologist, convinced that telling the truth and never lying is an absolute must, is likely to appreciate whistleblowing as the right thing to do, independently of the reasons behind it.” Here one needs to distinguish between lying, which Kant condemns without exception, with being forthcoming with the truth about anything and everything, which no deontologist has held, to my knowledge, and which is an extremely implausible view. For example, it may be true that we think unkind thoughts about another, but expressing those thoughts is usually uncalled for and is rightly suppressed for the most part. Speaking the truth about another’s wrongdoing may indeed be justifiable, but a deontologist, no less than a consequentialist, would have to have good reasons for doing so. Other deontological prescriptions, such as keeping an oath of secrecy, may negate the ethical justification for whistleblowing. For further treatment of general background ethical theory I refer the reader to Marlin (2002). My concern here is with applied ethics, and to the specific issues related to WikiLeaks.

The above is a somewhat incomplete sketch of the parameters of the ethics of WikiLeaks. Enough has been said to indicate some of the complexity of the problem. My purpose in what follows is to forge a
coherent, though necessarily tentative appraisal of the ethics of WikiLeaks. I begin by engaging in the next section with the position taken by ethicist Margaret Somerville, and then in the third and final section I provide a very particular, time and context-related, interpretation of the ethics involved. My approach will be as an advocate for a generally favourable evaluation of WikiLeaks, in contrast to the view treating it as anarchic or traitorous, and likely to subvert democratic institutions, including the state itself.

A critique of Margaret Somerville and the ethics of WikiLeaks

Margaret Somerville (2010) has argued that WikiLeaks, on balance, is a “force for serious harm even allowing that it could entail some good.” Recognising the difficulty of getting adequate factual information on which good ethical arguments can be based, she nevertheless thinks that there is a growing consensus in the middle ground between views of WikiLeaks as harmless, at one extreme, or as disastrous, at the other, a “9/11 of international diplomacy” possibly leading to world war. This consensus is that WikiLeaks “at the very least, have the potential to cause serious harm to Western nations and their allies to the advantage of their enemies.” She is surely right to recognise this possibility, but it needs to be balanced by consideration of the potential to avert serious harm, as I will argue in the third section. When wars are initiated on the basis of false information knowingly disseminated to a public that would not otherwise accede to the initiative, disclosure of the deceptions can prevent the war from taking place.

Somerville maintains that the principle that “good ends do not justify wrong means” comes into play in deciding about the ethics of WikiLeaks. The original leaker of the video material known as “Collateral Murder,” and the hundreds of thousands of documents known as Afghanistan and Iraq “War Logs,” and US diplomatic cables, was in a position of trust. This trust was violated when the materials were passed on to WikiLeaks. Her position is sound as far as it goes:

If we believe that this means of obtaining the information was fundamentally wrong, and that even good ends – let alone seriously harmful ones – do not justify using wrong means, then using that information would be unethical. If, on the other hand, we believe that laudatory ends can justify unacceptable means and we regard the WikiLeaks as having such ends, we might see use of the information as ethical (Somerville 2010).

The problem with this way of presenting the issue is that it can obscure an important possibility, namely that what would normally be wrong means – violation of trust in relation to immediate superiors, to the military and to the US government – may run into conflict with other similar norms of equal or greater weight, such as the obligation to uphold the Constitution. We need to bear in mind that “wrong means” is, at least in some circumstances, a defensible notion, in the sense that some circumstances can not just outweigh the wrong, but can defeat it entirely, meaning that the ‘wrong’ was only prima facie wrong and not wrong at all in the light of further considerations. In the event that one is aware of higher-level deceptions covering up unconstitutional behaviour, then loyalty to the Constitution may ethically require revealing these deceptions. It follows that those who believe in the “good ends don’t justify wrong means” principle don’t necessarily have to give that principle up if they wish to support WikiLeaks.

Following on from her observations about ends and means, Somerville notes that those who cooperate with the WikiLeaks organisation, those mass media that publish material supplied by WikiLeaks, are not
just parties coming after the fact to an already accomplished wrongdoing, “[t]hey are playing a direct and active role in that conduct. They are co-evildoers.” I believe her to be right about shared responsibility when the initial evil is established, but her view is predicated on the initial wrongness that I have argued might have been defeated, for the reasons given above.

Somerville also points to a need for ethical analysis at different levels, individual, institutional, societal and global. We need to distinguish threats to individuals from threats to a whole society, raising “war and peace” issues. The ethical standards to apply are not always the same. Some moral standards that apply to the individual do not apply to the State, she says. I would suppose she has in mind here such things as the right and duty of the state to punish wrongdoers while individual morality counsels against retaliating against wrongdoing (“turning the other cheek” in Christian morality). The distinction is familiar in a literature that encompasses St. Augustine, Machiavelli, Weber and more recently Michael Walzer and Frank Knopfelmercher. It is a distinction fraught with the possibility of encouraging ethically unchecked use of state power, so that making the distinction with no caveat or explanation attached does not seem to me wise.

Somerville’s path to a conclusion generally condemnatory of WikiLeaks, begins with an articulation of extremist views that she then proceeds to praise with faint damns. The extreme view sees Assange’s conduct as “treason, sedition, sabotage, espionage and terrorism.” She quotes David Warren, a columnist for the Canadian daily newspaper the Ottawa Citizen, saying he “neatly summed up” the extremist view in calling Assange ‘Wiked.’ She may not be aware that Warren has in the past shown little respect for “Just War Theory”: cheerleading the disproportionate US retaliatory attack on Fallujah, saying the strategy should have been to “make it into a parking lot, and build a Wal-Mart at one end,” and urging the US to attack Iran after the initial defeat of Saddam Hussein’s forces in Iraq.13

Somerville takes issue with those who call for assassination of Assange, but her arguments come with self-doubts that could encourage the extremist. She says State authority could only, if ever, be justified in killing Assange if the order to kill “came within the strict parameters of legitimate self-defence necessary to save human life.” That would mean Assange himself would have to pose an “immediate and direct threat to human life” and there would have to be an absence of any less extreme alternative for counteracting that threat. Since Assange could be brought to trial she argues, there is such a less extreme alternative. But she follows this with an observation that the prosecution might not succeed, and that it would face “insurmountable legal hurdles.” A further reason she gives for rejecting the idea of state-sponsored assassination is that “we are justified in sidestepping the normal processes of justice and the rule of law,” which would “itself be a serious harm to society.” This argument has lost force among those who know and accept the many CIA-sponsored extra-legal killings and the most recent killing of Osama bin Laden. The rule of law has taken such a hit with Abu Ghraib, Guantánamo, and what have been called “Murder Drone” operations involving the killing of civilians deemed to be enemies, that the spectre of serious harm resulting from sidestepping the rule of law, is not likely to carry much weight among those who are not already appalled by such actions by the US. Her claim that a state-sponsored order to kill Assange “would involve setting a precedent”, read in conjunction with the authorisations given to the CIA to kill Anwar al-Awlaki, is not very persuasive.16

Following this rather weakly formulated response to the extremist view, Somerville introduces her own flirtation with extremism in the form of a question: “Might Assange’s conduct also be characterised as a form of cyber-terrorism?” After all, she writes, WikiLeaks will result in the disruption of diplomatic
exchanges that can be crucial to protecting our societies.” It could assist our enemies in harming us, and it could harm relationships with our allies. She sees a connection between cyber-terrorism and treason, and a need for updating laws of treason, sedition, etc. to deal with this threat.

Here we come to one of Somerville’s key claims. We must ask what threat WikiLeaks poses to our general “social capital,” the metaphysical entity that consists of the “norms, networks, and trust [that we rely on] for cooperation and mutual benefit …[and which] has enormous potential to enable people to act in solidarity for the sake of collective goals”? The clear answer is that it will likely damage every element of it. So even if Assange and his co-leakers are right to claim they do some good, in her view they promote collective harm by depleting social capital, and will likely assist those societies that reject our Western systems of governance, values, and way of life.

As I will argue further in the final section of this paper, it is far from clear that WikiLeaks will create the damage she supposes. The kind of social capital she talks about is already undermined by officials who subvert the rule of law for political ends, who support lying and torturing even though under different names, and who evade accountability. Yes, if you keep these cases under wraps, a deluded population may stay deluded longer. But should we not be thankful to the one who brings the wrongdoing to our attention, even at the cost of greater cynicism about our political leaders and the officials who misrepresent military and diplomatic reality to us? If the wrongdoing is concealed, how can it be rectified?

Somerville is certainly right to claim that openness and transparency, though generally good to have in government and bureaucracy, are not always morally and ethically sound. But that observation by itself alone is not sufficient to condemn WikiLeaks, which claims to be acting for the public good. She allows that avoiding serious harm that can’t be avoided any other way would justify breaching privacy, but she says, “the breach of privacy involved in WikiLeaks does not avoid harm. It inflicts it.” That may be true, but by her own admission, that doesn’t settle the matter for all WikiLeaks. How can she be sure that a small harm involved in a breach of privacy is not offset by revelations of, for example, criminal negligence on the part of our officials with huge harmful repercussions on vast numbers of people in matters of health, safety, fraud, malnutrition, and much else. To say only that WikiLeaks inflicts harm without recognising the potential for remedying some great evils in society seems to be taking an ethically blinkered view.

Somerville claims that Assange and his colleagues have not shown publicly any concern to balance harms against goods, which she says “at the very least, is recklessness.” The idea that Assange shows no concern about harms doesn’t square with statements made on the WikiLeaks website about the good effects they hope and expect to achieve and their expressed concern to minimise harm.

As the media organisation has grown and developed, WikiLeaks has been developing and improving a harm minimisation procedure. We do not censor our news, but from time to time we may remove or significantly delay the publication of some identifying details from original documents to protect life and limb of innocent people.17

Assange’s concern has also been expressed in interviews. Asked by the German magazine Der Spiegel about endangering lives of international troops and their informants in Afghanistan, Assange replied:
The Kabul files contain no information related to current troop movements. The source went through their own harm minimization process, and instructed us to conduct our usual review to make sure there was not a significant chance of innocents being negatively affected. We understand the importance of protecting confidential sources, and we understand why it is important to protect certain US and ISAF sources. … We identified cases where there may be a reasonable chance of harm occurring to the innocent. Those records were identified and edited accordingly.\footnote{18}

In summary, Somerville’s claim that “overall, WikiLeaks involves grossly unethical conduct, some of which is illegal”, seems to me in need of more defence than she provides, and I find the tolerant reception she accords the extreme position condoning extra-legal measures against Assange, unnerving.

**Ethics and WikiLeaks in political and historical context**

My starting point is that we live in a highly propagandised environment. Public relations and advertising, combined with corporate ownership of the mass media, have greatly influenced how we think and what we think. Lobbyists for major corporations abound in the corridors of power. Their aim is to get the most favourable treatment for their company and its profits, without necessarily being concerned about maximising the public interest. Public relations advisors will alert clients to the dangers of bad publicity and will suggest ways of discrediting sources of negative publicity.\footnote{19} Just as information is power, one can see power trying to control information. George Orwell prophetically described the coming of a surveillance society, where different layers of intimidation discourage departure from groupthink.\footnote{20} With increasing brazenness, it seems, facts are distorted and images manipulated to accomplish government or corporate objectives. The most conspicuous example is the build up to the Iraq war, where the administration of George W. Bush presented a picture of Saddam Hussein as linked to al-Qaeda and the terrorist acts of September 11, 2001, and as having weapons of mass destruction, very soon to include nuclear bombs, that it was able and prepared to use against the US.\footnote{21}

The word ‘propaganda’ can be used in a neutral or negative sense. I use it here in its commonly understood negative sense, meaning attempts to communicate in such a way as to influence the thought and behaviour of the masses, not through reasoned and fair presentation of evidence, but by methods that obscure the truth and lead a target audience to accept beliefs and attitudes on a basis other than that of sound judgment. Among the methods of propaganda are repetition, selective omission of relevant factual matter, diversion of attention from relevant to irrelevant matters, ad hominem attacks, and so on. The excitation of emotions, notably fear and anger, form an important part of the arsenal of the propagandist. Since our judgment must often rest on the credentials of the person from whom we receive our information, a favourite recent form of propaganda has become the use of \textit{astroturf} or corporate objectives promoted by what look like community supported grass roots movements, but which are in fact sponsored and guided by corporate interests. Propaganda is sometimes identified with ‘lies,’ but even in the negative sense, it should be recognized that deceptions can be perpetrated by accurate facts, but so selected and presented as to give a wrong impression. One can create stereotypes and reinforce them by simply reporting only those facts that conjure up the stereotype and not those that conflict with it.

The means of controlling information are multiple, wide-ranging and devious, so that it is hard for the general public to avoid being affected by government and corporate propaganda, which may at times combine to
reinforce each other. Against this background of information control, the idea that the United States is a
genuine democracy is open to serious objection. Without an informed electorate, the mere ability to vote for
a candidate hardly represents what is worthy of the name ‘democracy.’ People have to have an adequate
idea of what a candidate stands for, what his or her policies are, and what they are likely to mean for the
well-being of the nation. If facts are successfully misrepresented to the public, so that support for a war is
based on false fears, the support is not genuinely democratic. No more than is a fraudulent sale of worthless
goods representative of a buyer’s contractually binding assent. The US Supreme Court ruling in January
2010, *Citizens United v. Federal Election Commission*, No. 08-205, removed the ceiling on corporate
election expenditures, thus increasing the power of private interests to affect the vote at election time. As
the rich get richer, and the power of the military-industrial-financial complex increases so that wars can be
generated more or less at will, there are those, this writer included, who believe that concerted efforts to
counteract the propaganda by powerful interests will be needed to give effect to the ideals of democracy.

Against this background, WikiLeaks can enter the information sphere with a reasonable claim to being a
necessary counter-action to anti-democratic, (or anti-truth, if one is not wedded to democracy as the sole
legitimate form of political rule), forces in the modern world. News and entertainment (combined sometimes as
‘infotainment’) shape the thought and attitudes of most of us, and influential media bank on ‘truthiness’ rather
than ‘truth’ to influence the public. Genuine truth often requires expensive investigative reporting to unearth,
and effort on the part of the reader or viewer to understand. ‘Truthiness,’ or a kind of prejudicial gut feeling
about what the truth is, tends to be easier and less costly to communicate for conveyor and receiver alike.

WikiLeaks, at least ideally, provides the raw material that the public often needs to form sound judgments.
The image of soldiers saving Iraqis from an evil dictator took a severe beating with the leak of the televised
sequence known as “Collateral Murder,” released early in 2010. We see actual footage of US military
personnel in a helicopter expressing eagerness to kill what turn out to be defenceless civilians, including a
news reporter and cameraman below. That there was an error of judgment about the nature of the target
can be assumed without affecting the overall message that this kind of action is hugely counter-productive,
calling into question, when multiplied by many other similar incidents, the whole war mission where the
goal was supposedly to win over the hearts and minds of the Iraqi people. “Collateral Murder” can certainly
be seen as a kind of propaganda itself, particularly with the commentary added to it by WikiLeaks. The
facts selected, and the interpretations placed on them, can all arguably be in need of supplementation by
other facts and interpretations. But in a context where such facts and imagery are obscured or ignored
completely, the leaked material favours truth in the overall balancing, and importantly so.

It may be felt that WikiLeaks is not necessary because if there were some egregious form of contemplated
wrongdoing in government or the corporate world, some brave individual would surely blow the whistle.
Against that notion, one needs to reckon with the example of “Operation Northwoods,” the name for
proposals contained in a Memorandum by the US Joint Chiefs of Staff for Secretary of Defence Robert
McNamara and signed by the Chairman of the Joint Chiefs of Staff, Lyman Lemnitzer. Dated March 13,
1962, the document sets out a list of possible pretexts for going to war against Cuba. These include
false flag operations whereby Cuba gets blamed for attacks on US installations when in fact the attackers
are merely dressed in Cuban army gear. Sinking a boat with real or simulated passengers is another
suggestion, always with manufactured evidence to make Cuba appear responsible. Elaborate falsely
marked planes to implicate Cuba were also proposed.
Had this document been leaked at the time, the pretext for going to war against Vietnam might have been viewed more sceptically in 1964 when the supposed attacks on the destroyers USS Maddox and USS Turner Joy were used to pass a resolution in Congress authorising US President Lyndon Johnson to take military action against North Vietnam, thus commencing the Vietnam War. The document was not revealed to the public until the late 1990s, when use of Freedom of Information brought it to light. That the secret could be so well maintained argues against the likelihood of brave individuals making documents public with the purpose of averting a war. Earlier revelation of the document would likely have increased the resistance to accepting Johnson’s Gulf of Tonkin pretext for war, as people would have been sensitised to the use of phony pretexts for war by seeing some of the outrageous deceptions contemplated by the military. If the argument presented here is right, then WikiLeaks stands a good chance of making the waging of war more difficult.

That initiation of a war with Cuba did not take place along lines proposed by Lemnitzer may only be an accident of history. Later in 1962 with the discovery of Soviet-supplied missiles on Cuban territory, US President Kennedy initiated a blockade and war threatened until an agreement was reached with Soviet Premier Nikita Khrushchev that the missiles would be dismantled and removed so long as the US undertook not to invade Cuba.

War with Iraq – in 1990 - under George H.W. Bush did begin with no small assistance from PR consultants and the false story about Iraqis taking some 312 incubators from Kuwait, emptying the babies and letting them die. The resulting portrayal of Iraqis as monsters helped to firm up opinion against Saddam Hussein and for war to remove Iraqi invaders from Kuwait.

These are all examples where WikiLeaks might have alerted the general population to the deceptions afoot and warned them against accepting the premises for war. Since the stakes are so high – estimates of the number of deaths following the George W. Bush-initiated war in Iraq starting March, 2003, are in the hundreds of thousands – the negative effect of exposing some informant to reprisal actions, pales by comparison. Obviously, this does not settle the issue, since there were unstated as well as stated reasons for that war, and there were many deaths, notably of children, resulting from the previously invoked sanctions against Hussein. But the fact that these other reasons were not presented straightforwardly in the final case for war, and that the false reasons linking Hussein to the events of 9/11 were used instead, is an indication that the democratic process was not respected. WikiLeaks can then contribute to a properly informed electorate and possibly also to avoidance of war following proper consideration of all the genuine reasons for going to war.

Others have made the point that it is hypocritical of government power-wielders to denounce the practice of WikiLeaks when they leak materials all the time, and illegitimately. There were leaks exposing Valerie Plame’s covert position with the CIA, seemingly to punish her husband, former Ambassador Joseph C. Wilson, for casting doubt on official accounts regarding Niger’s supposed uranium connection with Iraq, in an article he wrote, “What I Didn’t Find in Africa,” published in The New York Times, July 6, 2003.23

A conspicuous and documented example of leaks by a government agency for the purpose of improving its public profile is found in the Canadian judicial investigation by Dennis O’Connor into the Maher Arar affair24. Canadian intelligence operatives had linked Mr. Arar to terrorist suspects via unreliable evidence obtained under torture and named him as a ‘person of interest’, leading US officials to pick him up as he was passing through Kennedy Airport and sending him against his will to Syria in a process known as
‘rendition’. Following torture there he admitted to all kinds of contacts with terrorist training camps and the like, all of which he denied later when he was returned to Canada. His damaging admissions were leaked to the media on his return without emphasis on the probative worthlessness stemming from their origin in torture. An obvious motive would be to lower his credibility in the public mind and ‘justify’ his mistreatment by Canadian intelligence authorities, in other words, to protect the relevant intelligence officials from recrimination. These were clearly self-serving leaks tarnishing the reputation of Mr. Arar, no doubt in an effort to improve the lustre of their own.

Of course, one unethical set of leaks doesn’t justify another. But in a hypothetical clash between leakers, those that would expose the wrongdoing of other leakers bent on sacrificing the good name of others for their personal benefit, are clearly in an ethically superior position to those whose wrongdoing they expose, assuming other variables to be comparable.

Conclusion

In a context where democracy has suffered from the skewing of information processes by those with money and power, and where as Jay Rosen has noted, “the Watchdog Press has died”, some drastic means are needed to push back against the increasing inequalities favouring the very rich against the middle and poorer classes. Seen in this context, the potential of WikiLeaks to restore a measure of justice in the world seems welcome. We can expect a sustained attempt to discredit the WikiLeakers, taking the form of giving widespread attention to the personal faults and foibles of those involved in the activity, and paying maximal attention to harms resulting from ill-considered and unjustified leaks. The risks are great, and entail a need for circumspection and ethical sensitivity on the part of the WikiLeakers. But so are the potential benefits, and the WikiLeaks phenomenon should be seen in that light.

References


http://www.thenation.com/blog/158775/WikiLeaks-news-views-blog-tuesday-day-87

Nader, R. (2010). Wikimania and the First Amendment Common Dreams (20/12/10)


Footnotes

1. A Google search of “Ethics of WikiLeaks” provides an ample sampling. As of September 4, 2011 the first listed was Radford (2010).

2. As quoted in Mitchell (2011), Daniel Ellsberg: “There has been a concerted attempt to paint Bradley Manning as a terrorist and traitor. He is neither. He is a patriotic American who deserves better than to be tried in the media …before he has had any opportunity to speak publicly for himself or to present his own case in court.” See also Nadia Prupis (2011), quoting Ellsberg: “Bradley Manning is acting in the interest of the United States and against the interest of our enemy al Qaeda.” See also Ellsberg (2011).
3. An example I take from Floridi (2010).


7. See Tom Curry, “McConnell optimistic on deals with Obama”. MSNBC.

8. As reported by Ralph Nader (2010), Thomas Blanton, director of National Security Archive at George Washington University, testified before the House Judiciary Committee December 16, to Washington’s “hyper-reaction” to WikiLeaks and to its “Wikimania.” See also Nancy A. Youssef (2010): despite US officials’ warnings that documents released by WikiLeaks could put people’s lives in danger, they conceded that “they have no evidence to date that the documents led to anyone’s death.”

9. The theoretical basis for this kind of response can be found in Frank Knopfelmacher (1976).

10. See Luciano Floridi (2010).

11. See Margaret Somerville (2010).

12. “WikiLeaks” is here used as a plural noun. I treat the word as either singular or plural, depending on whether it refers to the organization or phenomenon (singular) or the materials leaked to or by the organization (plural). In the case of one such document, the word “WikiLeak” seems appropriate.

13. See Carol Wainio’s complaint to the Ontario Press Council, and the Council’s ruling.

14. The quotation marks are in Somerville’s text.

15. I assume here both that the killing took place, as witnessed by US President Obama by video in Washington, and that the opportunity existed for the Navy Seals to have taken him into custody and brought to trial by appropriate authorities.

16. See Glenn Greenwald (2010). It is true that Assange is not a US citizen, but perhaps that gives him less in the way of enforceable rights against assassination, if we consider the way citizens in Afghanistan, Yemen and elsewhere have been targeted and killed.


19. See Wendell Potter (2010) for a good insider’s view on workings of this kind as they relate to the medical insurance business.

20. See Yeo, Michael (2010).

21. See especially reports in the media February 6, 2003, on US Secretary of State Colin Powell’s presentation to the United States Security Council the day before.


23. For more on this, see Joseph C. Wilson’s 2004 memoir The Politics of Truth (New York: Carroll & Graf, 2004).


Editorial Note

1. Astroturf is a form of synthetic grass used in sports stadiums across North America. (Ed Note)

About the Author

Randal Marlin is an Adjunct Professor of Philosophy at Carleton University, Ottawa. He has explored philosophical questions relating to propaganda since the 1970s, and continues to teach a course, “Truth and Propaganda” in the department. He has published a book, a collection of essays, and numerous academic and popular articles relating to the topic. He was Guest Editor for the December, 2010 issue of Global Media Journal - Canadian Edition on “Propaganda, Ethics and Media.” He is a Board member of the International Jacques Ellul Society and has served for many years on the executive of the Civil Liberties Association, National Capital Region, currently as Academic Director.
WikiLeaks and mega-plumbing issues – unresolved dilemmas revisited

Rodney Tiffen University of Sydney, Australia

Abstract

The volume of leaked memos published by WikiLeaks in late 2010 was historically unprecedented. It elicited immediate outrage by many governments and calls for the principal of WikiLeaks, Australian citizen Julian Assange, to be prosecuted, or worse. Others however hailed Assange as a hero. While on a massively new scale, the saga raises many of the issues already surrounding the use of unauthorised leaks in the news. Unless one takes one of two polar positions – that all leaks are always justified or that no leaks are ever justified – there are old but unresolved issues about how to draw what lines. This paper traces through the public debate and its hypocrisies, before exploring some of the conflicting principles and reviewing some of the major WikiLeaks revelations. When is national security involved, and when is it inappropriately invoked? What moral and legal issues are raised by the leaks, including appropriate confidentiality and privacy concerns? WikiLeaks has redefined journalistic possibilities, but in regard to what should or should not become public it has simply intensified longstanding dilemmas.

Introduction

Following the long anticipated first publication of the US diplomatic cables on Sunday November 28, 2010, Crikey writer Guy Rundle (2010) proclaimed: “The world changed this week. And it’s only Monday.” This was the biggest leak of official documents in history. The raw material consisted of more than 250,000 cables from 250 US diplomatic stations. The Guardian editor, Alan Rusbridger, estimated that altogether it amounted to around 300 million words, and that in contrast, the previous biggest leak, the officially conducted history of the Vietnam War called the Pentagon Papers in 1971, had consisted of two and a half million words (Rusbridger in Leigh & Harding 2011).

The release of the diplomatic cables was the climax of a dramatic year for WikiLeaks. Four episodes in 2010, each based on leaked material allegedly provided by Private Bradley Manning an American soldier working in intelligence in Iraq, commanded global attention. First came the video of Americans in an Apache helicopter killing several innocent people, including two Reuters journalists, in a Baghdad street. Second came the Afghanistan war logs. Third came the Iraq war logs. These consisted of 392,000 documents of US military-communication records (Shaw 2010). Finally, and most spectacularly, came a tranche of documents from the massive cache of US diplomatic cables.
Each set of leaks commanded progressively more global media attention. For the massive task of processing and then publicising the cables WikiLeaks had entered into an alliance – although with tensions and frustrations on both sides - with The Guardian, The New York Times and Der Spiegel. All three publications provided experienced journalists who spent months going through the documents. Towards the end, other elite media organisations were also included (Leigh & Harding 2011; Dorling 2010a).

While the leaks of 2010 were far more spectacular than anything that had gone before, between 2007 and 2009, WikiLeaks achieved several important revelations. It published material about corruption and human rights abuses in Kenya; it exposed revealing documents from the Church of Scientology; it listed the biggest debtors of the collapsed Icelandic Kaupthing Bank; it exposed the tax evasion activities of the Cayman Islands subsidiary of the Swiss bank Julius Baer; it revealed a damning report on toxic waste dumped by the oil traders, Trafigura.

WikiLeaks was very much the creation of Julian Assange, and while the organisation and Assange sprang into global prominence in 2010, the WikiLeaks moment was a long time in the making. Its remote origins lay in the skills, experiences and reputation Assange built up as a hacker in his teens and early adulthood. His computer skills combined with his uncompromising anarchistic idealism, his organisational and logistical capacities, and his ability to enthuse and mobilise others eventually drove WikiLeaks to global prominence. In the second half of 2005, Assange decided on the name WikiLeaks, and had it registered the following year as he was developing his strategic vision.

Certainly – by the end of 2010 – WikiLeaks had made a bigger impact than anyone, with the possible exception of Assange, could have imagined. Moreover apart from the specific leaks that had come forward, the organisation embodied some changes are likely to be enduring. The leaking of documents electronically offers the potential for leaks on a scale rarely possible before. The contrast between Bradley Manning walking past security each night with his CD with the Lady Gaga label filled with data, and Daniel Ellsberg spending his evenings for weeks on end at a photocopying machine copying each page of the Pentagon Papers (Rudenstine 1996; Tiffen 2011), is stark.

Moreover in Jay Rosen’s phrase (Sifry 2011a: 22), WikiLeaks has built a “stateless news organization.” Using the internet and its international organisation, WikiLeaks is another step in how globalisation makes censorship of information by national governments increasingly difficult. The most dramatic cases so far were the way it published how the Swiss company Trafigura Beheeeer BV had dumped toxic waste at the Ivory Coast port of Abidjan and the tax evasion practices of Barclays Bank, despite both companies having obtained British court orders to gag all publication. So in what The Guardian journalist John Naughton (2010) called “the first really sustained confrontation between the established order and the culture of the internet”, the internet won.

Nevertheless, despite its spectacular successes, it is already clear that key elements in Assange’s original vision – his idea of how WikiLeaks would transform journalism – have proved wrong or unworkable or too ambitious.

- “Crowd sourcing” is never going to provide a great supply of leaks.
Crowd sourcing involves making an open call for people to help solve a problem. It has been institutionalised on the internet with the highly successful Wikipedia. But contributing to WikiLeaks will never be like contributing to Wikipedia. The title captures that the organisation would depend on the information provided by others, but the need for secrecy and security to protect sources and authenticate documents meant that it could never be an open, collaborative online endeavour on the Wikipedia model.

Guaranteeing anonymity for leakers, even from WikiLeaks itself, is not guaranteeing the authenticity of the leaked material. As Fowler observed (2011: 53), “WikiLeaks had established a system whereby its sources of information remained anonymous even to Assange. But the major question about whether the document is a fake remains unanswered.” In the spectacular leaks of 2010, neither forgery, nor even misleading selectivity, was an issue. But very often they are, and it would be difficult for WikiLeaks to authenticate the material it receives.

The dramatic WikiLeaks disclosures of 2010 depended principally on the actions of Private Bradley Manning, who had become disillusioned with American conduct of the war in Iraq. He was, like Assange, highly skilled in IT, and then used these skills to give WikiLeaks huge amounts of classified information. But Manning was feeling vulnerable and isolated, and made a bad misstep after which he was arrested and has been in an American prison ever since. Because there was no direct relationship, WikiLeaks was not able to give proper emotional support or advice to the leaker who had risked so much.

- Websites are no substitute for mainstream media, especially in terms of public exposure and political impact.

Releasing raw materials is not a substitute for processing them into a digestible, meaningful narrative. What Assange called “scientific journalism” – the direct release of primary documents, which can then be assembled into patterns – has almost no audience appeal. “Assange had by now discovered, to his chagrin, that simply posting long lists of raw and random documents on to a website failed to change the world” (Leigh & Harding 2011: p.61).

- ‘Transparency’ is not always and invariably a force for good.

Last, but not least, the original Assange conviction that all disclosure is beneficial cannot be sustained. While, in my view, the WikiLeaks revelations have overwhelmingly been helpful to democracy and have told citizens things they had a right to know, the old dilemmas regarding what should be public are, as this paper has tried to show, still unresolved and inevitably contested. It is this last of Assange’s key assumptions that is the focus of this paper. It is common for those advocating the virtues of free speech to offer unqualified endorsements of its value.

Assange himself, at least in regard to government and powerful interests, had tended to describe all publicity as being good. According to his collaborator for a period, the famous The Guardian investigative reporter, Nick Davies: “The problem is [that Julian is] basically a computer hacker. He comes from a simplistic ideology, or at that stage he did, that all information has to be published; that all information is good” (Leigh & Davies 2011: 112). Assange’s attitudes are well captured by the title of his now famous essay, “Conspiracy as governance.” He has argued that leaks produce the most fear and paranoia within the most secretive and unjust organisations (Fowler 2011:56; Leigh & Harding 2011: 46), and described the work of WikiLeaks as “enforcing the First Amendment around the world” (Fowler 2011: xiii).
Assange is in the tradition of former US presidents such as Woodrow Wilson, who believed, after World War I, that open covenants openly arrived at would prevent such terrible wars in future. One of the framers of the US Constitution, Thomas Jefferson, believed that liberty depended on the freedom of the press, and that such freedom could not be limited without being lost. Yet, all societies have always put some limits on the rights of free expression, for reasons based not only on political expedience, but also because of other, competing social principles.

In most democracies, policies have been devised to protect and strengthen the democratic flow of information. One such traditional means of enhancing democratic processes is parliamentary privilege, to ensure that elected representatives are not constrained in expressing their views, and that parliamentary proceedings can be widely reported. More recently, many liberal democracies have introduced freedom of information legislation and other measures for the compulsory disclosure of information – which although often problematic in practice – are intended as a check on the actions of executive government.

So, if like Ralph Nader, one accepts that information is the currency of democracy (Spigelman 1972), then the right to publish should only be curtailed when there are clear and compelling reasons to do so, and the prerogatives of official secrecy only condoned when other principles override the public’s right to know. However all societies have embraced some countervailing principles which restrict the right to publish. Some of these are contested in principle – in some there is conflict over how to draw the line, or implement the principle. But in Australia and other liberal democracies, some of the reasons for limiting the right to publish include:

- Protecting national security;
- Protecting individual privacy;
- Protecting professional privilege and confidentiality;
- Protecting commercial confidentiality;
- Preventing the growth of racial violence and hatred;
- Protecting society from terrorism;
- Protecting individuals from having their reputation unfairly impugned;
- Maintaining the integrity of judicial proceedings;
- Protecting social standards against obscenity and blasphemy;
- Ensuring that vulnerable members of society, especially minors, are not exposed to damaging or disturbing materials.
Only some of these are relevant to WikiLeaks, but their very range is a reminder that free speech, the free flow of information and the right to publish, are circumscribed when they conflict with a large number of other principles. However, while most people would accept most of the above list to at least some degree, each of them can also be extended in ways that might be seen as unduly restrictive and which give governments powers which they may abuse for their own advantage. It is into this long disputed terrain that the recent controversies generated by WikiLeaks fall.

This paper next examines the reaction that greeted the WikiLeaks publication of US diplomatic cables in late 2010, and shows how it repeated some of the themes in previous controversies involving leaks and ‘plumbing’ issues. The paper then assesses the WikiLeaks revelations against some of the principles often proposed.

The reaction and the lines of debate

The November publication of diplomatic cables unleashed a flood of rhetoric. Italy’s Foreign Minister, Franco Frattini called it “the 9/11 of world diplomacy” (Leigh & Harding 2011: 200). Vice President Joe Biden called Assange “a high-tech terrorist”, while his 2008 vice presidential opponent Sarah Palin thought that whoever perpetrated this “sick un-American espionage” should be pursued with “the same urgency we pursue al-Qaida.” Republican congressman Peter King – a longtime supporter of the IRA – wanted WikiLeaks declared a foreign terrorist organisation, while one Republican presidential hopeful Mike Huckabee thought “anything less than execution” would be too kind a penalty. Another, Newt Gingrich, thought Assange “should be treated as an enemy combatant, and WikiLeaks should be closed down permanently and decisively” (Sifry 2011a: 18). At least a dozen other political and media figures – and not only on Fox News – sounded similar themes.

The US Government expressed most fury at Bradley Manning and WikiLeaks and much less towards The New York Times and the mainstream media – a politically convenient hierarchy of anger. Perhaps the most troubling aspect of the reaction was the way so many (mainly American) political and media figures talked so glibly and casually of Assange being executed or assassinated (Anon 2010). It is a further chilling reminder of just how routinely barbaric American right-wing rhetoric has become.

They also showed a laxity about specifying exactly what laws anyone had broken, a trait shared by Australian Prime Minister Julia Gillard and Attorney-General Robert McClelland. In both cases, their original statements soon rebounded on them. McClelland soon had to admit that Assange had broken no Australian laws (Keane 2010), while Gillard was criticised from many sources, including by her old boss. Peter Gordon, head of the prominent law firm Slater and Gordon, Gillard’s former employer, said her comment that Assange had broken the law was baseless: “If the WikiLeaks disclosures tell us anything, it is that no government whatever its political colours, is going to hesitate for a nanosecond to conflate the notion of ‘national security’ with ‘my own career security’” (Kissane 2010).

The most tangible reaction came when, under political pressure, key gatekeepers of online commercial intercourse – Paypal, Amazon, Mastercard, and Visa – all suspended their dealings with WikiLeaks (Gallagher 2011b, Leigh & Harding 2011: 203-208). Their actions hurt WikiLeaks, but equally, the ferocity of the counter-reaction may make them hesitate before again engaging in such censorship.
The vociferous criticisms that followed publication generally paid little attention to the specifics of what had been published. Hilary Clinton, the previous year, had welcomed the internet as a challenge to censorship, and likened it to the samizdat publishing in the Soviet Union (Rusbridger in Leigh & Harding 2011: 2). Now she was appalled by WikiLeaks:

> The United States strongly condemns the illegal disclosure of classified information. It puts people's lives in danger, threatens our national security and undermines our efforts to work with other countries to solve shared problems. … Disclosures like these tear at the fabric of the proper function of responsible government (Sifry 2011: 18).

Not surprisingly the politicians concentrated exclusively on the costs rather than the benefits of the disclosures, although one can surmise that positive consequences also followed. For example, the cables disclosed the low American opinion of the ruling clique in Tunisia, and may have been a factor in the uprising and regime change that occurred soon after there. Sometimes what is said matters less than who said it (McCarthy 2011). The venality of the regime was well known to Tunisians, but they did not know that American officialdom shared their critical views.

While the political hostility to WikiLeaks was predictable, more surprising was the negative treatment it received elsewhere in the media. Journalists normally are the most ardent proponents of Brandeis's view that the best disinfectant is sunlight (Holmes 1990: 27), and while many welcomed the leaks, others were scathingly critical. Christopher Hitchens (ABC 2010) thought Assange “a micro-megalomaniac with few if any scruples” while *The Washington Post* columnists Richard Cohen judged him “thoroughly contemptible” (2010) and Eugene Robinson (2010) thought that WikiLeaks ‘nihilists’ don’t deserve any sympathy. Even *The New York Times*, which had just secured its greatest scoops in years, felt impelled to publish profiles denouncing its sources, Assange and Manning (New York Times 2011). As Assange observed, the notable feature of its article on Manning was the way it psychologised away the morality of his political dissent, occasioned directly by his experiences in Iraq.

Just as the politicians’ protests are best understood as due to a loss of control rather than any substantial damage caused by the leaks, perhaps the key to media hostility is status displacement. For some journalists it seems as if retail leaking – by an individual source to an individual journalist, for whatever ulterior motive – is in the public interest, but wholesale leaking is somehow less worthy, even illegitimate.

The most constant theme in journalistic criticism has been the allegedly indiscriminate and hence irresponsible nature of the document ‘dump.’ But this is a fundamentally inaccurate criticism. While WikiLeaks initially leant towards releasing everything, by the time of the diplomatic cables release, it had been persuaded otherwise. The cables had been subjected to a long ‘redaction’ process, and by Christmas 2010 only 1900 of the quarter million documents had been released. This makes WikiLeaks very different from the *Climategate* mass leak of November 2009. Then the intent was to create confusion rather than clarity, to conjure a vague but powerful sense of impropriety and conspiracy, which it was eventually revealed did not impact on the substance of the science (Tiffen 2010).

The WikiLeaks revelations encapsulate recurring dilemmas and disputes involved in leaks and public disclosure. When should the news media override other institutions’ views about what should remain
secret and impose their own definition of what the public should know? When is it legitimate and helpful to use confidential sources as the basis for news stories? And frequently the two questions are linked, as the media use leaks to disclose information which the government or others say should remain secret.

The conventional lines of debate are well established. On the one side are those who view the disclosure of information through leaks as substantially damaging important public interests, such as national security or the integrity of the policy process, or the privacy of individuals. On the other are those who see leaks as benefiting democracy, as holding power holders to proper account and frequently disclosing official folly and wrongdoing.

However, the conventional debate about leaks is too narrow. While the two sides take directly opposing moral stances towards the phenomenon, whether it is a good or bad thing, in essence they are both addressing only one kind of leak – the subversive or dissident leak. But as The New York Times columnist James Reston famously observed, the ship of state is the only ship that leaks from the top. Appreciating the variety and pervasiveness of leaks in contemporary politics allows us to approach the topic with an expanded moral compass, and helps us to understand why most efforts at leak control are doomed to futility.

A leak can be defined as the unauthorized release of confidential information. However this umbrella covers many variations – that release may come from a dissident but also from someone in authority seeking political advantage, that confidentiality ranges from the very sensitive to the innocuous, from what was intended to be forever secret to the about-to-be announced (Tiffin 1989: 97).

An example of the hypocrisy surrounding the topic was found during the WikiLeaks saga itself. Assange, via the WikiLeaks lawyer Jennifer Robinson, confidentially wrote to the US State Department offering to cooperate on a redaction process before publishing the diplomatic cables in order to reduce damage to any individuals who may be exposed. This offer was rejected out of hand by the State Department, which then leaked its reply to the media (Barrowclough 2011). No doubt it would have been outraged if Assange had been the one to leak it.

Very often it is the fact of the leak rather than its content which most angers politicians. When a leaked record of a conversation between former Australian foreign minister Alexander Downer and the New Zealand High Commissioner was leaked, but Downer was determined to trace the source. The content was not damaging, but the Liberal minister’s suspicions centered on a Foreign Affairs officer who had formerly been a Labor Party staffer, Trent Smith, who was subjected to official searches including of everything on his computer. This failed to implicate him in the leak at hand but showed that he had had other dealings with the Labor opposition. He was then put on fully paid leave for more than two years, awaiting the resolution of the new charges. Meanwhile the investigations into him and their outcomes cost taxpayers more than $A360,000 (Grattan 2005).

A former head of the Department of Prime Minister and Cabinet during the Howard Government, Dr. Peter Shergold, a month after the 2004 election ordered a police raid on the office of the National Indigenous Times, after that newspaper published cabinet-in-confidence material about policy changes in Aboriginal affairs. In a subsequent speech, Shergold reiterated his determination that police would investigate all leaks. He told a lecture1:
Some people are surprised that I called in the police – they shouldn’t be, I always will. It’s not just that theft is a criminal offence, it’s also democratic sabotage. Leaking blows apart the Westminster tradition of confidentiality upon which the provision of frank and fearless advice depends (Johnstone 2004).

Dr. Shergold’s insistence on the sanctity of the policy process would be more convincing if there weren’t a wealth of anecdotal evidence of how successive governments have politicised the advice processes. More importantly in the very same episode, the Government’s restructuring of aboriginal organisations, involving the abolition of the elected organization ATSIC (Aboriginal and Torres Strait Islands Commission), the Minister Phillip Ruddock had been caught on tape briefing Queensland journalists about what the government was planning (Johnstone 2004), including the promise to the journalist that his friends would be looked after. Soon afterwards Ruddock was promoted to Attorney General.

The vigour with which political leaders pursue leaks is most closely associated with the degree of political pain caused. Even in the Pentagon Papers, this was the core of President Nixon’s concern. In one passage, captured on the White House tapes, revealed as a result of the Watergate scandal, Nixon’s adviser Bob Haldeman quotes a point made by a very young presidential aide, Donald Rumsfeld.

Rumsfeld was making the point this morning that the real point of what is to “the ordinary guy” all gobbledygook, but out of it “the implicit infallibility of presidents, which has been an accepted thing in America, is badly hurt” because it shows “the president can be wrong” (Ellsberg 2004).

Protecting the “implicit infallibility” of presidents is a considerable distance from most conventional notions of national security, and shows how in willing hands such concepts can be almost infinitely expanded.

The Australian High Court has offered some protection against such infinite expansion. Sir Anthony Mason in 1980 held that a government could restrain the publication of confidential information only if it could establish that the information was still secret and, most importantly, that publication would cause real detriment, not just embarrassment, public debate and controversy (Turnbull 2010).

Nevertheless, most official complaints about unwelcome leaks are not content specific, but like Hillary Clinton and Peter Shergold, rely on a seamless conception of policy making and advice. The British Official Secrets Act, specifically the infamous Section 2 (Hooper 1987; Ponting 1985) was framed in this open-ended way, so that any disclosure, for example of what ministers or senior public servants had for their afternoon tea, would be an offence. Such sweeping, indiscriminate coverage – much more limited by the 1989 revisions which followed some infamous prosecutions by the Thatcher Government – meant that pursuit of leaks was inevitably selective and open to political discretion and partiality, and that many things were kept secret when there was no reason for them to be. Indeed while political leaders often stress the benefits of confidentiality for policy-making, the arguments for openness are at least as persuasive. As US senator and author Daniel Patrick Moynihan observed, “The great discovery of western science, somewhere in the seventeenth century, was the principle of openness.” This meant that insights and evidence were shared and progress was greater because of the cumulative contributions of the relevant scientific community (Sifry 2011a: 20). Moreover, secrecy often encourages disastrous decisions through the growth of groupthink (Janis 1972), where key assumptions are not tested, and an illusory inner consensus is allowed to prevail.
So much of the public debate is conducted between two unsatisfactory polar extremes.

Many statements of WikiLeaks and its defenders suggest all secrecy is bad, that everything should be published, while equally, political leaders often adopt a similarly undifferentiated approach that all unauthorised disclosures are damaging. There are of course a range of sensible voices who seek to find a middle ground. The Melbourne academic, Suelette Dreyfus, author of the 1997 book *Underground: Tales of Hacking, Madness and Obsession on the Electronic Frontier* – in which she was assisted by a young Julian Assange (using the pseudonym Mendax) – argued that there must be a balance, but that it had shifted too far towards secrecy (2011). Journalist Geoffrey Barker (2010) argued that:

> the point is that publicity and privacy are both essential to effective diplomacy. There has to be a balance between them – and governments generally tilt too far towards privacy while the media tilt too far towards unconsidered disclosure. Yet that perpetual tension is preferable to total disclosure or to total secrecy.

But how does one find the magic fulcrum that both these writers are searching for? And what principles might help?

**Defining principles 1: endangering operational security**

The most easily agreed on principle, although one that is only rarely relevant in disputes about news coverage, is that secrecy is essential in military operations, and that enemy knowledge of plans or operations or even sometimes capacities (Barratt 2011) will jeopardise success. The most infamous case occurred during World War II. After the Allied naval success in the Battle of Midway, the isolationist *Chicago Tribune* published the news that the Americans had cracked the Japanese naval communication codes, allowing them to intercept and understand Japanese signals, so they knew Japanese movements and plans. The American government was understandably outraged, as a key advantage they had would immediately disappear once Japan knew. There was talk of prosecuting the paper, which did not eventuate because they did not want to draw more attention to it, and fortunately, Japanese intelligence was not reading the *Chicago Tribune*.

Operational security typically has a time dimension. It is more relevant in ongoing and future operations and less often to ones past. Thus the Pentagon Papers, although they related to a war that was still continuing, concerned only past actions, and did not have contemporary operational significance. Most would agree that for example the news media should withhold government plans for how to counter an ongoing terrorist siege, for example – that delaying the public’s right to know was fine in the interests of securing a successful outcome.

However, even here there are problems. In early 1961, *The New York Times* discovered that America was planning to support an invasion of Cuba aimed at overthrowing the Castro regime. This became known as the Bay of Pigs invasion. The newspaper decided not to publish on the grounds that it did not want to endanger a US military operation or the lives of those taking part (Sigal 1973: 80-84). No doubt in the anti-Cuban atmosphere of the times it made the politically pragmatic decision. But the US was planning to sponsor an invasion of a sovereign country, clearly against international law.
There is a general agreement that the media will not publicise terrorist threats. For example if there is a threat to target a particular airline, to publicise it could achieve the terrorists’ aims, could inflict chaos and great financial costs without any physical action taking place. On the other hand, in 1989, western intelligence had several vague indications that an attack on an American airline flying from Europe was planned. That became the Lockerbie Pan Am 103 bombing in which hundreds of people were killed. Some diplomats and others knowing of the threats changed to a European airline (Wikipedia 2011). One WikiLeaks revelation confirmed the widespread suspicion that in 2003 the British had released the last Lockerbie bomber back to Libya under heavy commercial pressure from the Libyan government.

During war time the boundaries of operational significance are often disputed. Although morale can be an important part in the success of a war, is it the media’s job to promote it, and where does this end? In 1991, during the Gulf War, many wealthy Kuwaitis had managed to leave the country and were living abroad while the war was being waged. A television crew in Egypt obtained film of some of them going to a nightclub, and others playing soccer (CNN 1991). Efforts were made to censor this film on the grounds that its screening would damage morale.

The Afghanistan and Iraq war logs published by WikiLeaks did not (as far as has been publicly disclosed) transgress any operational details that would endanger future success. Nevertheless – although both wars have long lost the support of large sections of the public – the cables probably damaged political support for the wars, precisely because they gave more information of how they were conducted. They offered an “astonishing insight into the minds of fighting men seemingly detached from the ethics of war” (Jenkins 2010). In Iraq, the body counts allowed a much clearer – although still far from complete – documentation of civilian casualties. Working from the logs, the meticulous and cautious Iraq Body Count group raised its estimate of civilian casualties from 100,000 to 150,000.

Defining principles 2: invasion of privacy and endangering individuals

Almost as consensually agreed on as endangering the security of military operations, is the principle that publication should not invade privacy or endanger individuals (Hurst & White 1994; Hirst & Patching 2007). This second principle was much more pertinent to the WikiLeaks publications than the first. Indeed, it formed one of the major criticisms of Assange. The Guardian journalists Declan Walsh and David Leigh were worried about the repercussions of publishing the names of Afghan informants who could easily be killed by the Taliban or other militant groups if the Afghan war logs were published in full. But when they raised this, according to Walsh, Julian’s response “floored me. Well, they’re informants,” he said. “So, if they get killed they’ve got it coming to them. They deserve it.” It should be pointed out that Assange has vehemently denied ever saying this. Apart from the inhumanity of the attitude, and lack of appreciation of the complexity of conditions on the ground in Afghanistan, Walsh felt that Assange didn’t understand how naming informants would rebound on the whole project (Leigh & Harding 2011: 111). Later such names were taken off the WikiLeaks website, and it seems as if no harm did befall individuals named in the cables, but the potential was present, and the principle is crucially important.

Such concerns long predate WikiLeaks. In Australia in 1980, Richard Walsh and George Munster attempted to publish a book based on Australian diplomatic cables from Australian embassies abroad back to Canberra between 1968 and 1975. The Australian government tried to prevent publication on
the grounds of national security. The original book was pulped, but publication in a different and more restricted form was later allowed (Walsh & Munster 1982). Later in the 1980s journalists Brian Toohey and Bill Pinwill obtained cables from Jakarta, including many from the security service ASIS. The Government argued that verbatim publication would have endangered sources who had helped Australia. Again, a settlement was reached, and a form of publication allowed (1989).

If the account of The Washington Post columnist Michael Gerson (2011) is accurate, there is another case where WikiLeaks publication went against this principle. Gerson was scathingly critical of WikiLeaks for helping the brutal Zimbabwean dictator Robert Mugabe. He said that the cables revealed that Zimbabwean Opposition Leader Morgan Tsvangirai had secretly supported Western boycotts against the Mugabe regime while publicly opposing them. Although at one level this is a classic case of a political hypocrisy – of a politician saying one thing publicly and another privately – given the danger in which Tsvangirai lives and the murderous regime he has so courageously opposed, publication should not have proceeded.

Two earlier WikiLeaks cases are also pertinent. They obtained and published the private emails of controversial Republican politician Sarah Palin and the historian David Irving, whose writings have often minimised the scale and the evil of the holocaust. Although many would judge both figures, especially Irving, to be unsympathetic characters, unless the emails revealed some massive wrongdoing, this does amount to an unjustified invasion of privacy.

The other case is more ambiguous. It published the membership lists of the racist British National Party. (Again, this duplicates an Australian case from June 1998, when The Australia-Israel Review published the names of 2000 members of Pauline Hanson's One Nation Party.) As a result of WikiLeaks's publication it was reported that one police officer lost his job as the BNP is a proscribed organisation. While in a democracy many aspects of political preferences – such as who one votes for – should properly remain confidential if the individual wishes, membership is different, and this is not a mainstream political party, but one with intent to do harm to sections of society. So, one can mount legitimate arguments in both directions.

The care with which WikiLeaks had redacted the material in the lead-up to the release of the cables in late 2010 dissolved into farce nine months later. In a bizarre turn of events, The Guardian journalists David Leigh and Luke Harding had included in their 2011 book the password Assange had given The Guardian to access the files. Everyone had assumed that this password would have been changed since, but following some splits at WikiLeaks there was an encrypted file on which it still worked. Rumour spread quickly at the end of August that this was the case, and on September 1 WikiLeaks made the whole file public. This drew unanimous criticism from the five media partners WikiLeaks had had – The Guardian, The New York Times, El País, Le Monde and Der Spiegel. In addition, Reporters Without Borders withdrew their support for WikiLeaks (Ball 2011b). In turn, Assange attacked The Guardian for laxity.

The result, according to one estimate, was that several thousand cables were released which the US had tagged as believing that their release could put sources in danger, with more than 150 specifically mentioning whistleblowers (Ball 2011a). On Australian Security and Intelligence Organisation (ASIO) agent was named (Welch & Grubb 2011) as were 23 Australians with links to Yemeni terrorist groups, although most had already been publicly identified (Dick 2011).
Although some politicians denounced Assange’s decision, the official reaction was strangely muted compared with the virulent rhetoric in late 2010, even though now there was far more reason for it. It is too early to know whether any of the individuals identified in the cables will suffer as a result of publication.

Defining principles 3: exposing the gap between public statements and private realities

The most common narrative when the media are reporting leaks is one of deception, of how governments are secretly doing or planning something they have not revealed, or of how public statements run counter to private beliefs and actions. Sometimes, the actions were conducted secretly precisely because they would meet with public disapproval if known. WikiLeaks had such cases in abundance. The most spectacular were the revelations that Israel, Saudi Arabia and other Arab states were urging the US to take action against Iran to stop it acquiring nuclear weapons. Another that gained great publicity was that the US Government had ordered its diplomats to get bio-data, credit card details and other information on UN officials.

Perhaps, the starkest contradiction between government leaders saying one thing, while their government did another came from Britain, where officials told the US that British officials told America to ignore Prime Minister Gordon Brown’s statements on the UK’s nuclear deterrent, Trident, and that the US would be allowed to keep cluster bombs in the country despite the ban on them signed by Brown (Gallagher 2010).

The least surprising – but still important – revelation was that Western officials were far more pessimistic about the progress of the Afghanistan war in private than they were in public.

The leaks make it abundantly clear not just that the US-Anglo-European adventure in Afghanistan is doomed but, more importantly, that the American, British and other NATO governments privately admit that too … expose the extent to which the US and its allies see no real prospect of turning Afghanistan into a viable state (Naughton 2010).

Former head of the Australian Defence Department Paul Barratt judged that the “gap between the public statements and the government’s real views (on Afghanistan) is outrageous” (Barratt 2010). And leading Australian diplomat John Dauth was quoted as hoping that the international community would get out of Afghanistan (Nicholson 2011).

Not all the gap between public statements and private assessments was in a pessimistic direction. For example, officials were more upbeat about the struggle against terrorism and especially against al-Qaeda than leaders had been in public (Burke 2011; Dorling 2010).

Rather more surprising was the wariness, even hostility, which Australian leaders showed towards China in their talks with American officials. Kevin Rudd exhibited such attitudes strongly. Malcolm Fraser (2010) strongly condemned the “slavish devotion” to the US exhibited in the secret discussions. “The idea of partnering the US in a war with China, which comes specifically from (then Labor leader) Kim Beazley’s reported comments, is the ultimate example. A war over Taiwan would be an absurdity. The idea that we should participate in such a conflict is unconscionable and totally contrary to Australia’s interests and indeed to Australian security.”
Months after the initial furore around WikiLeaks in November, much more quietly, the dominant theme was that the controversy had caused little lasting damage to American interests. US Secretary of Defence Robert Gates judged “Is it embarrassing? Yes. Is it awkward? Yes. Consequences for US foreign policy? I think fairly modest” (Sifry 2011a: 18). But while this is much more accurate than the apocalyptic claims of damage that initially greeted the leaks, it is perhaps understating their impact. As former Australian diplomat John McCarthy argued “the content of WikiLeaks’ revelations do of course matter” (2011: 3). It is likely that there will be many impacts, most of them publicly invisible. The Iranian and Afghanistan governments will certainly have taken notice. One imagines that China will deal with Australia rather more coolly as a result.

The value of leaks should not ultimately be measured in terms of who is helped and who is hurt, for example whether they help or hinder US conduct of the Iraq or Afghanistan wars. Rather there are issues of principle about what the public should know. Nevertheless, although one would like such judgments to be determined by principles beyond political preferences, they probably cannot be completely independent. Andrew Rasiej wrote about the belated discovery that his grandfather had been killed in the Katyn massacre in Poland in 1940. Only in 1992, after the fall of the Soviet Union, did it come out definitively that those Polish officers had been murdered by troops acting on Stalin’s orders, rather than by Nazi troops as had been believed at the time. Rasiej asks, what might have happened if the truth had been reported in 1940? “The result might even have altered the course of the war” (2011: 1, 2). It was a time of total war, where the survival of democratic Europe was at stake, and many would think that the total defeat of Nazism was the best course the war could have taken.

Similarly, WikiLeaks revealed that American planes and drones bombed a village in Southern Yemen in December 2009 killing 35 women and children. This was part of a secret agreement between the Yemeni government and the US for America to attack al-Qaeda in that country. Columnist Charles Krauthammer (2010) thinks that by this publication WikiLeaks did great damage to the US war on terrorism. Others would think that this is information the public has a right to know, and more good than harm is done by its publication. But there is no absolute vantage point for making such judgments.

Conclusion

Ironically, Assange himself was the victim of a leak. On Friday August 20, Julian Assange, through the services of a mutually trusted intermediary, was nearing an agreement with two Swedish women. Assange had had sexual relations with both, and both now felt strongly aggrieved towards him on several grounds, but most importantly both felt they had unwillingly been subjected to unprotected sex. They wanted him to be tested for HIV, which he initially refused. During this standoff, they went to the police and, to use the Swedish term, “sought advice”. As a result, Assange was charged with rape. Meanwhile, Assange agreed to the test, but by that time on the Friday afternoon, the clinic had closed for the weekend (Leigh & Harding 2011: 145f).

However, almost immediately, the women’s visit to the police was leaked to the Stockholm tabloid, Expressen, which splashed the rape allegations across its front page, and the news flashed around the world. Journalists were demanding a response from Assange. Caught off balance, he replied with
characteristic militancy, referring to dirty tricks, implying he had been the victim of a honey trap. The two women were naturally affronted by the suggestion that they were dupes of the American government or anyone else.

Public hostilities escalated. The women hired a high-profile celebrity lawyer. Assange, now in London, with a similarly glittering team, faced bail and extradition hearings in Britain, which attracted saturation coverage. Both sides had to endure damaging and embarrassing public attention and allegations, as the legal proceedings followed their own immutable logic.

The important aspect is the way publicity transformed the process, how the fluidity of private negotiations solidified into formal adversarial proceedings, where each party’s immediate interests now lay in sharpening rather than resolving the conflict. Without publicity, it is likely that conciliation would have been successful. Assange would have taken the test, which, when he did, showed him to be clean; the women would have been reassured although not reconciled to their former lover, and it is likely the whole matter would have disappeared.

The subsequent legal proceedings in London provided a new global spectacular, just at the moment when Assange, by delivering the largest leak of classified information in history, had become the most famous man in the world (Leigh & Harding 2011: Chapter 12). In late 2010, media coverage of the events in court often exceeded coverage of the leaks. Indeed according to his solicitor, more than three quarters of internet references to Assange also refer to rape (Catlin 2010). It was a powerful demonstration of how publicity limits possibilities, how it often removes flexibility in resolving conflicts, of how its impacts can be harmful as well as beneficial.

WikiLeaks has produced many dramatic revelations, especially in 2010. The extent to which it transforms journalism is yet to be seen. But in one respect at least – about what should and should not be public, about when publicity is beneficial and when harmful to desired outcomes – it intensified existing dilemmas rather than solving them.

References

ABC (2010). Assange and his motives ABC TV 7.30 Report, December 9

Anon (2010). People OK with murdering Assange – the full list
http://www.popleokwithmurderingassange.com/the_list.html


Ball, J. (2011b). Former supporters cut WikiLeaks chief loose The Age, September 4

Barker, G. (2010). All or nothing? Inside Story December 2

Barratt, P. (2010). What the WikiLeaks cables reveal about Australia’s leaders *Inside Story* December 23


Catlin, J. D. (2010). When it comes to Assange rape case, the Swedes are making it up as they go along *Crikey* December 2


Dorling, P. (2010b). Terror groups ‘broken’ *The Age* December 15

Dorling, P. (2011). Secret talks with US on uranium sales to India *The Age* February 10


Fraser, M. (2010). Slavish devotion to the US a foreign policy folly for Australia *The Age* December 14

Gallagher, R. (2010). WikiLeaks: use it, exploit it, hold us to account *openDemocracy* December 12

Gallagher, R. (2011). What has WikiLeaks ever taught us? … Read on … *openDemocracy* February 17


Glass, C. (2010). The secular fatwa on Julian Assange *openDemocracy* December 17


Jenkins, S. (2010). US Embassy cables: The job of the media is not to protect the powerful from embarrassment *The Guardian* November 28


Keane, B. (2010). The Internet v the world part 2: why interconnectedness threatens the powerful *Crikey* December 21

Kissane, K. (2010). Legal fury at ‘war on free speech’ *The Age* Dec 11


Naughton, J. (2010). Live with the WikiLeaksable world or shut down the net. It’s your choice *The Guardian* December 6


Robinson, E. (2010). In WikiLeaks aftermath, an assault on free speech The Washington Post, December 14


Rundle, G. (2010). The World changed this week. And it’s only Monday Crikey November 29


Sifry, M. (2011a). The End of Secrecy The Nation, March 21


Spigelman, J. (1972). Secrecy: Political Censorship in Australia Sydney: Angus and Robertson

Thiessen, M. A. (2010). You’re either with us, or you’re with WikiLeaks The Washington Post December 7


Tiffen, R. (2010). You wouldn’t read about it. Climate scientists right The Sydney Morning Herald July 26

Tiffen, R. (2011). Lonely evenings at the photocopier Inside Story June 16


Editorial Notes


About the Author

Rodney Tiffen is an Australian emeritus professor of political science in the Department of Government and International Relations at The University of Sydney. Professor Tiffen is one of Australia’s leading scholars of the media. His most recent book, co-authored with Ross Gittins, is How Australia Compares (2004, Cambridge University Press). He is also author of Diplomatic Deceits, Government, Media and East Timor; Scandals. Media, Politics and Corruption in Contemporary Australia; News and Power; The News from Southeast Asia; and numerous articles on mass media and Australian politics. He is editor of Mayer on the Media: Selected Essays on Australian Media, and co-editor of Australia’s Gulf War.
Internet Piracy as a hobby: what happens when the Brazilian Jeitinho meets television downloading?

Vanessa Mendes Moreira De Sa  
University of Western Sydney, Australia

Abstract

This article explores the Brazilian cultural practices of illegal downloading of American television programs. Through research on television show forums, fandom websites, fan communities in the social networking website Orkut, the networks’ homepages and literature review, piracy is shown to be related to cultural practices and an inadequate television broadcasting system. It seems Brazilian fans persist in breaking the law when downloading television shows from unauthorised sources, regardless of the severe legal penalties for transgressors. They use a popular “problem-solving strategy” (Duarte 2006) called jeitinho brasileiro to respond to the delay or unavailability of U.S. programming on Brazilian cable and free to air television. The jeitinho brasileiro is exemplified by the fans having organised systems of file sharing of the episodes in Orkut fan communities. The study looks at a group of fans named ‘legenders’ who produce subtitles for the downloaded shows as a hobby, despite the Brazilian legislation on intellectual property protection. Furthermore, the article explains why Brazilians do not respect the law as a result of cultural, economic and political contexts. It concludes with the idea that the broadcasting industry must update and adapt its television programming distribution system taking into account the particular cultural situation of each country, in particular Brazil.

Introduction

Internet piracy involves unauthorised sharing, copying, downloading, broadcasting and distribution of copyright protected content, whether or not profits are pursued and earned (Mason 2008; “Pirataria na Internet”, n.d.). Although only 34% of the Brazilian population have access to the Internet (Instituto Brasileiro de Opinião Publica e Pesquisa 2009), piracy is rapidly spreading through new and constantly evolving file sharing technologies (Mizukami, Castro, Moncau, & Lemos 2011). In Brazil, there are state and federal laws that prohibit illegal file sharing of media content and unauthorised translations of intellectual property, however, the country's copyright infringement tracking system is still limited (Salatiel 2009). In addition, the production of contraband pirated DVDs of films and TV shows represents a major issue for copyright protection (Delfino 2009). For the purpose of this research, this issue is not explored further as it covers a different type of piracy. The piracy related to this research is web based, excluding websites which sell pirated DVDs, and in most cases it is carried out by television show fans reflecting the notion of participatory culture (Jenkins 2006b) and collective intelligence (Levy 1995,1997).
Many Brazilian fans who want to have immediate access to American television shows, search for content in the social networking website Orkut and fandom websites specialising in downloads and subtitles. The major delays in releasing programs in Brazil in comparison to the U.S. appears to be related to television downloading practices, which reflect the jeitinho brasileiro strategy. The jeitinho brasileiro, term translated as “a clever dodge” (DaMatta 1979, 1991) defines a famous characteristic of Brazilian culture. It is a way of solving problems or dealing with situations. Brazil's infamous bureaucracy slows down individuals' daily activities and business. The jeitinho is the way to overcome it (DaMatta 1986; Duarte 2006; Gagliotti 2006; Rosenn 1971). In simple words, it is when Brazilians find a way to circumvent the system, superior power or law, usually for their own benefit (Motta & Alcadipani 1999: 9), but it can also be to help others (Barbosa 1992). Although it sounds like an illicit activity, it feels natural to Brazilians, who see it as a way to “get things done” (Duarte 2006: 509).

As a result, it is possible to find on the Internet, a great range of downloading options created by Brazilian television show fans. In the cultural environment of the jeitinho brasileiro, downloading practices include any production of subtitles for the downloaded television programs by a particular group of fans named legenders (“Ameaças de processos” 2006) or legendadores (Olhar digital 2010). In this context, piracy may be seen as part of a cultural practice. In addition, the high degree of perceived corruption and impunity (Abram 2000; Carvalho Filho 2004; Machado 2008; Percepção da corrupção piorou durante o governo Lula, 2010; Lang 2010; Victor 2010; Zmoginski 2010b), in Brazil along with its impractical Internet copyright protection legislation, due to its severity (Lemos 2005), has contributed to people's disrespect for the law.

This article investigates how online subcultures have emerged in Brazil within a constellation of social, cultural, commercial, political, and technological forces. Downloading content is generally inexpensive or free of charge that is a considerable incentive for file sharing. However, this article focuses on the social practices of downloading television shows by Brazilians who are applying the jeitinho Brasileiro. The article explores television downloading in the social networking website Orkut and the legenders activities. It also argues that the Brazilian political context and an inadequate copyright law contribute to people's disrespect for the legislation. It is time for the television industry to start developing more competitive business models and understand better local contexts instead of only focusing on fighting against what is considered piracy.

Broadband: accelerating beyond the Internet connection speed

The advent of high speed Internet broadband and its increasing accessibility world wide has contributed to enhancing people’s social relations online. In recent years, the Internet has an important role in social networking, especially in the fandom world. In Brazil, fans of television shows have been using the social networking website Orkut to discuss and download the episodes and exchange spoilers. Orkut is the most popular social networking website in Brazil (Mizukami, Castro, Moncau, & Lemos 2011: 264) and one where the majority of users claim their nationality to be Brazilian (Orkut Demographics 2010). For instance, fans of the television drama/fantasy/horror Supernatural can be found participating in the community Supernatural/Sobrenatural which has over 640,000 members as shown in Table 1. The links for downloading the episodes are available within hours after being aired in the U.S. and organised in topics according to season and episode order presenting the file properties such as size and type.
Table 1

Current Season Status in Brazil and the U.S. of the Most Popular American Television Shows and their Popularity in Orkut Communities

<table>
<thead>
<tr>
<th>TV Show</th>
<th>Brazil Free to Air</th>
<th>Brazil Cable TV</th>
<th>U.S. Free to Air</th>
<th>U.S. No. of Members Orkut</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supernatural</td>
<td>3</td>
<td>5</td>
<td>6 (Ep.4)</td>
<td>646,429</td>
</tr>
<tr>
<td>House</td>
<td>5</td>
<td>6</td>
<td>7 (Ep.4)</td>
<td>357,348</td>
</tr>
<tr>
<td>Gossip Girl</td>
<td>1</td>
<td>3</td>
<td>4 (Ep.5)</td>
<td>270,538</td>
</tr>
<tr>
<td>Smallville</td>
<td>1</td>
<td>9</td>
<td>10 (Ep.4)</td>
<td>228,761</td>
</tr>
<tr>
<td>Glee</td>
<td>none</td>
<td>1</td>
<td>2 (Ep.3)</td>
<td>164,990</td>
</tr>
<tr>
<td>Dexter</td>
<td>none</td>
<td>4</td>
<td>4 (Ep.4)a</td>
<td>141,975</td>
</tr>
<tr>
<td>Modern Family</td>
<td>none</td>
<td>1</td>
<td>2 (Ep.3)</td>
<td>51,441</td>
</tr>
</tbody>
</table>

Note: Number of members on selected Orkut communities as for October 12, 2010; Ep. = Episode.

aDexter is an exception on this Table since it is available on cable television in the U.S., not on free to air.

People’s relationships in the online communities develop because of common interests after they start interacting more proactively, creating what is called participatory culture (Jenkins 2006b). Participatory culture happens when the viewers evolve to fans going beyond just passively watching content, to interacting with other viewers and joining fan communities (Jenkins 2006a). Together they share, create and publish content utilising user generated platforms, such as YouTube. They are supported by other users, creating a new model of cultural production (Jenkins 2006b). The fan communities create “new social structures” (Jenkins 2006b: 246) where “consumption has become a collective process” (Jenkins 2006b: 4). As Jenkins (2006b) suggested, this idea is fully linked to the Levy’s concept of collective intelligence (Levy 1995, 1997). Collective intelligence can be related to the collaboration between members of virtual communities to combine their understanding to answer a specific question. Jenkins (2006b: 28) mentions the US version of the television show Survivor as an example of collective intelligence. Similar to the Supernatural Orkut community, fans create groups to discuss episodes, exchange information and learn about future developments. Every member of the group contributes with different perspectives and these
communities are used for sharing ideas and to aggregate knowledge. The collective intelligence concept is also demonstrated by the legenders as it will be further explained.

The discussions in fans communities of social networking websites appear to be related to the increase in downloading of television shows. Viewers must be up-to-date with the current episodes in order to take part in the discussions and to avoid spoilers (Brown & Barkhuus 2006). Additionally, the discussions increase people awareness of new television shows’ episodes and how to access them online. The following sections explore the subcultures emerged from television downloading practices and how they cooperate in a social ground through Orkut communities and the amateur subtitle teams, also known as legenders.

When a fan says I can’t wait for the next episode, he or she really means it

The gap in time between an episode being released in the US and in Brazil can be extremely challenging for television show viewers, especially those who interact with other fans in discussion forums. Table 1 lists the shows and their current season status in Brazil and in the US, along with their popularity in Orkut, the most used social networking website in Brazil (“Orkut ainda é a rede” 2010). The television shows in Table 1 were chosen because of their popularity among Brazilian fan communities or groups in Orkut, and also for having their subtitles frequently requested in fandom websites specialised in producing Brazilian Portuguese subtitles for downloaded shows. In the number of Members Orkut only the fans communities, per show, with the highest number of members are considered. It must be emphasised that there are other groups for the same television shows and some of them have a similar number of members. It is difficult to accurately determine the total number of viewers who engage in these groups, as an individual can be part of more than one group. Thus, as a comparative reference, these specific groups are considered: Supernatural/Sobrenatural, House Oficial, Gossip Girl Oficial, Smallville Oficial, Glee Brasil, Dexter Oficial and Modern Family Oficial.

In television show communities, Brazilian fans discuss the most recent episodes of their favourite series and play games related to the shows with other fans. The highlight, however, is having the links for downloading all of the television show’s episodes. The links direct users to server websites such as Megaupload, Hotfile, Fileserve and Rapid Share, where the newest episode can be downloaded within a couple of hours after being broadcast in the US. There is always a specific topic with a purpose, such as a Season 4 episode 1 discussion for fans’ comments about that episode. The discussion topics are so popular that in less than three days after the Supernatural season 6 episode 3 was available for downloading, there were almost 900 comments on the Supernatural/Sobrenatural community.

Table 1 indicates that viewers, who do not own pay television, which is about 85% of the population in Brazil (Agência Nacional de Telecomunicações 2010), must wait months or even years to watch the newest season’s episodes and new television series in comparison to their release in the US. It is possible to deduce that all shows listed are at least one season further advanced in the US, in comparison to their availability on Brazilian cable television and free to air. Gossip Girl is a popular show in Orkut, however, it stopped being aired on cable in the middle of season 3 (Warner Channel suspende exibição de Gossip Girl 2010) and on free to air television in season 1. Consequently, fans must rely on the DVD release in Brazil

<table>
<thead>
<tr>
<th>Show</th>
<th>Current Season Status</th>
<th>Members Orkut</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supernatural/Sobrenatural</td>
<td>Season 6</td>
<td>1000+</td>
</tr>
<tr>
<td>House Oficial</td>
<td>Season 3</td>
<td>800</td>
</tr>
<tr>
<td>Gossip Girl Oficial</td>
<td>Season 1</td>
<td>600</td>
</tr>
<tr>
<td>Smallville Oficial</td>
<td>Season 6</td>
<td>500</td>
</tr>
<tr>
<td>Glee Brasil</td>
<td>Season 5</td>
<td>400</td>
</tr>
<tr>
<td>Dexter Oficial</td>
<td>Season 4</td>
<td>300</td>
</tr>
<tr>
<td>Modern Family Oficial</td>
<td>Season 3</td>
<td>200</td>
</tr>
</tbody>
</table>
to watch the new episodes. *Supernatural* fans also have to wait to watch Season 6 on cable television, as the Warner Channel has not started airing it. Considering the high number of viewers who participate in the official community, as seen on Table 1, avoiding spoilers is an issue.

The shows *Glee*, *Dexter* and *Modern Family* are often requested in Orkut fan communities, and they have considerable popularity in the Orkut discussions, which is a surprise considering that these shows are only available on cable channels in Brazil. Therefore, the online viewership could be related to the power of word-of-mouth from the fans in discussion forums, increasing viewer curiosity in others and leading them to download programming that is not available on free to air television. Jenkins (2008) defines such examples as when “piracy becomes promotion” (para.5).

It is possible to conclude from Table 1 that the availability of the show on free to air and pay television could be associated with the number of members on Orkut discussion groups, as it increases exposure to the population. This statement can be illustrated by the shows *Supernatural* and *House*. It also seems television downloading offers the fans the possibility of watching shows that are no longer available through the networks’ programming, such as the show *Gossip Girl*. Moreover, cable subscribers have more access to American series than viewers with free to air television only. An analysis of Brazilian television networks schedules, shows that free to air television channels usually show American television programs after midnight and some of the networks purchase the licensing but only start showing a new program with major delays in comparison to its release in Brazilian cable television and in the US (“Globo compra direitos” 2010). Hence, Brazilian fans who cannot afford cable are left with limited options to access this specific content.

The eagerness for the newest television show episodes leads Brazilians to seek alternative ways to access them sooner than what is provided through regular broadcasting. Some of these alternative options involve copyright infringement. This applies to the Orkut communities offering downloads of television shows. It is not the first time Brazilians have utilised Orkut for file sharing. Orkut has had problems in the past, such as with the Discografia community, considered by executives to be the “biggest community exchanging links to illegal music files in Latin America” (Cobo 2009). The community had one million participants who downloaded and requested songs to the moderators of the community. In 2009, APCM, the “Antipiracy Association of Films and Music”, affiliated with the Motion Picture Association of America, closed the Discografia community after almost four years of operation (Cobo 2009).

The Legenders have become legend

Orkut is considered by many as a convenient platform for accessing television shows as most of the links direct users to files that have Brazilian Portuguese subtitles encrypted. Nevertheless, it is not the only way of downloading. Many people prefer P2P file sharing systems such as BitTorrent for different reasons not explored in this article. However, these files are usually downloaded in their original languages with no subtitles. Therefore, after downloading the video file, most Brazilian viewers require subtitles in Portuguese, which is provided by a group of fans, who identify themselves as legenders (“Ameaças de processos”, 2006). According to the report *Media Piracy in Emerging Countries*: “there are at least thirty teams of legenders actively working in Brazil and many independent translators working on their own” (Mizukami, Castro, Moncau, & Lemos 2011: 265). Some of the most popular legenders’ teams in Legendas.TV,
Brazilian fandom website source of subtitles, are Os Psicopatas, InSUBs theLoneGunners, United, Darkside and Hellsubs (Leal, 2010). Furthermore, some of the legenders’ teams have their own websites providing the subtitles they created. A popular series such as Lost had up to 60,000 subtitle downloads in the first few days after it aired (Olhar digital, 2010).

The Legendas.TV’s organisers are responsible for distributing the television series between the teams of legenders registered in the website (Calazans 2010). According to an InSUBs’ member, the popular series are allocated to the most experienced and qualified teams (Calazans 2010). Therefore, it is possible to say that a symbolic power operates within and across the culture of legenders. Many times, individual qualifications such as specific university degrees are determinant factors in the decision of allowing that team to be responsible for a television show’s subtitles. For instance, the InSUBs team who produces the subtitles for Grey’s Anatomy and House have a physiotherapist, a nurse and a medical student in their team, which facilitates the understanding of medical terms (Sayuri 2011). The individual contributions reaffirm the importance of the concept of collective intelligence in these activities.

The legenders usually stay awake during the night creating the subtitles for the television shows. They consider it a hobby, but act professionally, providing coherence with the subtitles and good synchronisation with the scenes (Calazans 2010, Olhar digital 2010). The process starts while the episode is still being aired in the US, with a team of legenders watching it in real time via Justin TV (Olhar digital 2010). Then, it is divided into parts and distributed to members of that team for translation, which reflects the participatory culture (Jenkins 2006b) of fans. In order to keep the quality standards, the Legendas.TV website have strict rules of how the subtitles are created. All teams of legenders must follow or they may lose their rights to create the subtitles for a particular television show (Sayuri 2011). In addition, the Legendas.TV also has established deadlines for publishing subtitles in their website. As the legenders work in teams, if one of the members delays on finishing its part, or produce subtitles in discordance with the Legendas.TV standards it can jeopardise the work and reputation of all the other members. Moreover, according to the Queens of the Lab, another team affiliated to the Legendas.TV, the time pressure also come from fans who demand the legenders to finish their work as soon as possible (Series Freak Team 2011). This is considered a drawback for many legenders as they would rather if these fans appreciated their work more considering it is voluntary.

The legenders’ controversial work illustrates the emergence of a subculture of fans who found a way to circumvent the system through an online community. Therefore, it reflects the jeitinhos practice. Although the jeitinho is generally used for an individual’s advantage, it can also be used to help others (Barbosa 1992). By producing subtitles the legenders help many Brazilians fans to access a desired content. The legenders do not consider their work as piracy, and they feel rewarded by the friendships created and for becoming in a certain way part of their favorite television series (Leal 2010). Through analysis of interviews with several legenders in electronic articles, it is possible to affirm that the majority never met each other outside the Internet. The interactions are limited to contact via MSN. However, it seems this mostly happens due geographic constraints.

The legenders are communities of practice, consistent with Wenger, McDermott, and Snyder’s (2002) definition; they are connected by a passion, American television shows, and they meet regularly with the valuable purpose of sharing information, improving their translating skills and forming a community. Some of these legenders are students and others have established careers. The person who writes under the
Pseudonym Fê, for instance, is a doctor who sees creating subtitles as an opportunity to make friends and improve her English skills (Silva, 2009). The same applies to the uploaders (Silva 2009) or seeders (Brown and Barkhuus 2006), who upload the files to the websites. They claim to not have any financial return from this voluntarily task and that cooperating using the file sharing system is also about the friendships they create and positive feedback from satisfied fans that have had access to the content (Silva 2009). Therefore, in a digital economy, their work can be classified as free affective and cultural labour (Terranova 2004). The legenders are not only fans, or collaborators in the Legendas.TV website, but they are also part of a community.

Crime and punishment in generation P2P

Nevertheless, uploading and creating subtitles in Brazil is considered an illegal activity. According to the Brazilian legislation, movies, television series, books or music must have the authorisation of the copyrights’ owner in order to be translated (Brazilian Copyright Act of 1998, “Pirataria na Internet”, n.d.). Hence, the main coordinator of intellectual property rights of the Ministry of Culture (Silva 2009) affirms the legenders could be liable for three months to a year of jail, or bail, for distributing protected material.

In 2009, Brazil’s International Federation of the Phonographic Industry and APCM threatened Legendas. TV datacenter causing temporary disruption of its service (Enigmax 2009). APCM represents the interests of major American production companies, such as Universal and Disney. After a couple of days, in spite of the accusations, the Legendas.TV site was working again. It seems the Brazilians’ strategy of resolving issues (Duarte 2006) jeitinho can be illustrated by this example: the solution was migrating to a different and more secure datacenter in another country. However, since it implied costs, the Legendas.TV owners requested on their blog for financial support from the website’s users. Although the donations requested were not compulsory, many users happily offered to contribute (“Legendas.tv temporariamente” 2009). In July 2010, the Legendas.TV went off line again for a couple of hours, displaying the US Immigration and Customs Enforcement warning. This time, however, it was closed by the owners and the image was later replaced by an explanation that there was a protest against the website Brazil-Series being shut down the day before (Zmoginski 2010a). Once again, the relationship between fans is apparent. On July 16, 2010, the website Brazil-Series.com had its services terminated by the APCM. This was followed by its owner’s arrest. As the website takes donations and displays advertising, it was considered to have infringed copyright with the purpose of earning profits. The website had 800,000 users a month and offered links to television shows from popular series (Enigmax 2010).

Many people who download television shows say: “it is TV isn’t it? … It would probably be different if it was a movie. If it is free on everybody’s TV, why worry about it?” (Chmielewski & James 2006: para.3). This idea is put forward by television viewers all over the world in response to the accusation that unauthorised file sharing is stealing. This is in addition to defensive arguments such as “everybody is doing it” (Barros, Sauerbronn, Costa, Darbilly, & Ayrosa 2010; Lessig 2008: xviii). As Lessig (2008) states, this entire generation of Internet users is composed of ‘criminals’, if the outmoded copyright legislation is to be taken literally and file sharing in this way is considered to be piracy.

Ronaldo Lemos (Silva 2009) argues that the current intellectual property protection law in Brazil is one of the most restrictive in the world, being impractical and ineffective. He claims that the 1998 intellectual property
legislation establishes everything that is forbidden, but it does not clarify what is allowed, opening space for confusion and interpretation (Carmen 2008). In addition, the current intellectual property law inefficiently addresses the changes in communication technologies and emerging Internet social practices. When taking the Brazilian legislation (Brazilian Copyright Act of 1998b) literally a person who buys a music CD and upload the songs to a MP3 player is infringing the law (Lemos 2011). That is because the law restricts private reproduction to copying parts and not full length of media content. Therefore, Lemos believes that having laws impossible to be controlled could lead to people’s disrespect for its absurdity (Silva 2009).

By analysing community pages regarding television programs file sharing on the social networking website Orkut, it becomes apparent that the downloading practices are related to the idea of Brazilians disrespect for the authorities and the copyright legislation (DaMatta 1986). If Brazilians really gave overriding importance to the law, they would not join communities in Orkut with titles such as Films/TV downloads or _Eu não compre faço download_, which literally translates to “I don’t buy, I download.” In social networking websites, most of the users have their personal pictures and information available; hence, it is possible for authorities to track the members. The community _Eu não compre faço download_ has existed since 2007 and has 440 members (Retrieved October 12, 2010). This is a considerable number, taking into account the legislation and the controversial title. It is possible that the severe intellectual property legislation results in the opposite of its desired effect, since it is not working in Brazil as elsewhere in the world. However, as this article is being written, there are projects and debates happening in Brazil to upgrade the law accordingly.

Brazil is not the only country in which many people believe it is not stealing to download television, movies or music (Barros et al. 2010) or that legislation relating to downloading can be ignored, otherwise peer-to-peer file sharing would not be responsible for the majority of the world’s Internet traffic (Schulze & Mochalski 2009). Mun (2008) claims that piracy may happen differently from one country to another due to various “socio-economic, legal, political, technological and cultural dimensions” (33). In Brazil, people find it absurd that anti piracy organisations act to arrest civilians while more important crimes go unpunished. After the owners of Brazil-Series were arrested, television show fans went to discussion pages that mentioned the case (Lang 2010; Victor 2010; Zmoginski 2010b), to argue the fact that the corrupt government, the police, narcotic trafficking gangs and murderers are not punished for bribery, or when caught, they are often released early due to overcrowded jails. As such, Brazilians defend their illegal downloading actions based on the impunity claim: “if they can do it, why can’t we?” and “if they don’t get into trouble, why should we?” (Lang 2010; Victor 2010; Zmoginski 2010b). Almost everyday, it is possible to find in any Brazilian newspaper an example of criminals not being prosecuted and corruption happening in the country.

Thus, in Brazil there are two issues: (1), people disrespect the moral or ethical view that anti-piracy organisations try to put forward, and (2), the impractical and inadequate legislation (DaMatta 1986; Lemos 2005). There is a socio-cultural and political problems associated with piracy and it is not only because the content online is free. In addition, previous research indicates that piracy is related to culture as much as it is influenced by an economic context (Mun 2008) and this is the case in Brazil. In developed countries such as the US and England, the legislative system reflects their citizens’ social practices and common sense (DaMatta 1986). Whereas in Brazil, DaMatta (1986) suggests that people constantly find themselves in between private and public interests that can be demonstrated by cultural practices such as the _jeitinho_. This is accentuated by a reality of uneven distribution of national income.
As this article has shown, the high levels of perceived corruption and disagreement with the law coupled with an unsatisfactory delivery of television content increases a sense of blurriness of the illegality in downloading. Although finding alternatives to circumvent the system, which reflects the *jeitinho* principles, was the primary idea, television downloading practices grew a stronger understanding of community among Brazilian Internet users. Therefore, the emergence of subcultures in Orkut and the legenders’ teams demonstrate this change in audience behaviour.

**Combating piracy through more competitive models**

There is an audience and a high demand for content that was created mostly by the power of word-of-mouth, assembling the collective intelligence (Levy 1995,1997) in social networking website communities. As Jenkins (2008) discusses by comprehending the market and its demands better, the media industries can minimise piracy rates. As such, further research is needed. In countries like Brazil, it is fundamental to take into consideration the background, and then find a more suitable distribution business model. Networks and production companies could work on shows’ licensing agreements seeking a simultaneous release in the US and in Brazil. Maybe this would attract viewers back to mainstream television. In addition, as mentioned earlier in this article, only 15% of the population in Brazil has cable (Agência Nacional de Telecomunicações 2010). Improving and popularising cable services by reducing fees for instance, could attract more subscribers. This could be interesting for all parties involved. It is business as usual during the regulatory review, thus as Vincent (2007) suggested, if the problem is revenue stream loss, an increase of product placement in the shows could relieve the issue. It is the kind of advertising that viewers cannot fast forward. If Internet users are always one step ahead of legislation (Cunningham & Turner 2006), media companies should accept reality, create more “competitive business models” (Mason 2008: 59) and stop fighting against it. Companies must compete with unauthorised file sharing and this can be achieved by understanding what drives people to do it.

One third of the profits of popular television shows come from foreign markets, plus DVD sales as a revenue stream (Chmielewski & James, 2006). Hence, it is understood that it is an important market and it requires special attention. Maybe working on the licensing agreements and offering shows over the Internet (Noam, Groebel & Gerbarg 2004) through legitimate programs such as iTunes, but again with simultaneous release, would be a possible solution. Television audiences worldwide are utilising the Internet in a way that prevents major companies from totally controlling access. Restriction is not the best solution, as what is already available cannot just be taken away. It would only generate other kinds of piracy.

Media leaders cannot afford to be single minded and think that the current broadcasting system is not going to change radically in the next 20 years. The television could completely migrate to the Internet or maybe, the Internet could be the beginning of global broadcasting. Media technologies and audiences are progressively changing, and communication platforms are evolving faster than ever before. Television industry representatives must find a better way to attend to a demand for content delivery online by taking into account local contexts such as the emerging Brazilian online sub-cultures applying the *jeitinho brasileiro* practices. That way, they not only could reduce piracy; but possibly find new outlets to distribute content and explore new markets.
Conclusion

The delay in availability of shows on free to air and cable television in Brazil in comparison to the US is one of the biggest reasons for the illegal downloading of content. Fans who participate in social networking websites, such as Orkut, may find it a challenge to avoid spoilers if they are not up-to-date with their favourite series. As the file sharing of television shows is an illegal activity, these fans are considered pirates. According to Brazilian legislation, there is severe punishment for transgressors. However, Brazilian fans persist in breaking the law through a popular method to resolve issues without following guidelines called *jeitinho brasileiro*. The *jeitinho* can be explained by fans having organised systems for file sharing of television shows. In addition, there are fandom websites that provide subtitles for the downloaded episodes. These sites are maintained by a group of fans called legenders, who consider translating television shows a hobby.

This article also presented the reasons Brazilians do not comply with the law. This is due to cultural, economic and political matters. In a country with high levels of corruption and uneven distribution of national income, downloading television shows is not perceived as dishonesty by file sharing users. The broadcasting industry should acknowledge these factors especially considering that a reasonable share of profits comes from foreign markets. There is a great demand for television content in Brazil and that is not being efficiently met. Hence, a solution may be for networks and media producers to work on better licensing agreements that would make it possible for simultaneous release in both countries.

The broadcasting system as we know it is obsolete. The industry must develop strategies that are more creative and adapt to the regional markets. Until then, the *jeitinho* seems to be the only answer for many Brazilians to receive what is not otherwise being supplied.

References


Brazilian Copyright Act of 1998, 9.610/98 Civil code § 3-Art.29 (IV)

Brazilian Copyright Act of 1998b, 9.610/98 Civil code § 4-Art.46 (II)


Carmen, A. (2008). Ronaldo Lemos fala sobre a tensão entre leis e Internet [Ronaldo Lemos speaks about the tension between the law and the Internet]. Retrieved from http://www.cultura.gov.br/site/2008/02/21/ronaldo-lemos-fala-sobre-a-tensao-entre-leis-e-Internet/


Chmielewski, D.C., & James, M. (2006, March 1). TV may be Free but not that free. As downloads increase, executives have to figure out how to convince people it’s stealing. *LA Times*. Retrieved from http://articles.latimes.com/2006/mar/01/business/fi-tvpirate1


Delfino, J. (2009, December). *APCM colabora na apreensão de mais de 45 milhões de CDs e DVDs piratas e virgens no País [APCM assists on the retention of 45 million pirate and virgin CDs and DVDs in


Footnotes

1. “Fandom refers to the social structures and cultural practices created by the most passionately engaged consumers of mass media properties” (Jenkins, 2010, “Fandom, Participatory Culture”, para. 3).

2. Legendas.TV and Legendasbrasil.

3. Amateur subtitlers.

4. Spoilers are reviews of the outcomes of the television shows or movies.

5. Brazilian Portuguese title.

6. As at October 12, 2010.


8. Rede Globo, SBT, Record and Bandeirantes.


10. Associação Antipirataria de Cinema e Música.

11. BitTorrent is one of the most popular peer-to-peer file sharing protocol in the world (Schulze & Mochalski 2009).

12. For example: Hellsubs Team: http://hellsubs.forumfacil.net/forum.htm and Darkside team: http://darksite.tv/


14. There are limited publications on the legenders’ work.

15. Heading based in the novel by the Russian author Fyodor Dostoyevsky.

About the Author

Vanessa Mendes Moreira de Sa is a PhD candidate at the University of Western Sydney. Her thesis is title: Television without frontiers.
Cries from Babylon: the problem of compassion in Australian refugee policy

Jonathan Foye & Paul Ryder University of Western Sydney, Australia

Abstract

In considering the problem of asylum generally, and the experience of ‘boatpeople’ specifically, through the tools of Critical Discourse Analysis (CDA) and New Criticism Cries from Babylon is a study of asylum-seeker discourse within the Australian body politic. More particularly, it is a retrospective on shifting policy rhetoric during the Rudd and Gillard Labor governments. Through its historical-cultural and linguistic analysis, the paper positions the rhetoric of these Prime Ministers in the context of an historical narrative concerning the asylum seeker. A principal finding is that, despite indubitably strong personal convictions (inspired, in significant measure, by the life and work of World War II martyr Dietrich Bonhoeffer), in trying to appease the right of Labor’s own broader electorate, Rudd occasionally echoed — though never adopted wholesale — the hard-line rhetoric of his predecessor John Howard, Prime Minister of Australia 1996 – 2007. In making its arguments, Cries from Babylon also considers the resurgence of such rhetoric by Prime Minister Julia Gillard and Opposition Leader, Tony Abbott.

He has walled me about so that I cannot escape; he has put heavy chains on me (Lamentations 3:7, New Revised Standard Version).

In “From refugee camps to gated communities: bio-politics and the end of the city”, Bülent Diken writes that “society seems unable to decide whether the asylum seeker is the true subject of human rights, which it invites everybody to accept as the most sacred of the sacred, or simply a criminal, a thief …” (2004: 84).

As the strident voices of political imperative and practicality have overridden both the cries of the refugee and the expressions of moral normalcy that accompany them, so the rough, but generally functional, framework that once gave limited succour to those compelled to flee their homelands has been bent out of shape. Not quite squeezed out of the rhetorical milieu completely, the compassionate humanitarian everywhere finds himself pressing against the dominant edges of a rhetorical parallelogram: one side of which demands to ‘know’ the true status of the exile while the other determines to punish him anyway.

Before the 2007 election, and early in his tenure as Australian Prime Minister – with one exception – Kevin Rudd adopted the rhetoric of the compassionate humanitarian. But those utterances, characterised by Christian overtones and broader appeals to moral normalcy, contrast with his (and, later, Julia Gillard’s) ‘harder’, post-election “tough on people smugglers” rhetoric. This shift reflects a broader dilemma that paralyses the West and that provides fertile (and sometimes thorny) political territory for opposition parties.
In considering the problem of asylum generally, and the experience of ‘boatpeople’ specifically, *Cries from Babylon* is a study of asylum-seeker discourse within the Australian body politic and a retrospective on shifting policy rhetoric during the Rudd and Gillard Labor governments. The rhetoric of these two Prime Ministers and Leader of the Opposition, Tony Abbott, are examined throughout using the tools of Critical Discourse Analysis (CDA) and New Criticism. Through its historical-cultural and linguistic analysis, the paper places the former Prime Minister’s policy in the context of a national history that has, in turn, contributed to a peculiar and profoundly debilitating moral paralysis. The result of this paralysis is the banishment of the asylum seeker to a no-man’s land where the confined are rendered ‘invisible’ and where they endure traumas echoing those from which the vast majority sought escape. The paper thus reveals several ironies, the first of which is that a then Prime Minister who espoused so reverently the moral posture of Dietrich Bonhoeffer found himself increasingly condemned as one of the ‘reasonable’ people who, through their naivety and desire to please all of the people all of the time, fail to “bend back into position the framework that has got out of joint” (Bonhoeffer 1971: 4).

A second irony is that in trying to appease the right of Labor’s own broader electorate, Rudd occasionally echoed – though never adopted wholesale – the hardline rhetoric of the Howard government (1996-2007). Arguably, rather than attenuating this less compromising rhetoric, the Gillard government’s aborted Malaysian ‘solution’ was emblematic of this approach and pushed Australia’s refugee discourse further to the right. *Cries from Babylon* also argues that Leader of the Opposition, Tony Abbott, has had an influential (and even antagonistic) role in effecting this rhetorical shift.

For a range of reasons, practical expressions of compassion toward asylum seekers come at significant political cost, and no left-leaning Australian government has been prepared to stand fast on the matter. Rather, there is an acute political awareness of a contradictory consciousness that Australians have when it comes to admitting aliens. Having initially capitalised on the Australian sense of the “fair go” (that side of the contradiction that celebrates expressions of moral normalcy), Kevin Rudd found himself wedged between that which happened to align with his self-espoused personal convictions (practical expressions of compassion toward those who seek asylum) and suspicious, or even xenophobic, perspectives on the alien. From April 2008 until his ousting from the Lodge, Rudd’s response appears to have been to say as little as possible on the subject: a “fleeing from public altercation into the sanctuary of private virtuousness” (5).

But Bonhoeffer explains that, since a man must therefore close his eyes to the injustice around him, there is no merit in this. In the wake of the growing number of boats bearing asylum seekers into Australian waters, Rudd appeared to choose a form of political expediency over a potentially costly civil courage. Recent history appears to confirm the political dangers of this silence, as opposition leader Tony Abbott was able to set and dominate the dimensions of the debate (pressing the above-noted parallelogram almost completely flat). Rudd’s proposed policy ‘adjustments’ – including the expansion of ‘invisible’ off-shore detention centres, the intended re-opening of the Curtin Detention Centre in Western Australia, and the serious consideration given to opening other on-shore detention centres in the Western Desert – seemed to bear testament to a political cynicism (at best a “neither hot nor cold” compromise) that would have utterly dismayed the Prime Minister’s hero. These policy adjustments, which broke with the cultural direction of the then Prime Minister’s earlier rhetoric, are augmented by one of Rudd’s last policy announcements – the three and six-month ‘freezing’ of applications for asylum from Sri Lankan and Afghani refugees, respectively. Whereas Boenhoffer was brutally executed at Flossenbürg for his refusal to...
capitulate, in an election year, the Prime Minister appeared anxious to avoid being hanged on a matter of principle. Rudd’s unceremonious dumping confirms yet another irony: his “back-flip” on this and other core issues resulted in a dead-of-night political execution.

In 2006, as an aspiring Leader of the Federal Opposition sought to define and establish himself, Kevin Rudd offered a vision of himself as a Christian Social Democrat: a politician evincing the compassionate ethos of Christ; a would-be Prime Minister who would nurture the principle of human equality and cooperation in the bosom of an open democracy. In The Monthly magazine of October 2006, Rudd penned an essay on the life and legacy of Lutheran Pastor Dietrich Bonhoeffer. By placing Bonhoeffer within the broad political context of Christian Socialism, the author observes that Bonhoeffer never proclaimed himself as such but points out that he nonetheless espoused social democratic ideals such as concern for ‘otherness’ and “the oppressed” (28). Against arguments from centre-right politicians such as then-Prime Minister John Howard that the Church refrain from commenting on certain political matters (including the treatment of asylum seekers), Rudd argues that social justice is at the heart of Jesus Christ’s Gospel and that “morality” is not limited to a small number of “hot button issues” such as abortion, but also concerned with social issues such as the treatment of asylum seekers. Quoting Stanley Hauerwas, Professor of Theological Ethics at Duke University, Rudd argues that a failure to recognise the legitimacy of a “Christian perspective, informed by a social gospel or Christian socialist tradition, amounts to a depressing capitulation to the idea ‘that truth in politics, particularly in democratic regimes in which compromise is the primary end of the political process, do no mix’” (Hauerwas in Rudd 2006: 27). In offering this perspective, the then Shadow Minister for Foreign Affairs rejects the argument that “Bonhoeffer only provides a guide for Christian action ‘in extremis’, but not for the workaday problems of ‘normal’ political life” (Rudd 2006: 27). Herein lies the full fabric, texture, and essence of Kevin Rudd’s moral-political positioning: a philosophical stance that profoundly informed all but one of his public pre-election utterances on the issue of asylum seekers.

In his essay on Bonhoeffer above, Rudd describes asylum seekers as a “great challenge of our age.” This challenge, he writes, has to do with how we should care for the alienated and the dispossessed:

> The biblical injunction to care for the stranger in our midst is clear. The parable of the Good Samaritan is but one of many which deal with the matter of how we should respond to a vulnerable stranger in our midst. That is why the government’s proposal to excise the Australian mainland from the entire Australian migration zone should be the cause of great ethical concern to all the Christian churches (29).

As asserted, for Rudd, “a continuing principle shaping … engagement [between church and state] should be that Christianity … must always take the side of the marginalised, the vulnerable, and the oppressed” (25). Recognising Australia’s status as a secular nation, Rudd does not advocate a Kantian moral absolutism (27). Yet, he holds that the state should be guided by such a morality; that part of the church’s mission should be to “provide an illuminating principle … that can help to shape our view of what constitutes appropriate policy for the community, the nation, and the world” (26).

This ethos appeared to inform the Rudd government’s earliest policies regarding the status and treatment of the refugee. In a time span of less than two years, the government moved swiftly to undo the Howard Liberal Government’s so-called Pacific Solution, end indefinite detention, provide asylum seekers with
access to legal representation, and to cancel fees charged to asylum seekers to pay the costs of their own incarceration. From late 2009, however, as limited as it was, Rudd’s rhetorical focus steadily shifted away from moral argument to more pragmatic concerns about ‘capacity’ on Christmas Island, processing times and so on. This begs a question: why was a moral argument so apparently compelling prior to the 2007 election no longer so compelling? Or, at least, why was the then Prime Minister seemingly much less enthusiastic about promoting the moral underpinning of his government’s previous liberal, humanitarian stance? Part of the answer to this lies in the political history of the asylum seeker in Australia.

The asylum seeker and the Australian body politic

Within the context of the Australian body politic, the asylum seeker has long catalysed and polarised debate. In November 2009, a Herald/Neilson poll was conducted. Fourteen hundred voters were canvassed as to their attitudes to immigration. Forty-three percent of respondents considered the rate of immigration too high. An earlier poll, by Sydney’s Lowy Institute, found 66 percent of Australia’s population to be ‘concerned’ about asylum seekers arriving by boat. (“Boat people far from an open or shut case”, The Age Oct 17, 2009 (http://www.theage.com.au/opinion/editorial/boat-people-far-from-an-open-or-shut-caae-20091016-h1cf.html). The first of these polls highlights broad concern among the Australian electorate regarding immigration policy generally, while the second foregrounds the same electorate’s contradictory reaction to the question of the status of the asylum seeker. While these recent polls are telling, older surveys also serve to demonstrate Australia’s long held antipathy towards unauthorised arrivals.  

Marr and Wilkinson (2003) note that in the decade following the fall of Saigon, Australia took 95,000 Vietnamese refugees and that fewer than 5,000 of these had made the journey to Australia by boat (36). They also observe that 30 percent of respondents in a 1979 poll said that Australia should take none of these boat arrivals (36.) A bare majority said that Australia should take some of the arrivals, while only eight percent thought that all the boat people should be allowed to settle in Australia (36).

When the Keating Labor Government introduced its scheme of mandatory detention for unauthorised arrivals in 1992, it violated several United Nations conventions on refugees, on civil and political rights and on the rights of children (37). The scheme, however, proved to be very popular with Australians. A poll taken in 1993 showed almost complete community support for the policy, while 44 percent of those questioned wanted to see all boat people barred from settling in Australia (37). The fear of ‘illegal’ arrivals was made particularly clear in a 1998 poll that showed the average Australian estimated the number of boat people arriving to be 70 times the actual amount (37). Australians, then, are particularly alarmed by the arrival of outsiders through ‘illegitimate’ channels – especially by boat. The first question of concern to this paper is: why? And the second is: how did this contribute to Rudd’s apparent abandonment of his personal moral stance as a basis for Australia’s refugee policy?

The answer to the first question – as to why there is such a contradictory response to the issue of immigration – lies in an examination of Australia’s national history. While Marr and Wilkinson (2003) argue that, unlike Britain and the United States, Australia has never seen itself as a safe haven for those fleeing poverty and persecution, this is not entirely true. Following World War II, Australia accepted applications
from many thousands of Europeans (Greeks and Italians, especially) who sought escape from war-ravaged, economically destitute homelands. Considered refugees, these people were ironically resettled away from the public gaze in outback camps (such as that in Parkes, New South Wales). While at a political level, Australia was meeting its moral and international obligations (the latter required under United Nations conventions), a contradictory consciousness was patently manifest: resettlement was okay, but only if it happened out of sight – and, therefore, largely out of mind. While these post-war refugees had legal status, their arrival was controlled and Australia’s generosity was otherwise conditional. As Marr and Wilkinson observe, following World War II, the government of the day sent officials to Europe to choose suitable (white) candidates. Further, they note that the Whitlam Labor Government’s 1973 determination to remove the remaining shreds of the White Australia Policy was contingent on a public expectation that Australia would maintain its practice of carefully selecting new arrivals.

In prosecuting an argument that then Prime Minister John Howard tapped into a popular (perhaps xenophobic) sentiment that has its origins in Australia’s historical approach to the refugee, Marr and Wilkinson trace the Australian objection to the illegitimate “queue jumper” - a figure thought to present an affront to officially sanctioned, but “conditional”, humanitarian programs such as that described above. Howard’s infamous 2001 cry, “We decide who comes into this country, and the circumstances in which they come”, therefore has historical resonance with an electorate that, in large measure, expects the perceived flow of illegal arrivals to be reduced to a controlled trickle. Historical precedent, then, is a powerful thing and Australia’s 130-year plus “out-of-sight, out-of-mind” approach to immigrants confirms the body politic’s intergenerational objection to the asylum seeker (especially those who arrive by boat). At the same time, this “out-of-sight, out-of-mind” political approach (to be “vigorously pursued”, as promised by the Prime Minister during the 2010 election campaign) guarantees a continuation of ignorance and suspicion. Put another way, separation and the silence that results from it reinforce the internalisation of myth and prejudice. For instance, Pedersen, Griffiths and Watt (2007: 552) observe that very few Australians have had contact with asylum seekers and that their impressions of this out-group would seem to be based almost exclusively on reports presented in the mass media.

The second question posed, above, was: how did this objection to, and fear of, the asylum seeker contribute to Rudd’s apparent abandonment of his personal moral stance as a basis for Australia’s refugee policy?

The asylum seeker and the Rudd government

Given the opinion poll results previously outlined and the historical-cultural context explored above, it is clear that the former Prime Minister found himself profoundly politically “wedged” when attempting to change Australia’s asylum seeker policy. Personal conviction and practical politics seemed at loggerheads: a particularly uncomfortable combination for Rudd, a man with a paradoxically strong inner conviction and an equally instinctual predilection for political compromise – perhaps learned during his long tenure as a Queensland bureaucrat and during his time as a diplomat in China. Writing at the time of Rudd’s handling of the global financial crisis, Manne (2009) opined:

There is a contradiction at the heart of the Rudd government. On the one hand, it is extremely ambitious. On the other, it is extremely risk adverse (14).
While referring specifically to Rudd’s handling of the GFC, the above quote neatly articulates a paradoxical approach to governance that came to characterise the administration of the former Prime Minister. In the context of the refugee issue, that characteristic manifests itself thus: Australians’ apparent objection to, and fear of, the asylum seeker appears to have caused Rudd to abandon a more culturally ambitious moral platform and to strategically withdraw into the would-be safer territory of realpolitik (the risk-adverse side of his government’s contradictory approach). The result was a policy compromised by a “neither-nor” approach to the issue that saw Rudd’s rhetoric shuffling to the right as he nodded to the left. To be fair to the former Prime Minister, his program initially made modifications to the nation’s immigration policy that came closer to meeting the humanitarian requirements of United Nations conventions hitherto abrogated by successive governments. However, the effectiveness of Rudd’s asylum seeker policy was (perhaps inevitably) compromised as the time for the 2010 federal election drew nearer.

It seems likely that Rudd’s failure to privilege his moral agenda over and above perceived electoral considerations was one of several reasons for his recent demise. The irony here is that as Leader of the Opposition during the 2007 election campaign, with one notable (perhaps aberrant, or maybe anticipatory) exception, Rudd did not abandon his moral position. Apparently, he did not need to. An electorate that appeared to accept the need to apologise to the Stolen Generations and that seemed to acknowledge that climate change was indeed “the great moral challenge” of our time also appeared to accept the moral argument concerning refugees. But then the boats started to come and with them an opposition more than happy to blame this on the new government’s “soft policy.” Tony Abbott responded to the Rudd government’s several changes to mandatory detention arrangements by rehabilitating many of the border security tropes and frames of the Howard government’s refugee discourse. Rudd failed to combat this uncompromising rhetoric of the centre-right with a further, unequivocal, expression of his commitment to the moral position adopted on asylum seekers (via the social justice frame) before, during, and after the 2007 campaign. Instead, perhaps having recognised the political problems this may cause within an electorate used to hearing politicians offering tough action on boat people, he opted to echo his predecessor.

Rhetorical analysis

This section analyses the shifting nature of Kevin Rudd’s rhetoric highlighted above. For this task, certain tools of Critical Discourse Analysis (CDA), New Criticism, and classical rhetoric will be employed. CDA is a methodological framework incorporating a textual analysis of the relationship between power and discourse. While theorists such as Foucault (1980) and Chomsky (1988: 2002) consider this relationship generally, CDA is a tool that facilitates a somewhat closer investigation at the lexical level. At a broader level, CDA considers the relationship between words and phrases used and the codification and exercise of power. As van Dijk (1994: 435) puts it, CDA facilitates the examination of ‘dominance’ in society as “… enacted, sustained, legitimated, or challenged by talk or text.” A limitation of CDA, however, is that its tools permit a somewhat less nuanced analysis and so this section also employs the traditional techniques of New Criticism (metaphor, irony, paradox, echoic devices and so on) as well as certain frameworks and techniques of classical rhetoric. While focusing on Rudd’s shifting discourse – and his strategic use of silence – this section also considers the (largely antagonistic) role opposition leader Tony Abbott played in forcing Rudd to change policy course on the “boatpeople” issue. The section closes with a consideration of the subject-specific rhetoric of Kevin Rudd’s replacement, Julia Gillard.
As explored earlier in this paper, Kevin Rudd’s lengthy 2006 essay on the life and legacy of Lutheran Pastor Dietrich Bonhoeffer formed the moral and philosophical basis of his Prime Ministership — at least initially. In terms of both content and tone, it proffered a vision of a nation ready to chart a new course vis-à-vis its treatment of the dispossessed and destitute. Drawing on the kind of rhetoric last heard under the Keating administration, in *The Monthly* of October 2006, Rudd writes of an Australia that takes seriously “the values of decency, fairness, and compassion that are still etched deep in our national soul despite a decade of oxygen deprivation …” (30). The following month, in the same periodical, before carefully reintroducing the lexicon of social justice so eloquently leveraged by Labor Prime Ministers past – including Chifley and Keating - the would-be Labor leader terms the last 10 years of Liberal rule a ‘brutopia’ (46) Rudd’s reaching for literary precedent does not, then, stop at Australian shores. In *Faith in Politics*, when opining that the nation needed to be “guided by a new principle [encompassing] not only what Australia [might] do for itself, but also what Australia can do for the world”, he of course alludes to the famous chiasmus of Kennedy’s inaugural address (Rudd 2006: 30). Through a mere echo, Rudd thus suggests that Australia should be at the moral forefront of global endeavour. And here is the basis of the Rudd government’s ratification of the Kyoto protocol, the 2008 apology to the Stolen Generations, and the new asylum seeker policy.

Just one month after the publication of the essay on Bonhoeffer, Kevin Rudd became Leader of the Opposition. He used a long Australian summer to chart out a course for a future government. His rhetoric from this time remains characterised by the same appeals to moral normalcy and social justice that informs the Bonhoeffer piece. During this period, however, electoral considerations become apparent for the first time. Moral appeals – though not altogether expunged – are attenuated, as Rudd seems unwilling (or electorally unable) to comment on the Haneef affair, to oppose a new Gunns pulp mill (something that proved disastrous for his predecessor Mark Latham), and to resist the Howard government’s overtly discriminatory intervention into Northern Territory indigenous communities – which, when in power, Rudd would alter so that it might meet United Nations conventions. Significantly, and perhaps to avoid a repeat of the Labor Party’s election loss to the Coalition government during the 2001 Tampa crisis, the then opposition leader unequivocally supported the Howard government’s freeze on the African refugee intake.

As highlighted above in the Robert Manne quote, Rudd’s tendency to awkwardly combine moral aspiration with caution becomes increasingly evident in his pre-election rhetoric. One example of this combination is Rudd’s announcement of November 21, 2007 in which he asserted that, if elected, Labor would dismantle the Pacific Solution. Referring to the “humanity of the situation” Rudd said Labor would “exit those arrangements as quickly as possible.” He also said: “The Pacific solution is wrong, it’s a waste of taxpayer’s money, it’s not the best way to handle asylum seekers or others” (“Rudd has no timetable for Nauru closure” 2007). Here, moral appeals are combined with practical considerations. Rudd denounces the Pacific Solution’s inhumanity and describes it as being ‘wrong’, while appealing to the Australian taxpayer on the basis that their money is being wasted. This example of argumentum ad populum dovetails with Rudd’s moral proclivities as well as his carefully targeted election strategy.

As the election drew nearer, however, Rudd’s tone changed, as he displayed something of a willingness to draw upon the tropes of the border security frame long used to deride asylum seekers. This is evident in an interview Rudd gave to *The Australian* very late in the election campaign. In that interview of November 23, 2007, the Leader of the Opposition is said to “advocate” a “layered approach” to border security (Kelly & Shanahan 2007). In carefully contrived triadic structure that builds towards, and privileges, posture
over policy, Rudd bludgeons his audience with the word “effective”: “effective laws, effective detention arrangements, effective deterrent posture...” (ibid.). The nature of this posture is later explained through the simple sentence: “You’d turn them back” (ibid.). This echo of the infamous Pauline Hanson phrase evokes the long-held Australian will to deflect “unauthorised” boat arrivals. It was the kind of rhetoric that, in the months and years ahead, would gradually find favour with a new Prime Minister increasingly anxious to appear tough on people smuggling – especially when he and his government began to suffer in the polls. While the softer, more compassionate, vocabulary of Dietrich Bonhoeffer still characterised Rudd’s rhetoric, it was augmented by much harder utterances. Rudd’s new refugee policy would be “tough but humane.”

By April 2009, Rudd angrily opined that “[p]eople smugglers are the vilest form of human life.” He went on to add that “[t]hey trade on the tragedy of others and that … they should rot in jail, and … in hell” (Coorey 2009). This was in the context of a boat carrying 49 mainly Afghan men having exploded near Ashmore Reef, killing three people and wounding 31. Perhaps it was the shades of the Tampa crisis that forced Rudd into less measured rhetoric but, whatever the case, a central irony manifests itself. Dietrich Bonhoeffer, the former Prime Minister’s own hero, was a people smuggler. Under the pretense of services to the Abwehr, Bonhoeffer, who Rudd describes as “the man I admire most in the history of the twentieth century” engaged in the “vile” act of covertly smuggling several Jews into safe nations such as Switzerland (Rudd 2006).

While ironic enough that Rudd condemns people smugglers for an act carried out by his hero, there is a deeper irony still: Bonhoeffer certainly did “rot in jail” – although, in his case, damnation seems an unlikely punishment. Returning to The Sydney Morning Herald article of April 2009, Rudd’s assertion that “[t]his government maintains its hardline, tough, targeted approach to maintaining border protection for Australia” (Coorey 2009) makes use of tropes that the Liberal Party employed in its descriptions of its own “tough” approach to the subject. Moreover, Rudd’s penchant for alliteration – as in “tough, targeted …” – underscores a determination to offer a rational basis for the kind of “toughness” the Prime Minister had eschewed just two years earlier.

As suggested earlier in this paper, the efforts of the Rudd Labor government to humanise Australia’s asylum-seeker policy were, in significant measure, thwarted by an antagonistic opposition leader willing to trade on long held prejudices. In a matter befitting the former pugilist, Opposition Leader Tony Abbott aggressively targeted Labor’s policy, reignning down brutal strikes on the Prime Minister in the form of a relentless series of Howard-era slogans. He announced that if elected, he would reinstate temporary protection visas, resume offshore processing, and work towards stopping boats at sea. These policy announcements draw on the border security frame of asylum seeker discourse, with heavy emphasis being given to the “asylum seekers as illegal arrivals” trope. As Pedersen, Griffiths and Watt (2007) have observed, the Howard Government frequently described asylum seekers as “illegal immigrants.” This occurred in spite of the fact that no law – international or domestic – had been breached by those legitimately seeking asylum (552). On a rhetorical level, the effect of this was to delegitimise the proper claims of asylum seekers.

A closer examination of Abbott’s rhetoric reveals nothing less than a determination to leverage such populist tropes while thinly swaddling them with the rhetoric of humanitarian normalcy. Thus, Abbott urged Australians to consider the dangers that boatpeople endure on the high seas. Essentially, he argued that, for their own good, boatpeople should be deterred. An example that serves to demonstrate this is from
a Liberal Party election campaign pamphlet, which takes on the form of an “Action Contract” bearing his metaphorical and literal signature. Clause 5 reads:

The Coalition will maintain rigorous offshore processing of those arriving illegally by boat, reintroduce temporary protection visas (to deprive people smugglers of a product to sell) and be ready, where possible, to turn boats back (Liberal Party of Australia 2010).

This carefully framed rhetoric reinforces ingrained Australian attitudes towards boatpeople as “illegal” arrivals. And, as these are the utterances of a senior politician, Abbott’s “office” as Opposition Leader confers legitimacy on such attitudes.

By referring to the need to deprive people smugglers of a “product to sell”, Abbott “swaddles” a hardline message with the mildest expression of humanitarian concern. Subtly, the focus slips away from the boatpeople to the people smugglers, who, as Rudd’s “scum of the earth” description indicates, are a common target in Australian political discourse. To be sure, the reason for this is that the exploitative people smuggler makes for a much easier target than the boatperson, who, while still being unpopular with the Australian electorate, remains the subject of the “limited succour” referred to at the start of this paper. Thus, the people may be assured that they are not really xenophobic or unduly harsh in their support of stances that would see “the boatpeople” discouraged.

It is therefore significant, and not a little ironic, that Abbott’s appeals are structured to limply echo the moral normalcy evoked by Rudd in his own policy utterances. And it is even more ironic that Abbott uses these “for their own good” appeals to moral normalcy in order to legitimise policies that have proved to be harmful to the mental health of asylum seekers. Research conducted by University of New South Wales’ senior psychology lecturer Zachery Steele indicates that the Howard Government’s temporary protection visas plunged the people holding them into mental illness more often and with greater severity than those who gained permanent protection visas (Jopson 2009). A survey of 101 Mandaens living in New South Wales, members of a religious minority who had fled persecution in Iran and Iraq, highlights that those who were able to get off temporary protection visas and become permanent residents showed mental health improvements (ibid.). Their rate of post-traumatic stress disorder dropped off from 45% to 11% with the change of visa status. According to Dr. Steele, when their mental health was measured, the half that remained on temporary protection visas showed no improvements over a two-year period (ibid.). “Those still on TPVs during the period maintained their level of distress over time. It freezes people in a state of mental anxiety from which they are not able to recover” (ibid.). Abbott, then, makes use of humanitarian appeals to garner support for a policy demonstrated by psychology research to be inhumane.

Finally, it is worth noting that, like Rudd before him, Abbott makes use of Hanson phraseology. “Turn the boats back” is a popular refrain in Australia’s public asylum seeker discourse, even among those of disparate political philosophies. Without a doubt, Abbott’s relentless assault on the Rudd Labor Government proved effective. Following a number of changes to government policy – the freezing of asylum seeker processing along with similar U-turns on emissions trading and insulation funding schemes (three policies savaged by Abbott, who then used their abandonment as “proof” that the Prime Minister was flaky) – Rudd’s previously stratospheric approval rating crashed. In lieu of factional support, Rudd’s popularity had always been a life raft. His being without this proved fatal. As factional powerbrokers were
circling, perhaps prophetically, the Prime Minister spoke of his refusal to conduct “a race to the bottom on asylum seekers” (Rudd in Manne 2010:12). The woman who defeated him on June 24, 2010, however, appears to have no such problem with participating. As the nation’s new leader declared “game on”, Julia Gillard pressed Australia’s asylum seeker policy (and rhetoric) further to the right (ibid.). The framework that her opponent had pressed to near bottom, would certainly not be bent back very far.

During a speech given to the Lowy Institute, Gillard set the tone for her asylum seeker rhetoric. She argued that it was wrong to dismiss Australians concerned about the arrival of asylum seeker boats as “rednecks” and declared that there needed to be a full debate on asylum seekers free from “political correctness” (ibid.). So as to deter asylum seekers from arriving in Australia, Gillard announced that her government would seek to build a regional processing centre in East Timor. In seeking to improve the government’s electoral fortunes, Gillard employed the border security frame and, at times, borrowed directly from Abbott’s language on the issue. For example, during an interview with The Courier Mail, Gillard said she wanted to “stop boats before they leave foreign shores” (Balogh & Atkins 2010). “[T]he way to do that is to take away from people smugglers the product that they sell,” she argued (ibid.). Nowhere is Gillard’s willingness to embrace the language of the centre-right clearer than here: the description of depriving people smugglers of a ‘product’ is lifted directly from her opponent’s brochure. This, therefore, is an indication that Labor strategists saw this phraseology as having “cut through” with voters and thus well worth appropriating.

Another example comes from the same interview. Gillard stated, “I don’t want to see desperate people risking their lives. I don’t want to see people smugglers profiting so that’s what the regional processing centre is for” (ibid.). Like Abbott, Gillard describes her concern as being humanitarian in nature, with people smugglers as the targets of condemnation. And, as was the case with Abbott’s rhetoric, the aim was to elicit assent from readers in a way that the targeting of asylum seekers themselves might not. Furthermore, and as was again the case with Abbott’s rhetoric, there is considerable irony in Gillard’s raising concern that asylum seekers put their lives at risk: by definition, the lives of genuine asylum seekers are already at risk, which is what leads to them to a position where they place themselves in leaky boats in the first instance. Such rhetoric therefore fails to recognise asylum seekers’ immediate right to safety and gives the false impression that they have any other choice.

Where Gillard’s earlier rhetoric departed from Abbott’s (and, later, her own), however, was in her propensity to flavour her border protection rhetoric with tropes from the social justice frame that characterised Rudd’s earlier utterances. Ironically, given her government’s later brokering of the “Malaysian solution”, Gillard’s reasoning for selecting East Timor as a site for a processing centre was that, unlike Nauru, the nation is a signatory to the 1951 United Nations Convention Relating to the Status of Refugees. Theoretically, this would ensure that the rights of the asylum seekers would be respected. While the proposed “East Timor Solution” that came before the Malaysian deal would never gain the approval of the East Timorese, the Malaysian “boatpeople for refugees swap” preceded without the apparent need for United Nations support.

Even as her government’s policy position hardened, in a press conference held in Darwin, the Prime Minister ditched her previous description of “unauthorised boat arrivals” opting instead for the softer “irregular people movements” (Barrass 2010). The latter description avoids the de-legitimising of asylum seekers that is implied by the former. Finally, it is worth mentioning here that during her Lowy Institute
address, Gillard, in response to the challenge of prominent human rights lawyer Julian Burnside QC, admitted that, at present rates of arrival, asylum seekers would take twenty years to fill the Melbourne Cricket Ground (“Gillard’s Timor solution: reaction” 2010). This illustration serves to dispel voter concern about the number of asylum seeker arrivals. Along with her rhetoric on the need to deter people smugglers, Gillard here demonstrates her pragmatic and targeted approach to the asylum seeker issue. It also demonstrates that – as was the case with Rudd and Abbott – Gillard sees a need to combine tough-sounding rhetoric with humanitarian language.

Despite this rhetorical “swaddling”, there can be no denying that Gillard’s language moves the Labor government’s policy frame further in line with that of their Liberal opposition. During a post-election speech to confirm his support for a minority Gillard government, rural independent Tony Windsor suggested that Australia’s two major parties had reached a point where their political philosophies were “merging”. As an example he singled out the government’s stance on asylum seekers: “Julia Gillard went to the polls with the Liberal Party’s boat people policy” (Windsor 2010). Coming from one of two men who enabled the Gillard Government to cling to power, this is a most candid analysis of an administration willing to at least partially adopt the strategy of those sitting opposite.

It is arguable, however, that neither Rudd nor Gillard needed to bow to public pressure in this way. The high office of Prime Minister both enables and requires the holder to be an opinion leader and shaper of public discourse. This, the authors contend, includes convincing the public of the merit of occasionally contentious or unpopular policies. The Rudd and Gillard Labor Governments have been involved in this task before. The apology to the stolen generations was a contentious, indeed, divisive topic in Australian polity. Yet, when Rudd put an intelligent, well-crafted apology motion to parliament, in a Galaxy poll of 1,100 respondents, 68% percent of Australians indicated their support. This was up sharply from 55% two weeks prior (Metherell 2008). Conversely, the number of people disagreeing with the apology fell sharply: from 36% to 22% percent (ibid.). These findings show an electorate initially divided on a contentious political issue, yet willing to “jump on the bandwagon” when decisive action was taken. This was no doubt helped by Rudd’s explanation as to why it was necessary to apologise – the kind of detailed, eloquent explanation missing from his changes to asylum seeker arrangements. There is room, then, to believe consensus may be built again, this time in the case of the asylum seeker question. But, to paraphrase the words of Marr and Wilkinson (2003), for the time being, Julia Gillard has opted for John Howard’s approach: seeing Australians as they are, rather than as how they could be, and opting to leave their consciences alone (280). In this environment, and it is a source of hope, the Greens are the only party willing to stand fast on the issue. This minor party declared that, despite an accord to support Labor in minority government, they would not support the proposed use of East Timor as a processing location. The Greens, moreover, never approved of the “Malaysian solution” (they in fact welcomed the High Court decision concerning the proposed arrangement) and the party remains committed to getting children out of detention centres (Nurushima 2010).
Conclusion

The foregoing rhetorical analysis has served to examine particular cultural and stylistic mechanisms that have, in the main, been consciously employed in such a way as to bend out of shape an otherwise generally functional framework that once gave limited succour to those compelled to flee their homelands. By leveraging the tools of CDA and New Criticism, this paper has begun to consider the sometimes subtle, but often blunt, rhetorical instruments that make the task of the compassionate humanitarian virtually impossible – and that increasingly render the voice of compassion unheard. While CDA has revealed the power of a range of tropes and frames, as suggested in this paper’s opening ambit, it is ironic that in a country whose moral framework is purportedly underpinned by the Christian tradition, the Christian (read: social justice) “frame” is only invoked by politicians when politically expedient. As American philosopher, essayist, and poet Ralph Waldo Emerson so succinctly puts it: “Every Stoic was a Stoic, but in Christendom, where is the Christian?” (Emerson 1950: 164)

With reference to the asylum seeker issue, this article therefore asserts that in pre-campaign mode, the politician is sometimes inclined to privilege moral instinct over political intuition. But, as electoral imperatives begin to register, the rhetoric of the political centre-left (in this case, represented by the Labor Party) tends to shuffle steadily to the right while the rhetoric of the centre-right (represented by the Liberal Party) slips not nearly so far to the left. The result is the sequestration and silencing of the asylum seeker – a figure objectified, ostracised, and effectively criminalised, in that order. Through rational processes designed to “reasonably” interrogate his status, he is confined to a no man’s land where, arguably, he endures the privations and humiliations from which he fled. While the psychological traumas endured by detained and confined asylum seekers are only touched on in this paper, the all-too-frequent, and often distressing, reports of protest, depression, psychosis, and self-harm over the last decade speak for themselves. If Australia is indeed a nation that has inherited its moral framework from Christianity, for thousands of asylum seekers (the vast majority of whom have legitimate claim but who are nonetheless indefinitely detained), Australia is no Promised Land but a place of weeping and heavy chains. That Australia must do better by the refugee stranger and even by the illegitimate “queue jumper” is beyond reasoned debate, but as long as political leaders lack the courage of their personal convictions (far less than the calling and commitment of Deitrich Bonhoeffer is required) and as long as political partisanship persists, the problem of compassion will remain. Former Justice Michael Kirby puts it thus:

"Australia has a very short electoral cycle. Three years in the Federal Parliament. This means that we are constantly in the electioneering business. This has led to attempts of both sides to wedge the other on sensitive issues. Refugee law and policy is ready made for wedging. Unless the major political parties can agree to cease this appalling verbal competition (the State equivalent is law and order) there will be no escaping three yearly bouts of refugee bashing. The exit strategy is a bipartisan concordat that Australia will comply with its international obligations. No more. But certainly no less (M. Kirby, personal correspondence, September 17, 2010)."

Without such a concordat, it seems most likely that the cries of the afflicted will continue to be largely ignored, and that things will go on as they are - with the politicians who repeat populist anti-asylum seeker tropes being considered by electors to have committed only mildly venal sins: certainly none for which they should be consigned to Hell. In Australia, for now, that is a fate reserved only for the asylum seeker.
References


Footnotes

1. Several studies traverse the general territory of discourse on the subject of asylum seekers, though none exclusively focus on the shifting rhetoric of the Rudd government vis-à-vis the same issue. Among the several texts offering a broader context for the present article is a paper published in the Canadian journal *Refuge* in which authors Michelle Lowry and Peter Nyers (2003) observe that “the crackdown on refugees…and the resistance to these assaults are a global phenomenon” (2). As an important aside, we point out that while the subject of asylum seekers is often the focus of extensive reportage and journalistic commentary (as is reflected by the extensive source material we draw upon), this paper is not a review of media coverage but a retrospective on policy rhetoric and the political framing that is so much a part of it.

2. Hauerwas’ rejection of this argument that politics and compassion do not mix is of much relevance to Australian political commentary, where it has the status of popular sentiment. That extraordinary political will is required to bring compassion into play in the political arena is eloquently argued by Elizabeth Porter (2003).

3. Even a recent poll that signals a willingness on the part of a narrow majority of Australians to have asylum seekers processed onshore points to a requirement on the part of these same voters that asylum seekers be detained while their claims are assessed. The poll therefore reinforces our point about a contradictory national psyche, as it pertains to asylum seekers. (See Marr, *The National Times* August 16, 2011 http://www.nationaltimes.com.au/opinion/politicians-have-their-own-reasons-for-pursuing-hard-line-20110815-1iusu.html)

4. This itself is in step with a broader Western context alluded to in the introduction of this paper. There has been a long history of the refugee as *homo sacer*; a ‘suspicious’ figure left alone on a political (and in some cases, geographical) island.

5. The United Nations High Commission for Refugees ‘noted’ the arrangement, but did not approve it. In observing that “the arrangement and its implementing guidelines contain important protection safeguards” the body indicated a preference that, consistent with general practice, Australia might process asylum seekers arriving by boat into Australia in Australia (UNHCR in Reuters, 2011). It is a perspective with which the majority of High Court justices would appear to agree.

6. The epigraph to this paper alludes to the biblical *Book of Lamentations*, which, in part, records the history of the once great city of Babylon where, for seventy years, the Jews were cruelly confined.

About the Author

Dr Paul Ryder lectures in strategic communication, organisational communication, and cultural studies at the University of Western Sydney. He is interested in the dynamics of strategy, political rhetoric, and new media. Jonathan Foye is a freelance journalist and PhD candidate at the University of Western Sydney.
Can we handle the truth? Whistleblowing to the media in the digital era

Dr Suelette Dreyfus, Dr Reeva Lederman, Dr Rachelle Bosua, Dr Simon Milton
The University of Melbourne, Australia

Introduction

“You can’t handle the truth!”

So goes one of the most famous film lines in the past two decades. In A Few Good Men, Jack Nicholson plays a morally compromised US Colonel from the US military base at Guantanamo Bay. He is trying to cover up a murder. In the final dramatic courtroom scene, Nicholson lashes out at his cross-examiner, barking “You can’t handle the truth!” Then the Colonel sneers, “You have the luxury of not knowing what I know.”

Many of the arguments swirling around the online media phenomena that is WikiLeaks, can be aptly summarised by those lines spoken by writer Aaron Sorkin’s expertly crafted film character. The arguments are primarily based around the idea that governments should be entitled to a high degree of secrecy because the general population “can’t handle the truth.” The premise that underpins this is that the public can’t handle the responsibility of being told the truth.

The justification “national security” is rolled out time and time again like a worn, moth-eaten rug. Yet, this justification is rarely explained to the public in any drilled-down detail. The decision-making pattern is repeated. A senior bureaucrat says “national security” and politicians soon oblige the request; be it for increased budget or expanded government powers at the expense of individual freedoms. Parliamentarians and members of Congress alike are frightened that if they interrogate these requests in any rigorous fashion they will be labelled as either ‘weak’ or ‘unpatriotic.’

It is an ironic state of affairs, since few things could be more patriotic than an elected official defending the individual freedoms of the citizenry. After all, that is why the security and defence apparatus exists in a western democracy in the first place. A citizenry armed with full information is far more powerful – and far less passive. Founders of government, such as the drafters of the US Constitution and its amendments, indicated by their support of an unfettered press, that they believed an informed democracy is a better one.

As online site’s media revelations of the past few years illustrate, there is in fact a great deal of information that governments hold as being ‘secret’ which may not need to be. This essay explores arguments around removing some of the secrecy, as illustrated by the WikiLeaks case. It also looks at four specific impacts of WikiLeaks, and what these changes mean for the future in a democratic society.
Is there a role for secrecy in government?

There is a role for secrecy in society, and in government. We want to be able to have secret conversations in our everyday lives, with best friends and work colleagues alike. Secrecy, the withholding of key information, might at times be a necessity in diplomacy to promote open discussions and frank negotiations.

Secrecy is also rightly used in some cases to protect sources, who might otherwise find themselves in peril, in promoting social good. An example of this might be human rights advocates working on developing civil society programs in corrupt or undemocratic regimes. But problems arise when this secrecy is taken at the expense of a democratic government’s twin primary obligations – to look after its own citizens, and to be full and frank with its people. The level of secrecy that is being practiced by western governments and corporations alike is too great for the societies that they govern.

Governments in particular, have a greater obligation to transparency, in part because they have a greater temptation to secrecy. Secrecy combined with the power of the state creates potential for the serious abuse of power. Citizens should be entitled to a higher level of privacy, while governments, as the agents of the people, should practice a higher level of transparency. The premise in our modern democracies should simply be this: nothing in government should be kept secret from the citizenry unless there is a real reason for doing so.

That premise of limiting secrecy has been opposed by the powerful in government for some time. John Cain, former Premier of the State of Victoria, was a driving force in bringing in Freedom of Information (FoI) legislation 30 years ago, a key milestone in the history of opening up government. In a recent public speech, Cain described how, when his government’s FoI Bill was first made public, he was stopped in the street by the senior Supreme Court judge of Victoria (Cain 2011). FoI was “a big mistake” the judge told the Premier. The judge said the parliamentary process and Westminster system already provided all the avenues that were needed for citizens to learn about their government. Many held this view, and there was pressure on ministers and advisors to block the proposed FOI legislation. Cain said:

Foi cuts across the way bureaucrats think and want to act. They see themselves as being the repositories of information that government needs to function properly. It should only be revealed in a need-to-know basis. And, in their minds, there are very few people who need to know (Cain 2011).

Democracies sit on a spectrum between openness and transparency at one end, and government secrecy at the other end. We slide from one point to another on this spectrum over time. We are pushed by external events such as the War on Terror, Watergate or the Cold War, and by legislation, both progressive and repressive. At this point in time we have found ourselves at an extreme end of that spectrum – and we are continuing to slide further away from a balanced mid-point. Few things show this in such stark relief as WikiLeaks.

WikiLeaks’ publications: risks and impacts

Investigative journalism sometimes raises questions around risk versus reward in publishing leaked material. Journalists must ask themselves, “Will this information cause innocent people to be hurt?” Equally they must ask, “Is this information in the public interest?” These are not necessarily zero-sum trade-offs,
but they can be. In this context, public interest is defined as “having appeal or relevance to general populace” (Dictionary.com. 2001).

To date, the US Defence Department does not appear to have reported any informants or others who have been hurt or killed as a result of the WikiLeaks releases (Dorling 2011). Former US Defence Secretary Robert Gates did state in a private letter to the chairman of the Senate Armed Services Committee, Senator Carl Levin, in 2010 that the WikiLeaks release of 75,000 classified documents about the war in Afghanistan endangered the lives of Afghans helping the US (Mackey 2011). However, no evidence was presented about any actual events. Given the US government’s antipathy toward the publisher, it is likely that any such event would have been announced in a very public manner. WikiLeaks has also stated that it has found no evidence that any of its publications have resulted in innocent people being hurt or killed.

On the question of national security, the criticism of WikiLeaks does not appear to have matched the reality of the impact of the information releases. For example, in the same private letter penned by Gates, the Secretary wrote that a review had “not revealed any sensitive intelligence sources and methods compromised by this disclosure” (Mackey 2011). However, it is interesting to note that just a fortnight earlier, Mr Gates appeared to contradict what he wrote in the private letter when he told a Pentagon news conference that the released information was damaging because “intelligence sources and methods” in the war logs “will become known to our adversaries” (Mackey 2011). Further, at that same briefing, the Chairman of the Joint Chiefs of Staff, Admiral Mike Mullen said that Mr Assange and his source might have “the blood of some young soldier” on their hands (Mackey 2011). It appears that over a period of months, the Pentagon backed away from its initial emotive criticism to a more measured response.

Similarly on the matter of the release of a quarter of a million US State Department diplomatic cables, the White House stated that the release of the cables was a “reckless and dangerous action” (Office of the Press Secretary 2010). If the cables were released in full, the White House said it could “put the work and even lives of confidential sources of American diplomats at risk,” according to The New York Times in November 2010 (Shane & Lehren 2010). However, by mid-January 2011, the same paper’s online blog reported that State Department officials had concluded that the publishing of the US diplomatic cables “was embarrassing but not damaging” (Mackey 2011).

On September 2, 2011 (AEST), WikiLeaks’ released the entire tranche of 251,287 diplomatic cables in unredacted form. There was substantial criticism by the world’s media (Satter 2011). Commentators expressed concern as to whether confidential informants in countries with repressive governments might be put at risk.

It should be noted that the public was able to obtain the entire unredacted collection of cables elsewhere on the Internet before WikiLeaks’ actual publication. This was the result of a cascade of events broadly, and individual’s actions specifically. These were detailed by the German magazine De Spiegel in a complicated timeline (Stocker 2011), and later in The Age (Dorling 2011). On September 2, WikiLeaks effectively published the material in an easier to access format, but this publication came after the horse had well and truly bolted. The entire tranche of material was already out “in the wild” – available and free to download across numerous sites, as was the passphrase to unlock the material from its encrypted state.
This sequence of events was not well publicised in the traditional media, which led to the inaccurate perception that WikiLeaks had released the unredacted tranche of cables first on its own on September 2. While newspaper readers and TV watchers may have been under this illusion, social media users, particularly those using Twitter, were not. Twitter was a frenzied storm of citizen journalists scooping up the entire tranche of cables well before WikiLeaks finally published them.

It is unlikely that WikiLeaks intended for this complete set of unredacted cables to be made public in the short to medium term. It had possessed the entire tranche since at least November 2010, when it began to publish from the set. The slow releases were conducted in a planned and redacted manner in partnership with established media organisations. If WikiLeaks’ intent had been to dump the entire unredacted set of cables into the public realm, it could have done so at any time in the nine or more months before September 2011, but it did not.

Time will tell if harm has come from WikiLeaks’ September release. However, what is clear today is that a great deal of information in the public interest has been revealed. This includes for example information about a reported massacre of children in Iraq in 2006 by US troops as part of the Multinational Forces (Rainey 2011). A cable quotes from a letter about this written by Australian Philip Alston, the UN’s Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions and brother to Howard Government minister Richard Alston.

The UN investigator wrote requesting a response regarding evidence that US troops executed at least ten civilians, including five women and four children, in a farm house in Ishaqi in an early morning raid (Schofield 2011). The cable includes extracts of the letter that describes how each of the victims was handcuffed before being shot in the head or chest. The victims included a 74-year old grandmother, two five year old children, two three year olds, and a five month old baby. The US bombed the house in an airstrike later that day. Autopsies at the Tikrit morgue confirmed that all had been handcuffed and shot (Schofield 2011).

The US told the media it had investigated the events and that there had been “no wrongdoing” (Rainey 2011). The US government had refused to respond to the UN Special Rapporteur’s request for information up to 2010, the most recent data Alston had. Alston said this was the case “with most of the letters to the U.S. in the 2006-2007 period,” a peak period of fighting (Schofield 2011).

The astonishing nature of this cable clearly points to a matter of grave public interest. It reveals an unsolved crime of dramatic proportions that requires a transparent investigation. Yet, there had been no such investigation held, and questions put to the American Government about the massacre remained unanswered. While the full facts may not yet be available, this is a clear example of an incident that demands a public airing but would have been swept under the carpet, but for WikiLeaks.

Leaks publishing – the possibilities

The focus of official press office statements has very much been around how leak publishers might cause danger to the public, but they do not address how the reverse may be possible. For example, frustrated criminal investigators who were aware of some clear and present danger to the public might be able to use a leaks publisher as a quick avenue to divert disaster.
In an op-ed article in the *Los Angeles Times*, two such investigators described their frustration with not being able to get their “ossified bureaucracies” to act quickly based on real threats (Rowley & Dzakovic 2010). They pondered whether the events of September 11, 2001 could have been prevented if WikiLeaks had existed at the time. One of these authors was Coleen Rowley, the FBI special agent and legal counsel who worked closely with those who arrested one of the September 11 would-be terrorists less than a month before the World Trade Centre was attacked. The other was Bogdan Dzakovic, a Federal Air Marshal whose team repeatedly found vulnerabilities in airport security – only to have their warnings ignored. Rowley and Dzakovic wrote, “WikiLeaks might have provided a pressure valve for those agents who were terribly worried about what might happen and frustrated by their superiors’ seeming indifference.”

As demonstrated by the many thousands of news stories around the world, much of the vast collection of information made public by WikiLeaks has been newsworthy. A simple search of the words “WikiLeaks stories” on Google turned up more than 15 million results (Google 2011). Mainstream media, such as the London-based *Telegraph* newspaper ran headlines entitled “WikiLeaks’ 10 greatest stories” (Chivers 2010). Online media took that a step further with stories such as “5 Jaw-Dropping Stories in WikiLeaks Archives Begging for National Attention” (Turse 2010). These stories include leaked original counterinsurgency manuals (COIN), some of which are essentially handbooks for commanders and staff in places like Afghanistan. At least one of the handbooks is “incredibly unsophisticated” and so explains “a great deal about why and how the US finds itself nearly a decade into a war … without … fervent popular support” (Turse 2010). If the citizenry are asked to pay for and support an ongoing war, it is important that such information be in the public sphere for informed decision-making.

The newsworthiness of the WikiLeaks’ stories is evidence in other ways. For example, nearly half of *The New York Times*’ editions between January 1 and April 25, 2011, relied on WikiLeaks, according to an analysis published in *The Atlantic* (Dickson 2011). This does not count editions with articles that mentioned WikiLeaks. It only counts articles that drew from WikiLeaks’ material as “a reporting source.”

The public interest in and support for leaks publishers points to the need for an overhaul in governments, both in the threshold level of what should be secret and in the process of releasing information from being secret. Without a dramatic revision in the process, the temptation of those bureaucrats John Cain described to revert to information-hiding will be too great over time to sustain any change.

WikiLeaks and The Pentagon Papers

The White House and the Pentagon condemned WikiLeaks across the world’s televisions screens each time the publisher announced that it planned to reveal a new cache of secret American documents. First, there was the 77,000 Afghan War Logs, followed twelve weeks later by the 391,832 Iraq War Logs and then the 251,287 US diplomatic cables. The indignation of the Pentagon and the White House at the media for the publication of embarrassing information is not new. This year marks the 40th anniversary of *The New York Times*’ publication of the Pentagon Papers.

In this landmark whistleblowing event, *The Times* reported in June 1971 on the contents of a secret Department of Defence study of Vietnam. The leaked report revealed that the Johnson Administration had
systematically lied to Congress and the people about the Vietnam War (Apple 1996). Over a period of time, Daniel Ellsberg and Anthony Russo began photocopying some 7,000 pages of the report at night in order to leak the material. Ellsberg said he had made the decision to become a whistleblower “to get us out” of “a wrongful war” (Goodman 2007).

The US government tried to suppress the publication of the Pentagon Papers. Holding true to the free speech ideals of both the American Constitution and the American psyche, the US Supreme Court refused the White House’s attempt to stop all publication of the Pentagon Papers. Justice Blacks’ ruling in particular is among the most famous of all free speech legal rulings in judicial history. He wrote:

The press was to serve the governed, not the governors. The Government’s power to censor the press was abolished so that the press would remain forever free to censure the Government. The press was protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government. And paramount among the responsibilities of a free press is the duty to prevent any part of the government from deceiving the people and sending them off to distant lands to die of foreign fevers and foreign shot and shell (The New York Times 1971).

Comparisons have been made between the large-scale releases of WikiLeaks in late 2010 and the publication of the Pentagon Papers nearly 40 years earlier, with good reason. What is interesting is that nothing in those intervening 40 years is of the same magnitude such that it would be such a point of popular comparison.

How WikiLeaks has changed the media

WikiLeaks has changed the media in a number of ways:

- It has challenged the traditional media, and in doing so has encouraged them to be braver. After a decade of sleepwalking, the mainstream media finally seems to be waking. WikiLeaks has reinvigorated journalists – in its competitors as well as its media partners – to be less ‘embedded’ and more willing to ask the hard questions again. This is crucial because a free media is the watchdog of a free society.

- It has revolutionised the traditional media, particularly newspapers, by collaborating with them in new and creative ways. It has shown them a new model of how the media can work cooperatively for better reporting in the public interest.

- It has promoted the spread of data journalism, the “aggregating, filtering, and visualising large sets of data, based on statistical methods of data analysis” (Voß 2011). Working with both media and NGO partners, WikiLeaks illustrated how sophisticated analysis of large data sets can reveal the bigger picture. This is particularly true for the release of the Iraq War Logs and the Afghan War Logs.

- It has enhanced the spread of new media. This is not just new media in the sense of being digital or online media. It is a new type of media – leaks publishers. There are now more than 20 new publishing sites dedicated specifically to leaked data. Some of these are geographically based, such as BalkanLeaks, Indoleaks and ThaiLeaks. Others are topic-based, such as UniLeaks and EnviroLeaks.
The last point is in many ways the most important for understanding the true impact of this brave new world of leaks publishers. Freedom of speech is the most important freedom in our society. It underpins all other freedoms in our free society. It is not possible to censor the media without running the risk of hiding corruption and unethical behaviour by governments and corporations alike. Thus, WikiLeaks has made a particularly important contribution. Not only has the publisher itself engaged in encouraging free speech through its innovative design to allow safe whistleblowing, it has also provided a successful model for replication. In this way, leaks publishers may be evolving from being just publishers to becoming an entire social movement. This may or may not have been the original intent when the concept of WikiLeaks was first imagined in a quirky, rundown student house in Carlton, Victoria, but it has happened just the same.

The idea of leaks publishers as a social movement suggests that despite the best efforts to quash or limit it, we as a society have reached a point of no return. Closing down WikiLeaks would be entirely ineffectual and prosecuting it, as it appears the United States government may be angling to do, is a dangerous risk to our free speech society. Quite simply, there is no way to go back to life before online leaks publishing.

There is one final point of interest. The degree of WikiLeaks’ impact on the media is surprising given its youth. The publisher is younger than Twitter, YouTube or Facebook, yet its impact would be on a similar scale. The publisher has been forging a path into unknown territory. This may have resulted in errors along the way, but it has also provided surprising new benefits to society. The youth of leaks publishing suggests that there may still be more changes to come that we cannot envisage yet from this new type of journalism.

Conclusion

Leaks publishing, as illustrated by the case of WikiLeaks, has shown that a reduction in government secret-keeping can be beneficial. Further there are at least four ways that WikiLeaks has contributed to changing the way reporting through the media operates, and these changes are likely to only increase as more leaks publishers pop up.

The desire for governments to keep secrets is intertwined with the issue of the media’s right to speak and publish freely. Without these freedoms, the media may have access to secrets leaked in the public interest but not be able to reveal them to the general public. In this sense, the freedom of speech is as much about the ability to speak out as the public’s right to know. Knowledge often breeds thought and action, followed by change. Whether by intent or accident, WikiLeaks is a change agent. And, this is perhaps the thing that most disturbs the growing number of large institutions which seek to shut the publisher down. The evidence has shown that the watchdogs and agencies of democracy aren’t enough on their own. Online leaks publishers are a necessary addition to the array of checks and balances in a healthy, clear-eyed democracy.

National security can be a legitimate reason to control the distribution and release of information, at least for a period of time, and there is a place for government secrecy. However, it is important to peel back the layers of the narrative to find the subtext under government secrecy. What the invisible power players in windowless offices often mean when they say “national security” is this: the people cannot have “the truth” because the citizenry might demand to do things with that truth. The people cannot be trusted to “handle the truth” passively.
In this, the intelligence community is quite accurate in its assessment. The past year and a half of WikiLeaks revelations have clearly shown that around the globe, from protests in Spain to Brazil, from popular uprisings and revolutions in Tunisia to Egypt, the civilian population will demand answers and action from governments that make unethical choices in secret. When the media reveals wrongdoing by their governments, people will not stand by passively. This is the reason why online leaks publishing is an important tool to support the functions of robust democracies. One of the most important aspects of a democracy is that the people are given an opportunity to handle the truth.

References


* The authors gratefully thank colleagues Prof AJ Brown, of Griffith University, and Andrew Clausen for significant assistance and contributions to this article. This work draws on research from Australian Research Council project DP1095696, *Blowing Boldly: The Changing Roles, Avenues and Impacts of Public Interest Whistleblowing in the Era of Secure Online Technologies*. It also draws on the public debating series Intelligence Squared – The Australian Forum for Live Debate, which hosted a debate on WikiLeaks in Sydney on June 16, 2011. The lead author was invited as an Affirmative Debater at the event.

About the authors

Dr Suelette Dreyfus is a Research Fellow at the University of Melbourne’s Department of Information Systems where she researches digital whistleblowing. She has worked with WikiLeaks’ Editor-in-Chief, Julian Assange, and has been a member of WikiLeaks’ Advisory Board. Dr Reeva Lederman is a Senior Lecturer in the University of Melbourne’s Department of Information Systems. She has published widely in the Information Systems field and her expertise is in data privacy and health informatics. Dr Rachelle Bosua is a Lecturer in the Dept of Information Systems, at the University of Melbourne. Her research concentrates on knowledge sharing in different contexts and environments. Dr Simon Milton is a Senior Lecturer in Information Systems at The University of Melbourne and is interested in the use and representation of information in business and society.
WikiLeaks in Mexico: a penetrated State, the fall of an ambassador and a frustrated president

Claudia Magallanes Blanco and Ana Lidya Flores Marín
Universidad Iberoamericana Puebla, México

La Jornada has the conviction that all citizens have the right to know what happens on the backstage of political power and that the duty of making this information public is a keystone of a professional and ethical journalistic exercise.

The auditorium is packed. The adjacent room where the conference will be televised is also full. Amongst the audience, there are students, professors, lecturers, journalists, all eager to listen to Blanche Petrich. Petrich is a journalists form the Mexican newspaper La Jornada, the sixth newspaper worldwide to receive a package of filtrated cables from the US State Department from Sunshine Press Productions, headed by Julian Assange, founder of WikiLeaks. She has published several news stories based on the cables. Her conclusion about the stories La Jornada published using the cables is that “Mexico is a penetrated state by the US.” Her conference unpacks this argument thoroughly. In addition to Petrich’s conclusion, many media, political analysts, and scholars agreed that a consequence of the publication of news stories based on the US State Department cables was the resignation of US Ambassador to Mexico, Carlos Pascual.

This essay presents the case of WikiLeaks in Mexico. It is based on news stories published by the national newspaper La Jornada using the cables provided by Sunshine Press Productions. It is also founded on the lecture given by Blanche Petrich at the Universidad Iberoamericana Puebla, Mexico, where she discussed her personal experience as journalist and presented her conclusions about the stories published in La Jornada based on the cables filtrated by WikiLeaks.

La Jornada

La Jornada is a Mexican newspaper founded on 19 September 1984 following the journalistic tradition of the Mexican-left of the 1970s. In the early 80s, a group of journalists, opinion writers, photojournalists, designers and intellectuals that worked in a newspaper called Unomásuno decided to jointly create a cooperative organisation to found La Jornada. This collective ownership of the newspaper is a key feature that made the publication unique in Mexico. The founding director of the newspaper was Carlos Payán Velver. Currently, Carmen Lira is the director of the publication and its eight regional editions.

One year after the founding of the newspaper, a major earthquake hit Mexico City. This event unfolded an active participation of civil society, a sector thus far unarticulated and un-mobilized (Magallanes Blanco 2008). The emergence of an active and engaged Mexican civil society was reported by La Jornada from
a critical and committed point of view. Four years later the newspaper covered in detail the presidential election of 1988 which was characterized by a questionable electoral process in which Carlos Salinas de Gortari from the official party Partido de la Revolución Institucional (Party of the Institutionalised Revolution, PRI for its initials in Spanish), was named elected president while there was a generalised perception and formal complaints of fraud from the left coalition candidate Cuauhtémoc Cárdenas (Magallanes Blanco 2008). In 1994 La Jornada along with other four print media, were chosen by the Ejército Zapatista de Liberación Nacional (National Liberation Zapatista Front, EZLN for its initials in Spanish) as reliable media to address and publish their communiqués (Magallanes 1998). Since then this newspaper is one of the very few media that cover and follow the ongoing activities, issues, problems and demands of the EZLN and the social movement surrounding it known as Zapatismo.

In a 26 year trajectory La Jornada has covered several social movements from the points of view of citizenship, NGOs, and civil society such as the National University’s students’ strike in 1999. It has also covered the struggle of Atenco peasants against the construction of an international airport in their lands and the subsequent state repression years later, and more recently the Movimiento por la Paz con Justicia y Dignidad (Movement for Peace with Justice and Dignity) lead by poet Javier Sicilia, father of one of the more than 30 thousand victims of the so-called war against drug trafficking which has taken place in Mexico since 2006.

Among the people who write or have written for La Jornada, are intellectuals and renowned figures committed to indigenous, social and peasant struggles such as Eduardo Galeano, Elena Poniatowska, Naomi Klein, Immanuel Wallerstein, Robert Fisk, Raúl Zibechi, Cristina Pacheco, Noam Chomsky, Carlos Montemayor and Carlos Monsiváis, to name a few. The newspaper is also known for the quality of its cultural section and weekly magazines about discrimination caused by HIV/AIDS (named Letra S), indigenous affairs (named Ojarasca), peasant issues (named La Jornada del Campo), and culture (named La Jornada Semanal).

WikiLeaks at La Jornada

According to current director Carmen Lira (Staff May 26, 2011), the trajectory, ethical and editorial principles of La Jornada were key elements in the decision of Julian Assange to offer the newspaper a package of cables from the US State Department for their publication. Sunshine Press Productions delivered La Jornada nearly three thousand classified cables from the US Embassy and Diplomatic offices in Mexico (Staff May 26, 2011, Editorial February 10, 2011). This way La Jornada became the sixth newspaper around the world, the second in Spanish and the first in Latin America to have access to this information.

In the editorial of February 10, 2011 La Jornada states that responsibility and professionalism are the two basic elements to consider while editing the information provided by the cables given to them by WikiLeaks. La Jornada has the commitment to quote the cables and their essence, carefully select what is relevant amongst the information they have and “avoid the publication of names that could signify a risk to the integrity and security of private citizens, helpless individuals and low hierarchy public officers mentioned in the texts” (Editorial February 10, 2010). Following the principle of transparency that leads the WikiLeaks project La Jornada developed a website linked to their on line edition where all the information derived from the cables
can be consulted as well as information related to WikiLeaks around the world. When a cable is used to publish a note La Jornada releases it so WikiLeaks can post it on its website for open, free and public access.

The cables in power of the Mexican newspaper are dated from 1989 to 2010; 24 four were labelled as ‘secret’, 461 ‘confidential’, 870 ‘classified’ and 1588 ‘declassified’ (Miguel February 10, 2011). In order to explore, process, write and edit notes derived from more than 8,000 pages of English written documents, La Jornada had to create an ad-hoc team, buy computers devoted solely to this task (Staff May 26, 2011) and set a secure working area (Petrich April 7, 2011). According to Lira, in the period between February (when the first notes and news stories derived from the cables were published) and May (the time of her briefing to the newspaper’s administrative board) 2011 the team had published 70 news stories, notes, articles and editorials directly written with information obtained from the classified cables (Staff May 26, 2011).

Blanche Petrich

One of the team members of the specially conformed group of journalists devoted to work on the cables provided by WikiLeaks was Blanche Petrich, a well-known Mexican journalist. Petrich studied journalism at Mexico’s prestigious journalism school Carlos Septién García. She has been working at La Jornada since the beginnings of the publication and she has been known ever since for special reports on delicate issues such as the war declared against the Mexican State by the EZLN in 1994. In fact, Blanche Petrich was one of the first journalists to interview Subcomandante Marcos (the EZLN high profile spokesperson) in 1994.

Her thorough knowledge on international affairs and her outstanding ability to contextualize information led her to becoming a correspondent in Central America, the Caribbean, Colombia, and Eastern Europe, as well as covering the bilateral Mexico-US relations. She has published several biographic interviews with key figures of relevant social movements such as Atenco peasants violently repressed by state forces (2006), Triqui indigenous survivors to a massacre in the State of Oaxaca (2008), victims of the earthquake that devastated Haiti (2010) or more recently, poet Javier Sicilia, currently head of the Movement for Peace with Justice and Dignity (2011).

Given her journalistic trajectory and skills, as well as her competency in English, Blanche Petrich was chosen as one of the members of the special team put together to work with the US State Department cables given to La Jornada by WikiLeaks.

WikiLeaks: the Mexico-US relationship

The cables provided by WikiLeaks are, according to Petrich (April 7, 2011) “one-way official communications”, which means cables issued by US representatives in Mexico to the US State Department. The cables address political, economic and security issues (Editorial February 10, 2010). They are private conversations with politicians, bureaucrats, media presenters, police officers and the military, as well as briefings of meetings, regional or thematic analyses; notes on specific issues or summaries of Mexican media contents (Miguel February 10, 2010). The cables provide evidence of the opinions, perceptions, and concerns of US officials (in the US and in Mexico) about the Mexican government at all levels, Mexican
policies, the Mexican armed and security forces (Petrich April 7, 2011). La Jornada said that the cables were of public interest as they offer an insight into the shape and tone of the bilateral relationship between Mexico and the US which is Mexico’s “most important, conflictive and defining relationship” (Editorial February 10, 2010). The publication of the cables by La Jornada has raised debate about the Mexico-US relations in general, and about the security strategy of President Felipe Calderón in particular.

It is now well known that in November 2010 five major worldwide print media organisations published stories about and based on 250,000 cables form the US State Department filtrated by WikiLeaks. The first massive filtration of secret communications from US Embassies and diplomatic posts around the world were originally published by the British newspaper The Guardian, the Spanish El País, the French Le Monde, the German news magazine Der Spiegel, and the US newspaper The New York Times.

On Friday December 3, 2010 El País, followed by the major national Mexican newspapers (such as El Universal,Excélsior, La Jornada, Reforma, Milenio, La Crónica or Unomásuno) published the comments made by US Ambassador to Mexico, Carlos Pascual, where he disqualified the Mexican Army by referring to it as “clumsy and with aversion to risk.” Other comments emphasized the corruption of Security forces and institutions in Mexico, the lack of coordination and cooperation amongst them and in particular the competence between the Secretaría de la Defensa Nacional (National Defence Ministry SEDENA for its initials in Spanish) and the Secretaría de Marina (the Mexican Navy, SEMAR for its initials in Spanish). The cables also revealed that SEMAR had sought training from US. Two months later La Jornada began publishing information based on the package of cables in their possession. According to journalist Pedro Miguel, on a note he published on February 10, 2010 (the day La Jornada published it had the cables provided by WikiLeaks), the two main revelations derived from the cables were:

- That the Mexican political class is the main source of information for the US State Department and that it never issues any sort of criticism, claims or hostile manifestation towards the United States although “sometimes, in an apologetic tone they warn the interviewers that they will have to publicly state some differences with Washington in order not to seem too pro-US to the general public” (Miguel February 10, 2010).

- That US officials in Mexico are gullible and not well informed and although at first they keep a distance from the Mexican informants they end up being “sole believers of a doubtful creed: [Mexico’s] official discourse”. (Miguel, 10 February 2010).

In her public lecture at Universidad Iberoamericana, Puebla, Blanche Petrich refers to Pedro Miguel’s note as an emblematic article of the project of La Jornada-WikiLeaks because it describes how the Mexican State does not only suffer intervention by the US but it is describes as having been ‘penetrated.’ This means that it is the political decision of the Mexican state to let Washington make the vital decisions for Mexico such as fighting drug trafficking with the army, pulling the army out of Ciudad Juarez because the original strategy did not work, or letting US Unmanned Aerial Surveillance planes fly over Mexican territory.

An example of a story that exemplifies this is the following. On February 21, 2011 Blanche Petrich published a story using information obtained from three particular cables issued by (then) US Ambassador to Mexico Anthony Garza. She wrote that just four days before the TEPJF declared Felipe Calderón the
winner of the presidential election, Ambassador Garza stated he was concerned because of the political weakness of the soon-to-be-elected President Calderón. His margin of legitimacy was so small that he was perceived as weak. The cables also revealed the active participation of US Ambassador in putting together a transition team as at the time President Fox and Calderón were not speaking to each other. The general perception of Ambassador Garza was that Calderón was in much need of aid from the US to start his government and would be throughout his presidency. The cables also indicated that it was Felipe Calderón who requested a meeting with Ambassador Garza to request help from the US in his coming to power.

According to Petrich, “what WikiLeaks has given us is the evidence of the responsibility [of the Mexican government] on this side of the border over the state of things in Mexico ... We now know for a fact that since the PAN party has been in government Mexico has given up the defence of national interests over the US.” (April 7, 2011). The evidence is found in the cables provided by WikiLeaks and the task of La Jornada was to present it to the public.

The consequences of the filtration of WikiLeaks

On Thursday, March 10, 2011 Petrich published a story about the declarations of US Ambassador to Mexico Carlos Pascual regarding President Felipe Calderón. These cables were issued on 2009 after the intermediate election when the PAN party lost many positions at local congresses and State governments. In these cables, Pascual referred to President Calderón as overwhelmed and insecure. Pascual also expressed his belief that Calderón thought if he achieved success with his struggle against drug trafficking he would reinforce his position and gain support and legitimacy.

The declarations of Ambassador Pascual caused much controversy and were reprinted in many Mexican media. The March 10 story with the comments of Ambassador Pascual was a final example in a thread of tense moments in the relationship between Mexico and the US. According to Spanish journalist Javier Moreno, in an interview with President Calderón published in El País’ weekly magazine, the relationship between the Mexican President and the US Ambassador had been on bad terms since El País published the story where Pascual expressed his negative opinion about the Mexican Army. On February 22, 2011 the Mexican president gave an exclusive interview to the Mexican newspaper El Universal where he declared that “I do not have to report to the US Ambassador how many times I have meetings with my safety cabinet nor what I say in them. Truth be told, this is none of his business. I do not accept nor tolerate any kind of intervention. The ignorance of Mr [Carlos Pascual] is translated into a distortion of what happens in Mexico and turns into an upsetting matter for [the Presidency’s] team”.

Shortly after the March 10 story was published in La Jornada, President Calderón travelled to Washington in an official visit. In an interview with The Washington Post he declared, “... it is hard when you see the courage of the Mexican Army. For example, they have lost 300 soldiers... and all of a sudden someone at the US Embassy states that they are not brave enough.” It was reported that the issue of Ambassador Pascual’s declarations regarding the Mexican army and President Calderón were not discussed between Presidents Obama and Calderón, nonetheless an unidentified source of the State Department declared to The Washington Post that it was something the two heads of state discussed as part of their agenda. In the interview published in El País’ weekly magazine, journalist Moreno expressly asked President Calderón
if he was on speaking terms with Ambassador Pascual as he (Calderón) had called him (Pascual) ignorant (in the interview with El Universal), to which the Mexican President replied, “Regarding that subject I have said all there is to say. To me the relationship with the US is very important and is a very complex relation that encompasses more than individuals.”

At the time the interview was conducted, Carlos Pascual was still the US Ambassador to Mexico, nonetheless a week before the interview was published, Ambassador Pascual had tendered his resignation of his position as US Ambassador to Mexico despite the declarations of the US government stating that there were no plans for removing Pascual from his position after the controversy caused by his declarations filtrated by WikiLeaks and published by El País and La Jornada. La Jornada published the story on Sunday, March 20, indicating that, according to Secretary of State Hillary Clinton, Pascual’s decision was based on personal reasons as he did not want to damage Mexico-US relations. President Obama was sorry about this decision but accepted it.

The La Jornada editorial on that day stated: “public opinion’s rejection of US intervention in Mexico is a central element to explain the resignation of [Ambassador] Pascual [which should be understood as] a victory of transparency” (March 20, 2011: 4). The following Monday columnist John Ackerman published that “the resignation of Carlos Pascual will lead to a harshening of US policy towards Mexico as Washington will not allow the resignation to be interpreted as a sign of weakness” (March 21, 2011: 19). Ackerman’s forecast is yet to be proven but in the meantime, US President Obama had the last word. On Tuesday March 22, 2011, Barack Obama gave an interview to the television network CNN in Spanish in which he stated that Mexican President Calderón “is frustrated because his militarised struggle against organised crime is not delivering what he promised to the Mexican people” (Esquivel March 27, 2011: 7). To several journalists, political analysts and scholars, in spite of Obama’s last word, the resignation of US Ambassador to Mexico Carlos Pascual was a major blow to US foreign politics and it was an event derived directly from the publication of the US State Department cables filtrated by WikiLeaks.

**Conclusion**

Blanche Petrich started her public lecture at the Universidad Iberoamericana stating that at a time, and in a world where global media consortiums have the control of most of the media content we read, hear or see, and when we have communication and information technologies that allow for immediate and instantaneous access to data, we face greater quantity of information but with less quality.

We have faster information but it is more confusing, out of context and homogeneous (Petrich April 7, 2011). To Petrich, in this context, WikiLeaks becomes a major asset as it allows journalists to go to the primary source of information and to practice complicated investigative journalism. For Petrich the experience of working with the cables provided by WikiLeaks has been a fantastic adventure while at the same time has created a level of work overload that has her overwhelmed. Nonetheless, she considers she is having journalism lessons in the making while processing, writing, editing and publishing the information.

There is much left to say about the ways WikiLeaks is changing journalistic practice. There is much left to say too about the possible consequences of the publication of information derived from the US State
Department cables filtrated by the team headed by Julian Assange. What this essay has attempted is to shed some light on the particular case of Mexico, a country where the sixth worldwide newspaper to receive the cables from Sunshine Press Productions, La Jornada, published relentlessly and against the silence of all other major Mexican media information they considered important to understand the unofficial side of the Mexico-US relationship. The notes, articles, stories, editorials published in La Jornada provide evidence of the level of participation of Mexican authorities in the involvement of the US government in Mexican affairs. The revelations of La Jornada contributed to open and shake up the debate about Mexico-US relations to the point of raising the tension and pressure on President Felipe Calderón to openly complain about US Ambassador Carlos Pascual's declarations. There is no doubt that there is a connection between the stories published from the cables and the decision of Carlos Pascual to resign to his position. What we need now is to wait for the filtration of the documents that prove it. We might have to wait for a while, but the wait will be worth it.

References


Editorial. “Los trasfondos del poder a la luz” (The backstage of power brought to light) La Jornada, 10 February 2011, p. 3.


Miguel, P. (2011). México entregado por su propia clase política a la intervención de EU (México handed to US intervention by its own political class) La Jornada, 10 February 2011, 4.

Petrich, B. “WikiLeaks at La Jornada”, public lecture given at the Universidad Iberoamericana Puebla, Mexico. 7 April, 2011.

Staff. (2011) “La confianza de los lectores, el activo más importante de La Jornada: Carmen Lira” (The trust of our readers, the most important asset of La Jornada: Carmen Lira) La Jornada 26 May 2011, pp. 19.
Footnotes

1. Felipe Calderón was elected President of Mexico in 2006 after a questionable electoral process where the election was impinged by the candidate from the left wing coalition, Andrés Manuel López Obrador. The Tribunal Electoral del Poder Judicial de la Federación (the Electoral Court of the Judicial Power, TEPJF for its initials in Spanish, the maximum authority for electoral procedures) declared on September 5, 2006, after a recount of part of the votes, that the winner was the right-wing candidate from the Partido Acción Nacional (National Action Party, PAN for its initials in Spanish), Felipe Calderón, by a margin of 0.56% of the votes. The new president was to enter into office with low levels of legitimacy and support. In this scenario one of the main actions of president Calderón since the beginning of his term has been a declared war (although he states that he has not called it that) against drug lords, cartels and organised crime. As part of the security strategy President Calderón has militarised the country with more emphasis on certain States with high levels of violence and crimes where the major cartels operate. Many Mexicans have openly criticized Calderón’s strategy and have clearly opposed the “war” as it is perceived that it has not solved the issue of drug trafficking and it has raised the levels of violence in the country. In five years of presidency the number of victims directly related to the President’s “struggle against transnational organised crime” (as he has officially named his security strategy) has reached more than 30,000 people. For many this figure already counts as genocide.

2. For Petrich (April 7, 2011), the confrontation between SEMAR and SEDENA was prompted by the US State Department in search for taking an active role in the military operations against cartels and organised criminals in Mexico.

About the author

Dr Claudia Magallanes and Dr Ana Lydia Flores are academics, Department of Social Sciences and Humanities, Universidad Iberoamericana, Puebla, México.
"If they're collecting all of this information, they're surely using it, right?" WikiLeaks’ impact on post-Soviet Central Asia

Christopher Schwartz  Managing Editor NewEurasia (English)

Abstract

WikiLeaks’ massive leak of United States Department of State diplomatic cables was met with a wide range of journalistic and audience reactions in post-Soviet Central Asia. These tended to be informed by dynamics unique to the region as well as media conditions specific to each of the five republics. In general, initial curiosity and goodwill has given way to more toned-down feelings, including scepticism and cynicism. In Uzbekistan and Turkmenistan in particular, it appears to have accomplished one goal – putting corrupt and secretive regimes on alert – while undermining another – helping journalists, civil society activists, and human rights defenders. Since the leak is still on going, it is impossible to make a definitive statement about WikiLeaks’ ultimate effect upon the region. Nevertheless, it does appear that so far the organisation has had the paradoxical result of reinforcing Central Asia’s marginalisation in global media consciousness yet giving Central Asians, both journalists and audiences, an opportunity to get a real sense of how the world perceives them.

Introduction

No one will ever accuse post-Soviet Central Asia of being a boring place to work in journalistically. A quick glance at the map and a perusal of an ethnographic manual immediately shows that the region lies at several crossroads – geopolitical, linguistic, cultural, and conceptual. The region is a bubbling stew of Slavic, Turkic, Farsic, Mongolian and Sinic ingredients. The five Central Asian states are struggling with the outer forces of global capitalism and integration and the inner forces of their many different Islamic and pre-Islamic traditions, but they do so while standing upon a worn-out carpet of infrastructure, demography, and most of all, governmental and informational behaviours that they inherited from the Soviet Union.

These are societies that were for generations succored on media that was pedagogical, ideological, and often in denial, where too much classical music on the radio meant there was a crisis – Tchaikovsky’s “Swan Lake” signified the death of a leader; on August 19, 1991, the death of the Soviet Union. Content may change, as well as values – gone is the shared destiny of fifteen nations merged into homo sovieticus, replaced now with the Altyн Asyr (Golden Age) or the glittering future embodied in the city of Astana – but media forms persist, morph, mutate, adapt.

Press freedom statistics provide a usable overview for the neophyte: of the 178 countries ranked on Reporters Sans Frontières’ 2010 Press Freedom Index, Turkmenistan lurks at 176th, rummaging between
Iran and North Korea, while Kyrgyzstan (159th) continued its long tumble from a record position (110th) in 2007 (as a consequence of its well-known political upheaval and subsequent ethnic fragmentation). Kazakhstan (162nd) dropped as well despite its touted chairmanship of the Organisation for Security and Cooperation in Europe (OSCE), and is now ranked only slightly better than Uzbekistan (163rd). Only Tajikistan ranks highly, relatively speaking (115th) (ironically, for basically the same reasons as Kyrgyzstan’s decline) (Reporters Sans Frontières, Press Freedom Index, 2010).

What statistics don’t capture, though, is how “press freedom”, much less “independent journalism”, are philosophical concepts: journalists in Kazakhstan, Kyrgyzstan, and Tajikistan are ‘free’ to report on anything they like, but that doesn’t mean they will professionally prosper, or as the tragedy of Alisher Saipov highlights, survive. As for ‘independence’, this is often superficially taken to mean mere variety. For example, in Kazakhstan, this can take on Rupert Murdoch-like media hording, with most of the private media outlets owned or otherwise controlled by family and associates of President Nursultan Nazarbayev (International Foundation for Protection of Freedom of Speech [Adil Soz], “Freedom of Expression Situation in Kazakhstan”, 2009: section 1).

In Uzbekistan and Turkmenistan, meanwhile, both these concepts are simply treated as contradictions in terms. There is some plurality of news sources allowed in the former, but these are widely suspected as being lures for malcontents and so are generally avoided by the general public (and accessed only via proxy server by the brave). In Turkmenistan, critical media outlets of any type are simply unavailable, as the government has maintained a stunning and disturbing amount of control over the press since the forced closure of the country’s only two independent newspapers in 1992. All media is devoted to one mission: glorifying the government. Television shows are devoted to the exploits of the presidents or mythological heroes from the past, and newspapers, despite their different names, routinely run the same content verbatim – a veritable echo chamber.

Perhaps surreally, there’s also a ubiquity of satellite-broadcast media seeping into all the countries (even Turkmenistan), particularly from Russia, Iran, Turkey, and China, but it’s having a rather Fox News-like effect, splintering consciousness into self-reinforcing narratives and quietly corroding civic discourse. In April 2011, I had dinner with a group of Kazakh bloggers in Astana. They wanted to know how I felt about Kazakhstan’s media situation, and I surprised them by instead criticising the American one, comparing their media moguls to those in the West and even Barack Obama (who, in my opinion, had exerted an incredible and disturbing amount of influence over mass media on either side of the Atlantic Ocean during his presidential campaign). Some of them took to my tactic very well, but one of them smirked and said, “Ah, so it’s just as Ahmediinijad has been saying all along” – a disconcerting reminder of the appeal of identity politics and underdog syndrome in audiences’ information choices.

As for the online world, Internet penetration still has a mountain to climb: according to the website Internet World Statistics, as of 2010, Kyrgyzstan and Kazakhstan boast the deepest penetration, but that is only at 39.8% and 34.3%, respectively, followed by Uzbekistan at 26.8%, Tajikistan at 9.3%, and Turkmenistan at a paltry 1.6%. With the exception of Kazakhstan, which according to the OpenNet Initiative can boast the widest (although still very limited) distribution, Internet access is largely concentrated in major and secondary urban centres (EurasiaNet.org, “Central Asia: Internet Influence Grows Despite Official Pressure” 2007) – which also happen to be infrastructural hubs. There is hope, particularly in terms of mobile internet:
according to the Central Asia branch of the “Universal Newswires” news service, as of 2010, Kazakhstan and Kyrgyzstan were nearing full mobile penetration, while Business Monitor International reported this past Spring (northern hemisphere), rather sunnily, “mobile broadband services … will make a strong contribution to the growth of internet services in Central Asia” (oddly, Kyrgyzstan was the last to achieve 3G status, coming after, of all places, Turkmenistan). Yet, given the politicisation of telecommunications in the region, in which, for example, an entire Russian mobile phone service provider can have its operations suddenly and inexplicably suspended in Turkmenistan (not to mention frequent censorship and snooping by intelligence services across the entire region), the internet could very well end up less Tenzing and Hillary and more like Sisyphus. Nevertheless, citizen journalism is increasingly becoming a noteworthy force with in the region, whether challenging the official view out of Ashgabat or helping overthrow it altogether in Bishkek.

It is this complex and often unhappy tapestry that WikiLeaks has been attempting to unravel with its on-going United States diplomatic cables leak – but with, in my view, very mixed results. From my dual position as a stringer-blogger for Radio Free Europe/Radio Liberty (RFE/RL), one of Central Asia’s largest and well-resourced independent news and analysis organisation, and managing editor of the English site of NewEurasia, the region’s first and largest citizen journalism network, I’ve had a unique vantage point from which to assess the impact.

Here’s what I see so far: despite some intriguing remarks about the former Soviet Union circulated internally within the organisation, Julian Assange and company have not been handling Central Asia very well, at least not yet. In Kazakhstan and Kyrgyzstan, as far as I and other journalists can see, the cables have had almost zero effect on either audiences or the media; in Tajikistan, it’s re-ignited old anger toward the Russians and called into question the purported mission of the whistleblowing entity; and in Uzbekistan and Turkmenistan, it appears to have possibly had one of Assange’s desired effects – frightening the hell out of the secretive ruling elite – but possibly at a subtle, hard-to-measure cost to civil society activists and human rights defenders who must live the hard day-to-day realities under renewed governmental fears of an American digital panopticon. At stake here is whether WikiLeaks has actually contributed to the marginalisation of the region, both internally and globally, or whether it has presented a unique opportunity to counter that process; this essay is an attempt, however brief, to try ascertaining which.

I should note that the leak is far from over: as of this writing (July 22, 2011), the WikiLeaks site says it has revealed 19,585 of 251,287 cables, or 7.8% of its total claimed cache (WikiLeaks, Cablegate website, accessed July 22, 2011). Ed note 1

That means it’s impossible to make a firm assessment of WikiLeaks’ ultimate impact upon the region; instead, I can offer what it seems to have brought about so far. Toward that end, I’ve collected reactions, some previously published and many newly given to me for the purpose of this essay (at my solicitation), from colleagues working in the region. They are Westerners and Central Asians working professionally in the ‘old’ and ‘new’ media sectors, that is, traditional journalists and bloggers, and mostly from three organisations: RFE/RL, NewEurasia, and Transitions Online (TOL), a large journalism training operation working in transitional countries that is a close partner with the first two.
WikiLeaks’ “primary interest”

Before proceeding, a word needs to be said about how WikiLeaks once related to the region, or rather, how it appears to have envisioned a potential relationship. I’m now reaching back a few years ago, to 2007 and 2008, wherein we find some interesting if not wholly conclusive remarks. To begin with, according to AsiaMedia, the WikiLeaks website in 2007 had specifically professed interest in post-Communist/transitional societies, alongside other regions: “Our primary interests are oppressive regimes in Asia, the former Soviet bloc, sub-Saharan Africa and the Middle East, but we also expect to be of assistance to those in the West who wish to reveal unethical behaviour in their own governments and corporations.” Likewise, in a purported June 9, 2007, email to WikiLeaks volunteers that has since been published on Cryptome (another, much older website specialising in revealing sensitive and secret information), an anonymous author speaking for the operation explained its strategy in the West as ultimately serving the purpose of its strategy in regions precisely like Central Asia: “Apart from the beneficial effect on Western democracies, we believe this will provide a strong, consistent base where we can operate efficiently and freely, permitting us to concentrate our efforts on the most repressive regimes” (WikiLeaks [anonymous], “Why are the WikiLeaks founders anonymous?”, June 9, 2007). And more than a year later, a purported anonymous editorial to WikiLeaks volunteers, also published on Cryptome, evinces some understanding of the peaks and pitfalls of journalism in the relatively more open post-Communist/transitional nations, like Kazakhstan and Kyrgyzstan, where too many journalists have been intimidated, unjustly tried and jailed, and even murdered, and often as much for unclear reasons as under unclear circumstances:

In transitional states, journalistic freedom and journalistic persecution appear to stem from the same root cause: the inability of power groups to defend themselves from journalists by using means more sophisticated than arrest or murder. Because [arrest or murder] comes at some cost to the persecutor, [such tactics] are rarely employed. In other words, all but a few ‘off limit’ subjects can be reported freely and these limits are not yet well understood, which is why some journalists are murdered (WikiLeaks [anonymous], “Fear in the Western Fourth Estate”, November 24, 2008).

As far as I know, these are the only pieces of information to have emerged so far regarding WikiLeaks’ views on/relationship to post-Communist/transitional or post-Soviet countries. Obviously, they’re not much, but they do evidence the organisation’s originally global worldview and agenda. Assange and company’s eventual shift in focus in 2010 to the United States was probably inevitable considering the sheer scale of electronic data pouring out from that society (although from Assange’s perspective, undressing the United States is not necessarily inconsistent with a global agenda, as I’ve argued elsewhere).

Initial reactions to WikiLeaks

When WikiLeaks can be said to have truly burst onto international consciousness with its release of United States digital military logs from Afghanistan, Central Asian journalists had a range of reactions, from a kind of pre-blasé blasé to unabashed fascination. The nationals who impressed me as particularly smitten were the Tajikistanis. Despite the meagre Internet penetration and online experience of their nation – or perhaps because of it – they were fascinated by how something like WikiLeaks could even be possible.
When the story first broke and shortly after I managed the impossible feat of getting Assange on the phone for an interview, Salimjon Aiubov, a former newspaper editor from Tajikistan who has worked many years for RFE/RL’s Tajik Service, interviewed me to discuss the details of how a digital dead letter drop box like WikiLeaks works. The discussion, however, was specifically contextualised for Tajikistan, with an emphasis on possible methods by which would-be whistleblowers could physically smuggle material to Assange and company without anyone, including WikiLeaks itself, knowing who they were. It was a none-too-subtle hint to his listeners that there was now a new and more secure way that they could get important information to journalists (and I must confess, I was happy to serve as the hint giver).

Meanwhile, NewEurasia and TOL asked our teams to give us a sense of how they hoped WikiLeaks could help the region. What we received was essentially a Ded Moroz list of dream scoops, ranging from the shady business dealings behind a deeply unpopular toll road outside of Dushanbe, Tajikistan, to the truth behind the alleged coup attempt against Turkmenistan’s first president, Saparmurat Niyazov, by his former foreign minister Boris Shikhmuradov. Noteworthy was the intensity with which the Turkmenistanis responded to WikiLeaks, especially when compared against the coolness of the Kyrgyzstanis. For example, NewEurasia’s country coordinator for Kyrgyzstan, Tolkun Umaraliev, was more concerned about whether patchy Internet access would end up undermining anything WikiLeaks could uncover about his nation, rather than what it could actually end up revealing. Contrast this with Abulfazal and Humane, two of our bloggers in Uzbekistan and Turkmenistan, respectively, who were concerned that WikiLeaks could be used to reinforce existing ideological messages of isolationism. “They’re going to be accused of being Russian or CIA stooges and of trying to undermine our 'paradise' here,” predicted Abulfazal. “Trust is something we don’t have in Turkmenistan,” said Humane. “There’s no trust in one another, so how can there be any trust in this mysterious website? They need to acquire good contacts here, in “big places”, and earn a good reputation” (Schwartz, “Punching Holes in Airtight Central Asian Elites”, Transitions Online, July 30, 2010). WikiLeaks symbolised the promise of the unknown finally becoming known, to which the Uzbekistanis reacted with mingled hope and terror, as Abulfzal explained,

in principle [WikiLeaks] is exactly what Uzbekistan needs, and if they can maintain their impartiality and really expose the corruption here, the public will see them for what they truly are. Imagine what would happen if someone in the Kyrgyz government actually has proof right now of who started the violence in Osh and managed to sneak it to WikiLeaks? I’m afraid of what the reaction in the streets would be (Ibid.).

To which Turkmenistanis reacted with yearning anguish. NewEurasia’s main blogger for Turkmenistan, Annasoltan, referring to the arguments between Assange and the United States Department of Defence over the ethics of the Afghanistan leak, cried out:

The people of Turkmenistan are hungry even for simple information that’s not the least bit sensitive to the government. How about our nation’s real history, rather than the epics and extravagant cults of personality that have been taught to us for over a generation? Even if all the newspapers and school textbooks would be put together, you would still not find enough facts to write even a page. […] The West is already awash in information; Turkmenistan is dying of data thirst. Right now it seems WikiLeaks is engaged in some kind of tit-for-tat with the United States. I just hope they don’t get distracted from their real mission, because we need their help (Annasoltan, “Turkmenistan Needs WikiLeaks”, NewEurasia, August 25, 2010).
The above taxonomy of journalistic desires, hopes, and fears, although very brief, suffices to demonstrate that the very first reactions depended greatly upon each country’s media conditions and experiences.

As Autumn came and the Iraq War military digital logs were leaked, in my experience, Central Asian journalists were impressed. Shortly after, a “Christian Science Monitor” report emerged which alleged that WikiLeaks was sitting upon a massive pile of kompromat (compromising materials) that included the Central Asian states. Appetites had already been wetted by an earlier report on EurasiaNet.org concerning some not-especially-revelatory but nonetheless embarrassing remarks about the Central Asians in the Afghanistan military logs; everyone was hankering for something they could sink their teeth into. Since I head up a citizen journalism network, I would be remiss if I did not somehow mention those other independent journalists in the region – our readers, each of whom is already an active media participant and in some sense a reporter *in potentia*.

The independent regional news site Ferghana.ru solicited and published online readers’ anticipations, some of which are worth translating and re-publishing here (Ferghana Information Agency, “Wikiileaks грозится раскрыть секретные документы о коррупции в правительственных стран постсоветской Средней Азии”, November 25, 2010; original translations into English by Abulfzal, “Is WikiLeaks a Tool of Influence on Central Asian Governments?”, NewEurasia, November 26, 2010):

666, 25.11.2010: The kompromat against Central Asian governments might be a falsification. Americans reside on their island and [all they] want is to see Eurasia on fire of the Third World War. Central Asia is a good place for revolutions and wars [on its territory].

Aziz, 25.11.2010: WikiLeaks leaks reminds me of a controlled and organised process by some Western circles. […] They [leaked] that civil losses [in Iraq] were 160 000 when realised that the number was way more huge than that and that no one believes their fairy tales about “Baghdad being quiet”, that’s how they decided to redirect people’s attention from [what they did]. Political technologists, website’s goals are totally different.

Djumshud Tashkentsky, 25.11.2010: So what will change? In Central Asian countries WikiLeaks will [soon] be banned… [T]o figure out the level of corruption it’s enough to live in Tashkent for [just] one month. Moreover, for most people corruption in the higher echelons of power isn’t as important as on the local level, which is becoming more and more horrible. it’s impossible to solve anything without a bribe. […] I think that for the most [of Central Asians] this topic is more actual [than] how much Americans paid Karimov to get their base in Karshi.

Karim, 25.11.2010: The only country in Central Asia that isn’t afraid of WikiLeaks is Kyrgyzstan. Everybody already knows everything; nobody is afraid to speak out the truth. […] Karimov’s children are probably afraid.

Nurlan, 26.11.2010:It’s a tool of influence on the Central Asian politicians.

These are the voices of people who believe an earthquake is imminent but don’t know how to prepare for it. There are some distinctively Central Asian tropes here: frustration with their nations’ marginality or exotification in global media consciousness (Djumshud), anti-imperialism-tinged conspiracy theorising...
An anthropologist would probably be intrigued by Karim, as his voice sounds like truly that of an independent nation with its own identity and stance (in this case, the supposed transparency of the region’s only official liberal democracy), and not a post-country in search of itself with bittersweet feelings about its past and present. These tropes, alongside the media conditions I described above, backgrounded (and continue to background) the journalistic reaction that emerged after the tremors hit on November 28, when the leak began, and the topic to which I now turn.

Kazakhstan and Kyrgyzstan

Considering that the media spheres of Kazakhstan and Kyrgyzstan are closely linked – KyrgyzTelecom buys international traffic from KazakhTelecom, and according to the OpenNet Initiative, on a number of occasions, the former has been affected by the latter’s filtering practices (the strange WordPress ban from June 11 – July 18, 2011, is a recent example) – it’s suitable to deal with them together. In Kyrgyzstan, response has been muted. When the leak first began, Firdevs Robinson, a former editor with the BBC’s World Service’s Central Asia and Caucasus Service, says she was surprised by the under-reaction of the Kyrgyzstani media. “There was greater interest [about the cables] in the West,” she says (Firdevs Robinson, personal communication [email], July 15, 2011). She gives the example of 08BISHKEK1095, a cable detailing the United Kingdom’s Prince Andrew’s gruff personality and comments about official corruption in Kyrgyzstan. While the cable “raised eyebrows in the UK” (Ibid.), in Kyrgyzstan, general audiences had no idea who Prince Andrew was, while those in the business sector, as the cable itself indicates, were already in the know. It was my own impression that journalists were somewhat more interested in what WikiLeaks revealed about the United States military’s Manas Transit Center. This facility is a major source of revenue for Kyrgyzstan’s government, but it is also a geopolitical chess-piece between the Americans and Russians.

The Kyrgyzstani struck me as generally surprised to discover that the Chinese also seemed to be playing the game, as revealed in 09BISHKEK135, a cable detailing Chinese Ambassador Zhang Yannian’s response to claims that China offered to pay Kyrgyzstan $3 billion financial in return for closing the facility. Ultimately, though, this revelation was hardly a blip on the radar for Chinese-Kyrgyzstani relations; of much greater concern was (and remains) whether the customs union between Russia, Belarus, and Kazakhstan would cripple Kyrgyzstan’s transit industry and thus detriment its special status with China as a key gateway for Chinese goods entering the former Soviet Union. As for the general impact, “From my perch, I think it’s been like in most other places, where there are lots of “oh THAT’S what they think about us’-type comments,” says Joshua Foust, an American blogger with Registan.net and a fellow with the American Security Project (Joshua Foust, personal communication [email], 15 July, 2011).

This general blasé could also be felt in Kazakhstan, says Robin Forestier-Walker, al-Jazeera’s Central Asia correspondent. The leak coincided with the country’s much-vaunted OSCE summit in Astana. Walker remarks,
Alas, the canvas remained basically blank, as coverage was minimal. I should note that at least part of this can be attributed to Kazakhstani media law: in a move that I understand to have been ostensibly intended to emulate a Turkish regulation restricting negative criticism of Mustafa Kemal Atatürk, Kazakhstan has banned negative criticism by the press (and particularly by online sources like blogs) of the president and his family. Unsurprisingly, Kazakhstan’s for-profit and government-sanctioned media sectors appear to have defanged or completely ignored 08ASTANA760, whose sarcastic title, “Lifestyles of the Kazakhstani Leadership”, was all the warning they needed.

Nevertheless, Walker feels that insofar WikiLeaks “[made] public a lot of what we already guessed but couldn’t say” (Robin Forestier-Walker, personal communication [email], July 23, 2011), the leak may not have been a waste of time. Asqat Yerkimbay, NewEurasia’s country coordinator for Kazakhstan, strikes a resonant tone: he doubts that WikiLeaks will have made any impact on journalistic practice in the country because of media’s dependency upon the government, but at the same time, “reading WikiLeaks, I realised how our policy-makers are very intelligent and worried about Kazakhstan’s image” (Asqat Yerkimbay, personal communication [sms], July 20, 2011). There also persists some modicum of interest about WikiLeaks as an entity among journalists. For what it’s worth, I was interviewed this past April by the large Kazakh-language daily Aikyn regarding my views on WikiLeaks (note: the interview was published in May). The reporter was especially curious about the character of Assange (it was my impression that I was one of the few journalists she had met who had actually communicated with him – more about this below), and the ethics of the cables leak – and leaking in general – with a view to her nation’s current media situation (note: Aikyn is theoretically an independent newspaper but was founded by the ruling party, Nur-Otan). As for the future of WikiLeaks in Kazakhstan, Walker says, “There has been talk of WikiLeaks collaborating with Kazakh-exiled oligarch-funded publications – in order to give Central Asia-related material a ready outlet, but so far as I know that has not yet materialised” (Walker, communication, July 19, 2011).

Tajikistan

The experience of WikiLeaks in Tajikistan highlights an entirely different aspect of the whistleblower organisation’s impact on Central Asia. In general, the arrival of the leak in the region was immediately complicated by a key strategic misstep on the part of WikiLeaks, namely, to my knowledge it appears that not a single Central Asian journalist or agency was involved in the original preparation and publication of the Central Asia-related materials. Rather, Assange and company appear to have made the blunder of working entirely with agencies in the Russian Federation, specifically Russian Reporter (Rusrep.ru), a young weekly journal, and Komsomolskaya Pravda, a daily tabloid which has the distinction of being Russia’s top-selling newspaper but also the dirty past of serving as the official organ of the Soviet Central Committee (the irony of this will probably not be lost upon my readers, and I expect Assange himself got a good laugh out of it). In Tajikistan, this had the effect of stoking old anger dating from the Soviet era. Aioubov explains the widespread rage and loathing among his colleagues:

WikiLeaks made a big mistake giving the right to some Russian journalists to be the first to know the cables, to read them and write stories about them for the Russian media. Probably, Mr. Assange did not know any Tajik, Uzbek, Kazakh, Kyrgyz, Turkmen journalists, but aren’t we in the age of the internet? Why did he decide to include a Russian journalist in his extended team, giving him the right to see cables about
Central Asia? Does he still consider our region as a part of the Russian neo-empire? [This act immediately] created an atmosphere of distrust around WikiLeaks in Central Asia (Salimjon Aioubov, personal communication [email], July 13, 2011).

However, at stake was far more than emotions, for WikiLeaks appears to have also given Russian journalists access to unpublished cables well in advance of their publication. For example, on December 1, 2010, Centrasia.ru cited a cable in which the United States warned Tajikistani President Emomali Rahmon in 2005 that the head of the Antinarcotics Agency and of the National Olympic Committee, General Ghaffor Mirzoev, was a threat, whereupon Rahmon fired him (Eden Kron, “Wikileaks: Таджикский посол в США Хамрохон Зарипов заменил Эмомали Рахмонова на посту Президента страны”, Centrasia.ru, December 1, 2010); the cable (07DUSHANBE1420) was not published until two weeks later. This simultaneously gave the Russian press more than enough time to frame and interpret the information as they saw fit – essentially, a narrative of creeping American influence in Russia’s corrupt and incompetent backyard – and dis-enfranchised the press establishment of an entire country. If I may be so bold, it is unhappily ironic that an organisation that presented an opportunity to work around the increasing rigidities and distortions of traditional access journalism and re-empower journalists appears to have (probably unwittingly) created/fallen into a new access-related trap (cf. Nicholas Jones, “Plea to WikiLeaks: access for all journalists; end exclusive deals”, April 18, 2011; take note of WikiLeaks spokesperson Kristinn Hrafnsson’s remark, as reported by Jones, “There will always be material of specific interest to specific regions of the world where we want to have the collaboration and assistance of the journalists who know the area”). Ed Note 2

On August 31, 2011, WikiLeaks unleashed the entirety of its digital cables cache – 251,287 files in total – in unredacted form, apparently in response to a security breach on the part of their media partners in The Guardian newspaper. As indicated in the text of my essay, at the time I wrote it, WikiLeaks had only released 19,585 cables in redacted form. Strangely, as I write this note (6 September, 2011), the Central Asian journalism community has so far met the new dump with near total silence: there are barely any mentions of it on Central Asian news portals or services, including the region’s largest and most dedicated news agency, Radio Free Europe/Radio Liberty (RFE/RL), and none of my colleagues have brought it up without my prompting. The dump is probably too huge, overloading the most intrepid journalists and excusing the more avoidant ones.

It has nevertheless cast light upon one mystery, mentioned in my essay: an alleged cable describing a coup offer by Tajikistan’s Foreign Minister, Hamrokhon Zaripov, against his nation’s President, Emomali Rahmon. I have been unable to find this cable in the unredacted cache. One possible explanation is that it exists, but at a security level higher than those cables in the possession of WikiLeaks, and somehow its contents slithered to the Centrasia.ru analyst who reported it. Yet, this scenario is not without riddles of the who and why variety. Occam’s Razor suggests that perhaps the analyst misinterpreted the contents of two cables to which he had been given special access: 09DUSHANBE957, in which opposition leader Hoji Akbar Turajonzoda mulls the ineffectiveness of a theoretical coup, and 06DUSHANBE322, in which the State Department official describes Zaripov as being seen as “a little too ambitious to be a fully trusted and vetted ‘ultimate insider’” by the Rahmon regime. Whatever the truth, such misinformation, whether intentional or unintentional, can be destructive, and it now appears to be one of the chief pitfalls of WikiLeaks’ approach to Central Asia.
Yet, despite this widespread sense of disappointment, even betrayal, it appears that Tajikistan’s journalists retain some begrudging interest in WikiLeaks. It has been the experience of both myself and Aioubov that they routinely check the website, almost everyday (including Aioubov himself, who is one of the more devoted archivers of all-things-Assangian that I know). At the risk of sounding Orientalist, the Tajikistanis are legendary in the region for their hard-headedness and stubbornness – I have actually been head-butted by a Tajik ex-pilot as an apparently traditional form of enthusiastic salutation – and without fail when you ask them why they still bother with WikiLeaks, they’ll answer that they’re looking for this mysterious Zapirov cable. Meanwhile, it appears that WikiLeaks did eventually make some effort to redress their mistake. In May 2011, the a Tajikistani wing of “Asia-Plus” news service claimed to have cut a deal with WikiLeaks to publish Tajikistan-relate cables exclusively in Tajik. According to Aioubov, since then, the content of some other as-yet unpublished cables has appeared in Tajik-language press (Aioubov, communication, July 13, 2011).

Moreover, there are spikes at the bottom of the trap. The same Centrasia.ru report also cited a cable detailing an alleged 2006 conversation between an unnamed senior official from the United States’ Department of State and Tajikistan’s then-ambassador to the United States, Hamrokhon Zaripov (later renamed to Zarifi) in which the latter apparently promised to overthrow (the report alleges that the cable uses the word ‘замена’, ‘replacement’) Rahmon and place himself in power so as to reorient the country more strongly toward the West. Needless to say, this was an explosive revelation,

but unfortunately for Tajikistan’s journalists, as of this writing, the cable has yet to materialise. According to Aioubov, the consequences of this on-going lacuna for the reputation of digital whistleblowing in general and WikiLecks in particular has been massively negative. “The track is gone,” he says. “There are no differences between WikiLeaks and ‘OBS News Agency’ [i.e., ‘odna baba skazala...’, ‘a woman in the street said...’] in Tajikistan” (Salimjon Aioubov, personal communication [email], July 22, 2011).

Uzbekistan and Turkmenistan

Similar to Kazakhstan and Kyrgyzstan, Uzbekistan and Turkmenistan, being as they are, in a sense, in one sphere in terms of political orientation, can also be treated together. At first glance, the two countries would appear to be impervious to any revelations from WikiLeaks, or for that matter, any other whistleblower, no matter how light or devastating. This is due in no small part to their intense media censorship. However, it is Robinson’s impression that their leaders just did not care: “There was little sign that authorities got overly concerned or embarrassed” (Robinson, communication, July 15, 2011), certainly not when compared to the Arab uprisings that were, as it turned out, right around the corner, and which appears to have prompted a light crackdown from the authorities. Robinson believes that Uzbekistan in particular had already weathered worse during the Craig Murray controversy of 2005 (Ibid.).

A deeper look, however, reveals something much more interesting and complex. Several of my colleagues describe two regimes that were made (and remain) hyperactively self-conscious. “Uzbekistan’s leadership once again realised that everything it does is under the close monitoring of the diplomatic community, international organisations, and even its own citizens,” says Abulfazal (Abulfazal, personal communication [email], July 14, 2011). With regards to Turkmenistan, Adalat Seeker, who manages a secret electronic newsletter and claims that among his in-country subscribers there are government officials (Christopher
Schwartz, “ ‘Blogs can be blocked in two clicks’: return to samizdat in Turkmenistan”, July 18, 2011), says that the leak has been internally perceived as an unmitigated public relations disaster for his nation. He compares this against the interests of everyday Turkmenistanis, which in his view have varied between the soap opera-like details of the president to the inner workings of the government (Adalat Seeker, personal communication [email], July 14, 2011). Annasoltan adds that the ‘Turkmenet’ (the Turkmen-language community of social websites) was especially buzzing:

There was quite a great amount of interest in these cables on Turkmenet social sites. For most people around the world, the WikiLeaks cables made interesting reading literature, but for the Turkmen who live isolated and in a perpetual information blackout, to learn the real face of their government and especially the president was incredible. They really wanted to know the real power and influence of three individuals: the presidential aides Viktor Khramov and Vladimir Umnov, and Alexander Zhadan, deputy head of the presidential administration. These men are Russians, not Turkmen, but they are the power behind the throne and do not show themselves in public.

Turkmenizens were really interested in any indications of how close Berdimuhammedov may really be to Russia, whether there are secret agreements with China, any idea of the scope of corruption in Turkmenistan, and the nature of the United States’ goals in Turkmenistan. For some Turkmenizens, WikiLeaks has once more proven that Turkmenistan is not even slightly following its purported “policy of neutrality” proclaimed (Annasoltan, personal communication [email], July 14, 2011).

As far as I know, there has been as yet no reaction from Turkmenistan’s government, not even through back-channels. There have been, however, behaviours that could be interpreted as evidence of real anxiety. Consider the mysterious suspension of MTS operations mentioned above. It coincided with the release of 09ASHGABAT1288, a cable detailing the arrest of former Deputy Chairman for Oil and Gas, Tachberdi Tagiyev, and part of Turkmenistan’s complicated dealings with the Russian natural gas company Gazprom, a key player in the country’s economy. It should be noted that often Turkmenistani web users can access censored websites through mobile Internet services, and according to “Cellular-News”, at its height MTS may have had as many as 2.4 million users – out of a population of a little over five million.

The biggest impact, however, appears to have been in the Uzbekistani and Turkmenistani governments’ perceptions of the foreigners within their countries, especially diplomats, and those locals who interact with them. There has been some debate within the Western press as to whether the US violated diplomatic protocol by using its embassies and diplomatic representatives as intelligence-gatherers (e.g., Global News Journal, “WikiLeaks Scandal: Is the United Nations a Den of Spies?”, November 19, 2010). What may be more important, though, is that as a result of the leak, certain governments could now be inclined to perceive the US as doing so, and that is a very dangerous development for everyone – from the civil society activists and human rights defenders who work on a regular basis with American diplomatic services, to the journalists who try to cover their struggles (and in Central Asia, very often the two groups are the same people).

Unfortunately, according to my colleagues, Uzbekistan and Turkmenistan have reacted precisely in this paranoid fashion. In the case of the former, Abulfazal believes WikiLeaks has caused a clash between diplomacy and national interest: “Had Karimov reacted radically and announced all American diplomats in Uzbekistan personas non gratas, he would have faced severe isolation from the international community
and a threat to international recognition of his regime’s ‘legitimacy’” (Abulfazal, communication, July 14, 2011). Meanwhile, in Turkmenistan, Adalat Seeker concurs: “From the government’s perspective, WikiLeaks files reinforced the already strong feeling and view that the Americans are bad, that they are all spies” (Adalat Seeker, communication, July 14, 2011). The Turkmenistani government has already long-exhibited antagonism toward the American University of Central Asia, located in the capital of Kyrgyzstan, Bishkek. Now, according to an independent Turkmenistani journalist who wishes to remain anonymous, the leak might have made the state security agencies “more hesitant” toward foreign offices in the country. Worst of all, he says it might have been interpreted as a terrifying warning by those who would otherwise turn to the Americans for help in opening up their society:

Local activists now might be afraid of sharing ideas and information with diplomats to avoid similar leakage, because they have now a risk of having their identities published (Anonymous, personal communication [email], July 17, 2011).

What may be at work here are several things. On the one hand, the authorities of Uzbekistan and Turkmenistan have become habituated, partially by Soviet-era indoctrination and experiences and partially by their own actions and the negative consequences therefrom, into a cynical and deep distrust of the outside world. On the other hand, they view the Americans in particular as a pervasive and intrusive octopus, intent upon breaking into their inner worlds. Unfortunately, WikiLeaks may have unwittingly ‘confirmed’ this viewpoint. In the words of Asher Kohn, another American blogger with Registan.net and a law student in the Transnational Law Program at Washington University-Saint Louis,

The United States is already seen as a sort of deus ex machina, a latent superpower who can swoop in at a moment’s notice and Change the Face of History [sic]. WikiLeaks adds to the theorizing of living in an American panopticon: ‘If they’re collecting all of this information’, one could reason, ‘they’re surely using it, right?’ (Asher Kohn, personal communication [email], July 14, 2011).

Reinforcing marginalisation?

How to ultimately assess the leak’s impact upon Central Asia? Certainly, the above discussions show that it has been far from positive. Sarah Kendzior, a Washington University-Saint Louis doctoral student who studies the effects of the internet upon Central Asian politics, believes that the ways in which external media has treated the Central Asia cables reveals more about their respective societies than Central Asia itself.

Specifically regarding Western media, she gives the example of Uzbekistan, whose long-standing contempt for human rights is new only to Western consciousness, and it becomes ‘news’ only because WikiLeaks is the source (Sarah Kendzior, personal communication [email], July 21, 2011). Referring to the recent uproar about music performer Sting’s intended performance at the Nazarbayev’s birthday celebration, she strikes an Edward Said-like tone: “The real question here may be why Central Asia’s human rights violations only draw world attention when they are relayed via the exploits of pompous Western blonds (Sting, Assange)” (Ibid.). Central Asia thus becomes a media-interfaced mirror for the world.
However, the story doesn’t stop there: in my view, Orientalism is only one twisting side of a Möbius strip-like paradox of marginalisation that is unique to the Central Asian states. There is much bemoaning among journalists and officials in the region that the world’s news agencies sideline or exoticise Central Asia, and that is certainly true, but by manipulating debate and squashing real press freedom, Central Asia’s authorities and state-sanctioned news agencies are actually complicit in this distortion, for they do little to really correct the narratives being imposed upon them. Additionally, we must not forget that Central Asia itself tells stories about the outside world – state-enforced Occidentalism, if you will. Of course there are many Central Asians who fully participate in globalisation, interacting with Russia and the West in particular via the Internet and travel, but as indicated above, these tend to be the urban middle-class and elites; what about the general audience?

H.B. Paksoy, an Oxford-trained historian of Central Asia who also periodically blogs for NewEurasia, is instinctively cynical. “The reading public was already sceptical [at the time of the leak], believing that it would be an ‘intelligence operation’ designed for the benefit of the leaker or the leaking nation,” he says. “Not much penetrated the minds of the populations in general, as they are already weary of such headlines” (H.B. Paksoy, personal communication [email], July 13, 2011). Barbara Frye, TOL’s managing editor, however, has an entirely different view – one I’m inclined to agree with. For her, WikiLeaks may have offered the first true correction of narratives at a somewhat mass level, regardless of any scepticism or cynicism:

[I think] that WikiLeaks forced some to rethink black and white notions of Great Power games. It seems to me that Central Asia often feels like a pawn, or maybe a pretty girl whose virtue is under threat from the rapacious Russia, the United States and China. They all want what Central Asia’s got, at the lowest possible price, but what does that mean for the ordinary person in Dushanbe or Astrakhan? Who is looking out for their interests, and should they believe what their governments tell them about these foreign powers?

WikiLeaks was the first chance, probably since independence, for people to get an unfiltered answer to those questions. People could eavesdrop on diplomatic conversations that touched on human rights and energy resources. They could see who really cared about what. The wonderful exchange between the Chinese and American ambassadors in Kyrgyzstan about the Manas air base (just give them the money and shut up about the conditions and you can stay at Manas forever) is a great example of those countries’ approaches. They are not all the same* (Barbara Frye, personal communication [email], July 15, 2011).

Thus, beyond panopticons and mirrors, perhaps the ultimate impact of WikiLeaks shall lie in this eavesdropping-like effect and the deeper encounter it has afforded many Central Asians. If so, time will tell whether this encounter becomes a confrontation or even a reconfiguration, especially as the leak continues to drip.
References


NewEurasia. (Multiple authors, ongoing.) Coverage of Turkmenistan-American University of Central Asia crisis. Accessible via http://www.neweurasia.net/tag/turkmen-auca-crisis/


Editorial Note

1. The author identifies the further leaking of cables by WikiLeaks on p. 12 of this essay.

2. See Kristinn Hrafnsson’s presentation to the Sydney Ideas Forum: How WikiLeaks will transform Mainstream Media June 17, 2011 this issue.

About the author

Christopher Schwartz is an academic and journalist. He serves as the managing Editor for the English site of NewEurasia, post-Soviet Central Asia’s largest citizen journalism network, and as a stringer-blogger for Radio Free Europe/Radio Liberty (RFE/RL). He is also the editor of the book CyberChaikhana: Digital Conversations from Central Asia, a contemporary history of Central Asia.
The Big Geek

Christopher Kremmer

It was about eleven o’clock in the morning when the voice of the pilot spilled forth from the overhead speaker.

Live or pre-recorded, I wondered? Hard to tell.

“We have begun our descent towards Keflavík International Airport. Current indications are that we’ll have you in the terminal by eleven-thirty. We hope you’ve enjoyed your journey, and thank you for flying Icelandair.”

My head ached accusingly. I’m one of those passengers who likes keeping the drinks trolley moving, and the flight from New York had been no exception. Lifting the shade, I squinted out at an amorphous sub-polar atmosphere, the colour of oysters. Somewhere below lay a land of sheet ice and active volcanoes, venting and fuming, and occasionally exploding to besmirch the virgin snow with ashes: a land whose principal industries were fish and financial services. A winter wonderland all year-round, and I’d forgotten to pack socks.


I’d once made a study of military and intelligence operation codenames and concluded that the people who coined them were complete jugheads; “Enduring Freedom”, “Infinite Resolve”, “Relentless Strike” – give me a break. At least “Silver-Wig”, with its nod towards my favourite author, the crime writer Raymond Thornton, displayed some class. The attached photograph showed a somewhat androgynous, thirty-something man with shoulder length platinum hair swept back and over an unlined forehead, and a plump jaw dotted with silvery stubble. A baby face full of contradictions, with sly, knowing eyes, and a lithe frame draped in a black shirt, black suit, and red tie, like an effeminate pimp in a Soho bar.

Didn’t look like someone born in the jungles of far north Queensland, the only son of a French father and Australian mother, both of them drifters, who’d moved house thirty-seven times before the age of fourteen and was mostly home-schooled, ending up with a deep mistrust of authority and a preternatural gift for computer code. This latter talent he’d used to hack into a number of top-secret government departments, including Defence and Los Alamos National Laboratories, where he’d left puerile messages of the “Have a nice day Boogie Men” variety. The judge didn’t think that was so funny, almost landed him in prison while still in his teens. Maybe it was the shock of it that turned his once dark brown hair a ghostly white. But he had the virus bad, and pretty soon he sets up a website where malcontents can anonymously release classified information they’ve stolen in the course of their work for certain freedom-loving governments.
The Aussie hacker was playin’ fast and wide with some of Uncle Sam’s most sensitive secrets. He was what they liked to call a ‘threat’, a trafficker in dangerous information. He was said to be an idealist, the sort of person of whom Henry Miller once that he “either has no problems of his own or refuses to face them.” Still, it was hard to fault the ideals Assuage was fighting for – freedom of speech, freedom of the press, probably free love, for all I knew. It’s just hard to respect a man who, by the time he’s pushing 40, hasn’t found a way of making money out of his passions. He just kept pushing his barrow, a one man insurgency who’d robbed the intelligence bank and distributed the proceeds to the information poor on a website that provided anonymity to leakers, an online version of what people in my business called the “dead drop”. It had caught all right. Every mangy geek with a grudge against Miss Liberty was at it. And because Assuage happened to be an Australian, the President called the Prime Minister, who called the national security adviser, who called me, all with the same double-barrelled question – “Who is this guy and how do we shut him down?”

Now I, for one, have nothing against members of our computer programming and digital telecommunications communities. Some of my best friends are phone hackers and my own skills in this department have given me the edge in several high profile fraud cases. But until I took the brief on Assuage, my only interest in the world-wide-web had been online card games, which I’d played to the point of bankruptcy. Not much help having a poker face in the new media. Nor did I have much time for spooks and diplomats. Most of them were living a dream, a bad dream that desensitised and decentred them, leaving a void where their lives should be. Of course, I speak from experience; had a promising career in the services once, before they got me for insubordination, then expenses fraud. One good thing about the military, though – like doctors, they their bury mistakes – and there was no legal impediment to me starting afresh as a private investigator and consultant specialising in national security matters. And when the guy with the crew cut walked into my office and told me about Operation Silver-Wig, I was already calculating the per diems.

Next thing you know, I’m on this bird to Reykjavik, travelling as Jake Marlo, ministerial advisor in the US Attorney General’s office and would-be leaker. Some low level official meetings had been set up by Icelandic intelligence contacts, and a report had been planted in the English language Reykjavik Grapevine newspaper quoting officials saying I was in town to lobby for the extradition of a long-serving African dictator. I was putting up at the Hotel Borg, a nice old pile with free wi-fi, a well-stocked bar fridge and nice views over Austurvöllur Square to the red roofed houses and snow clad peaks beyond. It was also close to the Astro Bar, said to be the after-hours haunt of Assuage and his acolytes, who had descended on Iceland the way a bird descends on its prey, claws exposed, ready to feast. On the menu were the country’s freedom of information laws, which Silver-Wig’s group, Disseminate, was apparently rewriting to make the place a hacker’s paradise.

That first night, after an in-room massage to ease the travel aches, I dined alone in the hotel’s restaurant. This was the business end of the trip, where one has to be clear about the client’s needs. For once, these were simple enough. They wanted to know what his vices were, and where he would be this time next month. I’d been pondering my plan of attack, picking at my reindeer steak with root vegetables and orange cauliflower foam, when I got the call from the spotter my Icelander friends had placed outside the Astro Bar to alert me to Assuage’s arrival.

The caller directed me to a nightclub on Austurstræti. There was an unexpected crush at the door
– never get between a Icelander and a trendy bar, they’ll just hip-shove you out of their way – and this place was ultra cool, like walking into a kaleidoscope with wall lights pulsating in three hundred different colours of varying intensity. The bodies – some of them divinely beautiful – were crammed in like kippers in the nets of a North Sea fishing trawler, swaying to hypno-techno pop. Outside it was cold, but inside positively geothermal. Nothing else for a Reykjavik geezer to do, I guess, but gaze with intent amid the mood music, and choose an artificially uninhibited teenage girl to take to the sauna. Not my age range, unfortunately. Anyway, I was working.

So, this was where the hackers went to decompress their hard drives at the end of long day. Unable to spot Assuage at first, I settled in with a bourbon on one corner of a passionfruit-coloured modular settee with good view of the room, expecting a long stakeout. But before I finished my drink I spotted old platinum locks himself, willowy frame clad in an army surplus anorak, surrounded by a clutch of acolytes over whom he towered. He was wearing the notorious “fag pack” in which he carried the sum total of his private possessions everywhere he went, part fly by nighter/part snail. The groupies looked like college students, the type that hangs around too long. If you wanted a label, “geek chic” would suffice for this band of hollow-eyed webrats reeking with the grandiose narcissism of a fast fading youth.

Moving closer, I joined the queue to the bar at a point where it bordered the Silver-Wig convention in order to get a closer look at their guru. As they vied for his attention and approval in the ever-changing colours of the light, a smile played on his lips, but rarely parted them. He seemed to sift their words, always with that faint air of disdain or detachment. His pale, translucent skin and silver hair took on each change in the projected spectrum of light, like a porcelain chameleon. I found myself wondering how he would look with neatly cut hair, damped down and parted: a school boy.

When he deigned to speak, the groupies hung on his every utterance, all the while managing to look simultaneously ‘hot’ and ‘cool’. As the bar queued, I heard two of them, potential lesbians I’d say, shouting to be heard over the music, discussing the unusual dormitory arrangements at the group house where Disseminate volunteers were working on their latest project.

“There are beds everywhere, even in the kitchen!” one of the girls hyperventilated.

“I slept with him last night,” said the other, then as if competing, her friend responded “Shelly and I both went to bed with him the night before she left.”

Girls, girls!

But then came an unexpected kicker. “When I say ‘slept with’ I don’t mean we had sex or anything. Julius spent the whole night glued to a computer screen. And when he did go to bed, it was in the next room, the one the black girl was renting. From then until morning nobody got any sleep. The noises coming from in there sounded like a colony of seals mating.”

File that under ‘V’ for vices. Thank you, madam, thank you ball girls.
Time to push my luck a little further. Having got my next drink – an alco-pop I thought might impress the younger patrons, I dived deeper into the maw. Around me, all manner of arcane conversations whirled. One young hacker was spouting his crazy ideas about internet freedom. It should never be governed by any law, local or international. It was sacrosanct, untouchable, inviolable. Then, a coup. The crowd shifted and I found myself within arms reach of Silver Wig himself. And in the zone of reverence, where not a voice was raised to challenge him, he could be heard quite clearly, as if even the nightclub D.J had turned it down to listen.

“We must think beyond those who have gone before us,” he was saying, “discover technological changes that embolden us with ways to act in which our forebears could not.”

I’d barely been able to memorise that mouthful of gobbledegook when he floored me with another, more familiar spray, a sentence one should never utter in the presence of somebody working for an American or allied government. “Transparency”, he declared, would bring about the “total annihilation of the current U.S. regime.”

Regime? Pity for hacker boy he couldn’t encrypt his mouth. The people I worked for weren’t going to like that turn of phrase. Can’t unsay it, either. The memory on this private dick is bigger and more reliable than Google. No tape recorders. No notes. But when he mentioned having a thermonuclear device packed away somewhere, my hard drive almost crashed. Turned out he was only talking about some mega dirt file he’d compiled and marked for release should he ever be deprived of his liberty.

“That’ll show ‘em,” I blurted, when I realised what he meant, momentarily losing the distance between observer and subject that is an essential part of a good investigation. But instead of being cheered by my emotional outburst, Silver Wig’s eyes narrowed with an instinctive suspicion, and his followers turned as one to glare at me the same way.

No point standing there like a shag on a icefloe. I moved away, leaving Silver Wig to his dream of upending the world order, and followed an outlier devotee who had separated himself from the main pod and was headed towards the mens’ room.

It’s a surprising feature of my career that some of my best work has been done in public urinals. Entering this one I saw my quarry, standing before the wall-hung, porcelain piss catcher amid the acrid odour of dichlorobenzene, with his baseball cap on back to front and a skateboard under his arms. Sidling up, I unzipped, and began to relieve myself, convinced that the bait in my pocket would prove all but irresistible. It was a flash drive containing a couple of hundred emails written in Mandarin containing transcripts of bugged conversations between CIA operatives naming senior politicians in Belize, Congo and Australia as agents of influence. Cooked up by counter-intelligence, the confected correspondence was my passport into Silver-Wig’s confidence, but to get to him I must pique the interest of this acne-covered drip wearing Wayfarer spectacles and the hacker’s standard issue baggy anorak.

He finished first. I followed him to the washbasins, where we stood beside one another again, washing our hands, when the message tone on his iPhone went off, causing him to wipe his hands on his anorak, and take the phone from his pocket. I watched in the mirror as his thumbs worked restlessly to text a reply.
“You’re with the Assauge crowd, right?” I said.

His texting thumbs paused over the screen of his phone.

“What if I am?” he replied, enjoying his brief moment of celebrity, and kept texting.

“I have something your boss might find interesting,” I said, pausing for effect, and to use the hand drier, then producing from my pocket the flash drive. His widening eyes suggested this move had the desired effect. He was staring at the storage device like it was a live hand grenade, then his expression turned pathetic.

“We’re not supposed to accept submissions in person,” he whined.

Time to reel him in. “Listen, pal, I’ve risked my life to get this material to you,” I implored, acting desperate. “And there’s plenty more where this comes from. But when the shit hits the fan I need to know I won’t be hung out to dry, and the only person who can assure me of that is your boss. Are yer with me?”

He nodded. I handed over the flash drive, along my card—“Jake Marlo – Desk officer, Human Rights Branch, Department of the Attorney-General, Canberra.”

“I’m staying at the Hotel Borg till Sunday. You can reach me on the mobile number. It’s got global roaming, and I can meet the leader at short notice.”

“Yeah, well, I’ll see what I can do,” he said, clearly out of his depth.

“I’d appreciate it,” I said. “We have to expose what’s going on. Lives depend on it.”

And with that, he shuffled back into the bar.

On the short walk back to the hotel, I contemplated the strange Icelandic night. Imagine being born here. You didn’t meet many Icelanders in the big wide world. Not many of them I suppose. Either that or they felt there was no place like their Arctic home, with its geysers and four hours of daylight in winter, and trendy bars. And my very presence in such a place struck me as a bizarre illustration of how the world had changed.

It felt kind of retro, a reprise of the Cold War, or a novel by John LeCarre or remake of Casablanca on ice. Here I was, in distant Iceland, pressing a flash drive into the soft hand of skateboarding geek, all because the government’s own geeks were too coddled and incompetent to keep their secrets safe from amateurs.

It was a kind of thought that often occurred in my line of work, one that must quickly be drowned in several stiff drinks and access to the hotel’s porn channel, lest it undermine the investigation. Unfortunately, Scandinavian porn leaves me cold – it lacks both plausible storylines and room to imagine. I chose ice hockey instead, but the game was one-sided, and the dark thoughts returned.

Why was I hounding a bunch of kids, idealistic kids, like I once was? How is it that we let life grind us down, scar us with our worst experiences while the positive ones slide off as if made of Teflon? What
was Assuage? An anarchist gadfly. Yet my very presence was evidence enough that lots of powerful people were preparing to use the full power of the state to crush him like a gnat. The pragmatist in me knew all about the dangers of extreme idealism, and the difference between transparency and nakedness in a world where liberal democracies confronted one party superpowers. Yet I felt somehow ashamed, ridiculous. Only when my head settled on the pillow did I remember that half the job was done.

Next morning, I was woken by the synthetic ring tone of my Scandinavian cell phone. “Mr Marlo?” a strangely familiar voice on the line said. It was the skateboard rider. “Sorry to wake you. I’m calling on behalf of Disseminate. I’m afraid we won’t be able to arrange the meeting you requested before you depart on Sunday. However, I’ve been instructed to ask whether you might be available to meet next month?”

They were heading for Stockholm.

It’s rare for an investigator like me to get entangled in an actual operation, but the Somali girls, high class escorts, had been flown in from London and no-one else had managed to penetrate Disseminate’s inner-circle. It was my job to introduce them to the target. The Somalis had been paid well to say what the client wanted said, after the event. Their affidavits were already written. It all hinged on getting them some quality time alone with Silver Wig.

His group was there at the nightclub as arranged. We’d agreed the meeting was best held in a public space. The skater introduced us in a quiet corner of the bar that was filling rapidly with a young crowd after ten o’clock. The Big Geek was dressed to kill in a blue business suit, and his hair was neatly combed. He bored me for half an hour, talking about our shared commitment to freedom of information, and the internet’s unlimited potential as a force for bringing power to account, and how truth, creativity, love, and compassion had to be liberated from patronage networks that corrupted the human spirit. He liked the material I’d provided, but needed to see more. Disseminate’s reputation was global now. They needed to be careful, and ensure that everything they published could be corroborated.

As he spoke, his eyes strayed frequently in the direction of my lithesome companions. The Somali girls smiled obligingly like shy star struck admirers, and when the music became danceable, Silver-Wig invited all three of us onto the dance floor. I let them go. The chemistry was working. They never returned to our corner of the bar, and I notice a gleam in Assauge’s eye when our gaze met occasionally.

Operation Misleading Menage was moving inexorably towards its just conclusion, or at least I thought it was, when a group of Disseminate late arrivals flooded into the bar, with one young woman of uncommon natural beauty in their midst. She was the sort of girl who made you want to try again, as if she’d been the right one all along, only you’d never met her. Suddenly the Somali aura that had engulfed the quarry evaporated as he saw her. The black girls returned to me, obviously deflated as Silver Wig bought that girl a drink. I tried to reunite our little party – the one my client had paid big bucks to organize – but he wasn’t interested. We had lost control. Last time I saw him, he was getting into a taxi with the woman.

We humans inhabit a sordid and entirely tragic comedy that defies our best efforts to force the outcome. I stayed on in Stockholm, taking the air. It’s strange how you can visit a place you have never been to before, and find it just as you imagined it would be. The Scandinavian air of Stockholm was clean,
the city neat, brimming with Nordic efficacy and the scent of the sea. Part of me wished I’d been born there, grown up there. Stayed there. What would I be doing now if I had? Something more useful I imagine. Over breakfast one morning, I read a profile of Assuage as he fought the extradition proceedings that flowed from the events of that evening. “With his spectral white hair, pallid skin, cool eyes, and expansive forehead, he resembles a rail-thin being that has rocketed to Earth to deliver humanity some hidden truth.”

Well, we all have our own truths. The guy’s a rock star, and we all know what happens to them. It’s a kind of karmic loop – the hunter becoming the hunted becoming the hunter again. Maybe he’ll snap and evaporate under the pressure, or the best hackers money can buy will break his codes. Delusions of grandeur being what they are, his quest will end in disappointment.

On my way to the airport, I stopped at a bar and had a couple of double scotches. They didn’t do me any good. I still remember the day when my own youthful idealism was folded and put away in the place where dreams go.

It’s all downhill from there, and dead cold when you reach your destination.

About the author

Christopher Kremmer is a journalist and writer. He is the author of five books, including fiction and non-fiction, short stories and a substantial body of journalism. His work during a decade spent as a foreign correspondent in Asia – first for the Australian Broadcasting Corporation, and later for The Sydney Morning Herald – earned him an international profile as an insightful and sensitive observer of the region.

His latest book The Chase was published in August 2011 in Picador
PRESENTATION

How WikiLeaks will transform mainstream media

Presentation by Kristinn Hrafnsson
WikiLeaks spokesperson and investigative journalist

Sydney Ideas & Department of Media and Communications, The University of Sydney, June 17, 2011.

Convener: Mr Peter Fray, Publisher and Editor-in-chief of The Sydney Morning Herald.

Peter Fray:

Ladies and gentlemen, scholars, friends and colleagues. It has become somewhat fashionable to characterise an issue as the greatest moral challenge of our time. Experience to date suggests the use of such an absolute is fraught: that one person’s great moral challenge, even if mandated by a prime minister, can and will be challenged, picked apart and ultimately traduced in the absence of consensus or the presence of vehement and well organised oppositional forces.

It is for that reason I temper my language – one of the many great moral challenges of our time is whether or not we should trust government? That, I think, is the core question posed by WikiLeaks and its mediation into the public space of government ‘owned’ secrets. It is one our speaker tonight, Kristinn Hrafnsson, a spokesman for WikiLeaks, addresses on a daily basis and why this evening’s talk is so important, in terms of both timing and content.

Journalists love leaks. They are thrilling and they are necessary. They assist us to fulfill the unwritten, unspoken and often unexamined contract between the media and the public: in essence, that journalists work in the interests of the public to shine a light on the truth and in doing so, without fear or favour, make those in power more accountable for their actions and decisions. Sometimes, such exposure changes policy and outcomes; in the journalists’ mind, these changes are always for the better – especially at the point of publication.

Every journalist who receives a leak will balance up the potential of the information leaked – its capacity to foster or provoke change – with the more vexed question – the motivation of the leaker. Eight, maybe, nine times out of ten this question will be decided in favour of the leaker. The leaked information once appropriate checks and related issues – such as the opportunity for a rebuttal - are dealt with.

The urge to publish is strong and difficult to deny. But from time to time, the leaked information will never see the light of the day or may remain in an editor’s waiting room as issues of accuracy or motivation are dealt with.
And there are a lot of grey areas out there: political ‘smears’, for instance, are often dressed up as leaks, the source playing up to the journalistic vanity of getting a good yarn and letting the public know about some indiscretion which means so and so is no longer fit to hold office. Or they may be part of a political strategy to gradually erode public confidence in an MP or organisation and their decision-making abilities. These allegations can – and often should – reach the public arena, sometimes in a mediated or qualified form.

Often they do not. I recently knocked back information that sought to prove the partner of a very well known politician had broken certain business regulations. The story, even if true, was not to my mind in the interest of public.

Editing is a process replete with human failings and bias, I would have to admit, but imperfect as editors may be there are ethical standards and guidelines. With due deference to the Press Council, we are largely a self regulated mob – but our practices and approaches are honed over decades of practice and experience.

The same, I’m afraid, can’t always be said of those who wear the mantle of the journalist in the new media space – where every one can claim to be a journalist and/or an editor or publisher. WikiLeaks brings these issues – and many more related ones -- into sharp relief and then takes the whole question of secrecy and its exposure to another level. Its contribution to free speech is undeniable. For that it should be applauded and lauded.

As editor when the Herald first published Wiki’s Australian-related cables – and now editor-in-chief and publisher – I have no qualms about defending the publication of the documents it has obtained in the interests of freedom of speech and in the public interest. But that said, how we define that public interest, how we distinguish between the interests of different publics and groups, is as important as ever.

There is also no denying that WikiLeaks has helped protect journalistic sources – better than we can in the absence of shield laws that work in every state and jurisdiction – and exposed the abuse of power by governments around the world.

But is there a limit? I accept that WikiLeaks does not hack, but it is fair to say it endorses the hackers’ desire to expose and share – everything. By publishing WikiLeaks am I agreeing with the view that government is a conspiracy and that only by exposing its inner workings – all the speculation, opinions, chats, theories and personal views – will it ever better serve the public interest?

Is all government a conspiracy, populated and prosecuted by an elite class of bureaucrats and politicians solely motivated by the exercise of power and their own reflection in its mirror? I am deeply perplexed by this question, as, among many others things, it goes to the very heart of the way political journalism is practiced in this and most other Western democracies.

I have spoken to many MPs about WikiLeaks but one conversation with a senior political identity, whose name I won’t share, has stuck in my mind. He was named in a WikiLeaks cable published by the Herald and was none too impressed to be so. He first raised the idea that we had somehow defamed him – we had not – but his real argument was more subtle. As he noted, he had been a real and valuable source for many journalists over the years, a constant wellspring of deep and important background briefings. These
briefings had always been conducted under the conditions of an unwritten pact – the sort of “you scratch my back, I’ll scratch yours” which fuels the world of political journalism go round.

My MP saw this as part of his function in life – to provide insight in to the workings of government and party, alike – but felt disinclined to do since we had so badly treated him. He threatened to cut off the flow of information.

Now, as you’d appreciate, the idea of a pollie threatening a journo for going too far – or not far enough -- is nothing new and neither is the idea that even the most-frosty relationships eventually thaw. It is called mutual self-interest. But the rawness of the information contained in WikiLeaks – and its somewhat wild, personal and uncontrollable nature – proved a real threat to the relationship between journalist and MP.

That WikiLeaks’ is a threat to this cosy relationship is, perhaps, a good thing – but it is not one without consequence and not just for the closeted world of political journalism. The questions for me are thus: would we have more secrecy – rather than less – if all the workings of the machinery of government can be exposed? And if so, would this make the job of journalism that much harder and provoke my profession to take even greater and greater risks – and to potentially cross the line between public and private – in the name of doing its job?

There are no easy answers. And in many ways, the jury is still out. But that is why I am delighted that Kirstin is here with us this evening. Whether he is here as witness for the prosecution or defence, is up to you to decide – and, hopefully, discuss with him after his talk.

Ladies and gentlemen I give you Kristinn Hrafnsson.

Kristinn Hrafnsson:

Thank you. Thank you for inviting me here. This is my first time to Australia and my first serious experience with jetlag as well. When I arrived here, I came out of the terminal, it was windy, it was raining; it was about fourteen degrees Celsius. There was an ice cloud high in the sky so I felt just like home on a good Icelandic summer day.

So, I’ll probably get over the jetlag pretty quickly. I will speak about WikiLeaks in general. The most recent and high profile projects that we’ve been working on. Our relations with the media and some thoughts on the possible impact the organisation has had on journalism and afterwards I’ll be happy to take your questions.

Let me begin with a few words on secrecy. A few days ago, a story broke that some hackers had broken into the computers of the international monetary fund, the IMF and gotten access to some unspecified data.

Most news stories have seen on this our symbol. They outline the gravity of this incident. Some reports claim that the data might be politically explosive, and in this report, in the English Independent, it was claimed that the IMF had become “the latest and potentially the most serious victim of attack by computer
hackers.” The Independent claims that this grave incident has caused concerns that sensitive information about the finances of governments might have fallen into the wrong hands.

And when I read this I thought hang on, what can possibly be sensitive about finances of governments? What can possibly be sensitive about macro-economic data pertaining to a state? What possible harm can be caused if this information is, well for example, available to everybody? We all know that the IMF is only called in when governments need a bailout. The IMF implements programs of austerity measures, privatisation, selling of state assets, tax hikes, cuts in spending, etc. When the IMF is called in, everyone knows that the country is in deep trouble and that’s not a secret.

But how on earth can information on the extent of the problem and the measures taken to counter the trouble be a secret? My own country for example, Iceland, was in such terrible trouble after a near economic meltdown in the Fall of 2008 that the government had to ask the IMF to help out.

Now this is very controversial in Iceland and it still is debated and to tell you the truth I don’t see whatever in the relations between the IMF and the Icelandic government needs to be a secret. And I as a citizen and a taxpayer in Iceland, I feel a need to have a full account of all the information for responding to measures taken by my government and the IMF. Nothing in the relations between these entities is in the [inaudible] business category and in my opinion the same applies to the citizens in Greece and all other countries that have dealings with the IMF.

It is their fundamental democratic right. In one news story I read, one reason for the supposed seriousness of this incident was that the sensitive correspondence between the IMF staff and state leaders could be very damaging. But what on earth can be damaging – would that be an email from the Prime Minister of Greece to Strauss-Kahn, that former head of the IMF?

And how would that even read? I mean what could be sensitive there? Would it be “Dear Dominique, thank you for visiting our country, I hope you enjoyed our hospitality and our hotel staff”? Let’s be serious. What on earth can be there that is sensitive between those two entities?

I’ve seen quite a few articles on this story and I’m amazed by the fact that I’ve not seen a single one that critically asks the fundamental question – why the need for secrecy? And even the left wing Independent fails to ask this question.

The reason is probably the fact that we have become so accustomed to the norm of secrecy – secrecy in governments and secrecy by other holders of powers, big international corporations that are more powerful than many states – secrecy has become the norm instead of being a rare exception.

This secrecy trend has escalated in recent time, all under the assumption that it is totally necessary for us, the citizens, to be kept ignorant; necessary for our own security. But we at WikiLeaks disagree. We believe it is fundamental in a democratic society that citizens have access to all relevant information that they need to make an informed decision. If we the people do not have this access, democracy is flawed and we know that power is abused. The more secrecy we have, the greater the danger is of abuse.
A few words on WikiLeaks – it’s an organisation founded by your Julian Assange, as you all know, back in 2006, and before the turbulent chapter in its history that started about fourteen months ago, WikiLeaks had published information from many countries, often uncovering corruption. These were material pertaining to the Kenyan Government, the Church of Scientology, the failed Icelandic banks, the Bank of Julius Baer, toxic waste dumping in the Ivory Coast and the list goes on.

Despite the importance of this information and its revelations, the revelations went relatively unnoticed. This of course changed when we started publishing material pertaining to the US military and the US State Department.

And then subsequently, WikiLeaks was criticised for being anti-American and overly focused on the United States, but nothing is further from the truth. WikiLeaks does not pick targets; it is a passive recipient of material that whistleblowers can submit securely and anonymously.

Today we have about 15 or 20 people on the payroll. I don’t have the accurate number as some are working on a short-term basis and others on a long term contract so this varies. So, it’s a small organization … about the supposed lack of transparency in the organisation and critics point out that people who work for WikiLeaks are not known.

A few of us who work for the organisation are known but that is true, that the identity of most is protected. It would probably be different if we were working in a different climate, but in light of the current attacks, we consider it essential to protect our people.

And if you think about the heated words that have been uttered where prominent figures have even called for the assassination of the core staff including Julian Assange, I believe we are justified in this approach. Even Sarah Palin, who could become the next president of the United States, God help us, said that Julian should be hunted like Osama Bin Laden and we all know now what that means.

But in addition to the core group of staff, we have the volunteers that contribute some almost full time to the organisation and very many can be called in to help part time when needed.

Yes critics have said quite a lot about the apparent murkiness of our finances but they haven’t bothered to visit the website of the Wau Holland Foundation a German charity that handled most of our donations and finances. On their website you can find detailed information about our finances for 2010, donations and reimbursement of cost.

A few legal entities have been established in various countries, for example Iceland, that are taking part in the WikiLeaks project, or hopefully will be in the future. WikiLeaks is a publisher, often described as the publisher of last resort. Some claim that it is impossible to keep the organisation accountable. That is not entirely correct. WikiLeaks has in the past had to face legal challenges and always won.

We have criticism that we don’t abide by any code of ethics. Well I personally as a journalist and a member of the Icelandic Federation of Journalists and I believe Julian is also a member of Australian Journalist Association and is probably bound by its code of ethics. Also, WikiLeaks has had standards of harm minimisation in releasing information. It is in my opinion in line with what most media organisations abide
by, or at least claim to abide by, and I think it’s fair to say that most of us at WikiLeaks adhere to the UN’s Universal Declaration of Human Rights.

The last year has been turbulent in the history of WikiLeaks, and it started with the release of secret military video on April 5th last year. It was released under the title of collateral murder and showed among other the killing of innocent civilians on July 12th 2007 in Al-Amin al-Thaniyah neighbourhoods in South-Eastern Baghdad.

In my opinion, exposing this video was of historic significance and has become a symbol of the war we never got to see in Iraq. It shows the real meaning of the term collateral damage. Two Reuters employees were killed in the attack and the news organisation was shown a part of the video. Reuters had been trying to get access to it ever since and had requested it under the US Freedom of Information Act.

Pentagon has stalled for years and obviously never intended to release it. The video is graphic and horrifying to watch. I felt as a journalist it was important to travel to Baghdad to gather initial information on the ground before the release of the video.

In a hasty trip, I managed to meet the families of those killed and the two young children who were the only ones to survive the attack – Saeed (phonetic) and Doa (phonetic). Their father Matasha Tomal was killed, his only crime was to stop his mini-van to try to help a wounded Reuters employee, Saeed Chmagh.

We offered this material – the interviews, the photographs, free of charge to any media who wanted it, and I have to admit I was quite surprised how little interest there was in the full story, in the human angle of those who testified about their loss and suffering because of this incident. Apart from a few TV stations in the West, who carried a small part of this material and a couple of newspapers who used our photos, the story focused on the leak itself, not necessarily, the story told.

And then instantly there was this massive focus on Julian himself. This was a revealing experience about the focus of the media and I ask myself if we had gotten accustomed to completely block out the human angle to the war – at least the Iraqi human angle.

Had we journalists become so complacent in the strategy of de-humanising the Iraqis, possibly see all of them as insurgents, the enemy. And it made me think of how appalling badly most Western journalists had been in reporting the Iraqi invasion and the war.

And of course this has to be seen in the context of the brilliant strategy of Pentagon of embedded journalism – those who were not embedded were almost considered legitimate targets and maybe they were legitimate targets – deliberate targets, excuse me.

A few days ago, I was in Spain. I was talking to the relatives of José Couso, a cameraman who was killed in April in 2003. He was standing on the balconies of the Palestine Hotel in Baghdad, where hundreds of journalists were staying and everyone knew that this was their place, when a crew of an Abrams tanks took aim and shelled the fourteenth floor, killing José and a Ukrainian cameraman that was working for Reuters.
The family of Couso are still fighting for justice. José’s brother told me they had produced a witness, a former US serviceman, who had overheard radio communication of the plan to attack the Palestine. He intervened and urgently warned all parties, but this was deliberately ignored and this is just one of many devastating attacks by the Western forces on journalists in Iraq – the deadliest war in recent history for journalists.

And this is possibly one reason very few journalists in Iraq go outside secure compounds and actually cover the story of the Iraqi people and their plight.

The experience of the collateral murder release prompted us to rethink media strategy. It seemed that the best way of getting good analysis of our material was to make alliances with established media and promise them some level of exclusivity.

And so we did in the next release and it caused quite a stir – the so-called Afghan war diary – the release of over 90,000 incident and intelligence reports from the Afghan war.

The release was in cooperation with three media partners – The Guardian, The New York Times and the German weekly Der Spiegel. Fifteen thousand of the logs were withheld in order to protect individuals who could be identified.

This was the biggest leak in US military to that date. It gave a detailed picture of the war from 2003 to 2010. It revealed also the kill and capture unit of special forces who were hunting and killing Taliban leaders without trial, how the use of drones was increasing, how the opposition in Afghanistan was escalating the resistance with roadside bombs, previously unreported civilian deaths – in short, it showed how the military venture in Afghanistan had been going from bad to worse over the years.

The invasion was a response for the 9/11 attacks, where more than 2,900 people were killed but to date, more than 2,500 foreign troops have been killed in Afghanistan and more than 30,000 civilians.

The Afghan war diary told a terrible story that we had not before had first hand evidence of – the story of a failed mission and just like the Soviets experienced before, there seems to be no victory to be had in this battered land.

I’m not an expert on Afghanistan, I have only been there twice, but element that I always feel is missing in our reporting from the country is the escalation of the poppy growth and heroin production. Ninety-five per cent of the heroin sold on Western streets originates from Afghanistan and according to the UN agencies, 10,000 people die every year of a heroin overdose in Western cities.

That is three times more than died on September 11th. With that in mind, I’ve always thought it almost surreal to see photos of Western troops wading through the poppy fields, trying to find the enemy in hiding. And keeping in mind as well, that at least some of the proceeds of the drug trade is financing the insurgence.

All went pretty well in the cooperation with the media partner last summer – the timidity of the Times came as a surprise to me though. It was obvious that they were genuinely uncomfortable with putting themselves in opposition to the government by publishing this material.
And for one, who I’d always thought that *The New York Times* was a powerhouse of journalism, this was the New York Times of the early seventies when the paper took on the Nixon administration by publishing the Pentagon Papers from Daniel Ellsberg and this was exactly forty years ago.

And I’m still not sure whether the paper was primarily afraid of repercussions or whether they simply did not want to upset a cosy relationship with Washington, and maybe it was a combination of both.

*The New York Times* did for example not want to be the first to publish the material online, even though as a matter of seconds, it was rather odd, as media organisations usually are fighting to be the first, fighting for the scoop.

We at WikiLeaks were delayed by a technical problem and this caused a great tension within the New York Times. They had their fingers on the go button but waited anxiously for WikiLeaks to publish first.

WikiLeaks’ approach was to use these established media houses to get the message out, to get access to the dozens of quality journalists who analyse the vast material and mine stories out of it.

We considered this a co-operation on a base of equality. It was agreed that WikiLeaks had a great say in the strategy of the release as the organisation was obviously going to take the heat for the publication. But it slowly became apparent that *The Guardian* and *The New York Times* saw things differently, for Bill Keller, the editor of *The New York Times*, and David Lee at *The Guardian*, WikiLeaks was primarily a source. What was disturbing though, that those guys did not feel the same obligations towards their sources, as one is ethically supposed to do as journalists in my opinion. And this became apparent in September last year prior to the release of the Iraq warlords.

We wanted to expand the media exposure and get broadcasters on board. Originally that was met with opposition as the three print media thought they had agreed to full exclusivity. But Julian had to remind them that exclusivity was limited to print.

We got the Bureau of Investigative Journalism on board as a producer of television programs for Al Jezeera and Channel 4 in the UK. The Swedish National Television also made their own program but worked in close proximity to the Bureau.

At a later stage, the French daily *Le Monde* came on board and also *El Pais* of Spain. This created a media co-operation on a scale never tried before. This was a historic leak but also a new chapter in media history. Never before had as many different news organisations cooperated on a single investigative project and this was not without problems. It was a great mistrust, fear that someone would break rank and go early, there was also a great reluctance to share findings and research as had been the original idea and everybody had agreed on.

The Germans at *Der Spiegel* were throughout very professional I must say – they shared great news stories that had been missed by others. In later August, early September it became obvious to us that we needed to postpone the release of the Iraq logs originally planned to be released in mid-September. The primary reason was that we were working on a complicated method of redacting sensitive material out of the logs.
The approach was rather unique as it entailed defining on the outset that all the information in the vast material would be considered harmful until proven otherwise. This can be called reverse process of redaction.

David Lee at The Guardian had for reasons of simplicity been given the role of an intermediary with The New York Times and Der Spiegel. David was against the delay and played a rather silly political game in trying to stop it.

All of this is of course not mentioned in his book about this project. There was even a threat to publish the stories without WikiLeaks being able to publish it was based upon at the same time – something was against our principles.

And Lee was not at all concerned at this time about the interests of his media partner WikiLeaks, or if he was to choose as to look at WikiLeaks as primarily source, he did not see any objections to compromising the source if it suited his interest. He even tried to play a game of poker by trying to convince me it was actually The New York Times and Der Spiegel who did not want to delay – a bluff that I called by simply contacting directly Bill Keller and the editors of Der Spiegel.

We later found out that The New York Times had been in much closer contact with the administration prior to the release that we had thought normal. This is not the kind of story that you need necessarily to give a right or reply.

I mean what was there to reply to? This was the publication of material pertaining from the Defence Department the facts – the facts of the Iraqi war as seen by the US military. The news headlines were quite extraordinary. The media partners had of course full editorial independence and the flavour of their reporting was different, but it was interesting though that all focused on the story that the Americans were fully aware that Al-Maliki government was torturing detainees and did nothing to stop this and even handed detainees over for torture.

I say that all focused on this angle with one notable exception – The New York Times decided to focus on the Iranian involvement in Iraq. Overall, this was a sensational release and a new chapter in media history as well as I previously mentioned. Keeping the media alliance together was quite a test, it was sometimes like herding cats, which is an Icelandic saying, I don’t know if you know that here.

Everyone wanted to go their own way, not accustomed to work in alliance, and there was a great surprise the day after the first release when The New York Times decided to publish on its front page a profile on Julian, a profile that can only be described as a sleazy hit piece. Of course The New York Times was in full right to do a full critical report on Julian, but it was very negative and one-sided and giving the unusual prominence of the front page.

I say one-sided as the author David Burns the local London bureau chief did not get any input from those working closely with Julian, me included. So, we were at the same venue at least three times in a couple of weeks prior to the publication of this profile.
Instead he sought out the people who would obviously give negative comments on Julian and later Mr. Brisbane who is the public editor of the paper defended the profile but admitted that it was a way of inoculating the paper as he put it from government criticism, and I leave it to you to judge how honourable that is to attack the person who have given you access to sensational material in this manner.

And later David Lee at The Guardian did the same thing in his book, which is in my opinion most interesting for what is missing from it and in public speeches he has been calling Julian crazy, narcissistic, deranged and my favourite a dirty, flaky hacker from Melbourne. So beware, this is the way The Guardian treats its sources.

Of all the big leaks published by WikiLeaks in the last fourteen months, surely the one with the greatest impact is the release of the State Department cables pertaining from the US embassies and consulates all around the world. There are 250,000 of them, we call it the Cablegate Project and it started in late November last year. The release and media collaboration has been in two steps – firstly there was a first release by primary media partners, most of whom I’ve mentioned, and later we have been building an alliance with media in various countries where they get access to papers pertaining to their region.

In some countries we have made agreements with more than one news organisation and in others, the media environment is so untrustworthy that we had to rely on individual journalists, media from neighbouring countries, academics or research organisations. But slowly and gradually we are getting the information out as we promise our sources with more and more agreements of collaborations being assigned.

And all in all there are now more than 75 partners working on this material and the project is continuing. This collaboration has been, overall, very positive and effective as we are relying on local knowledge and local interests and expertise. This might be a slow process but we are a small organisation and we try to be as careful as possible.

We try to take care not to cause unnecessary harm to people. We have relied on the local, in-depth knowledge of our media partners and on their evaluation of what needs to be redacted – names and all that information that could be harmful.

We revised the evaluation of our media partners regularly and often we have reinstated information that they have decided to omit. Sometimes their evaluation has not met our standards and they have not been able to explain why they redacted certain things, and there are also cases where a news organisation had had to, has had to over-redact to protect themselves, for example for libel reasons.

I’m not going to dwell on individual important news stories, there are too many to pick from. Overall, it has shown that what the priorities are in US foreign policy and how it is carried out, not always in the best of manners – often dodgy deals are made or even threats. The cables have made diplomatic relations more transparent. The cables have also brought to light the usual information from the host countries – useful and necessary for the people of these countries.

It has to be said that the US Embassy staff had been agile in their information gathering role and had been in a good position to analyse the internal politics and economics rather well in the countries they are operating in.
It has been suggested that the Cablegate could have a devastating effect on countries’ relations, people would no longer be able to have confidential talks based on trust but I believe this is a hyped assumption and instead we will and have possibly already seen a more frank and open dialogue between state leaders and that is the way it should be. Last week for example, the US Defence Secretary Robert Gates was in Europe meeting partners in NATO – the North Atlantic Treaty Organisation – and it made headlines that he openly and without any sugar coating harshly criticised the European partners for not pitching enough into the cooperation, and everybody knew that he was of course referring to Afghanistan.

And I wonder if he would have been as blunt openly in a world prior to WikiLeaks. The critics of WikiLeaks have as before been quick to denounce the importance of the cable release. This is nothing new, they have said, although our media partners disagree.

And try telling this to the Tunisians. When the Tunisian cables started to surface in early December, they were translated and disseminated to the public in Tunisia. Stories were made on their basis by Al Jazeera and all the news organisations. You didn’t have to tell the Tunisians at that time that the Zine El Abidine Ben Ali government was corrupt. But the extent of their corruption, with detailed example was news to many. And maybe most importantly it was news that the outpost of the State Department knew exactly what kind of leader Ben Ali was but still it was supporting him as a useful ally.

The Tunisians did not like what they read and the reasons escalated the fury already in place in the country. It was the tragic death of a young IT graduate, Mohammed al-Bouazizi, who set himself on fire that tipped the balance. He died on January 4th and on January 14th Ben Ali and his family fled the country.

And the Tunisian example was an inspiration to the Egyptians. Information in Egyptian cables about internal matters of the country fanned the flames. There was a big demand for Hosni Mubarak to step down. The United States thought they could interfere by suggesting that Suleiman would replace president Mubarak, but cables showed that he had been responsible for the torture chambers in the country – did away with that possibility.

And the so-called “Arab Spring” has spread. Amnesty International has acknowledged WikiLeaks’ role as a catalyst in the chain of events and dedicated a good part of the introduction in the last annual report to discuss the exciting possibilities of the Internet and information leaks. It concluded that last year might be remembered as a watershed year when activists and journalists used new technology to speak truth to power, and in so doing had pushed for greater respect for human rights.

I’ve not mentioned the release of the Guantanamo files, the reports on almost all the prisoners in Guantanamo Bay, showing for example how appallingly bad information was used as a basis of years of imprisonment without trial and often information received through torture, leading to boys as young as fourteen and old men being imprisoned for years. And Guantanamo is surely a black stain of US history.

So, WikiLeaks has made an impact in our world. It has been a catalyst in the profound changes now happening in the Arab world. The leaks have deepened our understanding of the world we live in. It has excited the ordinary people who were losing hope in their government systems and the media. WikiLeaks has shown the traditional media that they were not doing the job properly in my opinion and needed to
make amends after rather a bleak performance in the last decade or two. The idea WikiLeaks represents has sparked the imagination and hope of people who really believe in democracy. They see finally the possibilities of the aids of the Internet delivering a better life for more people through empowerment on the basis of information dissemination.

But so how has WikiLeaks changed the world of journalism? Let me give you a few examples. I think it has challenged the traditional media and in doing so has made journalists braver. Our work has reinvigorated journalists the world over to start ask the hard questions again. This is crucial because a free media is the watchdog of a free society. WikiLeaks has revolutionised the traditional media by partnering with more than seventy-five traditional newspapers and other media outlets. It has forged a new model for how the media can work together to collaboratively, not just in competition, for better reporting in the public interest.

I believe we have encouraged the spread of data journalism – sophisticated analysis or large scale data such as thousands of war logs to understand the bigger picture. Same sort of work an intelligence agency does, but the fruits are given to all the people of society, not locked in some hidden vault.

And WikiLeaks has enhanced the spread of new media. More than 20 new leak sites have sprung up in the wake of WikiLeaks, including Indoleaks, Balkanleaks Thaileaks, Enviroleaks, Unileaks and Openleaks. And now even the Wall Street Journal is copying the way WikiLeaks uses technology to protect sources, and maybe not successfully.

And Al Jazeera has done the same, leading them to acquire the Palestinian Papers – a leak they actually shared with The Guardian. After practising journalism for 20 years, I was getting less and less impressed with my profession, I have to admit. The idea WikiLeaks represents has made me believe that journalism can again become an element that makes our world a better one. I believe it was Victor Hugo who said that nothing was as powerful as an idea whose time had come and it should make us feel good to know that there are still ideas to be found that can have a greater impact for good, a greater impact than any military misadventures.

Let me finally quote an Australian editor, who in the mid-fifties was defending his paper’s right to publish secret documents. He wrote in a race between truth and secrecy, truth will always win... and this was your very own Rupert Murdoch.

Thank you very much.
Peter Fray: I think what WikiLeaks does is challenge journalism and the way we think about secrets and the way, as we’ve discussed tonight, the relationship between governments and the media is conducted and I agree with a lot of what Kristinn has said. I believe that it has perhaps taken journalism across the planet, away from its perhaps cosy – as we’ve discussed – relationship with government. I think that relationship – as I tried to explain in my introduction – is understandable. I do wonder around the question of the information that WikiLeaks provides us and I’d like to hear some questions on this subject.

Can you have too much information? Question one.

Does that information simply just need to be put out there in the public space and let people make up their own minds about it, do you need journalists in that respect?

I think WikiLeaks has stayed a very interesting middle ground around that and I have every appreciation for Kristinn’s description of it as “herding cats”.

I think there’s an interesting question around the impact of the information and the way the information is treated.

A lot of the information we’ve published has been seen as, you know, secret exclusive cables. Journalists love a leak so we love putting a big exclusive tag on it. I think the challenge to journalists is to mediate that information closely.

Just simply because it’s a leak, the inside of a diplomatic conversation that may or may not have gone any further than that conversation, or a cable from say the US Embassy in Canberra to Washington: What is the status of that?

And I do think that just because it’s a leak it doesn’t mean it’s a great killing secret.

I hope we can have discussion around that.

Audience question: My question is on the very last point that you raised – truth. Some people would argue that truth is pure and universal, other people would say that it’s subjective, that it has shades of grey. So apart from trying to expose corruption and abuses of power, to what extent does WikiLeaks present the truth, or can it present the truth or truths?

Kristinn Hrafnsson: Well that’s an interesting approach but I think when we look at it, you cannot find the truth without the facts. So it’s a philosophical question whether you know truth are facts or facts are truth. But at least I think you need to have the facts out to be able to figure out the truth.

Peter Fray: I believe we have a second question.

Audience question: It seems that journalists are facing a dilemma nowadays that on the one hand we try to turn to the government for more convincing sources but on the other hand I think government tend to fail the expectations from the public on the credibility thing due to the news management and even propaganda.
What can WikiLeaks do for a solution and - as an investigative journalist – how do you think WikiLeaks be used to solved this problem?

**Kristinn Hrafnsson:** You mean we need to increase government accountability?

**Audience question:** Yes.

Kristinn Hrafnsson: Well, by exposing the secrets of governments – I think that is essential. I think we have basically failed in the journalistic section and our part of the community. We have too many examples where you look back on where we were lied to. I mean we were tricked into supporting an invasion in Iraq - that was on the basis of lies and deception.

And when that was uncovered, there were no weapons of mass destruction. And there was no Al Qaeda link – the only argument that was left: well we had to get rid of Saddam Hussein because he was torturing his own people.

What we find out afterwards: that we replaced Saddam Hussein with another guy who has continued to torture his own people. I mean, we failed in the running up to the Iraq invasion. We should have been able to call the bluff - to point out the obvious lies that were being presented. That’s a blow to journalism, I believe.

**Peter Fray:** That’s an interesting point. I happened to be the London correspondent for The Herald and The Age when the report came out about the alleged weapons of mass destruction. I would say 95 per cent of the journalists at the time rushed off to print, you know, that there were bombs going to hit Britain in four minutes or whatever the time frame was. At that point in time, you had to trust the government.

**Kristinn Hrafnsson:** But why did we have to trust the government?

**Peter Fray:** Well, maybe we don’t.

**Kristinn Hrafnsson:** We should always question the government.

**Peter Fray:** That’s an interesting question.

**Kristinn Hrafnsson:** Because governments lie to us you know, all the time. We can’t trust these guys.

**Peter Fray:** No fair enough, but what would be the alternative then? A government report came out but we don’t believe in it?

**Kristinn Hrafnsson:** Well I’m not an expert on weapons of mass destruction and I’m not an expert on Iraq but I’m sure we could have found an expert who could have questioned these allegations at the time.

**Peter Fray:** Well I think there were efforts to do [it]
Kristinn Hrafnsson: We were too eager to take at face value the sensational story. There have been so many stories of that nature, you know, the throwing babies out of the incubator in 1991 in the Gulf War, a fabricated hoax to garner support.

Peter Fray: Do you believe that’s because we in the media desperately want to simplify things such that it’s always about good versus evil? It makes it easy for us.

Kristinn Hrafnsson: It might be one of the reasons that we are always so, too eager to have, for example, jumped on a scoop if it’s handed to us.

Audience question: It’s great to see someone other than Julian [Assange] fronting WikiLeaks I must say and I really enjoyed your unpacking of the editorial move from passive recipients of whistleblower information through to reverse redaction, where you’re actually having to sit back and work out what you can release without harming people. That seems to be to quite a jump in editorial thinking.

I’m wondering if you could tell us how WikiLeaks’ editorial values are fundamentally different from the media organisations that you’ve been working with. You indicated that you weren’t very happy with the way that journalists were handling sources, for example. So how is WikiLeaks fundamentally editorially different?

Kristinn Hrafnsson: Well, I was pointing out this incident to point out that, at that time, I had really the hard task of trying to convince The Guardian not to reach an agreement.

And if this is heavily edited, you know, I don’t know what heavily edited is. There is almost a 12 minute sequence without any editing, with a few comments at the beginning. But we also produced and put online the entire 45 minute sequence in the video. That’s one difference.

Audience question: I was just hoping that you could shed some light on the way that you decide which leaks to publish, because I’d imagine and Daniel [Daniel Domscheit-Berg, author of Inside WikiLeaks: My Time with Julian Assange at the World’s Most Dangerous Website] indicated in Inside WikiLeaks that you do get a lot of leaks. What’s the process that you go through?

Kristinn Hrafnsson: You shouldn’t read Daniel’s book. It’s ridiculous. It’s mostly been ridiculed but I haven’t even read it but all the reviews mention that two highlights of the book are that Julian stole his chocolate powder mix to make drinks and that he played too harshly with his cats so suffers from psychosis as a result of this. I’ve never seen Julian harm an animal, even though he lives in Norfolk, there are a lot of animals there.

How to decide what is published and what is not?

It is pretty much a journalistic call. It is decided on every editorial every day when you get material in. I mean it has to be something that has been suppressed. It has to be in the public interest to be outing. So in my mind it is a rather obvious task of evaluation of whether it should be exposed to the public on Internet.

Peter Fray: Thank you, next question.
**Audience question:** My question is to the idea of what information to release and what not to release, and obviously it’s a very big question so I’m just going to pick out two of the case studies that you looked at, which is the International Monetary Fund hack and the diplomatic communication stuff that was released.

If we entertain the idea that governments sort of work like private enterprise, and then we draw the similarity of this operation with private enterprise and them having secrets – and we know that secrets are important in companies. Some people might have information and then act on it and, you know, derive some sort of benefit from it. And this action is actually made illegal by the crime of insider trading, so obviously secrets in private companies are important for tactical interests in economic transactions. So, governments would obviously need the sort of tactics of benefit when they are negotiating with private enterprise to get a service or with other government bodies.

How can you sort of mitigate the risk that something you’re releasing is actually going to be stopping the government from doing something that’s in the benefit of the public interest and in doing so unwittingly sabotage what they’re trying to do?

**Kristinn Hrafnsson:** It’s a very good question but it’s hard to answer it without relying on some examples. But I disagree with linking our governments in fundamentally the same way as private enterprises. I mean there are other concerns when it comes to governments.

I think it’s something that has to be balanced. The benefits of keeping it secret possibly and getting it out, it’s something that has to be evaluated and I think on almost all occasions, the evaluation would be on the side of getting information to the people.

I’ve been covering the IMF a lot in Iceland. I’ve been thinking about what on earth could be there and what on earth could be in the negotiations between IMF and Greece, for example, that is sensitive. I mean is it about the selling of resources, the water company -which is a very heated debate about so it might hurt the possibly of getting the highest value for the national power company of Greece when it’s sold out and nationalised because the discussion was known. But the people have a right to know this is being planned and being possibly suggested by the IMF. So you understand my meaning, it’s something that has to be weighted.

**Peter Fray:** We’ll move on, next question.

**Audience question:** I’m interested in how WikiLeaks chose its media partners. Obviously, the release of that information to certain outlets advantaged some organisations over others.

**Kristinn Hrafnsson:** Well, I can say that after our previous experience, we choose them carefully enough. It is on the merits of the media outlets. It is some of the work that I’ve been doing is going from country to country trying to find a trustworthy partner and sometimes you cannot find one, sometimes you have to wait. Sometimes you can’t just simply find any trustworthy media.

**Peter Fray:** What you’re doing is buying into a brand - The New York Times, The Guardian, The Sydney Morning Herald – the credibility of the individual brand that goes with it and giving you also a superstructure to enable you to publish. But given that you have now established WikiLeaks as its own brand, do you actually need to partner up at all?
Kristinn Hrafnsson: Not necessarily. I think in the ideal world the best, the way to go forward it would be basically just put the material out and everybody would go for it and work on it.

Peter Fray: Next question.

Audience question: When I visited the WikiLeaks website several years ago, it seemed as if WikiLeaks would simply make leaked information available to the public and let them do whatever they want with it. Whereas it seems that nowadays, they actually actively seek publicity for this information and have an opinion on it and a particular stance. Do you agree that such a change has happened and if so, why was that change made?

Kristinn Hrafnsson: Well, I tried to test that issue in my talk. Yes, I mean there has been a change with actively working with media and promoting the material to try to maximise the impact. I mean get it to as many as possible. Some of the stuff that was published earlier, prior to my days – I have only been with the organisation for a year and worked with Julian since February last year. WikiLeaks has evolved but in line with trying to get maximum impact with the information.

Peter Fray: I wanted to jump in with a quick question here. I actually enjoyed your comment about The New York Times running a very critical commentary piece or profile piece about Julian. I can understand why they did that. I'm not necessarily endorsing it but I can understand fully why they did it. They were worried as you say that they might feel like The New York Times has sold its soul to WikiLeaks. I was interested in what your opinion on what you saw as the emphasis on Julian and Julian Assange’s trial and the tribulations of his in Sweden. Is that a positive or a negative do you think in terms of the organisation?

Kristinn Hrafnsson: Well, it’s a mixture of both, but we just can’t change the reality of the media world. It irritated Julian greatly when there was this sensational emphasis on Julian's story back in May, June, last year. To the point that he denied to give any interviews unless there was a focus on what WikiLeaks was doing and what it was publishing, not on himself. He didn’t like that at all.

Peter Fray: Next question.

Audience question: My first question was going to be – are you looking to distribute information without the press? My next question is – have you seen any change in the press since WikiLeaks came to being, and how is your relationship with the press?

Kristinn Hrafnsson: Well there’s certainly been a change in the relations with the press, and I feel that there’s more and more acceptance of what we are presenting in the press. There was a lot of scepticism to start with. Journalists and the media saw us as attacking their turf.

There was a reluctance to admit that we were a part of that community, that journalistic community and a new sort of element that was adding into it. This has changed and there is a bigger, more acceptance that this is a new reality. I was asked this morning by a journalist here, “do you think, Kristinn, that you will ever go back to mainstream journalism?” And I said, “you know, I’m doing journalism and you know journalism will come WikiLeaks’ way. So, if I’m to stay on the track - it will become mainstream.”
Peter Fray: Do you think journalists faced with this sort of flood of amazing information, a lot of it amazing, will have to take more risk? WikiLeaks in a sense raises the stakes and as it, as journalists take more risks, let’s say phone tapping as the current issue as journalists – does it then become more at risk of compromising its ethics in the kind of, because you need to get all this information, you know?

Kristinn Hrafnsson: I don’t necessarily think that journalists will have to compromise any ethics but be certainly more critical and maybe seek out actively to be more ... call forward information of this nature. It remains to be seen how this will affect actually leaks in the future, whether there’s going to be a flow of information. But we can also encourage it by legal means.

I’m impressed by the initiative by media here have come together in the campaigning that they’re doing – “the right to know”. I think it’s a very impressive initiative. Also, protecting whistleblowers. We as journalists should be activist in the field of promoting these kinds of policies and thereby opening up the gateway for more, a flood of information. Let’s hope so.

Peter Fray: Next question.

Audience question: I just want to say that us – ordinary people – we actually choose not to be ignorant but it’s quite time consuming to do all the research and find out the truth. I was wondering about what would you recommend that we as ordinary people do to find the truth?

Kristinn Hrafnsson: It’s a political question. Iceland went to total economic meltdown in 2008 and despite the fact that a year earlier, we topped the list of Transparency International, which is a total joke. I sent an email to Transparency International, I said how on earth could you measure [transparency].

They never replied. I mean we basically suffered banking fraud on a phenomenal scale. The banks were ten times as big as the country’s economy; ten times the turnover than the GDP of the country. So, the entire collapse was great. What people obviously did, they went out on the streets and they demanded total transparency. But we had to learn the hard way. Now there is legislative reforms, the media, and even the constitution is being rewritten because we saw that our democracy was flawed. People went to the streets in Iceland, threw stones at the parliament, threatened to burn it up, it was a real possibility in a country that has no history of political violence, where people rarely, you know, go out to demonstrate.

Audience question: Have you or any member of WikiLeaks ever felt in danger?

Kristinn Hrafnsson: Yes, of course. It is quite a serious threat when you have political commentators and politicians urging for the assassination of, you know, your editor, when it comes to Julian. And people of the organisation being hunted down like terrorists.

You know, you feel a sense of threat but it shouldn’t intimidate you. I think if you ask me personally, I have not seriously felt that I was in danger because of working with WikiLeaks but I will not fly through, you know, Kennedy airport in the time being. So, I’ll have to take my children to Disney World in Paris instead of Florida if they can twist my arm to take them to Disney World at all.
Audience question: I wanted to ask you a question and I hope you don’t find this offensive, but Julian is often referred to in the media as a journalist and I know that you are a journalist yourself by background, but I do question where you draw that line between source mediator and journalist?

Kristinn Hrafnsson: Well, I basically draw the line of what people are doing, if they are abiding by journalistic rules and practising journalism. A lot of my colleagues and the past journalists that I know have no journalistic training and didn’t go to uni to get a degree in journalism. But if they abide by the principles of journalism, what I believe are the basic principles, they have a right to call themselves journalists, if they are working in the field.

Audience question: (follow up previous question): But in terms of end product, I mean as a website that mainly produces sources that would be used by third parties to write stories for example. Do you think that we can expand the genre of journalism to include what is effectively making sure that sources are fair, which is what I understand you to do?

Kristinn Hrafnsson: Well, I think prior to the beginning of the big releases, starting last year, I think WikiLeaks was doing more journalism than actually it has been doing since in a sense, because it was not relying on the cooperation with the traditional media I mean there was the element of receiving information that had to be analysed and put into some context and put on the website with a summary, with basically a report written on the material.

But with the massive information that we’ve been working on for the last fourteen months, we have delegated that somewhat in the cooperation with the traditional media.

Audience member: Okay. Thank you.

End Q & A
An examination into Australian news coverage of Papua New Guinea

Jessica Carter University of Sydney, Australia

Abstract

This paper examines Australian news coverage of Papua New Guinea (PNG), a country with which Australia shares geographic proximity and strong historical ties. Drawing on the results of a content analysis examining coverage of PNG by The Australian and The Sydney Morning Herald newspapers from January 1 until June 30, 2010, this paper aims to demonstrate that PNG is a neglected news region. This neglect – in terms of quality reporting – has produced a limited and fragmentary portrayal of PNG in the Australian media, where the majority of news stories about PNG tend to lack analysis and contextual background. The key methodologies used in this paper are content analysis and in-depth interviews with a selected number of Australian journalists currently or previously based in PNG. The paper hopes to provide insight into a much broader examination of the changing trends in international news coverage of developing countries, particularly in the Asia-Pacific.

Introduction

Australia and PNG have a unique relationship. As Australia’s only former colony, PNG is distinct to Australian history. It is Australia’s closest neighbour and remains highly relevant to our political affairs – in 2010, the Australian Government developed a Joint Understanding with the PNG Government, and offered a loan of up to US$500 million to support Australia’s participation in the ExxonMobil-led PNG LNG project (Papua New Guinea country brief 2010).

Since PNG gained independence from Australia in 1975, the power imbalance created by colonialism has not disappeared. Thirty-five-years later, Australia is PNG’s largest source of imports and its number one export market (Papua New Guinea country brief 2010). Australia is also PNG’s largest bilateral aid donor with AUS457.2 million pledged over 2010-11 (AusAID Papua New Guinea 2010). But despite this large-scale aid program, PNG continues to confront serious problems as a state. PNG ranks 129th out of 170 countries in the UNDP human development index, below all its Pacific neighbours (UNDP 1999: 110). Its political system is rife with corruption and education is a major problem (Rooney 2003: 79). Only 23 per cent of 15-19 year olds are enrolled at secondary school (UNDP 1999: 110). While Australia donates a significant amount to PNG, genuine public debate about Australia’s responsibility to PNG is arguably dormant in Australian politics (Scott 2009).
Herein lies the paradox. While there may be strong historical ties and geographic proximity between the two countries, Australia’s political outlook on PNG is principally defined as one of ambivalence (Scott 2009: 3). This reflects the Australian media’s outlook towards PNG. Today, the Australian Broadcasting Corporation (ABC) and Australian Associated Press (AAP) each have one correspondent based in Port Moresby. This is in sharp contrast to the past – before self-government was granted, the Australian media treated stories from PNG as domestic news and subsequently, at that time, there were a large number of Australian news organisations with correspondents based in Port Moresby. From World War II until 1975, there were journalists from a range of Australian media organisations, including Fairfax, The Herald and Weekly Times (News Limited), the ABC, Australian Associated Press, and a large number of freelancers. But by the 1980s, not even a decade after independence, this had all changed. Today, the ABC and AAP correspondents are not just the only media representatives from Australia, they are the only two foreign correspondents in PNG. It is possible to argue that PNG is not only a long way from Australia’s public consciousness, it is also a long way from the rest of the world’s attention.

This ambivalence has repercussions – as with many social and political issues, Australians are informed about international issues from the media. Furthermore, the media play a pivotal role in setting the agenda for what constitutes legitimate public discussion (Fraser 2007). In this sense, the way that PNG is constructed by the Australian media affects both Australian and PNG citizens.

Theoretical background

There is almost no detailed scholarly research on Australian media coverage of Papua New Guinea besides Peter Cronau’s (1995) examination of one fortnight of Australia’s reporting on the Bougainville crisis. Cronau’s (1995: 163) study argued that Australia’s coverage of PNG was shallow, sensationalised and lacking in quality. Despite substantial research into the decline of foreign news coverage, and the representation of developing countries in Western media, scholarly considerations of Pacific people within western media are “virtually non-existent” (Loto et al. 2006: 102).

Perhaps this is because media representations of the Pacific, even in Australian media, are also virtually non-existent. In 1922, Walter Lippman argued that the news media determine our cognitive maps of the world. Evidence for the agenda-setting role of the media abounds (McCombs 2004: 3) and since the media act in some ways as our window to the ‘outside’ world, then it makes sense that they play a significant role in shaping our attitudes towards certain places and people. Adams (in Herbert 2001: 1) illustrates this by saying that the reported death of one Western European equals three Eastern Europeans, equals nine Latin Americans, equals 11 Middle Easterners, equals 12 Asians. Pacific Islanders don’t even rate a mention in his head count of which lives matter most to the media.

This neglect is partially explained by Tony Nnaemeka and Jim Richstad’s (1980) study of news flow in the Pacific Region. Drawing on Johan Galtung’s (1971) “structural theory of imperialism”, Nnaemeka and Richstad identify relationships of dominance and dependency between ‘centre’ and ‘periphery’ nations exerting power in the Pacific. Centre nations included Australia and New Zealand, while periphery nations included Papua New Guinea, Fiji and other smaller islands with a history of colonial domination.
The study found that colonial relationships exerted a strong influence over news patterns in the region. While periphery nations tended to focus on centre nations, like Australia, those same power-centres tended to focus on themselves or other centre nations (Nnaemeka and Richstad 1980: 250). Nnaemeka and Richstad (1980) argue that this demonstrates the unequal flow of news in the Pacific region. This is largely explained by Australia’s position as an elite nation in the Pacific region. Australia is regarded as an elite nation because of its political and economic strengths, its comparatively larger size, and its relationships with other ‘centre’ nations such as the US and the UK.

Damien Kingsbury (2000) takes a similar argument, stating that the Australian news media have an overwhelming sense of “cultural chauvinism” in their reporting of Australia’s near neighbours. Kingsbury (2000: 17) observes that this makes Australia a remnant of its colonial past, “an imperial outpost clinging to an unfounded sense of superiority and cast adrift in a rising sea of postcolonial states.” Furthermore, ‘elite’ nations do not measure the news value of ‘proximity’ in terms of geographic proximity, but rather the intertwined factors of economic, political and cultural proximity (Johnson 1997). This approach to the notion of ‘proximity’ explains why PNG, which has strong historical ties and geographical proximity with Australia, remains largely neglected by Australian media.

**Media coverage of PNG**

Across a six-month period from January 1, 2010 until June 30, 2010, a total of 221 articles were coded for analysis. These articles were identified using Factiva, under the key word: ‘Papua New Guinea’ and/or ‘PNG’. Of the total articles, 81 were published in The Sydney Morning Herald and 140 were published in The Australian. Overwhelmingly, the most common category of stories related to PNG in the two newspapers was found in the ‘business’ and ‘finance’ news sections. Most of these stories were related to the share price movements of mining companies conducting work in PNG. Of the 62 total articles categorised as ‘business’, only three – one in The Sydney Morning Herald and two in The Australian – were not related to ‘mining stories.’ Figure 1 shows the seven most common key issues covered in The Australian and The Sydney Morning Herald.

![Figure 1: Breakdown of key issue coverage in The Australian and The Sydney Morning Herald](image)
“PNG politics”, which accounted 22 articles, focused specifically on PNG’s political sphere. It is very important to note that 18 of these articles were published in *The Australian*, meaning that *The Sydney Morning Herald* accounted for just four, or 18%, of these stories. One possible explanation for the dramatic difference in the level of coverage within this category between the two newspapers is due to the presence of a journalist from *The Australian* in PNG. Rowan Callick, Asia-Pacific Editor for *The Australian*, has a strong personal connection to PNG – he worked and lived in PNG for 11 years. In an interview for this paper, Callick explained that his title as ‘Editor’ does not mean that he actually edits, rather that he covers the Asia and Pacific regions as a writer. Callick says that after China – where he also worked – PNG is the place he writes about most:

Because I’ve got a particular interest, having lived there […] I write quite a lot […] because there’s so many stories and in my view they’re quite interesting and colourful, and no one else is writing them (Interview 2010).

These seven most common categories shown in Figure 2 accounted for 182, or 82%, of the total articles analysed. Other identified categories included “Pacific politics” (seven articles), “Arts and Music” (six articles), “Travel” and “Science” (five articles each), “Kokoda and World War 2” and “Global Humanitarian Issues” (four articles each), “Food” (three articles), “History” (two articles), and “Religion” and “Education” (one article each).

On initial assessment, 221 articles published in a six-month period might suggest that PNG is not a “neglected” news region at all, in Australian media. As a matter of fact, a study completed in 1993 by Lowe (2000) ranked PNG at number 13 in *The Sydney Morning Herald’s* foreign news coverage – a total of 99 articles were identified over a year, making PNG the most reported country in the Pacific, even placing it above New Zealand, and the economic powers of France and Germany.

While PNG may not be neglected in terms of relative quantity, this paper argues that it is neglected in terms of “quality coverage.” The 221 articles analysed included any article that mentioned PNG at all. In order to measure the value given to ‘PNG’ across media coverage, the content analysis examined the “hierarchy of significance” (Grundy 2007: 8) that PNG was granted within each article.

The majority (54%) of articles coded were hard news stories that employed the traditional inverted pyramid style. This involves giving the most information at the top, as it is assumed the reader will not necessarily read to the end (Conley & Lamble 2006: 124). Considering this, each article was coded based on whether the whole article was “about PNG.” When PNG was not a key actor in the article, the task was to determine how many paragraphs referred to this country. Further, the task aimed to determine whether PNG was mentioned either in the first or second halves of the story.

Figure 2 shows that the majority of articles – see ‘A’ on Figure 2 – (35%, or 77 articles) contained just one paragraph referring to PNG in the latter-half of the article. In other words, approximately one third of articles were not about PNG as such, but simply contained a passing reference to it near the end of the story. *The Sydney Morning Herald* accounted for 43 of these articles, while *The Australian* had 34 articles in this category.
Figure 2: Percentage of articles with reference to PNG

The next largest category (33%, or 72) were articles which were entirely about PNG (see ‘B’ on Figure 2). They were variously a hard news story, a feature, or a commentary. Of this third category, The Australian was over-represented, contributing 58 articles compared to just 14 by The Sydney Morning Herald. Again, this could be at least partially explained by the presence of The Australian’s journalist Rowan Callick. The personal interest, connection and expertise that Callick has with PNG give him a reasonable level of professional autonomy which allows him to pursue many stories that otherwise wouldn’t be covered.

The remaining third represents articles that made reference to PNG in the first half of the article. Column ‘C’ on Figure 2 illustrates the 51 articles (23%) that contain one paragraph referring to PNG in the first half of the story. In this case, 33 of these stories were in The Australian and 18 were in The Sydney Morning Herald. Column ‘D’ shows the smallest group, 21 articles (9%), which contained more than 2 paragraphs referring to PNG in the first half of the article. These articles tended to come from the “Australian politics” category. Most of these stories focused on the Labor government’s proposal to deal with asylum seekers using a ‘regional’ approach, one of the key 2010 Federal Election issues. In these articles, the story was not solely about PNG, but it was mentioned as one of the key regional ‘partners’, alongside East Timor.

The process of categorising articles according to the “hierarchy of significance” given to PNG demonstrates that roughly two-thirds of the articles analysed – shown on Figure Three as categories A, C and D – were not wholly about PNG. Shanto Iyengar (1991) argues that news reporting is usually episodic or thematic and episodic coverage tends to be event-oriented, while thematic coverage provides background to a more abstract public issue (Iyengar 1991: 141). Features and commentary, which aim to provide more background and context, can be interpreted as thematic coverage.

Of the 72 articles that focus on PNG as a main subject, only 57% of these could be classified as thematic coverage, offering audiences insight and background into the issues – especially political matters – facing PNG. Of these, 10 articles from both newspapers could be categorised as commentary or analysis about PNG, and eight of these stories were published in The Australian. Of the 10 articles offering background analysis, five focused on Australia’s relationship with PNG (particularly looking at aid donations), three examined issues in PNG’s domestic politics, and two examined mining-related issues.
The remainder of the articles that focused wholly on PNG could be classified as episodic reporting, which Iyengar (1991: 141) argues tend to be more fragmentary in nature. In other words, episodic reporting inhibits the audience’s understanding of the big picture. Subsequently, the overwhelming majority of references to PNG occur in articles that cite it, but do not include any further explanation or details of the nation or its people. Of all 221 articles, five stories included interviews with individuals identified as PNG nationals, and three of these were politicians, speaking in their official capacity.

Making the news

The findings of the content analysis need to be considered alongside the context within which stories about PNG are produced. In the “information age”, as Manuel Castells (2004) describes our current state of global communication and highly-developed information technologies, the abundance of stories available for reporting have created an insomniac media with an insatiable appetite for news. Yet, despite this hearty appetite, news is still the end result of a long process of selection – by choosing certain events as news and discarding others, media organisations engage in an “imperfect exchange of information” (Bennett 2001: 20) between themselves, politicians and people, who constantly negotiate changing definitions around what constitutes news.

Stories about PNG are subject to a particularly complicated set of economic and logistical factors that ensure the “imperfect exchange of information” continues. PNG faces some of the technological and resource limitations experienced by many developing countries. It also experiences security problems, particularly in urban areas. Since Australia is the only country that has permanent foreign correspondents based in PNG, the journalists employed by AAP and the ABC are confronted by a particularly unique set of workplace conditions.

According to Rowan Callick, Asia-Pacific Editor for The Australian, the visa application procedure for foreign journalists wanting to report on PNG is among the most difficult in the Asia-Pacific region. He says that getting a journalist’s visa for PNG is similarly complicated to getting one for North Korea, a country he has also reported on:

This really puts people off going. The Prime Minister’s older daughter decides who gets in and who doesn’t (Interview 2010).

ABC correspondent Liam Fox describes the capital, Port Moresby, as a tough place to live and work. The ABC office, based in Port Moresby, has its own satellite installed allowing live reporting from PNG to the ABC studios in Australia. Fox describes the security situation as both a resident of Moresby and as a reporter:

We live behind a big razor wire fence, we’ve got big television cameras, [and] security guards. When you drive you’re always winding your window up, you’re looking out for car jackings or for something to happen. There’s definitely an edge to the place, living here (Interview 2010).

PNG is a rugged, mountainous country, with limited transport options. Port Moresby is not connected by road to the rest of the country, so all stories outside of the capital require journalists to fly there. This
operation can be both costly and time-consuming, as journalists wait for the approval of funds from their employers. Furthermore, the availability and reliability of news services have been slow to become established (Nash 1995: 35) and PNG, like much of the Pacific region, faces many difficulties in developing widespread media coverage.

Evangelia Papoutsaki and Dick Rooney (2006) argue that PNG is in a state of under communication, with limited take-up of communications technology and an urban-centred media that does not reflect the linguistic diversity of the country. The state of “under-communication” in which PNG exists has significant impacts on both local journalists and on the ability of foreign journalists to work there. According to ABC journalist Fox, the limited media infrastructure outside of Port Moresby means that when news breaks outside of the capital, covering it can be difficult. Fox has also found that being a foreign journalist often makes it harder for him to get interviews with government ministers and people in official positions:

I guess there might be a bit of colonial hangover on what the ABC represents, that idea of the old white masters (Interview 2010).

On one occasion, Fox had to chase the PNG Foreign Minister for an interview about a report on AusAid for three weeks. Another time, he spent four weeks chasing an interview with the Health Minister, only to have the Minister refuse to appear on camera. On another occasion when he needed to access a local government member, he went through thirty numbers in the phone book before someone picked up – and that was a wrong number. AAP reporter Ilya Gridneff agreed that two of the biggest problems he faced on a daily basis were “can’t make phone calls, [or] people aren’t there” (Interview 2010). However, he also maintained that once he did make contact, PNG politicians were far more open than Australian politicians.

These circumstances have led to the establishment of close dialogue between local journalists and Australians reporters based in PNG. Former ABC correspondent Sean Dorney says that he worked with local journalists “a hell of a lot“:

If you don’t work with the local journalists and give them a bit of respect then you’re really limiting your capacity to work. […] And one of the good things about PNG is that there really are a lot of good local journalists up there (Interview 2010).

One of the biggest factors influencing the placement of foreign correspondents is cost (Herbert 2001: 61). PNG is a very expensive place to travel to, partly because of the transport costs involved with leaving Port Moresby, but also because rent and hotels in the capital are very expensive. AAP journalist Gridneff says: “hotels are commonly worse than Fawlty Towers, and often more expensive than five-star hotels in Sydney” (Interview 2010).

The journalists consulted for the research all agreed that expense was one of the reasons that few foreign journalists worked in PNG. Fox explains that PNG is not “a Washington or London”, where there are stories expected from correspondents on a daily basis. Instead, stories from PNG are less frequent. Therefore, the trade-off between the high costs of keeping a journalist there against the limited output expected from editors means that few news organisations are able to justify posting journalists to PNG.
The high cost of posting a foreign correspondent is a global dilemma for most Australian and foreign media organisations. One consequence of the increasing costs of global journalism has been the emergence of “parachute journalism.” This term is used to describe the trend of western news organisations sending journalists in to cover a place, but only when an event happens. Since global news is often synonymous with conflict (Herbert 2001: 60) this means that foreign places only tend to be covered when something “bad” happens, contributing further to negative stereotypes of distant places. PNG has not been affected by the parachute journalist trend – the timely visa process and high cost of sending journalists to PNG, coupled with the relatively low news value placed on the entire Pacific region, means that even parachute journalists are rarely sent to PNG. This means that while the limited number of journalists working in PNG are well-informed and highly experienced at reporting on issues in PNG, it is a difficult place to cover for journalists who do not have a solid network of local contacts and a well-resourced news organisation supporting them. The result is limited quality coverage of PNG and the issues it faces as a nation.

Conclusion

Despite PNG’s historical ties and geographic proximity to Australia – along with its continued political relevance – PNG is neglected by Australian media in terms of “quality coverage.” This is driven by PNG’s perceived lack of news value as well as logistics. The greater consequence of a lack of analytical and well-contextualised coverage of PNG is the emergence of a fragmented picture of the country in the Australian media. Further, if we accept that the media play a key role in forming public opinion, it is possible to speculate that the fragmented and limited news construction of PNG is likely to influence the Australian public consciousness about its neighbour.

The lack of quality of news coverage is also recognised by Australian correspondents in PNG. ABC journalist Sean Dorney argues that only a small portion of events in PNG are considered newsworthy for Australian audiences:

One of our problems as Australians is that a lot of us, especially those who have an ex-European background, like to think that Australia is anchored somewhere between Ireland and North America. And to think that we’re plonked here in the Pacific – you wouldn’t believe it by reading the news, or that there are 15 other countries in this part of the world. Because they never get reported on (Interview 2010).

Asia-Pacific Editor for The Australian, Rowan Callick also argues that due to the nature of news, the problem is cyclical:

When you haven’t had a story for ages from these places [like PNG] and a good story occurs, you haven’t got a background, you haven’t got someone who can explain it. So it [the story] just pops up, it looks weird, and they [news editors] don’t know what to do with it. And that’s a problem (Interview 2010).

This paper concludes with the suggestion that further research into PNG’s portrayal in the Australian media is important. There is enormous scope for further academic investigation into PNG’s representation in other Australian news media organisations. There is also scope for research into audience perceptions of PNG.
Research into Australia’s limited and fragmentary coverage of PNG is important because, at the very least, further investigation can build a clearer picture of how and where inequalities in news representation exist between nations. If we truly wish to inhabit a postcolonial world, then understanding more about the Australian media’s representations of our nearest neighbour would contribute to meaningful discussions about ensuring quality journalism and more balanced coverage in the future, particularly of the Asia-Pacific region.

References


**About the Author**

Jessica Carter was awarded First Class Honours in Media and Communications at The University of Sydney in 2010.

She is currently working in Dhaka, Bangladesh, as the Youth Advocacy and Communications Officer for the humanitarian organization Hunger Free World.
Can WikiLeaks Save Journalism and Democracy?

Josh Rosner University of Canberra, Australia

Abstract

If WikiLeaks survives there can be little doubt that it will be a useful tool for investigative journalists. While the cost-per-word of investigative journalism is high, WikiLeaks reduces the time journalists must spend uncovering information and also removes the threat of litigation from the publisher, consequently reducing the cost of journalism. The founder of WikiLeaks, Australian Julian Assange, has explained that he started the website for journalists who were “sick of being censored themselves … and having primary source material they couldn’t publish for legal reasons or space reasons.” In the Financial Times, Tim Bradshaw has argued that WikiLeaks is following an Internet tradition “dating back to the 1998 allegations about President Clinton’s liaison with Monica Lewinsky first published on the Drudge Report.” WikiLeaks’ emphasis on fact-checking, verification and protection of its sources has a long journalistic lineage. This paper undertakes an examination of how WikiLeaks’ rise to prominence has come as the industry’s capacity to invest in investigative journalism has been impaired by falling circulation and difficulties in making money from the web. WikiLeaks has the potential, in the face of eroding readership and the arguable decline of public discourse, to empower journalism, and I argue that journalism’s contribution to democracy and citizenship may collapse without such sites.

Introduction

This paper examines the impact of the self-styled ‘transparent-democracy’ website WikiLeaks, on journalism and democracy. Since the website first went ‘live’ in December 2006, WikiLeaks has grown both in its public profile and the quantity of documents it has made public. WikiLeaks claims to have received “over 1.2 million documents from dissident communities and anonymous sources” in its first year alone (WikiLeaks, Online Archive).

Although whistleblowers and dissenters have a history which long precedes the Internet, it is the unique technological era we live in that has allowed proponents of transparent-democracy to expose government secrets without compromising their own security. From its very early days, WikiLeaks posted a number of until-that-time secret documents on its website (including Standard Operating Procedures for Camp Delta, the British National Party’s membership list, the contents of Sarah Palin’s Yahoo email account, amongst others). But it was not until the April 2010 release of the so-called “Collateral Murder” video which depicted an American Apache helicopter attack in 2007 that killed two Reuters journalists in a Baghdad street, that WikiLeaks came to worldwide prominence and began to be reported in the mainstream media.
Since its launch, debate has raged in the mainstream media about not only the ethical implications of WikiLeaks’s actions, but the ethical implications for journalism – to report or not – given the journalist’s job is to be the public’s eyes and ears about important events (Jacquette 2007). Journalists, their editors and publishers frequently walk a fine line between a public’s need to know and the ethical framework within which journalism must operate. In the United States, for example, where notions of free speech are enshrined in a Bill of Rights, the media debate often focuses on constitutional intent and definitions of journalism. In the 1938 US Supreme Court ruling \textit{Lovell v City of Griffin} – a case that centered around the rights of a person to distribute religious material freely without the requirement to seek permission from the government – Chief Justice Charles Hughes referenced Founding Father and pamphleteer Thomas Paine when he defined the press as, “every sort of publication which affords a vehicle of information and opinion” (US Supreme Court 1938)

The question taxing many commentators is whether what WikiLeaks does by posting classified and secret documents on its website, is journalism. In numerous print articles in the mainstream press, WikiLeaks founder Julian Assange has been referred to as a journalist or as Chief Editor of WikiLeaks (see, for example, ABC Big Ideas 8 June 8, 2010; The Spectator November 2, 2010; CNN October 22, 2010; Sydney Morning Herald October 8, 2010; News Limited Newspapers August 22, 2010).

Whether Julian Assange is a journalist and whether what WikiLeaks does is journalism, is an important distinction to make up front. If what WikiLeaks does is journalism, then we need to accept and understand that journalism has a new face in the twenty-first century. If what it does is not journalism, then we need to analyse its place in society and where it fits between government and professional journalism.

Writing on his blog on \textit{The Spectator} website, Alex Massie said of Assange:

\begin{quote}
I’m not sure I understand the WikiLeaks controversy. If one of the many definitions of news is, (and always has been), that it is \textit{something that someone, somewhere does not want you to know} then, yes, Julian Assange is a journalist. Perhaps \textit{newsman} would be a better, more strictly accurate way of putting it (Massie 2010).
\end{quote}

Lucy Daglish, executive director of the Reporters Committee for Freedom of the Press, does not see Assange, or WikiLeaks, in the same terms as Massie. Daglish writes:

\begin{quote}
It is not journalism. It’s data dissemination, and that worries me. Journalists will go through a period of consultation before publishing sensitive material. WikiLeaks says it does the same thing. But traditional publishers can be held accountable. Aside from Julian Assange, no one knows who these people are (Harrell 2010).
\end{quote}

Although Daglish’s comments are presented amidst a broader discussion on shield laws, the problem with her argument is that she seems to be saying that journalists should have confidential source protection, but transparent-democracy websites like WikiLeaks should not have confidential source protection because they have confidential sources. Daglish, like many journalists working in the mainstream press, maintains an extremely narrow definition of journalism that more closely resembles a time long past.
If what WikiLeaks does is not journalism it is at least a journalistic website. It is involved in the dissemination and publication of information that is newsworthy. Of that, there can surely be little argument. That WikiLeaks and the documents it publishes garner so much attention in the mainstream press should settle that score. The question of whether Julian Assange is a journalist, and whether what WikiLeaks does is journalism, may only be settled if the US government were ever successful in charging Assange with an espionage-related crime and having him extradited to the US to face court. Until that time, it remains a worthwhile debate for the community to engage in.

This paper is concerned with the response of the mainstream media to WikiLeaks’s publication of ‘secret’ US military documents, with a focus on journalism ethics – or truth-telling – in the Internet age and WikiLeaks’s historical place in democracy. The over-arching question of this paper is: rather than shunning it, should journalism embrace WikiLeaks or assist in its demise?

To publish or not to publish

If a journalist discovers information believed to be in the public interest to disclose, should he or she publish that information, even if the government says lives will be put at risk by doing so? It’s a dilemma journalists have faced throughout the ages, but was a central debate at the time WikiLeaks published on its website 92,000 documents relating to the US involvement in Afghanistan between January 1994 and December 2009. Prior to publishing the documents, WikiLeaks gave three traditional print media outlets – The New York Times (USA), The Guardian (UK) and Der Spiegel (Germany) – access to the documents on condition they not publish any stories until WikiLeaks published them on its own website on July 25, 2010. All three news outlets complied and were given access. Although each took a different approach to their reporting of the documents, all three published extensively based on their early access to the documents.

On the day WikiLeaks published the documents, The New York Times issued a media release explaining in detail its decision to publish a number of articles based on its viewing of the documents (The New York Times 2010). On the same day, Der Spiegel also published on the magazine’s website explaining its decision to publish articles. Interestingly, Der Spiegel saw its role as one of ‘vetting’ and ‘authenticating’ the 92,000 documents (Der Spiegel 2010). On August 9, 2010, The Guardian published a lengthy piece by Chris Elliott, the newspaper’s Readers’ Editor, in which he justified their decision to publish off the back of access to the documents. He even went as far as to suggest that readers of The Guardian had not complained about the coverage and any anger that was directed towards the three publications “came from other newspapers” who had not been given early access to the documents (The Guardian 2010).

The New York Times, in particular, was adamant that its coverage of the documents was of significant public interest and, in this case, not publishing the secret information was not an option. As the newspaper argued in its media release of July 25, 2010, “The documents illuminate the extraordinary difficulty of what the United States and its allies have undertaken in a way that other accounts have not” (The New York Times 2010). It went on to suggest that most of the documents were classified at a relatively low level – secret.

Media commentators have devoted miles of column inches to a comparison between Daniel Ellsberg and the Pentagon Papers – published by The New York Times in 1971 – and Julian Assange and the Afghan
War Logs (and later, the Iraq War Logs). Although such a comparison was inevitable, there is perhaps little similarity between the two men. However, certainly comparisons can be made between the Pentagon Papers of 1971 and the Afghan War Logs and Iraq War Logs of 2010.

R.W. Apple, a former editor of The New York Times, explained more than two decades after their publication that the Pentagon Papers,

demonstrated, among other things, that the Johnson Administration had systematically lied, not only to the public but also to Congress, about a subject of transcendent national interest and significance (The New York Times 1996).

The Pentagon Papers revealed the US government’s knowledge that the war was unlikely to be won and that continuing the war would lead to more casualties than had ever been admitted publicly. In short, the government had lied to the public and to the Congress.

The Iraq War Logs, in particular – 392,000 documents published by WikiLeaks in October 2010 – are arguably less shattering than the Pentagon Papers, however a close analysis of the Iraq documents sheds light on a number of important aspects of the war, all of which were unknown to the American people and citizens of coalition partners in the war. A summary of the analysis conducted by The New York Times, published on October 22, 2010, reveals:

The war in Iraq spawned a reliance on private contractors which later spread to Afghanistan, resulting in more contractors than soldiers.

The documents suggest the so-called surge in 2007 worked mostly because Iraqis were exhausted by years of bloody war and were ready to cooperate with the US military.

The deaths of Iraqi civilians at the hands of Iraqis and the US military were greater than the figures made public by the Bush administration.

The documents reveal a level and frequency of abuse by American troops and its allies that was far greater than was suggested after the Abu Ghraib scandal broke in the media. The documents also suggest Americans chose to avert their eyes rather than intervene.

Iran intervened aggressively, offering weapons, training and sanctuary to Shiite combatants (The New York Times 2010).

Although this brief summary of 392,000 documents cannot be compared to the Pentagon Papers with regards to legal, political and social impact of their publication, they do highlight the propensity for governments to lie, or at least withhold information of public interest during times of war. The documents also reveal that since the Pentagon Papers were first published in 1971, little has changed with respect to the importance of the conduit role played by the press in concisely disseminating and contextually explaining the leaked documents to the public.
In the public interest, for the public good

Swiss theoretical philosopher Dale Jacquette (2007) presents a “fundamental justificatory principle and moral mandate for professional journalism” that articulates what it is journalists do and what it is they should, as professionals, aspire to do. His principle states:

Journalists are morally committed to maximally relevant truth-telling in the public interest and for the public good (2007: 19).

If we accept Jacquette’s principle as being reflective of the broader intent of journalism, then it is useful to apply his principle to the coverage of the WikiLeaks documents (at least, to those media outlets who wrote directly about the Afghan and Iraq war logs, rather than those who published commentary or criticism of The New York Times, The Guardian and Der Spiegel).

The dilemma for journalists is deciding whether revealing or concealing information is more in alignment with the moral obligation to “provide maximally relevant truth-telling in the public interest and for the public good” (Jacquette 2007: 19). That is, can a journalist argue that his or her reporting is maximally relevant truth-telling, in the public interest, for the public good? If the answer is yes on all three counts, then journalism is morally obliged to report and publish.

When it comes to WikiLeaks’ Afghan and Iraq war logs, we can apply Jacquette’s principle in order to determine journalistic ethics on the matter. It’s safe to assume WikiLeaks would have published the documents on its website even if it had been threatened with legal action from the US government and regardless of whether The New York Times, The Guardian and Der Spiegel had declined WikiLeaks’ offer of advance viewing of the documents and subsequently – perhaps because of pressure from the Pentagon and/or the US Department of Defence – declined to publish coverage of the documents themselves. Given The New York Times’ history of publishing ‘sensitive’ documents, it is safe to assume it is one of the reasons WikiLeaks approached them in the first place.

There can be no doubt that documents – secret or otherwise – relating to the wars in Iraq and Afghanistan are relevant more broadly to the concerns of the public, regardless of which side of the issue they come down on. We can say, therefore, that reporting on the WikiLeaks documents can be regarded as satisfying the first part of Jacquette’s principle. It constitutes maximally relevant truth-telling.

The difficulty in this scenario is determining whether reporting on classified documents, some of which the Pentagon argues have the potential to put lives at risk, is truly in the public interest and for the public good. Was the person or persons who leaked the documents to WikiLeaks truly acting in the public interest and for the public good? Or, would The New York Times, The Guardian and Der Spiegel have better served this element of the principle of journalistic ethics if they had refrained from reporting on classified documents, at least until they could be certain there were no lives placed at risk and no outstanding national security issues?

There is much room for debate about the matter, demonstrated by the overwhelming public opinion expressed on each of the publications’ websites and by the quantity of commentary to be found more widely in the press. Needless to say, there is division between public opinion on the right to know and
criticism of the risks associated with publishing classified information that enemies of America and its allies might use against them. Typical reactions on both sides of the issue included the following two, posted on October 22, 2010 on the websites of The New York Times and The Guardian in response to publication of the Iraq War Logs.

War is a bloody and terrible thing paid for by the tax payers, apparently for our own good. I, for one, am glad to get some insight into what exactly happens on our behalf (posted on The Guardian’s website).

Shame on The New York Times for publishing classified military documents that were leaked to WikiLeaks. The New York Times has gone too far. I am officially removing NYT from my Internet browsing. I am appalled (posted on The New York Times Website).

It remains an open question whether the publication of secret military documents, with sensitive information such as informants’ names redacted, could hinder the war effort, jeopardise national security and place soldiers’ lives at risk. The largely emotional responses from both sides of the argument represent a reasonable reaction, but in the end, The New York Times, The Guardian and Der Spiegel were right to publish their articles, including redacted versions of the leaked documents. By reporting on the documents, and providing analysis and context, the journalists from each of the publications better served the journalistic mandate of acting in the public interest and for the public good. Not only does the public have a right to know that many of the details regarding the wars in Iraq and Afghanistan were falsely conveyed by their government, or willfully withheld, but by announcing deficiencies in strategy, the reporters create the potential for mistakes to be rectified or, at least, to facilitate public debate based on a more honest assessment of the situation.

In a democracy, governments can only be held accountable for their actions and decisions if the public is afforded the free and open opportunity to hold them accountable. This must include failures alongside successes. The public good dictates that not only was it morally permissible for The New York Times, The Guardian and Der Spiegel to report on the WikiLeaks documents, it was morally obligatory for them to do so.

WikiLeaks, journalism and democracy

University of Sydney professor of politics, John Keane (2009), suggests the fight for press freedom first occurred in the northern and western regions of Europe before it spread to the American colonies. Keane notes the irony that:

liberty of the press, a cherished cornerstone of modern power-sharing governments and politics, was invented and championed by deeply religious men, for whom the word ‘democracy’ was strange and certainly repugnant (2009: 238).

It is not a stretch to suggest that the struggle for freedom of the press began with the invention of the printing press. In fact, it could be argued that the struggle has, in one guise or another, never abated.
Two hundred years after the invention of the printing press, John Milton wrote *Areopagitica*, a passionate defence of freedom of speech. He wrote:

> Though all the winds of doctrine were let loose to play on the earth, so Truth be in the field, we do injuriously, by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple, who ever knew Truth put to the worse, in a free and open encounter? (Milton 1915; 1952: 409).

Two hundred years after Milton, John Stuart Mill wrote *On Liberty*, a book whose central theme is the importance of encouraging free thinking in order to enable the improvement of humankind. Mill’s argument was emphatic and remains as powerful today as it was in his day: a time, he suggests in *On Liberty*, in which freedom of the press had barely made progress since the time of the Tudors. Mill wrote:

> If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind. Were an opinion a possession of no value except to the owner; if to be obstructed in the enjoyment of it were simple a private injury, it would make some difference whether the injury was inflicted only on a few persons or on many. But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it (Mill 1859; 1969: 23).

Mill’s argument is a powerful one and yet, here at the start of the 21st century, the protection of, and struggle for, free speech remains as relevant today as it did in the 1400s of Gutenberg, the 1600s of Milton and the 1800s of Mill.

Since the publication of the Iraq and Afghanistan war logs by WikiLeaks, some commentators have suggested that democracy is under threat if WikiLeaks continues to publish secret documents. Writing in *National Review Online* following publication of the first documents relating to Afghanistan, Gabriel Schoenfeld, author of the book *National Secrets*, suggested WikiLeaks’s oxygen would be extinguished if the government did a better job of protecting its secrets (Schoenfeld 2010).

Following publication of the second wave of documents, relating to Iraq, a Fox News contributor, Christian Witon – a former US State Department official during the Bush administration – accused WikiLeaks and Julian Assange of committing “an act of political warfare” against the US. Witon called for the indictment of Assange for espionage (Huffington Post 2010). However, a far greater threat to democracy would surely be the shutting down of a journalistic website, and the stifling of the press’s ability to report on material published by that website. In December 2010, for example, *The Guardian* online edition began asking its readers what it should look for among the leaked US Embassy cables. It then searched the documents and filed reports via a blog on its website.

American sociologist Herbert Gans argues we can no longer deny the transition from old print and electronic news media to a new digital media (2010: 213). New technology will affect the news media, and its contribution to democracy, in ways we can barely envision today. The future of news involves new players, some of who have already begun to exert an influence, such as bloggers and their commentators.
Keane (2006) takes up this theme in his essay “Democracy, A Short History”, suggesting a new era of “complex democracy”, as he refers to it, has been emerging since the mid-19th century. In this era of complex democracy, a more global – and therefore more complex – means of monitoring and controlling power has arisen. Keane includes, in a vast list of examples, blogs and other forms of online monitoring of the press. New communication methods, such as the Internet, are playing a significant role in monitoring the activities of governments across the globe.

Gans argues that these new voices help to enlarge the public sphere and contribute to the wider democratic conversation. Gans’ argument can be taken even further. If democracy is to survive and prosper, journalism must survive and prosper. The question is one of what journalism will look like in the future.

Conclusion

Unless WikiLeaks is prevented from doing what it does, (and even if it is, it is likely that another like-minded website will appear in its place), the debate about whether WikiLeaks is on the side of the angels or a significant threat to national security will continue for a long time to come. In fact, WikiLeaks founder Julian Assange has made it very clear that this is just the beginning for WikiLeaks, suggesting he has a “mountain of unpublished documents at its disposal” (“Is WikiLeaks a Blessing or Curse for Democracy” 2010). If WikiLeaks is to remain in business and continue to publish governments’ secrets, journalists will continue to report those secret documents.

Leaving aside the debate about whether revealing government secrets is healthy for democracy, there is considerable evidence, as University of Illinois Gutgess Endowed Professor Robert McChesney puts it, that “American journalism is collapsing” (McChesney 2009). This ‘crisis’ in journalism is not a solely American problem. Rupert Murdoch has indicated his determination to place the online content of his print newspapers behind paywalls (see for example, “Murdoch to Erect Paywalls at Australian Papers” 2010). Recently, News Corporation launched its iPad-only newspaper, called The Daily (“Rupert Murdoch Unveils iPad Newspaper The Daily” 2011). If the future of news delivery and consumption is via the ‘app’, as Murdoch suggests, transparent-democracy websites such as WikiLeaks are likely to play an integral role in the delivery and dissemination of news into the future.

In an opinion piece published in The Australian on December 7, 2010, Julian Assange wrote:

WikiLeaks coined a new type of journalism: scientific journalism. We work with other media outlets to bring people the news, but also to prove it is true. Scientific journalism allows you to read a news story, then to click online to see the original document it is based on. That way you can judge for yourself: is the story true? Did the journalist report it accurately? (Assange 2010).

Assange’s argument is simply that a strong media is an essential element of a robust democracy and any attempt to prevent WikiLeaks from continuing to operate or threats to prosecute those who publish the documents – which includes not only WikiLeaks, but media outlets across the world – poses a serious threat to democracy and is therefore a threat to a free press.
Footnotes


References


About the Author

Josh Rosner is a PhD Candidate in the Faculty of Arts and Design at the University of Canberra, where he is writing a thesis that analyses the role of the essay-as-memoir in post-unified Germany.
The role of The Guardian in the WikiLeaks saga was and is central to many of its celebrated episodes and dramas. The Guardian, a longstanding left-oriented newspaper, had become a global news distributor through both The Guardian Weekly and then with a robust on-line presence through its various blogs, website and then apps. It is fitting then that this narrative about WikiLeaks would be one of the first out of the blocks and with sufficient cred to have insider status on a number of the twists and turns that make up the still unfolding story of the whistleblower website and the changes wrought to the 21st century mediascape.

The Guardian had history with WikiLeaks. In 2008-9, with UK judges banning the publication of documents relating to Barclays (tax avoidance strategies) and the Trigafura incident (toxic dumping), WikiLeaks set up the contradiction that, with its publications about these incidents on the web, the material was in the public domain allowing other media outlets like The Guardian to republish and develop the stories. It was The Guardian, then, that made the most of this extraordinary change to the way legal sanction against certain news stories could be circumvented. And as one could say, “the rest was history” … The Guardianbooks narrative developed by David Leigh and Luke Harding with assistance from Ed Pilkington, Robert Booth and Charles Author, pick up the story most emphatically with the so-called “Collateral Murder” video (the massacre of Iraqi civilians by an American Apache Battalion in Iraq in 2007).

The most telling aspect of this narrative is that it is founded in this moment of raw footage and sometimes hotly debated questions (both inside and outside WikiLeaks) as to the appropriateness of the way this material was released by WikiLeaks. Consider that in 2009, a book penned by Pulitzer prize-winning journalist, David Finkle titled, The Good Soldiers, described this incident in minute detail – within the deep context offered by an embedded journalist. Despite the very cogent critiques offered of embedded journalism, this book does well to provide what the “Collateral Murder” video could not – detailed and personal accounts about combat by those at the coal face. However, of the 334 reviews of the book found at http://www.goodreads.com/book/show/6633912-the-good-soldiers, few if any connect Finkle’s work with the WikiLeaks release. This is more extraordinary for reviews written after the release (2010-2011) of the video.

The point is that this moment of the “Collateral Murder” release galvanises the whole WikiLeaks intervention in news, in war reporting and in its attack on secrecy, especially military secrets. So, it is fitting for The Guardian authors (as with many other accounts) to place this moment so prominently in the narrative arc of
the WikiLeaks story. From here, the story is now familiar to many, however it is The Guardian authors who can tell best the inside story of the collaboration between itself and then other major news organisations with WikiLeaks. This change in the model for the WikiLeaks website was the point at which its material became mainstream and those hanging out with the whistleblowers from its early days would have truly wondered what in blazes had occurred. Where few have dared tread, now a veritable herd of news agents and agencies could not get enough of WikiLeaks’ material. And so emerged a very significant change to journalistic practices – and with it many questions that remain unanswered concerning the lines – now very blurred between sources, publishers and media outlets.

One of the clues that this treatment of the WikiLeaks gives away is its chapter breakdown followed by a heading: Cast of Characters. This goes on for five pages with characters aligned with various parts of the world where the story has had parts of its drama unfold. What this book does best is give the WikiLeaks the soap operatic treatment it thoroughly deserves – but as a real page-turner, it suggests that it was working with great material. With a section of selected embassy cables and a well developed index, this book is also a good ‘beginner’s guide’ to the content provided by WikiLeaks should readers wish to go beyond the drama and sample the material for themselves. Highly recommended for the faithful and critics alike.

About the Reviewer

Hart Cohen is Associate Professor in the School of Communication Arts, University of Western Sydney. He is also an editor of Global Media Journal, Australian edition, He has followed the WikiLeaks saga from 2009 and first presented on WikiLeaks in September 2010 in a paper titled, “WikiLeaks, Journalism to Die For”, Guest Lecture, Masters of Journalism, Simon Fraser University in Canada.
The Iranian revolution that wasn’t, is over. The secret policemen have had their ball, the vultures have had their fill, and now, if you have the stomach for it, here come the communication scholars to pick over the remains. In these days when academic workloads are a controversial issue, let us note first that this book is a formidable piece of academic productivity. There are 26 research outputs by 33 authors packed into nearly 300 pages of text. Here’s a toast to book chapters.

On the central question of whether this enterprise achieves what it sets out to do, the news is not so good. The main title “Media, power and politics in the digital age”, suggests a degree of universality which is not attempted here. The subtitle “The 2009 presidential election uprising in Iran”, suggests that we might be offered a history of recent events in Iran, but that does not really materialise either.

Editor Yahya Kamalipour offers – in a well-written and well-intentioned introduction – a list of 11 things the book is intended to do, for another list of seven possible audiences. Maybe we are trying to please too many people too much of the time. Hats off to Professor Kamalipour, though, for persuading most of his writers to deploy a good, clear, English style. Gobbledygook creeps in occasionally, but overall this is a readable collection, though obviously quite varied in accent. This reader would have wished more uniformity to have been imposed on the spelling of Persian and Arabic words.

Clearly, in such a multifarious collection, most readers will find parts they like and parts they don’t. To some extent, this depends on what you already know. I was not enthralled by some routine chapters on how various media covered the unrest, but having had little to do with Turkey recently, I found Banu Akdenizli’s rundown of the Turkish media quietly fascinating.

Some of the contributors flatly contradict each other. For example in Chapter 13, Li Xiguang and Wang Jing deploy the Chinese net nutters’ conspiracy theory (it was all an American plot) in its full glory, while two chapters later, a troika of American-based scholars complain that the main obstacle to the use of social media to bring change in Iraq is over-enthusiastic American sanctions.

The intentions of Neda Agha-Soltan (whose name is variously spelled), who achieved instant global fame by dying on YouTube after being shot by the regime’s thugs, are treated to a wide variety of interpretations. Was she a demonstrator, was she a student, was she a symbol of Western womanhood, or Westernised womanhood? Setareh Sabety answers some of these questions in an interesting analysis of the semiotics of Iranian fashion.
Other writers seem to expect rather a lot. Sareh Afshar complains that “the international media failed to see the pleading look in her eyes as she lay on the pavement.” That may be so, but under the circumstances it seems more likely that the pleading was for medical help rather than political reform.

On the great question – what difference do the digital media make – you can take your pick from a variety of conclusions. Of course, with the benefit of hindsight, we can see that the predictions of an imminent major upheaval were overblown, or over-optimistic. Jonathan Acuff rightly points out that some American media and think tanks are all too willing to announce a revolution, especially in countries of whose regimes they disapprove. On the other hand, numerous recent revolutions have burst upon us unadvertised by the scholars who were supposed to be authorities in the affairs of the countries concerned. So, it is difficult to share Mr Acuff’s confidence in the idea that if there is such a thing as a “revolutionary situation”, then academics are better at spotting it than journalists. Still, we see enough to conclude that the social media are now, in their turn, a clear threat to authoritarian regimes everywhere, as new media tend to be. No doubt, these authoritarian regimes are well aware of this and preparing counter-measures even as we speak. As China’s netizens have discovered, the people who sold you digital liberation are equally willing to sell the local “gestapo” the software which will put you in the Gulag for the rest of your life.

For the international media, YouTube is a new source, and one that cannot (yet, at least), be kicked out of the country. I suppose correspondent-deprived countries were covered in the old days, rather slowly, by talking to refugees, diplomats and business visitors. Now the 24-hour news cycle can roll on uninterrupted provided that you don’t mind relying on amateur footage. Whether this is good news or bad news remains to be seen.

As for the revolution, I fear nobody is ever going to achieve violent change on Facebook. Clearly large numbers of people participated vicariously in the Iranian upheaval by reading posts, viewing videos, visiting websites and even signing online letters and petitions. These activities were emotionally rewarding for those who participated in them but had not the slightest effect on the real world. On the Internet nobody can tell when you’re revolting. You can leverage the new media in domestic politics by using it for fundraising and getting the vote out. An effect on international politics is more elusive. I do not suggest that there will never be one, but there is no sign of one here.

On the whole this book is inconsistent in its content and uncertain in its navigation, probably a necessary consequence of its interestingly multiple authorship. For a reviewer required by fairness to start at one end and finish at the other, it is a long journey. Readers who can afford to skip the parts they already know, or don’t want to know, will find many interesting moments in the rest of the book. Teachers of journalism will find numerous useful pieces on a variety of topics in mercifully small packages. I suppose it will be difficult to find the book in Iran, which may be just as well. As far as that unhappy country is concerned, one is not left with much about which to feel optimistic.

About the Reviewer

Tim Hamlett is a Professor in Journalism at Hong Kong Baptist University, Hong Kong. In the UK, he worked as a journalist for a variety of publications, including the Derby Evening Telegraph, Newcastle Journal and The Guardian. In Hong Kong, he worked for the Standard and the South China Morning Post. Professor Hamlett broadcasts occasionally for RTHK, as presenter of The Week in Politics.
Carl Hoffman
The Lunatic Express: Discovering the World . . . via Its Most Dangerous Buses, Boats, Trains, and Planes

Reviewed by Rob Ewing Hong Kong Baptist University, Hong Kong


The concept for Carl Hoffman’s book The Lunatic Express is ostensibly simple: to write a travel narrative about riding the world’s most dangerous conveyances. The idea was to experience mass transit as the majority of the world does, under the radar of tourism statistics, in places where the necessity of motion entails long, arduous and uncomfortable trips on poorly maintained vehicles … vehicles that don’t always make it.

And so Hoffman circumnavigates the globe, starting and finishing at his home in Washington D.C., weaving his way across South America, Africa and Asia. He seeks out the same routes on which buses plunge, ferries sink, trains derail and planes crash. Each chapter opens with a news clip of a transportation tragedy, and Hoffman spends more than a few pages recounting grisly tales of things gone wrong.

Subtract the danger and the settings (which can be difficult considering they include the wilds of the Amazon river basin, the chaos of Nairobi, the desert of northern Afghanistan and the seas of Indonesia’s islands), and the subject is commonplace - commuting to work, moving goods, visiting relatives – all of our mundane daily journeys filled with inconvenience and discomfort and time spent waiting.

But even with the most seemingly pedestrian of subjects, the best stories grapple with universal truths. Hoffman takes these journeys, ordinary for his fellow passengers, and holds them up for readers to consider in the frame of life and death, touching on the larger issues of human connections, intimacy and trust as well as delving into sociopolitical commentary on the worlds of the haves and the have-nots.

Similar to Paul Theroux’s travel writing, only without Theroux’s witty cynicism and arrogance, the main focus of this book is the journey and the people met along the way, not the destination. Hoffman comes to his interactions with fellow passengers with genuine curiosity and an openness resulting from his surrender to fate, dirt and crowds. Because it’s the people who make the book: Pierre Colly, the 24-year-old survivor of the Joola, who for the first time tells his heartbreaking story of escaping the Senegalese ferry that sank, killing 1,800 people, 300 more than the Titanic; Mrs. Nova, a bubbly 17-year-old who takes Hoffman under her wing on a five-day, roach-infested Indonesian ferry; Nasirbhai, the Mumbai thug featured in Gregory David Roberts’s Shantaram, who expertly guides Hoffman through the perils of riding India’s commuter trains. These are people who watch out for him, people who take him into their homes and make him tea and feed him and introduce him to their families.

And, like most good travel stories, there is an element of the personal. The sub-narrative here is that Hoffman turns these interactions back on himself, using them as a gauge to examine his own failed marriage, fear of intimacy and inability to feel comfortable in his own life.
Hoffman is clearly addicted to the intensity of facing his own death. On the blog he kept during his travels (http://thelunaticexpress.com/blog/), he explains his curiosity of the unknown by describing how he sometimes closes his eyes while driving and seeing how high he can count (he makes it to three). After years of traveling and reporting, he reaches the point where he looks forward more to leaving home than returning, seeking out the most horrific of travel conditions. “It made me feel alive; that edge was a powerful aphrodisiac, and weeks without it at home made home seem quiet and boring,” he writes.

Ernest Becker, in his book *The Denial of Death*, says: “The idea of death, the fear of it, haunts the human animal like nothing else.” Basically, Becker’s philosophy is that all human activity is designed to overcome the terror of death by denying awareness of it. But Hoffman propels himself directly into that awareness, and uses it to identify his own limitations and then feeds on it as energy. Traveling is just a way to get to the edge.

This addiction to the edge is one familiar to soldiers and conflict reporters. In *War Is a Force that Gives Us Meaning*, foreign correspondent Chris Hedges describes how the adrenaline rush of combat can hook people, causing them to “feed recklessly off the drug.” Journalist Sebastian Junger refers to risk as a beautiful woman he is in love with, a woman who makes him feel special and alive. Hoffman is no war reporter, but he craves that same intensity, seeking it out despite the obvious costs.

And this is where some frustrations come in. At times it’s hard to sympathise with Hoffman, a self-proclaimed curmudgeon, and his travel-induced self-psychotherapy that concludes with him being startled to realise, more than once, that his love of risk and wandering is really also a fear of intimacy. He bemoans his disconnection from his family and stresses his wish to set things right, and then on the next page calls them from a computer with a broken web camera on Christmas Day. And there is a brief, ambiguous love affair with a younger American woman in India that Hoffman uses to highlight his detachment from his own life but ends up being out-of-place and slightly pathetic.

But for the most part, Hoffman sticks to the theme and does an excellent job of creating vivid scenes and depicting people with dignity and compassion. He immerses himself in his surroundings, drinking tap water, buying street corner food and sleeping shoulder-to-shoulder in cramped conditions. “Doing so prompted an outpouring of generosity and curiosity that never ceased to amaze me. That I shared their food, their discomfort, their danger, fascinated them and validated them in a powerful way.”

There are moments when he breaks, when he yearns for escape and hides in the security of being able to slip in and out of his experiences with money, in which the comforts of life are boiled down to space, hot water, a clean bed and silence. But he acknowledges this without attempting to apologise or cover it up, and it adds needed contrast and reflection to his experiences. However, there are also moments where you want to tell him: Yes, we get it; the world is poor and life is tough, but people adapt and overcome. He spends a lot of words driving this point home, returning again and again to the sense of community he feels, which teeters on the edge of being preachy. The most telling cultural moment is when Hoffman returns to his native US and sees his own country as inhospitable, isolated and sad. It’s the only place on his entire journey he says, that the vehicle broke and couldn’t be fixed.

Travel writing has a bad reputation. It has been known to involve bland clichés, overused words such as ‘intoxicating’ and ‘sun-dappled’ and peddle banal endorsements of ‘magical’ spots in a ‘land of contrasts’.
Travel writer Chuck Thompson wrote, “The most memorable experiences – getting laid, getting sick, lost, home – always seem ‘too negative,’ ‘too graphic,’ or ‘too over the heads of our readers’ to find their ways into print. Inside information on the vagaries of the travel industry itself borders on the sedition.”

Hoffman is a contributing editor at National Geographic Traveler, Wired and Popular Mechanics and has published in Outside, National Geographic Adventure and Men’s Journal. He said in an interview with Rolf Potts that he considers himself more a journalist than a travel writer. But The Lunatic Express is an example of just the kind of book the travel-writing industry needs. Books with adventures, yes. But also with thoughtful narratives that are not just based on observation and reporting but ones that also make connections and reflect on larger issues with candor, sincerity and humility.

Hoffman’s fearlessness is a reminder that fear is a state of mind, because, after all the hype, all the horror stories, all the morbid soliloquies, nothing bad actually happens. Hoffman dramatises bus breakdowns and goes through possible death scenarios a few times in order to add tension to his otherwise non-fatal trips. Not to say that traveling can’t be hazardous – and it is, particularly so in the parts of the world Hoffman writes about – but that death can sneak up on us anywhere, even while sitting quietly at home. And after all, the odds are pretty much on our side.

A Sri Lankan seaman Hoffman met while waiting for a flight in the Addis Ababa airport, summed it up: “But remember, you never know when you will die, so you must be happy all the time.”

Footnotes

About the Reviewer
Robin Ewing is a journalist currently teaching in the Department of Journalism, Hong Kong Baptist University, Hong Kong.
Lindsay Tanner
Sideshow: Dumbing Down Democracy

Reviewed by Myra Gurney University of Western Sydney, Australia

It has been said that the media doesn’t tell readers what to think, it tells them what to think about. The role of the media in the public conversation about politics is the central thesis of this recent book by Lindsay Tanner, recently retired ALP member for Melbourne and widely respected Rudd government Finance Minister.

In the twenty years since UK Minister for Trade, Lord Young, remarked that, “policies are like cornflakes, if they are not marketed, they will not sell”, there has been a noted shift in the public discourse around politics, and politician themselves have become the commodities to be marketed and sold by their parties at the behest of their media advisors. New forms of media have meant that the enactment of politics itself has become shaped by the needs and imperatives of the 24 hour news cycle which in turn is increasingly shaped by commercial imperatives.

Political parties are now thought of as brands which operate in the marketplace of public opinion which must be sold in digestible, visually engaging chunks and 30 second soundbites tightly crafted to fit the formula of the evening news, and policy is increasingly being shaped by focus groups. More broadly, globalisation and the rapid evolution of new forms of digital media are having a major impact on traditional media business models and media worldwide is undeniably in a state of flux. The role of journalism, and of journalists, is being challenged, with some, such as US media scholar Robert McChesney, arguing that objective journalism is in serious decline because of what he refers to as “commercial carpet bombing” (151).

Tanner’s book continues this theme which has already been explored by a large number of international political communication and media theorists as well as by other recent Australian publications including ABC journalist Barrie Cassidy’s (2010) The Party Thieves, Australian journalist George Megalogenis’s (2010) Quarterly Essay Trivial Pursuit, ALP historian and former NSW Education Minister Rodney Cavalier’s (2010) Power Crisis, and even the much maligned former ALP leader Mark Latham’s (2005) The Latham Diaries. Each of these comments on the malaise that appears to be infecting politics and the public’s engagement with politics, both in Australia and in Western liberal democracies more broadly. Tanner says in the introduction that his decision to leave politics and motivation to write the book was “ … the descent of our public life into the artificial media world of virtual reality. It’s a lot easier to sacrifice family relationships in pursuit of big ideas and crucial reforms than for announceables and soundbites” (3) and that “while its outward forms remain in place, the quality of our democracy is being undermined from within. One of its critical components, a free and fearless media, is turning into a carnival sideshow” (1).
Tanner opens by acknowledging that his book is “a work of opinion and analysis” (7) but it is very well researched and forensically argued, referencing a large array of credible Australian and international academic and media sources. The book’s central thesis is that there has been a significant decline in the past 20 or so years in the quality and tenor of political reporting and of journalism in general, as the raison d’être of newspapers and of electronic media more broadly, has shifted from a focus on straight reporting to a reframing of news as entertainment. This in turn he argues, has changed the way in which politicians themselves deal with the media, creating an increasing reliance on the role of media advisors and spin doctors. The result is politics driven by “mediathink” – that is, political decisions propelled by how policy will be played out in the media rather than by their substance, value or effect. “Genuine outcomes are completely swamped by transient appearances” (3) he contends.

The pièce de résistance cited is the widely derided, trivial media circus that was the 2010 Federal election, with its main protagonists being “The Real Julia” (or “Juliar” according to Alan Jones), and “Phoney Tony”. The result as we know was a hung parliament and an electorate increasingly disengaged and cynical, seemingly unprepared to definitively give power to either of the major players. Within the current climate, politicians and political parties appear unwilling, or unable, to develop and prosecute serious political reform in the national interest rather than in the sole interest of swinging voters in marginal seats or in the interests of powerful groups like the mining industry or licensed clubs lobby group, with large budgets to spend on glossy advertisements.

Tanner’s argument is measured, nuanced and complex and approaches the issue from a range of perspectives, and this is one of the most valuable contributions of the book. His early chapters, which are the best, examine the evolution and reframing of politics as entertainment and in particular the role of the commercial television model in this evolution. He develops the argument famously posited by Neil Postman (1985) in Amusing ourselves to death: public discourse in the age of show business, that television “has made entertainment … the natural format for the representation of experience” (16). Editors and producers he argues, are increasingly fearful that readers or viewers will be bored by any substantial treatment of policy, and political coverage has consequently been largely reduced to little more than the latest opinion poll and of the latest pseudo-events, stage managed for the nightly news: Tony Abbott scaling fish in an abattoir in a mock dialogue with workers about the impact of the carbon tax; Julia Gillard in a classroom taking a lesson, talking about the benefits of the MySchool website or in the ubiquitous hard hat and fluoro vest at a wind farm spruiking the economic and environmental benefits of renewable energy; Kevin Rudd comforting the young or the elderly in hospital trying to sell his health reforms.

Coverage of policy, the book argues, has largely given way to coverage of politics because media “is ravenous for conflict, splits, rows and failures … and stories are presented through the lens of conflict between two parties or positions to maximize their dramatic qualities. Everything is focused on attracting attention and presenting the audience with simple choices of good or bad, or the red team or the blue team” (42). Any sniff of disagreement between party members over policy is automatically framed as “leadership crisis” or “party split”, criticism is framed as “savage attack”, a policy encountering difficulties is “in tatters,” a few boatloads of asylum seekers becomes “an invasion”.

The constant hyperbole and selective reporting more often than not distorts the readers’ and viewers’ perceptions, by manipulating emotions, and by exaggerating and misrepresenting risks. The current
campaign (acknowledged by News Ltd chief John Hartigan) by elements of the News Limited stable against the Gillard government and the carbon tax is a good example, and Tanner concludes that it is the widespread misuse of language which is contributing to a subversion of public discourse (51).

Increasingly, it is argued here, the focus in political reporting is on the style and personality of the individual leaders rather than on the substance of their policies, and this mounting emphasis on celebrity “has been accompanied by a declining interest in factual accuracy” (82). The book gives numerous examples from Tanner’s years as a senior minister with the Rudd government. Politics, and election campaigns in particular, (and these days we seem to be in one perpetual election campaign), are reported like a horse race and the focus of journalism, both tabloid and broadsheet, has shifted to what media theorist Margaret Simons describes as a “preoccupation of pitch over content” (68).

In this almost hostile environment, politicians have, Tanner argues, therefore had to adapt their communication strategies, relying increasingly on media professionals to help them navigate the treacherous waters. The criticism of politicians that in interviews they never answer questions directly is a response to what Tanner describes as “attack journalism” and a lot of media energy “is devoted to the search for gaffes” (41) leading to ‘gotcha’ political coverage (Tony Abbott’s now famous admission to Kerry O’Brien – in 2010 – that without prepared and scripted remarks, his statements can’t be taken as “absolute gospel” is a good example). The increasingly combative nature of interviews, where journalists repeatedly demand that a minister absolutely rule something in or out, and where failure to give a definitive answer is interpreted as the opposite position, has created the environment where vague, “non answers” and constant repetition of focus-tested key phrases, are the norm.

Tanner doesn’t seek to hide his own complicity but remarks that “the overriding concern is to avoid getting into a tricky argument where there is a risk that you’ll say something that can be misrepresented to your disadvantage” (94). Respected economics writer Ross Gittins has argued that one of the failings of the Rudd government was its “obsession with controlling the 24 hour news cycle” and that was central to its problem with implementing policies. Trapped in the inescapable vortex of doorstops, “photo ops” and “announceables”, the ability of senior ministers to explain and defend complicated policies, ultimately atrophies. According to Gittins, “media minders’ stock in trade is always to change the subject, never to stand and fight; to bamboozle, never to educate” (111).

Tanner has been criticised, mainly by those in the media at whom his critique is broadly aimed, of “blaming the messenger”, and of offering no solutions to the problems he has outlined. He has also been criticised for failing to give closer coverage and more detailed examples of the failures of the Rudd government and his close colleagues. This is not entirely true, nor entirely fair.

The voice of the book is that of a detached observer and it was never intended to be The Latham Diaries volume 2. In interviews since the book’s release, he defends this decision, fearing rightly I believe, that any attempt to “dish the dirt” on his colleagues would, in the parlance of political commentary, “consume all the oxygen” and detract from the serious point of his thesis. It would also, in the current climate where the legitimacy of Gillard and her minority government is under constant barrage, have provided further fodder for those on the conservative side of politics who seek to entrench the perception of a disunified government. In fact in a delicious piece of irony, on the day of the book’s release, the Melbourne Herald Sun ran the
headline, “Insider lets rip on Julia Gillard, Kevin Rudd governments, labeled ‘dumb democracy’”. Greg Jericho who writes the blog *Grog’s Gamut*, commented that “this may actually be the first time a book’s thesis has been completely proven correct before the book has even been officially launched.”

Another of the criticisms of Tanner’s critique has been that, while he gives plenty of examples of what he considers the lamentable and ultimately dangerous state of affairs, the culpability of politicians and political parties themselves is downplayed or insufficiently addressed. To some extent this criticism is justified. While he is quite up front about the fact that he often, reluctantly, “donned a floppy hat and did a song and dance” in order to garner attention, the role of the party machine and the undue influence afforded to the so-called “faceless men” does not feature in the analysis.

He quotes ex-British PM Tony Blair in his own defence who acknowledged that while too much time and resources are devoted in government to dealing with the media, to do otherwise would be “like asking a batsman to face bodyline without pads or headgear” (127). What he does not deal at all with the extent to which this has been driven partly by the changing nature of political representation, the dominance of the professional politician and the hollowing out (on all sides of politics) of genuine links between constituents and their elected representatives. Jonathan Green writing recently in *The Drum* about the appointment of former NSW ALP powerbroker Karl Bitar to lobby on behalf of James Packer and Crown against the pokie legislation, observed that, “And there lies a sobering truth of modern politics: it’s simply a professional game played by people with no allegiance other than to the outcome required by the moment. It is a game of influence, opinion control and issue management, a sophisticated lark for the dispassionate professional. It is certainly no place for deeply held conviction.”

The role of Stephen Mills’ (1986) so called “new machine men” with their penchant for the techniques of marketing which treat politics and politicians as ‘brands’ to be packaged and managed, has the ultimate effect of elevating them into positions of power, often with far more influence than many elected representatives. Kevin Rudd’s plummeting popularity in the polls after he reluctantly decided to follow advice to ditch his Emissions Trading Scheme (ETS), is an example of not only the tail wagging the dog, but the folly of over reliance on marketing and focus group research.

The second half of the book works hard to weave into a coherent narrative, the broader social, historical, cultural and economic changes that lie at the core of the current situation. Ultimately Tanner concludes that no one in particular is to blame but that the sideshow syndrome is symptomatic of a range of broader issues including major structural changes in Australian society. He cites theorists and commentators from Habermas to Chomsky who question the conventional mantra that journalism is a simply a service to democracy but who argue that news is as much a product to be bought, sold and marketed as sausages or furniture and the commercial imperative will always be predominant.

The culpability of readers and viewers is also raised, with the resurgence of populism being blamed on the developing “snack reading habits” encouraged and engendered by new forms of media – immediate, available, tasty and appealing, but ultimately empty of calories. The obsessive focus on the personal and the individual over the social, *Australian Foreign Affairs* editor Greg Sheridan concludes, is related to the impact of “the narcissistic identity obsessions of our age” on the political process (172). Tanner falls short of blaming the audience however he concludes that “it is difficult to determine whether declining interest in
media coverage of politics reflects a decrease in interest in politics or a reaction to the way the media cover it” (176). He is not arguing that the answer is a simple matter of cause and effect relationship, and the later chapters draw on a potpourri of social and cultural theories to add extra layers to his analysis.

Finally, the major issue that needed to be given more space in the narrative of the dumbing down of political coverage in traditional news platforms, is the impact of new technologies like the internet and pay television. These have undermined traditional business models of newspapers and broadcast media, allowing readers and viewers to consume news through an increasingly large variety of personalised, nched platforms, forcing traditional media to reposition itself to cater for the remaining audience by making their offering more general and more entertaining. The consequence for newspapers in particular is fewer journalistic resources and tighter deadlines which is having the effect of forcing newsrooms into increasing reliance on pre-packaged secondary news product such as self serving press releases and tighter adherence to familiar frames into which the news can be more easily poured with guaranteed results.

The book concludes, perhaps justifiably, that the story ending remains to be told. “There is a serious problem confronting our society, but it isn’t clear whether it is transitional or permanent in nature, nor whether it will eventually be corrected by market and social forces (191). While this is somewhat disappointing after what has gone before, overall it was refreshing to read a book written by a politician which valued intellectual contemplation of an important issue, free of the self serving “kiss and tell” ingredients which populate most political biographies. Finally Tanner notes that he doesn’t expect the broader media to celebrate his insights as most are largely oblivious to their own culpability. Many in fact he says will be disappointed because “personal attacks and salacious revelations seem to sell well: abstract discussions about the future of democracy don’t” (p6). For political junkies, as well as readers who are concerned about the substance of our democracy and the influence of media on our perceptions and lives more broadly, this is a highly readable, accessible and often entertaining and thoughtful book.

About the Reviewer

Myra Gurney is a Lecturer in communication and professional writing in the School of Communication Arts at the University of Western Sydney. She is currently working on a PhD related to the political language and discourse of the climate change debate in Australia.
Two contrasting books are on offer about the world’s most newsworthy website. Serious fans or students of the WikiLeaks phenomenon will certainly wish to read them. Less motivated readers may consider skipping both.

Daniel Domscheit-Berg (hereafter Berg – nobody is going to become famous with a surname like Domscheit) is that most dangerous of sources, a disgruntled former member of the group. He met Julian Assange early in the WikiLeaks story, and gave up his day job to work full-time on the site. He was sometimes described – to Assange’s fury – as a founding member.

He makes no bones about the fact that the parting was emotional and acrimonious. If not a spurned lover, he is at least a scarred example of the way in which so many human relationships forged in adversity can come apart under the pressures of success. Berg tries to write objectively about Julian Assange. He does not always succeed. But the reader, having been warned, can take a great deal from this book.

The author is a keen observer with a good eye for detail. WikiLeaks was, contrary to the impression it tried to give at the time, originally a very small organisation, and Berg saw a great deal of what went on. He is now (too late, alas) quite self-aware and critical about much of it. He circles round the most central question: publicity and openness are wonderful things, but some things should not be published. The delicate issue is who should decide what goes in which category. I do not claim to know the correct answer to this question, but I fancy it is not two computer geeks meeting in a Hamburg bar.
In a way, this is a story of innocence corrupted. The original idea of WikiLeaks was that documents would be published whole, on the website where anyone could read and use them. With this went a number of small rules to discourage grandstanding or discrimination. Documents were, for example, to be published strictly in the order in which they arrived.

Somehow when WikiLeaks became famous, all this seemed too much trouble. Media organisations who offered editing help in return for early access were entertained and encouraged. Selection from the vast trove of material became inevitable and there was a strong temptation, not successfully resisted, to publish the most sensational items as soon as possible. Reporters who got their noses into the trough were extremely keen to exclude rivals, with the sorry exception of The New York Times, which seems to have lost its taste for revelations which embarrass Washington, and gradually excluded itself.

Berg writes about all this ruefully, clearly, and with an engaging willingness to describe his own feelings and failings. The translation is excellent. The author is occasionally prescient. His comment about future WikiLeaks material – “I hope he’s got it somewhere safe and sound” – now seems particularly apposite. His descriptions of dealing with some of the “old media” will make some people cringe, and so they should.

Andrew Fowler is not a “Wikiperson”, former or current. He is a reporter, and his book has the virtues and vices which go with journalism. To start with it has a grossly overblown title. I am prepared to believe that WikiLeaks has some claim to be the world’s most dangerous website. After all few websites manage to be dangerous at all. It is much harder to believe that Assange is “the most dangerous man in the world.” All right, Cheney and Rumsfeld have retired, Muammar Gaddafi looks a hot candidate for a lamp post and Osama is dead.

Still, Assange does not look particularly dangerous by international standards, though perhaps a warning is in order to gullible single ladies with spare bedrooms. Assange often camps in other people’s places and, it seems, frequently gets more from his hostess than tea. Both of our writers tiptoe rather carefully round Assange’s rape case, no doubt because it is still in progress. Fowler covers a lot of ground and much of it is interesting, Assange had a spectacularly dysfunctional childhood and an interesting early history as an idealistic hacker. People who appear in Berg’s work merely as names and numbers are interviewed and described. Fowler finished his book late enough to read Berg’s, and to bring the story more up to date. So far so good.

But Fowler also has some irritating habits. Of course one wants to make the most of the story, but ‘grandiosing’ at book length leaves the reader feeling that Fowler is somewhat lacking in a sense of proportion. He also occasionally inserts a bit of speculation: nothing drastic and usually labeled with ‘probably’, but still. There are strange pointless digressions, like “When the fax machine at Twitter’s headquarters in San Francisco spat out its latest complaint just before Christmas 2010 it might have been another dissatisfied customer … But in fact it was the latest development in the WikiLeaks investigation.” A new section starts with, “In Reykjavik the weather for August was unusually dry and warm…”

Fowler could have done with a more ruthless editor. He could also have done without the footnotes, which charitable readers may ascribe to the delusions of academic grandeur associated with being published by the Melbourne University Press. The purpose of footnotes is to enable suspicious readers to check the author’s information with its source. To have a large number of footnotes saying “author interview” is a waste of paper. Such sources can be acknowledged in the text, as they would be in ordinary newswriting.
The same goes for snippets recycled from Australian newspapers. Citations of conventional media, if they must be offered, should include more precision than just the month.

_The Most Dangerous Man in the World_ is well written and even, in places, exciting. It contains a great deal of information, though sceptical readers may fear that much of it is not very important. It gives a detailed description of Assange, whose puckish androgynous face and prematurely silver hair adorn its cover. But Assange, as they used to say of President Roosevelt, has a “heavily forested interior.”

Future historians will find Berg's book a useful source of first-hand information. Fowler no doubt has already discovered that today's journalism is tomorrow's fish wrapping.

About the Reviewer

Tim Hamlett is a Professor in Journalism at Hong Kong Baptist University, Hong Kong. In the UK, he worked as a journalist for a variety of publications, including the _Derby Evening Telegraph, Newcastle Journal_ and _The Guardian_. In Hong Kong, he worked for the _Standard_ and the _South China Morning Post_. Professor Hamlett broadcasts occasionally for RTHK, as presenter of “The Week in Politics.”
Micah Sifry
WikiLeaks and the Age of Transparency

Reviewed by Xanthe Kleinig


We are at war. It is a covert operation, waged largely under the radar of the mainstream media, but the endgame is nothing less than revolution. Welcome to the ‘Age of Transparency’, an era in which hackers ‘attack’ the websites of alleged wrongdoers and leakers of government information can be charged with aiding the enemy. It sounds fantastic, but Micah Sifry’s “report from the trenches”, *WikiLeaks and the Age of Transparency*, is a chronicle of today.

Sifry co-founded the *Personal Democracy Forum* in 2004; originally an annual conference, it is now a year-round network for the transparency movement. He is also a founder of the *Sunlight Foundation*, a non-profit organisation devoted to open government policy and the development of technological tools for accountability. It is a body of work that allows Sifry to claim Julian Assange as a contemporary.

Assange and WikiLeaks were front-page news last year when the organisation began the systematic release of diplomatic cables amid a storm of press coverage. Dedicated observers will recall the release of Assange’s collateral murder video, a military tape of US helicopters firing on Iraqi civilians. Since then there’s been reams written about Assange, his motives, and what his methods mean for government and the media. Sifry defines a useful three-phase framework for the analysis of the WikiLeaks project. The first, between 2006 and 2009, is when the site simply processed information dumps, the second phase is when it began exercising editorial control over that material, and the third when WikiLeaks began to negotiate the release of its information via mainstream media.

But Sifry traces transparency efforts beyond WikiLeaks, specifically to 4.31 pm on April 23, 2003. This is the exact time and date that blogger Matthew Gross, working on Howard Dean’s campaign for the US presidency, started an “ask the Dean” campaign thread on an online political forum. Sifry argues that this post was the beginning of a “bottom up” revolution of people connecting and collaborating with each other for larger political aims.

He explains the revolutionary changes in the economics of information, connectivity and time that have made this possible. Information today is no longer reliant on print and paper, instead it can be shared instantaneously with the touch of a button. And networks are now “many to many” (42), freed from the limited number of relationships a single person or organisation can maintain. In parallel, the physical limits of space have exploded with the internet’s infinite capacity to store content.
Sifry calls this new environment the “Age of Transparency”. It is here, he says, “Not because one transnational online network dedicated to open information and whistle-blowing named WikiLeaks exists, but because the knowledge of how to build and maintain such networks is now widespread” (8).

*WikiLeaks and the Age of Transparency* is a potted account of this power shift in who controls and manipulates information. One example is a crowd-sourced mash-up of data and maps that was initially used to report casualties in conflict zones. Its application has now spread to everything from fixing street signs to the disclosure of bribe payments. Sifry points out that because of the spread of technology and know-how, grassroots organisation around common goals is now virtually effortless.

Sifry is a proud parent of the burgeoning transparency movement. Some of the significant events he describes at geek conferences are those that only a fellow techie could love, and sometimes his enthusiasm for the material appears to be overly personal. But his insights into Assange’s personality, scarce as they are, are well worth reading. The impression he presents of Assange is that of a dedicated, but paranoid, activist. On one occasion, Sifry describes meeting Assange, an invited guest at a conference in Barcelona. He and a colleague had to spend hours convincing a suspicious Assange that the conference organisers had a benign relationship with the US government, despite their acceptance of funding for travel costs from the US embassy. Sifry describes the efforts of those who have left the WikiLeaks organisation to set up other ‘leaks’ organizations without the “autocratic control and (Assange’s) personal problems”. In one reported email exchange, Assange writes to a disgruntled supporter: “I am the heart and soul of this organisation, its founder, philosopher, spokesperson, original coder, organiser, financier and all the rest ... If you have a problem with me, piss off” (158).

Sifry pays tribute to Assange’s success in creating a “stateless news organisation”, freed from the media’s corrupting links to government. But he stops short of endorsing Assange’s stated aims. He hints that Assange is on a deeply radical mission, not of improving government, but of creating a situation where it is, “impossible for ‘the conspiracy to think, act and adapt’” (160). Sifry’s own goal, of opening up powerful institutions and making them more accountable, is modest by comparison.

Which faction of the transparency movement will win the war remains to be seen. And we do not yet know whether Sifry’s conflation of the transparency movement with WikiLeaks is an enlightened vision or hopeless idealism. There are many questions to be asked about what effect transparency will have on the way bureaucracies deal with information, how governments communicate with their people, and how journalists navigate the responsibilities we have to audiences and sources. In the meantime, Sifry has written a valuable field guide to a dawning Age of Transparency.

About the Reviewer

Xanthe Kleinig got her first job as a journalist reporting for a country newspaper in South Australia and has since worked for News Ltd in both Adelaide and Sydney. She currently works for the ABC.
Charlene Li & Josh Bernoff
Groundswell: Winning in a World Transformed by Social Technologies

Reviewed by Reisa Levine


Dedicated to Gary Macintyre Boyd (1934 – 2011) Professor Cybernetics scholar and a great mentor to many.

Seems like everybody’s talking about the *Groundswell*. Not just the book but the social phenomenon, the quickly growing “trend in which people use technologies to get the things they need from each other, rather than from traditional institutions like corporations”(9). Considering this clever appropriation of the term ‘groundswell’ by marketing research giant Forrester Inc, it’s perhaps somewhat ironic that the book is aimed at teaching other traditional corporations how to jump into the groundswell and profit from it.

For the people who have actually created the groundswell, the millions of internet users who regularly share their opinions, ideas, videos and friendships online, the groundswell phenomenon may have a somewhat different significance, and as such they may not gain much from this book. Some may even find the book problematic for its heavy corporate and profit-driven focus as opposed to a more collectivist approach. But *Groundswell* is clearly aimed at the corporate world, which, generally speaking, has been behind in using social media and the Web.

The authors, Forrester Research analysts Charlene Li and Josh Bernoff clearly do ‘get’ the groundswell, and this book details an excellent framework with solid advice on how to develop new marketing paradigms within a connected world. Anyone looking for a “how to” manual will not be disappointed: *Groundswell* offers in-depth background, plenty of pertinent examples and several concrete case studies, as one would expect from a reputable company like Forrester. So from a purely business perspective, this book is a well-written and valuable guide. However from the critical perspective of someone who has witnessed and participated in the emergence of the groundswell online, there is nothing new here, and unfortunately there is no deeper analysis of the social context from which the groundswell emerged.

There is no doubt that the groundswell phenomenon “has created a permanent shift in the way the world works” (x), and that companies do have to reposition their messaging in order to move forward in this new era. So yes, if you’re a company strategist, it’s true that you had better be aware of this shift, and *Groundswell* can help. As Li and Bernoff point out, companies have been struggling with the fact that customers are no longer simply silent consumers.
The Web has given people another way to talk to one another, to criticise, denounce, and reinvent brands in their own fashion. And people, millions of them, are weighing in, on blogs, in YouTube videos, through user reviews and in every imaginable corner of the internet. This has terrified the corporate world, which has typically seen it as a dangerous loss of control. *Groundswell* clearly lays out how big business (and most of the case studies they mention are large companies) can stop being threatened by this culture of sharing and start using it to their advantage. *Groundswell* certainly isn’t the first book to talk about the “social computing” (9) phenomenon and its effect on markets, but what makes this book relevant to marketers and business executives is that it focuses on creating relationships with customers first and foremost, and then matching the appropriate technology to your goals.

The authors offer some well conceived tools to work with, such as the “Social Technographics Ladder” (43), which is a useful (if somewhat prescriptive) way to categorise end-users into one of six categories: Creators, Critics, Collectors, Joiners, Spectators and Inactives. They also clearly spell out various ways to engage with the groundswell, such as listening, talking, energising, supporting, and embracing, with each one described at length with pertinent examples. This is all helpful information for big and small businesses alike.

However chapter two, “Jujitsu and the Technologies of the Groundswell” begins to reveal what I find problematic with this book. The opening paragraphs of the chapter describe the groundswell as a potential problem for companies, unless they learn how to conquer it. They compare this to the Japanese martial art of Jujitsu that “enables you to harness the power of your opponent for your own advantage” (17). Li and Bernoff then brashly propose to “teach you about the forces at work in the new online world, then give you the tools to engage with these forces, and finally to arm you with the techniques you can use to turn those forces to your advantage.”

My problem with this approach is that the groundswell has actually been building within online culture for well over a decade now, thanks to the growth of internet technologies that have helped facilitate mass participation. Those of us who have participated in public conversations like to believe that this phenomenon bubbled up from the basic human desire to share information and to help one another, which Li and Bernoff actually do recognise when they talk about the reasons behind the groundswell. The Jujitsu master is an unfortunate metaphor, a typically corporate way of approaching the consumer/brand relationship: that is, the free-ranging opinion of your customers is something that needs to be suppressed and controlled.

In spite of this, I do commend Li and Bernoff for saying some things that the corporate world really does need to hear. It’s bold and refreshing to see a marketing research company like Forrester step outside the box to offer sobering notions such as Brazilian brand theorist Ricardo Guimarães argue: “Your brand is whatever your customers say it is.” (78)

Most of us, as consumers, can’t help but get a bit of satisfaction from the rebalancing of power brought on by the groundswell. After all, what do companies expect after pushing their brands and logos on us for decades? Are they really surprised that people, once given a public voice online, would pass up on the opportunity to express their opinions? Technology has finally given people a venue to participate and react to corporate marketers. However, marketers are a clever creed and as we see from the case studies outlined in this book, they are working hard to gain the upper hand once again and harness the groundswell for their own purposes.
To be fair, the authors also devote a fair bit of space to telling us stories about some of the more passionate individuals participating in the groundswell. These personal stories, many of them about how low-level employees win management over with a successful groundswell campaign, define the force of this phenomenon; the human relationships that are struck up and developed around very specific things. The testimonies have an impact, and in addition to describing the essence of the groundswell, they also help keep the book lively and engaging.

Nonetheless, the underlying motivations behind corporate participation in the groundswell are laid bare through many of the case studies offered. In one such example Li and Bernoff describe Proctor & Gamble’s beinggirl.com, a site aimed at young girls coming of age and invented to conceal the difficult task of marketing feminine hygiene products. The site is positioned as “a big dose of sensitivity with a small dollop of information and a tiny brand message”, and was a hugely successful international endeavour for P&G, the company that invented the daytime dramatic serial, better known as the soap opera. It’s not the astronomical numbers on the ROI (Return on Investment) that I find disturbing here, rather the attitude of P&G’s marketers who boast that: “We own this sort of growing-up part that people are too scared to touch”. As if P&G have some sort of ownership on puberty. Sure, the site is ingenious, with the clever and misleading tag line; “for girls, by girls”, but I think we need to question the motives behind the ‘goodwill’ and recognize the insidious side to this. Proctor & Gamble’s main goal here is to sell tampons, and they have invested exorbitant amounts of money in order to influence girls into becoming loyal ‘customers’. The advice and sensitivity is nothing more than a means to sales.

The counter argument to my concerns, and clearly Forrester’s stance, is that companies interacting with the groundswell have better relationships with their customers and therefore can create better products and services, and we all benefit from that. Although this may be true to some extent, we don’t all profit financially from it, and that’s a significant difference. However this position appears to be increasingly popular and almost all of the other reviews I’ve read of this book are glowinglly positive. Although I did come across a couple of critical reviews by more sober marketing professionals who caution that the social-media marketing gurus are dismissing well-established theory and practice. But why is it that there is so little public criticism nowadays of just how deeply we are allowing marketing into the minutiae of our lives? This new wave of marketers has ‘rebranded’ the very notion of marketing to a new generation of consumers. Marketing has gained an almost romanticised legitimisation and the complete integration into all aspects of our modern lives. It seems as if there is an important shift happening in the balance of power between consumers and corporations. Whereas the organic groundswell may have initially given more power back to consumers, the recent groundswell-marketing onslaught is clearly trying to change that.

My problem is not with the notion of marketing per se, as there are ways to tell people about things, to share, to influence and to really help one another without necessarily selling something. The tradition of “social marketing” is a long respected discipline that uses standard marketing tools to achieve non-commercial goals. It has traditionally been used by non-governmental organisations, school boards and not-for-profit groups to announce events, launch public service campaigns and influence ideas. There’s plenty of social marketing going on in the groundswell, and it’s a much better fit. But what the authors are proposing here is an outright appropriation of the groundswell for the purposes of corporate interests and profits, the very antithesis of groundswell behaviour.
Perhaps we early online “critics, creators and joiners” have been naïve in thinking that there was a bit of what Wired magazine defined as the ‘new socialism’ in social media. But the game is rapidly changing now that corporate entities have realised that they can use this phenomenon for financial profit, and even Wired now speaks of the death of the “collectivist utopianism of the Web.”

Traditional marketers and brands have now completely infiltrated the social media landscape and will probably, sooner rather than later, dominate the online world as they do all of our media and public spaces. But I have confidence that the groundswell will continue to be an elusive thing for corporations to pin down. Sure, there will be many successful displays of branding brilliance, but the groundswell is particularly good at sniffing out phonies, corporate spin, and overtly excessive greed. Not to mention the groundswell’s ongoing response to companies who make products that are bad for the environment or that are produced with unjust labour practices. Because ultimately, the groundswell is constantly realigning the balance of power between companies and people and is only just beginning to demonstrate the unbridled influence of people connected.

About the Reviewer

Reisa Levine is a producer & host of The Digital Life Show. The Digital Life Show is a weekly half hour Podcast and radio program about how digital technologies are affecting our lives. Weekly broadcasts on Radio CentreVille and Podcast via the show’s web site thedigitallifeshow.com
Suelette Dreyfus & Julian Assange
Underground: Hacking, madness and obsession on the electronic frontier

Reviewed by Catriona Menzies-Pike Managing Editor, New Matilda


In 1997 an Australian journalist Suelette Dreyfus and a young geek called Julian Assange wrote a book about the subculture of hacking in the 1980s and 1990s. While noticed by some journalists, the book attracted the attention of hackers, internet activists and technology watchers. Indeed, it acquired cult status not only for its documentation of the work of hackers internationally, their subversions, achievements and disruptions, but for its equally dogged depictions of the law enforcement services lagging behind them. Hackers on the run from the law: a story now ubiquitous.

The young geek is of course now better known as the founder of WikiLeaks and the re-release of the book by William Heinemann this year sparked a great deal more notice than it did the first time around. The international media attention accorded WikiLeaks, particularly in light of the release of US diplomatic cables, and the number of books written about Assange himself mean that hacking has a very different profile compared to when Underground was written. Readers may still be unclear on the technical details, but the notion that hacking can be a political activity is now a familiar one – and the response of authorities to the activities of WikiLeaks, LULsec and Anonymous has revealed how seriously such an activity is taken. If hacking has a public face, the face looks like that of Julian Assange. The thing about hackers, though, is they generally don’t have public faces. Dreyfus calls them “the world’s most secretive people”. Almost all the hackers profiled in Underground appear under their online pseudonyms (there is speculation that one of these pseudonyms belongs to Assange). While the ethics of hacking described in the book advocates no damage to systems, the activities described had, and still have a shadowy legal status at best. This was the case in 1997 when authorities were struggling to name the crimes being committed by the hackers, and it’s certainly so now. Given the zeal with which Assange, as the public face of WikiLeaks, and Bradley Manning, the alleged source of the US diplomatic cables, have been pursued, it’s unlikely that the mantle of anonymity will be thrown off by hackers anytime soon.

When Dreyfus and Assange do provide details about hackers with handles like Phoenix, Nom, Anthrax, Mendax and Theorum, they are at pains to emphasise how ordinary and unglamorous their lives are otherwise. In other words, how the casual networks of shared interest which emerged in the late 1980s on bulletin boards were developed in suburban living rooms, sharehouse bedrooms, and spare rooms in family homes. From such ordinary surrounds they broke into US military computer systems to have a look around. They lobbed the infamous Worms Against Nuclear Killers virus into NASA’s computers. They hacked into universities, big corporate systems, phone companies. There’s plenty of excitement to be had reading how rogue individuals stayed two encrypted hops ahead of systems administrators and law
enforcement. Dreyfus and Assange are cheering the hackers on and it’s hard not to get swept away with them. At its best, *Underground* reads like a pacy thriller.

The subjects of the book got into phreaking too – gaining access to free phone calls in order to dial into international bulletin boards and break into systems overseas. This sub-genre of hacking may now be obsolete. Indeed, 1997 was a long time ago and so there are plenty of retro-technological specs in the book for those who relish such things. The hacks are relayed with plenty of technical detail – and Dreyfus credits Assange with getting this aspect of the book right. Such detail might be a bit much for some readers but it serves an important authenticating purpose.

To keep things moving, Dreyfus and Assange work hard to personalise the stories of the hackers – without compromising their anonymity. Most of the hackers who feature in *Underground* are young men, and the personalities that emerge from behind the pseudonyms are variously socially awkward, rebellious, intelligent, paranoid, messianic and geeky. Where there’s interpersonal drama between the hackers, the authors ramp up the emotional quotient of the prose. Techno-thriller gives way to soggy cyber-melodrama. That’s a shame, and it’s a bit unnecessary because the raw ingredients of *Underground* are so compelling, and the research which drives the book, so thorough.

All the hackers in the book have encounters with law enforcement agents on some level and one of the repeated motifs of the book is the emotional and material costs of these encounters. Difficult courtroom scenes are followed up by accounts of drug abuse, mental illness and social isolation. The punishments do not seem to fit the crimes. Hackers, the book suggests, who have done no damage, are damaged by the law. It’s an argument which merits some attention, but it’s repeated so many times in *Underground*, and so uncritically, that it becomes less persuasive.

This narrative of innocence is one that has been considerably rehearsed in light of the WikiLeaks cable release. Technically speaking, the release of cables doesn’t exactly qualify as a hack but the issues about illegal access and distribution of privileged information are very similar. On the one hand, the political, legal and corporate establishment speak as one: these are criminal activities and they threaten our security. Elsewhere, Assange and hack culture have been applauded as crusaders for freedom of information and as promoters of transparency. Their activities have been represented as victimless, their targets institutions rather than individuals, and their goals lofty. Dreyfus and Assange in *Underground* certainly side with this last camp. It’s a shame, but perhaps no surprise that they do not enter into discussion of the limits of the free speech imperatives of hack culture.

This new edition features an additional introduction by Dreyfus which reflects on her co-author’s change of fortune. It also includes a “where are they now” section which serves to underscore how damaging prosecution was for many of those involved in the hacking culture of the late 1990s. Just as WikiLeaks creates a new context for reading *Underground* which mandates its re-release, *Underground* provides readers with a new context for understanding the WikiLeaks project and more recent manifestations of hack culture.

**About the Reviewer**

Catriona Menzies-Pike is Managing Editor of New Matilda [http://www.newmatilda.com](http://www.newmatilda.com)

John Pilger has made over 50 films since his 1970 documentary debut “The Quiet Mutiny” where he reported the disillusion of American troops from the front line in Vietnam. Since then, he has reported on some of the most daring conflicts of our time including the aftermath of Pol Pot’s regime in “Cambodia Year Zero: the Silent Death of Cambodia”; his work in “East Timor and Palestine”; and his Australian Bicentenary trilogy where he exposed the hidden realities of Aboriginal Australia: “The Secret Country” (1983), “The Last Dream” (1988) and “Welcome to Australia” (1999). Pilger has received several prestigious journalism awards as well as television documentary awards such as the 2004 Royal Television Society Best Documentary award for his film on the story of the expulsion of the Chagos Islanders in “Stealing a Nation”, and the 2008 Best Documentary prize at the One World Awards for his film “The War On Democracy”.

John Pilger’s leitmotif can be summarized in his own words: “It is not enough for journalists to see themselves as mere messengers without understanding the hidden agendas of the message and myths that surround it.” Throughout his work spanning four decades, it is clear that for him there is more to the message than just the medium. And this is certainly the case in his latest film, “The War You Don’t See”. As with many – if not most – of his oeuvre, Pilger’s films ought to be compulsory viewing among high school and university students. Pilger’s films are as clear and informative as they are educational and didactic. The principles of construction, function and effect in most of his TV documentary practice have a rhetorical (rather than aesthetic) function. The main modality for constructing a film is the analysis and interrogation of a taken for granted truth. Pilger performs with his carefully chosen light coloured suits and his gaze from behind his reading glasses, that his is here to persuade us to look beyond what the mainstream media –in his latest film US and British media – are telling us. And this Pilger does it efficiently.

The film is presented as a 96-minute dissertation in 12 chapters. The introduction sets out very clearly what the film will be about. Let there be no confusion. It continues by providing a light critique of the concept of “embedded journalism” as it was used during the invasion and war in Iraq. Pilger tells us once again that he notion can be taken literally. Journalist individuals and institutions that are “in bed” with military strategists, who ultimately decide on the when, what, how and why of news reporting. Pilger reminds us of the infamous and ill-reported battle of Fallujah in 2004 and the failure of the main news agencies to report what went on there. In doing so, Pilger restates over and over again the prominent and unrecognised work of independent journalists that risk their integrity and their lives to show a different perspective to that of the military-defence-journalism media apparatus.
Pilger then invites us on a trip through the invasion of Iraq and the “dodgy affair” of weapons of mass destruction, to the bombing of Afghanistan, to a comparison of how propaganda in the 21st century operates in very similar ways as in the Vietnam War, the Second World War and the Nuclear Bomb over Japan in August 1945. Through the testimonies of prominent journalists such as former CBS Dan Rather and former BBC Rageh Omaar, Pilger offers a redemption to those journalists who, unlike him, fell in the trap of deception in the coverage of yet another war impelled by the US following the events of September 11, 2001. Events that only in Iraq, Pilger tells us, has taken the lives of over 300 journalists.

Pilger cleverly presents a view of the US as a country that transpires war: that breathes and eats and defecates war. Unfortunately, he barely touches in one of the main topics of this war on terror: that money and money-making are at the centre of modern war. This is what has happened in Iraq for the past decade and what is happening in Libya right now. As French newspaper Libération recently reported, Libya’s rebels promised France 35% of the country’s crude oil in exchange for supporting the Transitional National Council in its fight against Muammar Gaddafi. The unfolding new Libya— as I write — is yet another example of what Pilger brings to the forefront in his film: that contemporary war is about control of global resources and that modern democracies don’t leave marks in their deployment of war for this end.

Pilger cleverly presents a view of the US as a country that transpires war: that breathes and eats and defecates war. Unfortunately, he barely touches in one of the main topics of this war on terror: that money and money-making are at the centre of modern war. This is what has happened in Iraq for the past decade and what is happening in Libya right now. As French newspaper Libération recently reported, Libya’s rebels promised France 35% of the country’s crude oil in exchange for supporting the Transitional National Council in its fight against Muammar Gaddafi. The unfolding new Libya— as I write — is yet another example of what Pilger brings to the forefront in his film: that contemporary war is about control of global resources and that modern democracies don’t leave marks in their deployment of war for this end.

Pilger’s promotional impulse in “The War You Don’t See” is full of truisms (i.e. the weapons of mass destruction scandal in 2003 or the ongoing military occupation of Palestine). Just like his preceding film, “The War on Democracy” – with its range of stale truisms about US foreign policy in Latin America – his new film is filled with worn-out statements that are well known to be true and Pilger does little more than repeat facts and perspectives that have been well exposed. There are scarce poetic and expressive elements in “The War You Don’t See”. There is little surprise. Everything is meticulously constructed and staged. There is no suspense.

Pilger leaves nothing to the imagination of the viewer. Everything has been pre-digested for the viewer by Pilger the teacher-performer. The film is as much an expose of journalism’s complicity in promoting and legitimising war, as it is about Pilger himself as an independent investigative journalist in a quest to both make the truth surface from the rotten sewers of institutions such as Fox in the US and to showcase how, unlike some of his most prominent colleagues in the US and Britain, he never fell into the traps of the public relations (read propaganda) campaigns leading to the invasion of Iraq in 2003 and the ongoing military occupation of Palestine through the 2000s.

Perhaps the only exception is the scene of a street massacre of nine civilians by US forces in Baghdad in 2007. A cockpit video shot by Reuters reporters from an US Apache helicopter and released by WikiLeaks in 2010 shows not only the atrocities committed by US soldiers as “daily occurrences”, but also the colloquial language used by the perpetrators that comes to legitimise and consecrate these unsanctioned actions. Pilger intercuts this footage with the testimony of Ethan McCord, the first US soldier to arrive at the scene only to find two children massacred inside a car. In many ways this scene acts as a climax of the film and engages the audience not through the rational discourse of journalists but in an affective way from someone speaking from experience.

The scene is also a cue to bring to prominence the work of WikiLeaks since 2008. Pilger embeds WikiLeaks into his film as a strategy to give it currency. Through extended interviews with Julian Assange
(contained also as a bonus on the DVD of the film), Pilger seems to uplift the role of the whistleblower in investigative journalism. Whistleblowers are intrinsic to investigative journalism. Even in such occasions when they can be prosecuted in the United States, publishers and reporters are protected by the First Amendment in the US Constitution. What transpires from Pilger’s conversation with Assange is that this is not the case with WikiLeaks and journalists must not take this for granted. In “The War You Don’t See”, Barack Obama is presented as a warmonger who has failed to capitalize on his motto of change for ‘America’, by signing the biggest-ever war budget in US history (over 700 billion dollars). On the contrary, Pilger presents the view of the attacks on WikiLeaks and its founder, Julian Assange, as “a response to an information revolution that threatens old power orders, in politics and journalism”… as a reaction “of a rapacious system exposed as never before.” WikiLeaks is portrayed as fresh blood for the already moribund mainstream television and print journalism that Pilger attempts to discredit once and for all. Yet, once again, Pilger does not go deep enough to question how both mainstream and independent media (for example The Guardian) have actually profited hugely from the WikiLeaks disclosures.

In “The War You Don’t See” Pilger swims on the surface. He rarely goes deep enough, into unchartered waters where others dare to go. He rarely posits the most evident question that emerges from his critical eye: the end of journalism as we know it. He hints at it in an innocuous way when he criticises his colleagues and his profession as being mere public relations campaigners for the apparatuses of power in their own countries. But this has been said for the past decade in more assertive and meaningful ways. He also hints at it by entertaining the view that WikiLeaks is a landmark of investigative journalism, which like him, poses a threat to government and military information systems and soft infrastructures.

“The War You Don’t See” ought to be compulsory viewing as an introduction to understanding the role of big media in colluding with power in the promotion and legitimisation of war. Don’t expect to learn too much on your own from this film. More likely, be prepared to be taught by John Pilger the teacher, in his usual efficient and well-proven documentary film mode of address.

About the Reviewer

Dr. Juan Francisco Salazar is a Senior Lecturer in communication and media studies at the School of Communication Arts, University of Western Sydney, Australia. As a media practitioner he has produced several documentaries and experimental short films, and collaborated with a wide range of community media/arts organisations and artists including several local councils, creative studios and community development organizations in Sydney, Mexico, the UK and Chile. He is an international coordinator of the OURMedia Network since 2004 and was convener of the OURMedia 6th International Conference in Sydney, 2007. He has been a visiting research fellow at the Institute of Development Studies, University of Sussex (2008) and a visiting teaching fellow at the School of Communication, Universidad de las Américas, Mexico (2006).