CAUGHT BETWEEN TRANSPARENCY AND SCANDAL-MAKING

Conceptualising WikiLeaks

Benedetta Brevini and Jorge Valdovinos

Introduction

Transparency and scandals have been conventionally considered as two distinct—and even incompatible—categories on the grounds of their alleged relationship to the truth value of an event. Transparency is thought to be a precondition for scandals (something first needs to be exposed before the public can evaluate if a moral transgression has occurred), and yet at the same time, scandals are thought to foster transparency. In order to advance a proper understanding of the role that WikiLeaks has played in our contemporary public sphere, it is necessary to place both of them as part of an ideological continuum in the manufacturing of consent. The fluidity and progressive imbrication of trust and attention in our contemporary digital landscape makes it difficult to anticipate the public’s response to media events in terms of resistance and co-option. The various ways in which we frame an event can rapidly shift from politics to spectacle—or from accountability to distraction. The interchangeability of these modes (scandal politics and political scandals) is deeply related to the operation of power through media and information, and involves subtle operations that cannot be grasped by a clear-cut separation between these terms. This chapter develops a theoretical and critical understanding of how disclosure platform and transparency champion website WikiLeaks has shaken and shaped scandal discourses in the public sphere.

Scholarship that has explored the rise and the legacy of WikiLeaks ranged from studies on the effect WikiLeaks has had on traditional journalism to the platform’s challenge to dominant power and secrecy; further scholarship uses WikiLeaks as a case study to understand the relationship between media and social movements and its ethical motivations (Brevini 2017). Thus, in this chapter we will first review the current literature on WikiLeaks in relation to transparency and openness; second we will contextualise it in current debates on scandals.

Transparency operates by framing an event in specific ways, and then drawing attention away from this operation. The price we pay for seeing an event in a specific manner is losing sight of the constructed nature of such a point of view—which can naturalise political decisions into cultural assumptions. Scandals can be instrumental in this process, generating virtual lines that cut across the overlapping spheres of the public and the private, and reifying them through the very performative denunciation of their transgression. While it is unquestionable that disclosure
and whistleblowing serve a crucial function in democracy, we argue that, in order for these acts to reach their full political potential, they need to be expressed in a way that can foster a strong (and long-lived) public response.

WikiLeaks: history and background

WikiLeaks was founded in 2006 as an online platform for whistleblowers and the publication of information censored by public authorities and private actors. Its goal was to harness the speed, interactivity and global reach of the Internet to provide a fast and secure mechanism to submit information anonymously that will then be accessible to a global audience.

In its first few years of existence, WikiLeaks electronically published a range of documents of varying significance to mixed media impact. The revelations included secret Scientology texts; a report documenting extensive corruption by the family of former Kenyan President Daniel Arap Moi; proof that British company Trafigura had been illegally dumping toxic waste in Côte d’Ivoire (a story that the British media was legally barred from reporting); the financial dealings of Icelandic banks that led to the collapse of the country’s economy (a story the local media, too, were banned by court order from reporting); the private emails of then US Republican vice presidential candidate Sarah Palin; member lists of a British right-wing party; the Internet filter lists of several countries; and many other disclosures of information that was previously hidden from the public eye.

In hindsight, these releases, occurring between 2006 and 2009, were only the warm-up acts for the torrent of information that WikiLeaks unleashed in 2010, the year that established the website as a household name and saw its founder lambasted by some as a traitor and high-tech terrorist, and celebrated by others as a hero and leading transparency activist.

On 5 April 2010, WikiLeaks published a video online evocatively titled “Collateral Murder.” It was an edited version of a classified US army video taken from an American Apache helicopter depicting a controversial 2007 US air strike on Baghdad that resulted in the deaths of Iraqi civilians and two Reuters employees.


Altogether, the two dispatches comprised almost 500,000 documents and field reports that provided a comprehensive and unprecedented account of the two wars, revealing thousands of unreported deaths, including many US army killings of civilians.

Finally, on 28 November, WikiLeaks and its partner newspapers began publishing select US diplomatic cables in what became known as Cablegate. Taken from a pool of over 250,000 cables, the communications offered a fascinating perspective on international diplomacy. They revealed many backroom deals among governments and between governments and companies, as well as US spy practices on UN officials, cover-ups of military air strikes and numerous cases of government corruption, most notably in Middle Eastern and North African countries, where the revelations fuelled the population’s growing anger towards their national elites.

Nine months after the first releases were published in its partner newspapers, WikiLeaks made the full tranche of cables available on its website. It has since published other material, such as the Guantánamo Bay Files, information about the digital surveillance industry (Spyfiles) and emails from political figures and companies tied to Syria (Syria Files).

However, in the wake of Cablegate, WikiLeaks’ operations became increasingly hampered by government investigations into its staff (particularly founder and editor-in-chief Julian Assange), internal strife and extralegal economic blockades that have choked its access.
Transparency and scandal-making

Scholarship has explored the rise of WikiLeaks from a journalism studies perspective (Dunn 2013; Benkler 2013); further scholarship has employed WikiLeaks as a case study to understand the relationship between media and social movements and its ethical motivations (Brevini 2017).

A very fruitful stream of scholarship has focused on the effect of the WikiLeaks model as a platform that challenges dominant articulations of power by investigating how it affects the current balance between openness and secrecy in domestic and international politics. In this way, WikiLeaks has been posited as a case study in the history of Internet policy; one which reflects the enmity between open and closed systems that have existed since the Internet’s commodification (Hintz 2013). This battle, Winseck warns, is not a fair one as “commercial businesses (seem) to be all too willing to serve the state on bended knees” (Winseck 2013, p. 167). Internet service providers, in particular, are thought to have fallen victim to state interests, and are seen by advocates of open-media to increasingly be assuming the role of the Internet’s gatekeepers—establishing the sovereignty of the state over cyberspace by identifying breaches in copyright, and complying to the demands of law enforcement and national security (Winseck 2013).

From the perspective of transparency advocates, WikiLeaks is largely put forward as a symptom, rather than a cause, of the push for transparency on a global scale (Sifry 2011). Indeed, to transparency advocates, plurality is essential if the Internet’s distributive capacity is to compete with centralised control (Sifry 2011). As Sifry argues, it is not another “Big Brother” but a host of “Little Sisters” that are needed to “watch government(s) from below” (Sifry 2011, p. 110).

York (2013) adds that in accepting the dynamism that is created by the transparency movement’s diverse actors, WikiLeaks’ present status is fated to subside as it continues. It must, she argues, make way for new, mobilised actors when information snowballs into real world action. Analysing WikiLeaks’ role in the Middle East, she states that this has, in fact, already been the case. It is difficult to pinpoint the presence of WikiLeaks in the events that unfolded in Tahrir Square, even if it assisted in inciting them (Saleh 2013).

To Lovink and Riemens (2013), WikiLeaks has resigned itself to soft targets in its attacks. He suggests that it is yet to surmount the linguistic, cultural and political barriers that prevent it from inflicting significant damage in more authoritative regimes like Russia and China. As a result, it cannot claim that it is “a truly universal or global undertaking” (ibid., p. 247).

Transparency, ambiguity and WikiLeaks

As a concept and visual metaphor, transparency has a longstanding tradition in the cultural imaginary of the West, spanning domains as diverse as political philosophy and aesthetics. And although the term still carries with it echoes of earlier semantic connotations, in the last few decades it has come to signify mostly “access to information,” or the degree to which...
evaluation-enabling information about “insiders” is made available to “outsiders” (Florini 2007). This usage has given the term a privileged role in attempts to describe the tensions between the disclosure and the secrecy of flows of data, some of which lie at the very core of our contemporary struggles for power (such as business regulation, environmental protection or national security). This ability to capture these tensions also make it a key term for understanding how our social conceptions of the spheres of the public and the private are being measured, compared, disputed and reformulated.

It is important to note that this meaning (along with the whole semantic network to which it belongs, including associated terms such as “openness”) has come to express a positive cultural valence: the best and most desirable way to end corruption, to expose negligence, to increase efficiency, to enhance democracy, to promote policies, to build trust, to encourage accountability, to empower users, to improve public awareness, and so on. In the case of governmental institutions, for instance, transparency is used to refer to a “free” access to information held by authorities under the belief that citizens should have the fundamental right to see the operations and activities of those in power. Though this could imply, in principle, a certain degree of collaborative decision-making, it does not necessarily guarantee that the public will have access to “raw” or unfiltered data, or that the accessed information will translate into useful knowledge—knowledge that would serve as the basis for action. Nonetheless, this access is usually contrasted against a model of centralised authority, closed organisation or vertical hierarchy, in order to suggest a willingness to disclose or share information that can clarify the manner in which processes have (or are being) conducted. This “lack of impediments” to information is then equated as an implementation of the “right to know,” and then treated as an intrinsic good.

This mechanism can be seen at work in various strands of cyber-utopianism and technological determinism, usually carrying the assumption that we are moving towards a “transparent society” (Brin 1999) due to the simple fact that ubiquitous networked technologies are making it increasingly hard for anyone to “hide from scrutiny.” Downplaying or altogether avoiding issues of surveillance and panoptic control, the generalised claim is that these networked digital technologies will also bring about a new era of collaboration, user empowerment and citizen-led democracy. Supporters of WikiLeaks have usually framed the platform in these terms, making it “a symbol of the freedom of information” (Beyer 2014). In these discourses transparency is treated as an inherently valuable “meta-principle,” acquiring relevance across all domains and in spite of all contextual particularities.

From a purely conceptual perspective, however, transparency is neither good nor bad: it is a logical operator that posits a fundamental ambiguity. For something to be “transparent” (having the property of transmitting light), it also needs to be partially invisible (so we can see through it, to the other side), and yet, this something also needs to remain perceptible as such (for us to qualify it as “transparent”). This suggests the coexistence of a medium and a barrier—transparency is always “open” to view in some respects, and “closed” to view in others. The most important distinction we can make is thus not between “good” transparency and “bad” transparency, but between transparency that has been framed as an instrumental value (as merely a means to achieve some other goal, such as accountability or public consent), and transparency that has been framed as an intrinsic value (as an end in itself). While the former might be about denunciation, censorship or political emancipation, the second has to do with the ways in which we “think” about transparency (the implicit cultural understanding of what it means to disclose or conceal something). By looking closely into the evolution of this second category, we might reveal how it is that we came to decide which are the “good” and “bad” ways of generating, circulating, accessing and putting barriers to information—decisions related to broader cultural, social and historical norms.
Transparency and scandal-making

At different times, Assange has gone from treating transparency as a goal in itself—as he did in a manifesto posted in 2006 (the same month that WikiLeaks would publish its first leak) where he talks about the “people’s will to truth”—to seeing it as an instrument for the achievement of justice: “It is not our goal to achieve a more transparent society; it’s our goal to achieve a more just society” (Assange, cited in Beckett 2013, p. 145).

Understanding scandals: “political scandals” versus “scandal politics”

In this chapter, we will conceptualise scandals as a “breach of virtue exposed that causes public disapproval” (Markovits and Silverstein 1988, p. vii). Much of the literature on scandals has simply taken for granted that certain events are able to generate public indignation. But how is this assumption altered by a digital ecology in which attention itself has changed? Do echo chambers alter our assumptions about the nature of scandals? Although scandals are certainly not a novel occurrence, it can be argued that our globalised digital media has altered our relationship to them considerably: “What is most remarkable about scandal in a digital age is that we are all vulnerable—a completely unknown person who takes a mocking photo or posts an ignorant tweet can become the subject of intense international scrutiny and anger” (Mandell and Masullo Chen 2016, p. vii). On the one hand, we all know that the possibility of going suddenly public is an unavoidable feature of our contemporary lives, and thus we all fear being caught in a scandalous situation. But on the other hand, we also know that what is commonplace quickly loses its scandalous potential: “In a world where everything is public, it becomes less alarming that anything ceases to be private” (ibid., p. 211). But while the normalisation of a culture of self-exposure, coupled to an increase in everyday practices of digital surveillance, may have altered our conceptions of where the line between the public and the private might or should be, the need to imagine that line—and to separate spheres in such a way—remains a constant.

As Thompson (2000) succinctly claimed, “scandals are reactions or events involving certain kinds of transgressions which become known to others and are sufficiently serious to elicit a public response” (p. 14).

While scandals involve a transgression of a common perception of what “proper behaviour” is, they also entail a process of “converting people and ideas from acceptable to unacceptable in the public eye” (Allen 2016, p. 32). This conversion only occurs after a process of social construction: a given act needs to be framed in a such a way that it can receive a sanctioning judgement (ibid., p. 5). As Allen puts it, “the scandalicity of scandals is a meaning surplus value over and above the meaning that regulated the original conduct or behaviour” (ibid.). In other words, a scandal is experienced as something “extra,” something that cannot be located in the act itself, and that nonetheless is able to move us and trigger a moral response.

One way of clarifying the role that scandal discourses might play in fostering public debate is by distinguishing between “political scandals” and “scandal politics,” drawing on the construction by Demirhan (2017). In a participative democracy, the correlation between access to information and active participation is taken for granted—usually by positing some form of critical public discussion as a transitional state between the publication of information and political engagement. But while a political scandal (emphasis on the political) refers to an event that has the potential to become a catalyst for critical public discussion, and thus to function as a preamble for political change, scandal politics (emphasis on scandals) involves the systematic portrayal of scandals in media as a continuous flow for the sake of generating profit, managing reputations and aligning private interests with public opinion. In a political scandal, the release of information used as evidence for claiming a transgression of social and political norms is able
to generate a sustained and critical public debate, whereas in scandal politics we encounter the deliberate construction of “sensational events [that] take the attention of audiences temporarily instead of being a part of long term public discussion as a main problem of political systems” (Demirhan 2017, pp. 26–27).

According to Castells (2013), media politics is the “politics of our age” and scandal politics is the “instrument of choice to engage in the political struggles of our time” (p. 250). Although he states that the effects of scandal politics on particular political outcomes are highly contextual, and thus findings are largely inconclusive, he notes that this instrument has seemed to have at least one clear, cumulative effect, namely amplifying citizen disaffection and contributing to a “worldwide crisis of political legitimacy” (p. 254).

In a footnote to his essay *Conspiracy as Governance*, Assange himself wrote that “the impact of reported, but unanswered injustice is far greater than it may initially seem,” and that we are living in a time in which people are exposed to an “unprecedented deluge of witnessed, but seemingly unanswerable injustices” (2006, p. 1).

Scandal politics involves a self-sustaining movement that can very easily feed into a logic of conspiracy: power is seen as the privilege of a few agents lurking in the shadows—as opposed to a distributed network that we all contribute to and sustain through our everyday practices—which elicits a high demand for discourses of disclosure, in the hope that these might contribute to levelling the playing field.

This distinction gives us two very different kinds of transparency: one based on an economy of attention, and the other one based on the reassessment of trust.

On the one hand, we have a politics centred on the systematic production and normalisation of scandals, that gives us only a momentary and partial glimpse onto specific happenings that are able to harness the public’s attention. While a transgression might be disclosed, secrecy is rapidly relocated, maintaining a succession of leaks and counter-leaks until attention declines. On the other hand, when a political event is able to spark (and maintain) critical public deliberation, we are in the presence of a form of transparency that can both disrupt and rearrange social relations of trust—we gain a window, so to speak, to the way in which public will has hitherto been structured. The first might be termed first-level transparency, or access to informational contents that are able to garner attention without producing long-lasting or far-reaching critical debate (we might not trust a politician or government after this, but the faith in the overall system remains untouched), while the second might be called second-level transparency: access to information that is able to generate a public discussion on the nature of trust as such—on the social, economic, cultural and legal relations that sustain our expectations regarding other people’s intentions.

“In a culture of secrecy, that which is not secret is easily disregarded or dismissed” (Moynihan, quoted in Sifry 2011, p. 158). At the same time, in a world with an over-abundance of information, marking something as “secret” or “classified” is one of the quickest ways to add value to it: if everything is readily available, then the few things that are not immediately available become worthy of attention. Scandals work as such precisely because we live in a culture of secrecy: the mere mention of an effort to conceal guarantees public interest. Its inaccuracy or deceptiveness is secondary—due to being necessarily retrospectively proved.

**WikiLeaks as a continuum between politics and scandals**

Transparency is thought to be a precondition for scandals (something first needs to “surface out” before the public can evaluate if a moral transgression has occurred), and yet at the same time, scandals are thought to foster transparency—both a posteriori (when in the aftermath of a
publicly relevant issue people are able to assess if more transparency has, in fact, been achieved, and a priori (when the very threat of legal consequences or social shaming is thought to act as a deterrent for non-transparent behaviour).

Both of these modes (scandal politics and political scandals) are deeply related to the power of media and information, and thus should not be seen as mutually exclusive. Both of these modes (scandal politics and political scandals) are deeply related to the power of media and information, and thus should not be seen as mutually exclusive. At the same time that WikiLeaks scandalised political corruption, mainstream media scandalised WikiLeaks by focusing on allegations of sexual misconduct against Assange (Demirhan 2017, p. 38). The centre of attention shifted, the locus of secrecy changed and trust was consequently modified—the question now became: “Who is Assange? What are his true intentions? Can we believe him?” In order for the promises of transparency to be fulfilled, they need to become political events that are able to go beyond its taming reabsorption by the media industry.

For any modality of scandal to be treated as such, it needs to be framed as a situation with deep ethical or moral implications. The transgression needs to be posited, claimed, demonstrated. “While a scandal story needs facts, it needs them for purposes that are not justified from those facts” (Ehrat 2011, p. 7). This “something more” goes beyond a neutral depiction of reality—which means that the connection between scandals and transparency exceeds the mere exposure of evidence related to corruption—it is at the same time a performative definition of what corruption “is.”

I want to set up a new standard: “scientific journalism.” If you publish a paper on DNA, you are required, by all the good biological journals, to submit the data that has informed your research—the idea being that people will replicate it, check it, verify it. So this is something that needs to be done for journalism as well.

(Assange, cited by Khatchadourian 2010)

As we now know, Assange and his team of collaborators still edited the “raw” footage, as well as manipulated the soundtrack, adding context to it. And although the famous video of the Apache helicopter was released in both raw and edited forms, the very choice of the title “collateral murder” serves this framing purpose, straining any simple claim to objectivity.

In December 2006, WikiLeaks posted its first document: a “secret decision,” signed by Sheikh Hassan Dahir Aweys, a Somali rebel leader for the Islamic Courts Union. The document called for the execution of government officials by hiring “criminals” as hit men. Assange and the others were uncertain of its authenticity, but they thought that readers, using the Wikipedia-like features of the site, would help them to analyze it. They published the decision with a lengthy commentary, which asked, “Is it a bold manifesto by a flamboyant Islamic militant with links to Bin Laden? Or is it a clever smear by US intelligence, designed to discredit the Union, fracture Somali alliances and manipulate China?” The document’s authenticity was never determined, and news about WikiLeaks quickly superseded the leak itself (Khatchadourian 2010).

Conclusion

Although transparency and scandals have been traditionally treated as two distinct—and irreconcilable—categories on the grounds of their alleged relationship to the truth value of an event, in order to advance a proper understanding of the role that WikiLeaks has played in our contemporary public sphere, it is necessary to place both of them as part of an ideological continuum in the manufacturing of consent.
The contents leaked by WikiLeaks are largely seen as “raw data” without any specific frame, which allows them to attain an aura of objectivity and reliability. But leaks still need to be framed. And transparency serves as a conceptual modality of framing that can be used to preempt, resolve (and dissolve) the tensions that emerge through public debate. Scandals are scandals as long as they are able to generate public debate, and transparency involves a specific way of framing that debate in advance.

Alexandra Plows (2012, p. 20) has defended the point that public debates are always already “framed” in one way or the other, and thus publics have little option but to engage with issues on terms they would not have necessarily set themselves. Plows recognises that “line drawing” debates, which are often framed in “pro or anti format,” are most prominent in the public sphere (ibid., pp. 4–5).

It is not to be doubted that radical disclosure serves a crucial function for democracy. But in order for this function to reach its full political potential, it needs to be articulated in a way that can stir and harness the forces of public debate. Although the transparency wars are fought on the levels of politics and governance, the ongoing discursive instrumentalisations of “transparency,” as well as the successful exploitation of its associated terms in the public sphere, have largely shifted the battle to the cultural terrain.

WikiLeaks’ contribution in this regard can be said to transcend the potentially scandalous nature of any particular leak: it has helped to establish our social imaginary, not just the viability or usefulness of a global public intelligence platform, but the necessity of a model for disclosure that can surpass the barriers and limitations imposed by local governments and their vertical hierarchies. That this model of radical transparency is able to sustain itself over time, circumventing its absorption by the dominant powers, remains contestable.

References


