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Truth, power and the rehabilitation of the facts

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Introduction

This paper is an attempt to analyze the age-old phenomenon of leaks – the deliberate disclosure of secret information – and its relationship with the principle of transparency in a democracy. Secrets might be deliberately leaked by the political establishment, which works to reproduce a negative dialectic in the public's handling of politics. Leaks can also take the form of public scandals that the press exposes as part of its function and as the product of the balance between the media and political establishments. Thirdly, there are what we might term denunciatory leaks, which are performed by a dissident or an actor from outside the establishment, and are generally motivated by reasons that have no bearing on the relations connected with the reproduction of the political and media establishments.

This paper situates the open source at the intersection between this latter legacy and the modern internet media, and it seeks to explain its impact on the principles of transparency and secrecy, and on the phenomenon of leaks, itself. In the process, it will examine the behavior of the political and media establishments towards leaks, with particular attention to their fluctuating attitudes toward transparency as determined by considerations related to the friend-versus-foe dichotomy, and their negative attitude toward leaks by dissident and non-establishment sources at home or overseas. This study also touches on excessive contrived or artificial transparency, which is another facet of the ruling establishment's monopoly on the truth based on the notion of factual relativity, and functions accordingly by pumping out large quantities of information in which truths and falsehoods are morally leveled.

It is the position of this paper that, theoretically at least, the open source and submission of leaked information to the tools of rational analysis can play an enlightening role by rehabilitating both reason (in the sense of intellect) and fact.

On leaking

The right to access information pertaining to public affairs is high on the list of rights, upon which are based the freedoms of opinion and expression and the right to political participation. Access to information is one of the most crucial political rights in a democracy, yet few democratic nations have actually legislated for it even though the secrecy establishment and codified confidentiality are byproducts of the evolution of the democratic system in the face of the citizen's right to access information. A system that regards transparency as the rule, and secrecy as a necessary exception to ensure the proper functioning of its institutions, holds that secrecy requires legally-regulated protection. For dictatorial regimes, by contrast, secrecy is generally a part of their self-definition: they need to monopolize information because they do all the thinking on behalf of the people. Since secrecy is the rule, it requires no limitations while openness is restricted to what the regime decides to make public, regardless of whether what it publicizes is true or false. This is the crux of the gulf between the ruler and the ruled, from which derives the former's majesty and prestige.

We thus have two poles: the monopoly on knowledge as a facet of the monopoly on power and authority, on one hand, and the right to know and unrestricted inquisitiveness, on the other. Between the two we find such factors as censorship of the press, the categorization of information as confidential, and legally regulated transparency. Transparency, when codified,

grants the right to access knowledge for a specific purpose, namely to form an opinion or a position, and serves as an essential underpinning of the right to impose systematized checks on authority in order to curb the abuse of power and influence.

Transparency as a mechanism evolved in tandem with the development of democratic institutions and human rights. Often, it has assumed institutionalized form. Examples are the official and unofficial monitoring agencies that issue periodic reports to the public, regularized communication channels between the political establishment and the media, such as the daily reports to the press by government press officers, open parliamentary debates (most recently in the form of live video feeds), and the right of parliamentary representatives to summon ministers for questioning. Nevertheless, however much the public's right to monitor government has broadened, the government's observation tower remains taller and commands a clearer and more panoramic view while the windows into people's lives have grown wider and more penetrable. Meanwhile, the concealment of information remains a tool in the government's hands. It enables policy decisions that are not submitted to the public for approval, the implementation of measures that would be unpopular or inconsistent with the government's stated policies and positions, and, of course, it facilitates flagrant lying, ostensibly for national security reasons. Such magic labels as “potentially dangerous to national security” and “a sensitive national security matter” confer an aura of sanctity on whatever information they are affixed to, placing it out of reach from all mundane rights and laws. Vast forbidden citadels have been constructed to house mountains of classified documents and are accessible only to the authorized inner elites.

Not only can such information be kept from the world outside that secret sanctum, entire webs of fabrication can be woven around any issue bearing the “Top Secret” stamp.

At the same time, the mechanisms that were developed with the purpose of facilitating journalistic investigation and transmitting news and information to the public can be turned into instruments to obstruct transparency and mislead the public. The institutionalized relationship between the press and government includes a significant component of mutual back-scratching. Officials and politicians “serve” the press by privileging it with news or inside information in exchange for the presses collusion in the suppression of information or the dissemination of false information. The suppression of information and dissemination of falsehoods can become essential tactics in propaganda campaigns to sway the public in favor of a decision to go to war, legislation restricting civil liberties, or other potentially unpopular actions that the government would not be able to take or that it would at least have to cover up to prevent the public from knowing its true motives or that the cited justifications were a sham. These tactics aim at avoiding the potential hindrance to the implementation of these decisions, legislations, or actions.¹

Divulging confidential documents and information is hardly a new feature in the relationship between governments and the political establishment, on the one hand, and the press and public

¹ This applies, in particular, to the recruitment of the American press in national security issues and the failure of the so-called “watchdog press” to perform its job. For example, not only was this organization guilty of negligence in investigating the lies the Bush administration used to justify the war on Iraq, it was to a considerable extent an active participant in the call to war and in the vilification of antiwar activists. Then, when the lies were exposed, it never explicitly apologised for its complicity but, instead, moved on to the next item on the agenda.

opinion, on the other. The moment governments acquired the right to secrecy in the conduct of their internal deliberations, as well as in the management of their relations with foreign governments, and the right to withhold information as a corollary to the concept of a single governmental authority (along with the right to monopolize the use of force), the phenomenon of selective leaks began. These are deliberately generated by the government as a means to control public opinion. Leaks are also a common tool used in the course of the mutual scandalmongering and mud-slinging between political rivals in the ruling establishment. However, they have also arisen in the framework of political opposition, inclusive of revolutionary struggle (in the pre-democracy and pre-transparency phases), in the course of exposing inconsistencies between word and deed in government and “raising the awareness of the masses.” Since the rise of the concept of public opinion and, in tandem with, the intermediaries that transmit news and information (namely the press and the media and general), leaks have become part of the processes of manufacturing and shaping public opinion.

As the foregoing indicates, there is no necessary correlation between leaks and the above-mentioned (government/political establishment versus the press/public opinion) dialectic. They can arise from internal governmental or party conflicts, from inter-party rivalries and, as has become increasingly common, from disputes among various branches of government over policy issues (whereby the military, for example, will leak information to the public in order to embarrass the government with regard to a policy that military officials oppose but do not have the authority to prevent). An example of this latter phenomenon is to be found in the frequent leaks to the press on the part of rightwing Israeli ministers or security personnel with the purpose

of obstructing government steps in framework of the Israeli-Palestinian negotiation process. A more significant example (albeit an inverse one) comes from the history of US diplomacy towards China during the Nixon era. Determined to keep the State Department and the Pentagon in the dark at the outset of the rapprochement with Beijing, Kissinger arranged an intelligence channel separate from the State Department cables. He was afraid that officials in Washington who were opposed to rapprochement, such as the CIA official Ray Cline and Senator Barry Goldwater, would see the cables and leak the knowledge to the government of Taiwan.²

Leaks are generally used to expose rivals or adversaries as liars, hypocrites and cheats, and, therefore, frequently assume the form of a public scandal. As important as such leaks may be, they remain within the realm of instruments of political control because the motive behind them is not so much the pursuit of truth and the promotion of transparency as it is to further a particular political agenda or to score points in the framework of the rivalries in the political establishment. These are targeted leaks. Generally speaking, after every such leak, over a long cumulative process, the public grows more acute to government methods of control and more skeptical towards politicians and their politics. Ultimately, therefore, the effect of such tit-for-tat tattling in unrestrained political infighting is to drive people to political apathy even if only out of the repugnance at what they regard, at best, as a dirty game between rival powers and interests. Targeted leaks thus become an anti-transparency mechanism. The original purpose of transparency is to involve the people, not to alienate them from participating in events.

² James Man, *The New Republic*, Nov. 29, 2010.

<http://www.tnr.com/article/politics/79489/keeping-secrets-even-wikileaks>

Another effect of such mutual political scandalmongering, and the attendant reconstruction of events and facts to fit policies and agendas, is to feed popular skepticism reflected in people's political apathy. This skepticism is not only toward politicians and their games, but also toward the facts as a concept. It thus fosters a popular mistrust not just of "the truth," but of the very quest for the truth. Accordingly, we can speak of a negative correlation between the political and media establishments and their impact on transparency and the citizens' right to participate, , and their confidence in the rational acquisition and deployment of knowledge as a way of thought in political affairs. Though not as a direct consequence of the foregoing, but in the same historic context, there have emerged cultural moods and trends, as well as philosophical currents, keen to turn fact and fiction into points of view of equal value on the one hand, and to turn truths and untruths into "narratives" expressing no more than a multiplicity of perspectives, on the other. What counts is the speaker's position or positioning or the "place he is speaking from" (i.e., his background, goals and interests). What does not matter, according to this outlook, is whether what he says matches up with the evidence or whether it has any objectively measurable value or substance. This is the kind of attitude or thought that produces superficial versions of the notion of "discourse," which is actually a valuable concept and quite useful for social scientists in their investigation of the relationship between knowledge and power. The outlook similarly produces warped versions of "the narrative," another worthy concept that has contributed greatly to the understanding of the processes of historiography, chronological compartmentalization and the production of identity. It offers a key to understanding the historical narrative as an account presented from a particular cultural and ideological standpoint. However, neither concept ever

sought to attribute equal weight to fact and fiction, whether at a given moment or in any comparison between word and reality. The disdain for facts on the grounds of their purported relativity, the fashion of passing this off as “post-modernist,” and the promotion of such cavalierness as a political culture are the flip-side of the ruling establishment's monopoly on information and license to lie.

In contrast to the foregoing are the leaks performed by dissenters from within government and institutional establishments who feel unable to bear the moral consequences of not revealing to the public information about the activities of a certain organization or agency that they fear are immoral or detrimental to the public welfare. At a further extreme of dissent are leaks by revolutionary movements, the aim of which is to prove their claims regarding the nature and practices of a regime. A frequently cited instance of this is the exposure by the Bolsheviks, after they arrived to power, of secret agreements between the colonial powers to divvy up the legacy of the moribund Ottoman Empire. This was then proven to be the prime motive behind the First World War, sustaining the Bolsheviks' contention that it was a colonialist war, not patriotic , totally belying the claims to the contrary by European governments, including the government of the Tsar. The Bolsheviks' wholesale disclosure of imperial documents and communications, and their consequent exposure of the workings of secret diplomacy, would have a profound and long-term impact on European political culture. It undoubtedly contributed to shaping a civic consciousness that embraces antiwar activism and opposes leaving decisions of war to governments alone. Still, this historical example of revolutionary inspired leaks predates the rise of transparency as a political concept and democratic institution.

In more recent and germane contexts, therefore, we have Daniel Ellsberg's leaks of the Pentagon Papers³ to the *New York Times*, exposing government hypocrisy on the Vietnam War. The documents proved that the Johnson Administration had systematically lied to the public and to Congress in order to needlessly prolong the American military intervention in Vietnam. Another example is the *Washington Post*'s famous scoop on the illegal wiretapping of President Nixon's political adversaries for purposes related to Nixon's reelection campaign and the subsequent cover-up attempts. The notorious Watergate Scandal (1972-1974), which led to the highest echelons of national security and intelligence agencies, eventually forced Nixon to resign halfway through his second term.

The Pentagon Papers and Watergate scandals triggered a fresh celebration of investigative journalism as a means to expose the abuse of power and authority on the part government officials. Although on both occasions the ruling establishment initially attempted to prevent the publication of the leaked material, it ultimately had to cave into public pressure. In Nixon's case, the publicized material forced the establishment to initiate impeachment procedures against the president himself. The principle and practice of transparency evolved in the process. Therefore, when the establishment returned to business as usual, after offering required sacrifices in the form of victims who are politicians and officials involved in the scandal, it promulgated legislation to suit a more sophisticated concept of transparency. In this manner, the dialectic between the mainstream media establishment and the ruling establishment reproduces tension

³ This refers to a 7,000 page top-secret study of US government decision-making in relationship to the war in Vietnam based on classified documents from 1945 to 1977. The study was leaked to, and eventually published by, the *New York Times* in 1971.

and equilibrium with every new disclosure/scandal without, moreover, alienating people from politics. This applies just as much to the media's daily exposures of financial scandals, corruption, police brutality during interrogation, and other such ills in the course of doing its job to unearth the truth. This is one of the great advantages of investigative journalism that takes place in an institutionalized framework between actors who not only do not engage in the mutual currying of favors in the negative sense described above, but also occasionally enter into an actual adversarial relationship. The result is what I will call a positive dialectic between them, as it favors transparency and citizen rights.

But even as the blurred lines between the media and political establishments are redrawn in the course of the leaks and revelations made in the framework of this positive dialectic, the two establishments generally converge upon a common ground. Located within the boundaries of national security, this common ground is called into play especially when it comes to matters of “transcendent national interests” and relations with other nations and peoples. This is precisely the realm defined by what Carl Schmitt termed the “friend-foe paradigm,” which states that what applies to friends should not apply to enemies; additionally, double-standards are not regarded as a shortcoming, but as a necessary corollary to the definition of politics and the definition of friend and foe. Within this realm, transparency is put on hold, regardless of other rights that might offset or restrict transparency.

This is why it is not all that odd that many of the most ardent investigative journalists and the most dogged pursuers of trails of corruption or sexual misconduct by this official or that will readily chime in with the official band of lies and deceptions when it comes to justifying war

against another country. To them, there is no contradiction in their behavior. In both cases they believe they are serving the national interest, for transparency at home and the fight against corruption are in the national interest, and concealing facts and disseminating falsehoods in order to mobilize a war effort are probably in the national interest, too. In that sense the state and media establishments are Carl-Schmittian even in democratic countries. From the perspective of the political and media establishments, this friend-versus-foe paradigm demarcates a clear line between leaks performed by representatives of the media establishment and unregulated leaks by individual dissidents and disaffected government employees or soldiers, or at another level, by individuals or groups of diverse nationalities who avail themselves of open source channels via the Internet to disseminate information on a broader scale that transcends all domestic institutional boundaries and international political boundaries. This latter phenomenon has caught the political and media establishments totally off-guard, which is why most of their members have rallied behind the outcry against it.

In the debate over this form of transparency other democratic values have been called into play. It has been argued, for example, that transparency is not the only democratic value and must be weighed against such values as legitimacy, legality, privacy, and accountability (what kind of accountability is a shadowy source such as WikiLeaks subject to, for example?).⁴ The argument is valid under normal circumstances, but it should not be regarded as pretext to cover up crime. However, it is spurious in the case of the divulgence of information pertaining to

⁴ David Allen Green, 1 December 2010.

<http://www.newstatesman.com/blogs/the-staggers/2010/12/liberal-wikileaks-transparency>

national security questions, for there is only a single instance when all these other values are dwarfed by transparency, which is when official secrecy is being used to perpetrate or cover up the perpetration of crimes. Yet, these values were deployed precisely in the context of protecting national security from the vulnerability to which it would be exposed by the transparency available through the open source, even if the leaks revealed actual crimes committed against civilians or hidden ulterior motives behind a decision to wage an unjust war.

In any analysis of different types of leaks across the ages, we must bear in mind that they are pointless unless they expose the hypocrisy of politicians. I refer here to hypocrisy in matters pertaining to public affairs. Facts belonging to the personal sphere, the definition and delineation of which have changed throughout history, should not be matters of public interest and, hence, of leaks (barring their use for such purposes as character assassination, muckraking, and titillation given their obvious connection with media sensationalism and the laws of supply and demand). If there were no discrepancy between officialdom's word and deed, or, at least, if the gap between the two were reduced to insignificance, leaks would lose all meaning.⁵

Non-digital predecessors

When WikiLeaks published documents on the war in Iraq and on the US military's use of force against civilians, and then the diplomatic cables between US embassies and the State

⁵ Among the few writers who have drawn attention to this point is Carne Ross in *The New Statesman*, 6 December 2010, <http://www.newstatesman.com/society/2010/12/wikileaks-governments-cables>). Ross has long been interested in the discrepancy between word and deed in American diplomacy. See: Carne Ross, *Independent Diplomat: Dispatches from an Unaccountable Elite* (London: Hurst, 2007).

Department, the transparency establishment in most Western nations was unprepared for the onslaught and legally unequipped to halt it. As noted above, transparency stops where “national security” begins. However, there is nothing in the law to prevent a newspaper from publishing a document that has been disclosed illegally. If a document is confidential, then the government's job is to keep it that way. Once it reaches a journalist's desk, then it becomes his or her duty to release it, so that the public can learn the truth. That's the job of the press. The balance just described between the government and press establishments emerged in the framework of an institutionalized state that permits for this dichotomy and tension between two rights as exercised in accordance with the law. However, just as the principle of transparency does not extend to national security matters, the open source on the internet cannot be defined as the press, especially because the open source arose outside of the context of the press, including the electronic press, with the advent of a new actor: the individual citizen or group who possesses a means of publication that is independent from the media establishment and is not bound by the limitations of established publication and transmission rights. The open source is unlike the written and audiovisual press in that it lies beyond governments' abilities to control it by prohibiting or halting publication, distribution or broadcast. Even if a government blocks a website, any number of other websites can step in to publish the material, which would force the government to extend its bans to a degree untenable in a non-totalitarian state (although even for this latter type of state wholesale internet jamming comes at a heavy price). The open source is also beyond the control of the press establishment, thus, defying both the political and press establishments; it does not bow to their laws and, therefore, infuriates both.

It also contributes much to blogs and other such activist non-establishment websites that are not confined to information reception, but are simultaneously noted for their interactiveness, their proliferative capacity, and their ability to create virtual worlds and social groups that transcend the boundaries that hamper communication within and between societies in the non-virtual world. Yet, they are not without some serious shortcomings. While, at best, they rely heavily on reputed professional journalistic sources, which they nevertheless approach critically, they, at worst, produce and spread rumors and erroneous information. The advantage of the open source, here, is that it supplies them with information before it has been filtered and processed by the press establishment. It, therefore, serves as a source for raw data and as an instrument for publishing, responding to and disseminating information and ideas outside the established supervision and control mechanisms.

The open source disclosure of secret State Department cables triggered a wave of anger among ruling establishment circles, and reactions that were disproportionate by all standards. The US secretary of state described it as “an attack on the international community,”⁶ a remark that inadvertently furnished yet another of the endless definitions of that nebulous concept called the “international community.” In this context, in my opinion, it can only refer to the vast gap between word and deed, between the visible and invisible in Washington’s relations with other capitals. Naturally, celebrities and major exponents of the media establishment rushed to

⁶ BBC News website, 29 November 2010, <http://www.bbc.co.uk/news/world-us-canada-11868838>.

vociferate and feed the hysteria.⁷ Apart from their involvement in the establishment dialectics, media celebrities were not innocent of monopolistic zeal and jealousy toward their unexpected “unprofessional” competition. In some cases, passions in establishment circles reached such a pitch that there were calls to treat the open source, as epitomized by WikiLeaks, as a terrorist organization that should be hunted down like Al-Qaeda.⁸ Indeed, the Italian foreign minister likened the leaks of US diplomatic cables to the bombing of the World Trade Center on September 11, 2001, as though the attack this time was against a metaphorical world diplomatic skyscraper. Some American politicians, meanwhile, demanded that the creators of the WikiLeaks website be charged under the 1917 Espionage Act (which criminalized the dissemination of information that could jeopardize national security).

Naturally, this type of reaction is not new. Governments have generally treated the individual, unauthorized divulgence of facts and documents relevant to national security as an act of espionage. An example that stands out in my mind as a non-digital predecessor to the WikiLeaks case (or more precisely, to the case of Bradley Manning, the American soldier who was arrested and charged with passing classified information on the wars in Iraq and Afghanistan

⁷ The American journalist Steve Coll, who was awarded the Pulitzer Prize for his own exposés, lashed out against the WikiLeaks disclosures as "vandalism" and "subversion"; the *Washington Post*, whose reporters Bob Woodward and Carl Bernstein once exposed the Watergate affair, described WikiLeaks as a "criminal organization." Thomas Darnstädt, "Is treason a civic duty?", *Der Spiegel Online International*, 13 December 2010, <http://www.spiegel.de/international/world/0.1518.734321.00.html>

⁸ Some of the most rabid outcries came from Senator Lieberman, former Republican Party presidential candidate Sarah Palin, and Bert King, Chairman of the Congressional Committee on Homeland Security.

to WikiLeaks),⁹ is the case of Mordechai Vanunu, a former employee at the Israeli nuclear facility south of Dimona. In 1985, Vanunu left his job at the nuclear facility and travelled to Australia. Shortly afterwards, he made public, via a British newspaper,¹⁰ information on the Israeli nuclear program and nuclear arms production, supplying details on the manufacturing process and quantities, and furnishing photographs that he had taken inside the facility. He was subsequently kidnapped by Mossad agents, whisked off to Israel and brought to trial on espionage charges. He was convicted and sentenced to 17 years in prison, eleven of which were spent in solitary confinement. He was finally released in 2004.

As we know, nothing quite so dramatic has happened to the persons responsible for WikiLeaks. But the mindset that hurled accusations of spying against them is no different from that which ordered and carried out, in the best tradition of organized crime or terrorism, the illegal abduction of Vanunu from Europe, so he could be brought up on charges of spying. Vanunu was viciously ostracized for having broken ranks with the tribe. The “free Israeli press” and the whole spectrum of public opinion in that “oasis of democracy in the Middle East” railed and fulminated against the man who had the audacity to expose their secrets. Then, they cast him

⁹ Bradley was arrested in July 2010 after leaking a collection of information that contained photographs and video footage of US forces brutalising civilians, as well as a US helicopter firing on a crowd of civilians in Baghdad. In the *New Statesman* of August 19, 2010, John Pilger observes that “In a nation that claims its constitution protects truth-tellers, the Obama administration is pursuing and prosecuting more whistleblowers than any of its modern predecessors.”

<http://www.newstatesman.com/international-politics/2010/08/pilger-wikileaks-afghanistan>.

¹⁰ *The Sunday Times*, 5 October 1986.

out and even stripped him of his rights, but, in such a case, these are not rights but privileges that are conferred on tribal members but that are potentially revocable.

What did Vanunu do to deserve all this? What was his real crime? He acted as a human being or, perhaps, as a universal citizen whose conscience told him to alert the world to the danger of Israeli nuclear armament activities. That was the point where all the laws governing transparency, freedom of the press, and publication of confidential information inside the country were suspended and espionage laws were invoked. This was not because he was spying for a foreign country, but because he exposed the truth to a global public via a foreign journalistic establishment that was not subject to the laws and rules of conduct that govern the relationship between the press and media establishments in Israel. He transcended the restrictions of the government-media dialectic that operate within a country's sovereign boundaries by turning to a news outlet located beyond those boundaries. He did this well before the Internet era and he paid a heavy price. Vanunu, like the WikiLeaks founders and others, belongs to a form of radical antiestablishment activism that neither works through political parties or syndicates, nor seeks political power. Rather, it is driven by a blend of humanitarianism and universal values, and intersects with the anarchist shades of the protest movements against war, the World Trade Organization, environmental pollution, and other manifestations of what they regard as an abuse of political and economic power. Simultaneously, they do not think it is their job to suggest the alternative.

In both cases, the revelations were not really revelations at all. All the leakers did was furnish tangible proof of what people had already intellectually known to be true. That “Israel

has the bomb” was one of those types of facts that fell under the heading of general knowledge. Vanunu's leaks did not tell the world anything new.

However, Israel had been following a policy of “nuclear opacity” for deterrent purposes. It wanted the Arabs to know that it had nuclear weapons because that knowledge was crucial to the deterrent factor because a military deterrent doesn't work unless the enemy knows it exists. Nevertheless, Israel did not want to acknowledge its nuclear arms capacity officially so as not to give the Arabs a legal justification for engaging it in a nuclear arms race. Vanunu spoiled that scheme. In other words, he was punished not for exposing the truth, but for throwing a wrench into their political game plan. To this we can add another detail that has little bearing on the subject of this paper. Vanunu was treated to particularly harsh and prolonged punishment because he was an Israeli Jew, which is to say a member of the tribe he had “betrayed.”

Government and media hypocrisy cloaked by law may well have reached a new height with the Vanunu case. Even from the standpoint of civil rights in a democratic state – or in a state that purports to be democratic – it begs the following question: is it not the citizens' right to be officially informed by their government that their country possesses nuclear weapons and that these weapons may be being produced a few kilometers away from their homes? Surely, such a right is legitimate if only for environmental and public health reasons. However, this question was stifled, and, instead, attention was directed at the leak, framing it as a kind of treason. On this subject, the august press had much to say. Dozens of articles probed the personality of the leaker and the unwholesome psychological quirks that would drive someone like that to do what he did. Others honed in on his background and upbringing and other sources of displacement and

deviation, and whatever else helped journalists to avoid the real subject – namely the substance of the leaks – and to distract and divert readers with non-essentials.

When Vanunu released the information that triggered an international scandal, it was widely claimed in the Arab press that Vanunu was merely acting out an assigned role in an Israeli conspiracy staged to intimidate the Arabs. It had to be a conspiracy because it was Israel that benefited from this deterrent, according to logic of this theory. None of those who promoted that thesis reconsidered their earlier verdict, even after Vanunu was indicted. The mentality that equated the actor and the beneficiary in this case (without taking the benefit of public opinion into account) is the same mentality that, a quarter century later, would decry WikiLeaks as a conspiracy intended to serve the US and its drive to secure Arab support for a war against Iran.¹¹

What is unique about the open source in the case of the leaked US diplomatic cables?

We have said that leaks are not a new phenomenon. We have also established the existence of precursors inspired by civic rights principles related to the common weal. In fact, WikiLeaks and other open source websites can rest their case on a whole legacy of disclosures of government secrets on the part of independent players. Numbering in the hundreds or even thousands, and coming from different national and occupational backgrounds, these people share the belief that governments' monopoly on information is an evil because it facilitates the abuse of power on the

¹¹ See: Ali Gharib, "Wikileaks Info Cherry-Picked by Corporate Media to Bolster Case against Iran," *Columbia Journalism Review*, 5 November 2010. The article describes how center and rightwing American journalists used the leaked documents to prove the existence of a US-Arab consensus over the need to wage war on Iran. It is useful to recall, in this context, the official Iranian reaction which dismissed the documents as a Western conspiracy in order to deny the existence of such a consensus. Obviously, Tehran had graciously stepped in to alleviate the Arabs' embarrassment at their exposed hypocrisy in order to encourage them to adhere to their public stance against a war on Iran.

part of government officials and politicians, and because it leads to unjust and unjustifiable wars, or, in other words, to the death and murder of civilians and soldiers in the countries targeted for war. It seems that the 2003 invasion of Iraq, which was waged on the pretext of fabrications that were eventually exposed, but at the time were used to drum up the support of public opinion – including entire press establishments – for the war drive, galvanized these people into elevating a culture of computer and internet hacking into open source militancy.

The WikiLeaks phenomenon, which is driven by the motives of unconventional protest movements, is located at the intersection of two traditions, one established and the other in the process of formation in the context of the evolution of new methods and modern phenomena. The older and more familiar one is the disclosure of secret information to the public by individuals outside the establishment for purposes of denunciation and criticism. The emerging phenomenon is “Hacktivism,”¹² the transformation of hacking, or digital piracy, into a political act inspired by the conviction that public facilities are the property of the people and that the people have a right to know what goes on in them.

The two traditions have interacted in an entirely new context, which consists of three chief features:

- 1) A new world of telecommunications, in which information networks transcend national boundaries, are hard to control under domestic national laws, managed by

¹² See: Peter Ludlow, “Wikileaks and Hacktivist Culture,” *The Nation*, 4 October 2010. On the personality and mindset of Julian Assange, the most prominent spokesperson for WikiLeaks, see: Raffi Khatchadourian, “No Secrets: Julian Assange’s mission for total transparency,” *New Yorker*, 7 June 2010.

http://www.newyorker.com/reporting/2010/06/07/100607fa_fact_khatchadourian#ixzz1FYpvmFE3

agents of diverse nationalities, and benefit audiences across international boundaries.

- 2) The ability to transcend or circumvent conventional media and even digital media by means of personal blogging sites and interactive social networking sites. These websites not only gather information, they disseminate and comment on it, during which time they may select what they believe suits their purposes and reclassify it before republishing it. In addition, they have become much more than a means of communication. They are virtual spaces where people meet, where things happen, and where groups and organizations are formed.¹³
- 3) The transformation in the relationship between information and the governing authority. Power is no longer merely the monopoly on knowledge. It has increasingly become the ability to disseminate it, in textual and audiovisual form, in the largest possible quantities. It is also the ability to control and shape it. Unregulated mass circulation of knowledge may have become an instrument for criticism, but it has also become an instrument that can be detrimental to criticism and, hence, a conservative tool.

Because of the above factors, power is no longer the preserve of those who can protect and control secrets by such means as censorship, blocking websites, or even imprisonment. It is now available to those who can not only sustain the largest quantity of effective transparency, but who are also capable of producing artificial transparency. The production of artificial transparency, here, is to generate a flood of information and transform this information into a

¹³ We should be wary of overestimating the importance of these means and spaces in this communications environment, especially following the revolutions that have swept the Arab region. In some societies, the number of participants in these sites is relatively few and cannot have played quite as great a role as has been attributed to them. After all, the revolutions did not play out on the Internet, nor could they. Revolutions have their own causes, motives, traditions and arenas. They involve leadership skills and masses, a state and its people, oppressors and the oppressed, conducive circumstances and the right timing, along with many other factors. At the same time, we should not underestimate the importance of these new means and spaces in hyperspace. Political parties cannot easily match these websites as a means of communication and a communication environment at the same time. Furthermore, the blogging and social networking sites constituted meeting places for virtual groups that then performed tangible political roles, as organisers, advocates and instigators, and then as a physical presence among the people in general during the revolution. Therefore, the relatively small number of participants cannot be taken as a gauge for the influence of these virtual groups, unlike conventional political parties whose influence can be measured in terms of the ratio between its membership numbers and population size.

swirling profusion of contradictory facts or factoids that causes truth to vanish down the vortex of factual relativity, or it can entail the manufacture of sensationalist media images intended more to titillate than to inform. By such means, transparency can replace secrecy as a source of power.

The open source emerged in these new contexts. It is in this matrix that we find the wild reactions against WikiLeaks: the rants accusing it of espionage and the clamor for the harshest punishments against its evil perpetrators. Here too, at the opposite pole, we find the source of the reactions of those who regard the WikiLeaks phenomenon as a conspiracy aimed at controlling others through transparency. From their perspective, the divulgence of secrets is gauged by the identity of its ostensible beneficiary. One might argue, from this perspective, that since America's allies were most harmed by revealed State Department cables, while the worst that Washington encountered was a series of embarrassments, Washington must have engineered the leaks in the framework of a scheme that uses the deliberate divulgence of secrets, rather than the jealous guarding of them, as its instrument to force others to do its bidding. Such thinking confuses poorly understood modern historical contexts and phenomena with conspiracies, a tendency that may be more prevalent among those who grew up and developed their political awareness before the emergence of these new contexts. Conspiracy theorizing is an easy way to explain things. Rather than seeing actual actors, it sees controlled dominating structures, and instead of diagnosing causal relations, it personifies causes as ulterior motives and reduces results to intended ends. We should, however, always bear in mind that refuting conspiracy

theories does not mean that there are no conspiracies. WikiLeaks does reveal some of these conspiracies.

This paper does not intend to judge the open source using the *cui bono* approach. The ability of a country to take advantage of something unplanned and unexpected is one of the components of its strength. Regardless of whether or not Washington directly benefited from the publication of the cables, its relations with other countries are not based on a lie which would render the relations vulnerable to the truth. The relations between other countries and the US are founded on hard realities, such as interests, strategies, and successes in the struggle for survival. That the political and media establishments prefer not to speak of such matters does not make them any less real. Other countries' alliances with the US are based on strategic aims and on their need for a close relationship with the richest and most powerful country in the world. It is not the relationship that would be jeopardized by leaked documents, because they do not reveal that the relationship, itself, was based on a lie, but that the way it was presented to the public was a lie. Rather, it is the rulers who are threatened by such leaks, especially if they know that public opinion would not approve the actual bases of the relationship, or that they would have to contend with popular shock and outrage at the discovery that the truths people had believed, and were led to believe in, turned out to be a web of lies, or that once the truth is out, people who would have preferred to remain in the dark would have to take a stance accordingly. In such cases, the open source controversy has given us a glimpse of the many means of denial that are used to avoid having to take a stance or take action. One of these means is the conspiracy theory.

Circumstances

WikiLeaks' announcement that it would post dozens if not hundreds of thousands of confidential State Department documents, such as the cables from US embassy officials to their State Department superiors on meetings they attended, domestic sources of information they plumbed, and impressions on officials and conditions in the countries in which they are stationed, stirred an outcry in several capitals and in the US political establishment, with the exception of one sensible response by a high ruling US official response, by US Secretary of Defense Robert M. Gates.¹⁴ It also triggered anger and nervousness in the media, which suddenly found itself faced with an investigative competitor that had just thrown down the unprecedented gauntlet of having released quantities of previously unpublished material that was causing governments around the world to squirm.

The operators of the website were familiar with the new historical realities, with the modern technology that made their website possible, and with the strengths of this technology, one of which was its imperviousness to attempts to silence them. However, they did not use the website to publish the information directly because they knew that if they were threatened, or their site were jammed, they could avail themselves of hundreds, if not thousands, of others. It is virtually impossible to stop the dissemination of information on the Internet, whether by jamming a site here or there or by arresting an operator. What the WikiLeaks founders did was to use this power to convince major journalistic establishments to take part in the release of the documents for two reasons: firstly, the piles and piles of material had to be sorted, arranged and displayed to reach

¹⁴ *Foreign Policy*, 1 December 2010.

the public. Naturally, categorizing and communicating information is a double-edged sword, which the press establishment tends to misuse. Secondly, the major newspapers do not publish and feign disinterest in materials that are available to the general public and that are not theirs to publish by prior right. They proved flexible enough to reach the type of agreements and compromises that gave such newspapers as the *Guardian*, *Der Spiegel* and *The New York Times* (and subsequently *Le Monde* and *El País*) the right to view the material in advance before its appearance on the website, as long as they adhered to a specified publication schedule. WikiLeaks, thereby, launched a massive penetration of the media establishment.

This was the establishment that had showered the website with the utmost contempt, that barraged it with the basest epithets, that subjected its most prominent spokesman to an endless series of potted psychoanalyses that explained his behavior in terms of a suspect past, a dubious appearance, an unstable personality and other such facile “keys” that could not have been more flimsily grounded in objectivity. The *New York Times* volunteered a psychological portrait of the US soldier suspected of leaking information on the behavior of US forces in Iraq and Afghanistan and diplomatic documents as well. It sketched a troubled childhood, loneliness, and the feelings of being ostracized as a homosexual in the army. The newspaper was just as detached in its analysis of the personality of Assange based merely on his appearance. After his first meeting with the WikiLeaks founder in London, the *New York Times* reporter described him

as “dishevelled, like a bag lady walking in off the street” and “[smelling] as if he hadn’t bathed in days.”¹⁵

The first-hand bias, the promotion of factual relativity, a plethora of irrelevant information, and titillating imagery were among the tools the media used to obfuscate the truth and mislead the public. But the *New York Times* went further. It regularly tipped the State Department in advance of the next batch of documents it was about to publish, and gathered the official comments and cautions beforehand. One wonders whether such behavior caused the WikiLeaks founders to regret their bargain with this newspaper, like Daniel Ellsberg who set the Pentagon Papers scandal in motion in 1971 and who turned to the *Washington Post* after discovering that the *New York Times* had broken its pledge of confidentiality and began publication of the 7,000 page collection without his authorization.

Just as the political establishment had to accommodate to the principle of transparency in order to absorb pressures from the media, the media had to make a readjustment in order to absorb the competition from the open source. Open source operators know that the official or establishment media enjoys the broadest and deepest permeation of mass political culture and public opinion. It is also equipped with the professional resources to categorize and arrange thousands and thousands of documents. However, they must have also known that striking a bargain with it would come at the price of the many compromises between the official press and

¹⁵ Bill Keller, “Dealing with Assange,” *New York Times*, 26 January 2011.

the political establishment over the published materials.¹⁶ That price would also include the way the press would frequently distort the information contained in the documents by means of the selectivity it exercised and the way it contextualized or decontextualized the extracts. For example, it gave considerable play to the personal and juicy accounts that US diplomats provided their superiors on foreign officials and figures, but it did not pause to examine why a country would collect such a vast amount of detail, whether large or small, significant or trivial, on politicians in all other countries around the world.

In spite of such compromises, the press establishment's accommodation to the open source injects new life into investigative journalism. This, in turn, may have a profound impact on the establishment press which, at critical moments, is generally recruited into the service of "national security," and, at most times, easily succumbs to sensationalism because of the laws of supply and demand that compel it to market itself as a commodity. It remains to be seen whether the facts obtained by a reinvigorated investigative press will remain above the laws of the market, or whether they too will be commoditized.

Diplomacy, Truth and History

The release of the WikiLeaks documents in the press simultaneously revealed quite a lot about American diplomacy. These revelations are likely to have an impact not only on international

¹⁶ WikiLeaks released many documents independently from the establishment press, triggering scandals on the war in Afghanistan, the abuses of human rights in Iraq and in Kenya, and former Minnesota Senator Norm Coleman's campaign donor database, and sometimes the media cited the documents on the website. However, the website only attained its peak of circulation after coordinating publication with the establishment media, or the mainstream press, as it is termed in English. However, in return it had to bow to the *New York Times'* insistence on coordinating with the US administration over what the newspaper could or could not release and, apparently, it had to agree to avert or defer the release of other documents and information, itself.

relations, but also on the relative weight of diplomacy in them. It is a situation that immediately begs the question as to what diplomacy would mean without secrecy.

American diplomats abroad did the jobs assigned to them. They appraised situations in the countries to which they were posted, and they assessed the personalities, levels of intelligence, strong and weak points, personal wealth, and even emotional relationships of the political figures there. This is a good part of what active diplomacy is about: soft espionage. They wrote reports on meetings they attended and sent these back to Washington, along with the minutes of the meetings of official US delegations on tour in those countries. They submitted reports based on information that they gleaned from local politicians, or other individuals they regarded as their local sources, information-gathering and making contacts being a major reason why diplomats put up with the tedious rites and rituals of official receptions. In retrospect, after the publication of their cables, US diplomats, on the whole, seem to be “field observers,” but observers who relate their observations frankly because they know that their reports are not meant for publication but to inform, and because they feel they must be as accurate as possible because decisions may be based on the information they supply. However, their insights are simultaneously limited by the limits of their own intelligence or astuteness, which is why their impressions of the countries to which they are posted often coincided with what appeared in the local press in those countries. Therefore, for example, the assessments in the reports leaked from the US embassy in London were said to have been largely copied from the British press, including the conventional media wisdom, and its familiar twists and turns, as well as its

common misperceptions.¹⁷ In other cases, the reports displayed an almost pathological obsession with the quirks and foibles of political personalities, and, as a result, they virtually skimmed over their subjects' political actions, interests and constituencies. The tendency offers further proof of the excessive importance US diplomacy attaches to the individual in the decision-making process.

This obsession with personalities was hastily compared to journalistic sensationalism,¹⁸ and some dismissed the open source as frivolous for paying so much attention to private details of this sort. In fact, it is not the open source that is guilty of such ills. It was US diplomats who collected such these personal tidbits and dispatched them to Washington, knowing how much they would interest their State Department bosses. Furthermore, it was the press that focused on them and spun them in a way that fed their readership's vicarious thrill from peeping into the private lives of celebrities (political celebrities included) and from eavesdropping into politicians' private conversations.

The revelation of the extent to which Washington documents and amasses such details through its diplomatic corps, forms vivid testimony to a significant aspect of the relationship between the imperial capital and its diplomatic tentacles. It is knowledge-is-power in practice, *par excellence*. The collection, sorting and archiving of the minutest details on foreign entities

¹⁷ See: Andrew Gilligan, *Daily Telegraph*, 4 December 2010.

<http://www.telegraph.co.uk/news/worldnews/wikileaks/8181408/Flood-of-information-from-WikiLeaks-could-be-good-the-United-States.html>

¹⁸ Compare, for example, how the press handled figures such as Gaddafi and his relationship or infatuation with his Ukrainian nurse, and its handling of a figure such as Karzai, which sheds light on an important aspect of US foreign policy: its tolerance of the corruption in allies it depends on and who depend on the US.

and personalities is a form of imperialist behavior on the part of a country that takes it as its right to use such details to assert its control over other countries. Such a subject would be both exciting and troublesome to study, but what concerns us here is another subject, which we hope will help enhance public political awareness and promote more rational propensities in politics and political criticism. This subject is the rehabilitation of fact.

Previously, we have shown how factual relativity is promoted by scandal skirmishes within the political establishment and by means of transparency control and artificial transparency. We have also suggested that flooding the public with information while promoting factual relativity is a new means by which the political establishment tries to monopolize truth. It is a chief instrument for rallying public opinion and mobilizing it toward certain ends, and for increasing the weight of sensationalism and spectacle at the expense of information and substance. Ironically, it was wielded against the open source agents by concentrating on their appearance, dress sense and personal hygiene, and their sexual proclivities in order to obfuscate the information they revealed. Such tactics demonstrated the extent to which the relativistic intellectual tools, as informed by the perspective, background and culture of their user, can be bent toward malicious political ends of the sort that could not be openly defended.

Yet, the American government's anger at the WikiLeaks revelations, along with its initial desperate attempts to suppress them, and the mainstream press's accommodation of the open source, for reasons connected with competition and the market, on the one hand, and communications technology and the internet environment, on the other, had a very important

side effect. They combined to rehabilitate the facts in politics. In this respect, the open source, in spite of everything, has positioned itself at the very heart of the enlightenment heritage.

Enlightenment in its original inspiration and literal sense is the antonym of ignorance and the fostering of ignorance. The philosophy of enlightenment takes as its chief premise – which cultural, cognitive and other branches of intellectual relativity refute – that knowledge of the truth, in and of itself, is an aim for which the pursuit of is essential if societies are to organize themselves on solid moral foundations, and if they are to establish what can be termed the public good. Early enlightenment philosophy tended to subscribe to the belief that knowledge brings good, both in the material and moral sense, and that the spread of immorality, tyranny and corruption was a direct consequence of ignorance, which in this case is the equivalent to evil.

More recently, we have come to realize that there is no necessary correlation between good and knowledge. We have also come to acknowledge that a moral outlook in life is free by definition and cannot be either proved or disproved, unlike scientific assumptions. This said, we could still imagine what enlightenment might mean in our age, and in order to do so we would begin with the assertion that any enlightenment in our age would have to proceed from two premises:

- 1) Critical consciousness can be scientific, even if it is driven by moral value systems, if the scientific instruments available at its time, are properly applied in the critique of existing structures.
- 2) If knowledge does not necessarily bring good, ignorance generally brings evil.

I believe that the foregoing premises establish the possible relations between knowledge and morals that will enable us to sustain the values and philosophy of enlightenment in our age. Now, how does WikiLeaks fit in here?

I will frame the matter more concretely in terms of the cable leaks connected with the attitudes of Arab regimes, the US and Israel on the Israeli bombing of Gaza, and the use of military force against Iran to halt its nuclear ambitions. Pre-WikiLeaks, deductive reasoning could have produced the following general argument on the first subject: the interests of the Arab regimes and their relations with Washington, and their domestic challenges, lead them to regard the Palestinian cause as an unwanted burden and to regard the Palestinian resistance as an obstacle to a settlement acceptable to both Israel and these regimes, so that they can shed this burden. It follows, therefore, that they would have an interest in an Israeli war on Gaza aimed at overthrowing the Hamas government. This argument was based on substantial general knowledge, such as circumstantial evidence sustained by the observable behavior and attitudes of the parties, and it produced what we might call a working hypothesis, but a logically deduced hypothesis, and a scientific hypothesis too, nonetheless. There were no recorded remarks by an Arab president or official that furnished concrete empirical evidence that some Arab governments knew of the invasion and either tacitly or actively approved it. Then, the cables were released, supplying the empirical evidence to bear out the working hypothesis.

In the case of Lebanon, rational analysis led to the working hypothesis that after the 2005 Syrian withdrawal from Lebanon, politicians of the March 14th coalition found it harder to get

rid of Hezbollah as a political and military power, and were interested in an Israeli war against the Lebanese resistance. The above type of factual confirmation occurred precisely when the press revealed a dispatch from the US Embassy in Beirut that cited advice that Lebanese Minister of Defense Elias al-Murr, in a meeting that took place between him and a US diplomat in March 2008, wanted to convey to Israeli leaders via the US, regarding what Israel should avoid when it waged a war on Hezbollah. Al-Murr also offered an assurance that the Lebanese army would not stand in the way of an Israeli assault.²⁰ More documents, published later, revealed that most of the known figures of the March 14th coalition in Lebanon, like Junblat and others, were involved in similar activities during the war launched by Israel against Lebanon in July 2006.

Analytical reasoning in the form of logical working hypotheses raised the hackles of the press close to official circles, which was met with patriotic jingoism and campaigns to mobilize public opinion against such reasoning, as though it were an underhanded attack against the state, the president, a prominent official, or their integrity and patriotism. Often the incitement campaigns would play on a handy theme: treason. It would pose such rhetorical questions as, “Are you accusing President X or politician Y of betraying his country?” and “Are you casting aspersions on the role of this country?” (Thereby blatantly identifying national objectives with the aims of a ruling regime.) The publication of the leaked cables rehabilitated rational thought, because the revealed facts proved consistent with the earlier working hypotheses that were

²⁰ *LA Times*, 4 December 2010.

<http://latimesblogs.latimes.com/babylonbeyond/2010/12/hezbollah-israel-murr-lebanon-united-states-war.html>

reached by analytical reasoning. They further demonstrated that, despite all the propaganda shenanigans, states generally (at least in private) operate pragmatically on the basis of considerations of interest and calculations of gains versus losses, all of which can be rationally deduced. It is interesting to discover how differently effective players act in their capacity as individuals as opposed to their capacity as governments. Individuals generally find secrecy appropriate to their expression of feelings, personal proclivities and other irrational aspects of human behavior. They can act like children in private, but must remain sedate and rational (at least in appearance) in public. Governments, by contrast, can be irrational, passionate, boastful and demagogic in public, if need be, but very rational actors on the basis of cost-benefit analyses in private.

Political irrationality and emotions such as envy, jealousy and spite, and even arbitrariness undoubtedly have a role to play in the behavior of politicians and their political decisions. However, a significant element of rationality also governs the behavior of states in the pursuit of their goals and interests. This is the part that we can analyze and anticipate, and the leaked cables helped confirm this. When the facts they disclosed sustained working hypotheses that were reached by means of rational analysis, we had what is called empirical verification or validation, which has served to promote the rehabilitation of two components of enlightenment: facts and rational analysis.

The same process applied to an even greater extent in the case of Arab leaders' attempts to encourage the US to employ military force against Iran. Deductive analysis led to a working hypothesis that supported this suspicion before the documents became available. Yet all official

behavior was protesting the opposite belief, and not in the form of refutations of any imputation of a desire for the US to bomb Iran. Rather, every official pronouncement, closing statement after every meeting, and formal visit proclaimed that these leaders were appealing for diplomacy to resolve the crisis over the Iranian nuclear program, and that they opposed the use of force. Then along came the WikiLeaks cables to demonstrate that some of these governments were, in fact, secretly lobbying in important official meetings in favor of armed force against Iran, regardless of their public positions, and that the US sympathized with their need to lie. The US administration could understand why governments had to lie to their people. Transparency, from its perspective, was a civilized cultural practice that, if valid, was valid only in Western democracies. The unprecedented flood of leaked documents through the open source, thus, rehabilitated the intellect in the public sphere.

Conclusion

Large batches of secret documents had never been disclosed clandestinely before the age of the open source. They would be released officially after stipulated periods – of 20 or 30 years, for example – so that historians and researchers could have access to them. It was a process governed by the secrecy laws that regulated the disclosure of confidential information after the threat from its publication no longer existed. As a result, the application of scientific methodology in political analysis was a luxury confined to historians on the trail of the real motives behind the behavior of governments and states in the past in the process of reconstructing that past using various scientific methods and tools, including documentary evidence. The historian sees his task as a sacred one. If he is true to the ethics and principles of

his calling, he regards it as his duty to refute and dismantle prevailing myths and erroneous beliefs about the past.

The open source has caused something of a revolution in this respect. It permits for what we might describe as “the opportunity to gauge instantaneous events using the historian's methodology.” Metaphorically speaking, the open source is a huge electronic archive of a new sort. But like any archive, its contents demand the application of the skills to classify, assess, compare, and the like. Such scholastic tools are not available to all readers. The archive offers the materials, but without the necessary tools to grasp even a fraction of their substance. Therefore, opening this archive to the public does not instantly make its recipients competent historians and documentarists, just as blogging sites do not necessarily make the blogger a scholar. As a result, the majority of average readers, not to mention the public at large, will continue to depend on the establishment press to relay to them the information in the archive. There will be a bias in the transmission, of course, but it will still open new realms for intellectual courts (and laboratories) to apply rational critical thought. What will these realms be, exactly? This question merits some thought. However, it appears that it will take not just conjecture, but also, and more importantly, the practical and active exercise of the intellect to identify them.