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“Bullets of Truth”: Julian Assange and the Politics of Transparency

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“If it’s true information, we don’t care where it comes from. Let people fight with the truth, and when the bodies are cleared there will be bullets of truth everywhere.” – attributed to Julian Assange.¹

By 2010, a scant four years after its unveiling as an obscure host of hacked documents, WikiLeaks had come to represent a weaponized form of transparency. It offered the first prominent anonymous means to make easily accessible the fruits of computer and network hacks that bedeviled governments and corporations, leaving their secrets not only vulnerable to theft but to exposure. By posting to the Internet enormous caches of previously secret information, the website threatened to fire what founder Julian Assange called its “bullets of truth” to overturn not just journalism but the entire political order. Over the previous several decades, transparency had emerged as one of the most prominent tools and concepts of good governance—an emergence that had led to unresolvable, tedious debates about how best to strike a balance

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between transparency and secrecy. If, as a scholarly consensus and a vocal advocate community claimed, transparency constitutes an unmitigated public good and secrecy is antithetical to democracy, then WikiLeaks sought to maximize the good and abolish the bad. It would render the stale debates irrelevant.

I have written elsewhere about WikiLeaks' effects, which are underwhelming compared to the site's claims (as well as those made by its critics), and about the ideological and institutional context from which it emerged.² This essay updates the WikiLeaks story to the present (early 2019) in order to consider what more recent developments reveal about the theoretical promise that Assange articulated at the time of the website's emergence. Assange has characterized secrecy as both a form and symptom of corruption, and ultimately as the foundation of a "conspiracy" of governance that states like the U.S. inflict on their subjects and the world. He advocates a non-political, vigilante form of transparency in which WikiLeaks serves as a neutral entity that will save the public and free the world with information. He predicted that corrupt political orders would fall as the threat of exposure forces the collapse of their conspiratorial communication networks. But WikiLeaks has failed not only to save the world but to save itself from politics—and in the process has itself become a bit player in the larger geo-political drama that it had hoped to disrupt. Assange's theory of information disclosure, as well as his assumptions about the state and governing institutions, have proven far too descriptively and normatively simple. More prominent, less radical theories of transparency should take note of these failures to the extent that they share many of his assumptions.

Theory: WikiLeaks, Reform, and Radical Resistance

Early in his time as a public intellectual, Assange proclaimed transparency's power in two distinct tones. Sometimes he explained how disclosure serves as a means to improve the democratic state; at others, he offered a more radical vision in which disclosure serves as a preeminent tool to disrupt the state apparatus. These two approaches to transparency shared a commitment to information as the catalyst for political change—capable of inspiring reform or of inciting revolution. The same disclosure that for the liberal Assange would encourage public engagement and accountability, trim bureaucracy's sails, and limit public corruption would, for his radical persona, expose and destroy the state. With information as his focus, Assange could speak to both reformist and radical audiences and claim to represent their interests as information theorist and entrepreneur.

WikiLeaks and Liberal Transparency

During the first bloom of his celebrity, Assange would frequently portray WikiLeaks as a conventional, journalistic endeavor to make major public institutions, especially governments, more visible to the public.³ At the height of the public controversy over the site's publication of documents stolen from the U.S. Department of Defense relating to its occupations of Iraq and Afghanistan and diplomatic cables stolen from the U.S. Department of State, he offered a recognizably reformist explanation for the site's work in a leading Australian newspaper. The WikiLeaks method of "scientific journalism," he explained, eschewed traditional media reporting, with its inevitable biases and filtering of information:

We work with other media outlets to bring people the news, but also to prove it is true.

Scientific journalism allows you to read a news story, then to click online to see the

original document it is based on. That way you can judge for yourself: Is the story true? Did the journalist report it accurately?⁴

According to this description of its project, WikiLeaks' purpose is to reveal the state and other key institutions to the world—not only to the citizens who can hold public institutions directly accountable but, as its website claimed, to everyone who is able to “see evidence of the truth.”⁵ The only limitation that WikiLeaks has placed on disclosure—one that most mainstream news outlets use but that WikiLeaks has only occasionally imposed on itself—is to minimize any harm that might foreseeably result from publication by redacting information which would allow the identification of vulnerable individuals who might face repercussion.⁶ In all other respects, the site's “*modus operandi*,” Assange explained, “is to get out suppressed information into the public, where the press and the public and our nation's politics can work on it to produce better outcomes.”⁷ In an introduction to a collection of scholarly essays drawing lessons from the State Department cables (re-branded as *The WikiLeaks Files*), Assange claimed that its disclosures would force the public to confront the bad acts of a newly revealed state:

The structured attempt at managing an extended cultural and economic system using communications is the hallmark of empire. And it is the records of these communications, never intended to be dissected, and so especially vulnerable to dissection, that form the basis for understanding the nature of the world's sole “empire.”⁸

Understood this way, the site is a journalistic enterprise worthy of the longstanding norms of respect and constitutional protections that apply to the press.⁹ It serves as investigator of fact and provider of scientific, true data for an inquiring public that will act on the truth it is presented.¹⁰ Deploying the classical, pervasive discourse of transparency advocacy, Assange

claimed that “WikiLeaks can enforce the human right to know, the right to speak, and, above all, the right to communicate information.”¹¹

Liberals have never fully embraced Assange’s occasional claims that WikiLeaks served as an agent of liberal reform.¹² The more tech-friendly elements of the transparency movement, which view information technology as the best means to correct the public bureaucratic tendency to hoard information, were at best ambivalent about WikiLeaks’s technological innovations. Tim O’Reilly, one of the leading proponents of the “open data” movement, tweeted that WikiLeaks “challenged” open government philosophy, for example.¹³ Other organizations and individuals, including the Electronic Frontier Foundation¹⁴ and Tim Berners-Lee, inventor of the World Wide Web, expressed similarly mixed feelings.¹⁵

Mainstream transparency advocates have proved even more circumspect. This was in part because the site provoked widespread outrage among elected officials and conservative commentators against unauthorized disclosures of all sorts.¹⁶ Acts of resistance that incite political revulsion do not fit neatly into what is otherwise perceived to be a transcendent, nonpartisan administrative norm. And, having triggered a backlash against leakers and their accomplices, the leaks did not appear to help advocates for whistleblower protection laws that cover only those who attempt first to work within the bureaucratic system and rule of law prior to disclosure.¹⁷ Steven Aftergood, who runs the Federation of American Scientists’ widely respected Project on Government Secrecy, criticized the site for appearing more interested in defeating rather than fixing the system by which the U.S. government classifies secrets.¹⁸ Nor have all journalists and their press advocates universally embraced the site as one of their own.¹⁹ Academics have also responded with ambivalence, including especially International Relations scholars who resisted utilizing the State Department cables that WikiLeaks made public.²⁰

Nevertheless, some members of the open-government community viewed WikiLeaks' success as a necessary response and counterweight to excessive government secrecy.²¹ For Thomas Blanton, director of the National Security Archive at George Washington University, “[t]he only remedies that will genuinely curb leaks are ones that force the government to disgorge most of the information it holds rather than hold more information more tightly.”²² But whether defending or criticizing WikiLeaks, transparency advocates and other groups and professions who advocate on behalf of greater transparency have viewed the site as something decidedly unconventional and distinct from their own reformist efforts.

WikiLeaks and Radical Transparency

Assange also tells a radical narrative. While developing the WikiLeaks site, he posted several short entries and longer essays on a personal blog that elaborated an alternative theory of political information and a series of political positions that extend well beyond the liberal democratic theories upon which conventional transparency advocates rely and that traditional journalism has deployed.²³ His most fully developed essay, provocatively titled *Conspiracy as Governance*, advocated a thoroughgoing replacement not only of leaders but of the structures that support power. In order to “radically shift regime behavior,” he proclaimed, “[w]e must understand the key generative structure of bad governance.”²⁴ The power Assange targets is produced and maintained through “conspiratorial interactions among the political elite,” which enable them to communicate means to maintain and strengthen their “authoritarian power.”²⁵ Conspiracies are “cognitive devices” that operate by accumulating, processing, and acting upon information.²⁶ They keep their strategies and plans secret from the public to avoid creating popular resistance, using secrecy to buttress what Assange calls “bad governance.”²⁷ Secrecy

keeps the public from being able to assert its will democratically and to successfully overthrow existing authority. Unless either all of the conspirators are removed or the links among all of the conspirators are severed, the conspiracy itself can survive.²⁸

Nevertheless, the conspiracy's need to communicate internally leaves it vulnerable to attack. Each regime member operates at a distinct position within the conspiratorial structure, and the structure disperses its power and knowledge both hierarchically and in different cells or divisions with separate projects or expertise.²⁹ Those with more authority must command those beneath them; but to the extent that the multiple lines of authority are complex and obscure, conspirators cannot always communicate face-to-face.³⁰ Because a conspiracy's communication channels therefore must be functional and secure, sabotage that would disrupt or reveal its communications can prove an effective means of resistance and struggle. A revolutionary movement may thus succeed through efforts to “*deceive or blind* a conspiracy by distorting or restricting the information available to it,” or through “unstructured attacks on links or through *throttling and separating*” the conspiratorial structure.³¹ Destroy the regime's ability to communicate with itself or degrade the quality of its information processing and transmission, and the regime can no longer rule as effectively and efficiently. As Assaange explained,

in a world where leaking is easy, secretive or unjust systems are nonlinearly hit relative to open, just systems. Since unjust systems, by their nature induce opponents, and in many places barely have the upper hand, mass leaking leaves them exquisitely vulnerable to those who seek to replace them with more open forms of governance [sic].³²

Stripped of its ability to control information and therefore to operate as a conspiracy, the regime will fall, and the people will finally be able to rule themselves.

Viewed this way, the content and quality of WikiLeaks' disclosures is less important than the effects that the quantity of its leaks have on officials who can no longer assume that their off-record, secretive communications among themselves remain confidential.³³ At the height of their threat, the WikiLeaks releases appeared as the first wave of an oncoming torrent of disclosure from more hackers and posted on more sites. The content of disclosed documents still matters, of course—leaking the doodles of low-level functionaries would not shake the conspiracy's communicative capabilities. But disclosure itself constitutes a mortal threat to conspiratorial, institutional authority that cannot sustain itself or even form if it cannot remain secret.

Given the radical nature of this project, it is certainly possible that Assange's reformist statements were a rhetorical strategy for public consumption. He may have intended them to persuade mainstream media to collaborate with WikiLeaks and to assure charitable foundations and other potential sources of funding that the site was no more radical than any emerging idea or technology. The site's self-portrayal as a truth-telling, journalistic medium was also a clever legal strategy—a way of appearing to function like a traditional news outlet worthy of traditional constitutional protections in the U.S. and similar free press protections elsewhere. There is evidence that Assange was partially motivated by those concerns and that his and the site's reformist, liberal statements were more strategic than heartfelt.³⁴ Robert Manne, whose thoughtful biographical essay on Assange and WikiLeaks's history provides the most extensive effort to tease out Assange's politics and motivations, comes to no clear conclusion about this conflict, although he seems to suspect Assange is more revolutionary than reformist—particularly in his longstanding and deep antipathy to the U.S. government.³⁵

Nevertheless, Assange occasionally has explained his seemingly disparate and conflicting goals in ways that reconcile the tension between these approaches. First, in a 2009 interview, he

noted three separate audiences for the documents that WikiLeaks exposes: (1) the general public, who, should they notice, understand, and respond to the document, can influence or animate legal reform; (2) those with expertise in the issues raised by the documents, such as law enforcement or competitors who can hold accountable any illegal or immoral behavior; and (3) the organization and individuals creating the documents, whose conspiracy will collapse as a result of the distrust and fear that disclosure will create.³⁶ He intended the disclosures to motivate the first two audiences to reform the state. He hoped his disclosures would destroy the third. And these alternatives are related. As he explained to an interviewer, if the behavior of

organizations which are abusive and need to be [in] the public eye . . . is revealed to the public, they have one of two choices: one is to reform in such a way that they can be proud of their endeavors, and proud to display them to the public. Or the other is to lock down internally and to balkanize, and as a result, of course, cease to be as efficient as they were. To me, that is a very good outcome, because organizations can either be efficient, open and honest, or they can be closed, conspiratorial and inefficient.³⁷

A state must operate as an optimal, open liberal democracy, or else vigilantes will create the conditions for regime change by imposing the total transparency that will destroy the state's ability to conspire—and therefore to exist. Finn Brunton has called this Assange's "two-tier strategy" that combines a Habermasian ideal of the public's capacity to engage in rational action and logical speech with a more radical, technological threat to disrupt the authoritarian state.³⁸ Disclosure is the catalyst for both strategies.

Consequences (1): WikiLeaks, Transparency, and Political Change

Assange's liberal and radical theories of transparency predict that those states subject to WikiLeaks' disclosures would be forced to change profoundly. If the liberal theory is correct, political and administrative reform would follow informational disclosure, and excessively secretive governments would open themselves to their citizens' view while their leaders would become less corrupt and engage in fewer if any secret dealings. This is the basic consequential justification for transparency as a means to reform the state.³⁹ If the radical theory holds, then conspiratorial regimes would unravel under the pressure their communications systems faced, and new, nonconspiratorial regimes would take power in their absence. Major informational leaks would create transformative, structural political change. In the wake of the Manning leaks, then, the U.S. empire—the target of WikiLeaks's most significant leaks—should have either improved or crumbled.

Neither scenario has occurred. As I have documented elsewhere, very little changed in U.S. politics or administration as a result of the Manning leaks or their aftermath—either in demonstrably positive or negative directions.⁴⁰ The most significant development concurrent to the Manning releases was the rise of the populist right-wing “Tea Party” faction in the conservative Republican party, whose adherents reacted to what they viewed as a socialistic Democratic party that had enacted a then-unpopular federal health care finance law. The Tea Party largely ignored the national security excesses and diplomatic communications revealed by the Manning leaks. And the Tea Party's largest political impact was on congressional elections in 2010. President Obama fairly easily won reelection in 2012, and Hillary Clinton—whose State Department was the victim of Manning's leaks of diplomatic cables from her agency and whose threats against Assange cast her as the villain for WikiLeaks and its supporters—remained in

place until 2013, when she departed to begin her campaign for the 2016 presidential election.⁴¹ WikiLeaks appeared to have no effect on these political developments.

Nor did Donald Trump's election in 2016 reveal any longer-term effect. His administration has not only failed to curb American pretensions to empire but has led to a demonstrably more corrupt federal government that is no more transparent than his predecessor's administration.⁴² One could argue that Trump's victory, as well as the successes of other far right-wing nationalists in western Europe and Brazil, alongside Vladimir Putin's autocratic leadership in Russia, have resulted in a fractured world that resists the Anglo-American neo-liberal world order which the post-war U.S. helped create and led. Perhaps, too, the populist rhetoric that these new leaders have deployed has built upon certain ideological notions about a "deep state" that WikiLeaks helped circulate, while nationalist politicians rode a wave of anti-elite revulsion that WikiLeaks's disclosures helped to create. But the international geopolitical order and quasi-authoritarian nationalist regimes that seem poised to replace at least in part the U.S.-led neoliberal order are antithetical to the anarcho-libertarianism that is at the heart of WikiLeaks's and Assange's brand—or even to a more participatory democracy or classical liberal republicanism that his occasionally reformist justifications would suggest. WikiLeaks and Assange may well be engaged in a quasi-Leninist, long-term effort to "heighten the contradictions" of capitalist democracies with imperialist pretensions. But not only is the logic of such a project strained and the risks of its failure to accomplish anything but misery and world war enormous, it is difficult to find, much less prove, that WikiLeaks has caused these concurrent political developments.

Therefore, we could conclude, WikiLeaks's disclosures have proven Assange's theories wrong. The post-WikiLeaks world seems no more transparent than the pre-WikiLeaks one, and

governments do not seem significantly more accountable. Even if the Arab Spring came about at least in part because of WikiLeaks's disclosures and the website's inspiration for newly emergent journalists and websites in the Middle East and North Africa (a claim that is not universally accepted), its failure to lead to more democratic and transparent governments in Egypt, Tunisia, and elsewhere suggests that disclosure does not guarantee sustainable liberal or radical change.⁴³ Leaks obviously matter, but not in the way that Assange theorized. His theory rests on assumptions about government information—and specifically about its creation, about the state as a coherent, intentional entity, and about the public as a rational, attentive actor—that are mistaken.⁴⁴ Disclosure does not itself lead to state reform or to revolution.

Consequences (2): WikiLeaks as a Political Actor and Subject

Events during the past several years have overtaken Assange and WikiLeaks: Assange was indicted on criminal charges in Sweden; he sought exile in Ecuador's London embassy, where he has faced virtual imprisonment for year; and WikiLeaks played a strange, ancillary role in the 2016 U.S. presidential election. Assange has been proven correct that governance is conspiratorial, and this has either forced or revealed him to be a political actor, fighting for his relevance and liberty not through the neutral disclosure of information but through affirmative collaboration with state actors. Informational vigilantism, it turns out, cannot resist the state without itself becoming implicated in power and the state's politics. As I will note in the conclusion, these developments reveal a basic fact about the political nature of transparency.

The State Fought Back: Assange's Curious Exile

Assange's life changed in 2012, soon after the last of the Manning disclosures, when Swedish prosecutors issued a warrant for his arrest on the basis of criminal sexual assault

allegations. Fearing extradition to the United States if he surrendered to Swedish authorities, Assange fled to the Ecuadorian embassy in the Knightsbridge district of central London in hope of gaining asylum from President Rafael Correa's sympathetic leftist government. Prosecution in the U.S. has remained his greatest concern, whether from Barack Obama's or Donald Trump's administration. Assange had hoped that a Trump administration would be more sympathetic to his plight, but Mike Pompeo, Trump's initial Director of Central Intelligence and later Secretary of State, has characterized WikiLeaks as "non-state hostile intelligence service" that aided and abetted Russian efforts against the U.S.⁴⁵ And indeed, a mistake in an unrelated criminal indictment filed in 2018 revealed that the U.S. has filed a sealed criminal indictment against Assange—although the indictment's charges remain a mystery.⁴⁶

In exile, Assange has also been subject to whatever conditions Ecuador has placed upon him.⁴⁷ Those conditions tightened after 2017, when newly elected President Lenín Moreno sought to relieve the external international pressures on Ecuador that Assange's exile had created. Assange's relations with the Moreno government and the embassy deteriorated to the point that his Internet access was cut off in March 2018; though they were later restored, the Ecuadorians placed conditions on how Assange was to interact online and act in real life.⁴⁸ Meanwhile, Sweden's decision to drop its rape investigation and revoke the warrant for Assange's arrest did not materially change his circumstances, as he feared arrest by British authorities and ultimately extradition to the U.S. if he left the embassy.⁴⁹

These developments proved Assange's understanding of the state correct in one key respect: Contemporary governance *is* a conspiracy composed of nation-states, their national security bureaucracies, and international governing bodies, all of which collaborate to neutralize what one or more countries view as a threat. That conspiracy trained its sights on Assange in

retaliation for WikiLeaks' actions in posting massive documentary leaks and encouraging more. And while Assange may be close to correct regarding power's exercise, especially as it pertains to his own plight, his radical politics and theory promised a future that has not come to pass. His efforts to develop an identity as an online revolutionary, a vagabond with no country and no commitment except to the freedom of information, could not free his body from the jurisdiction of multiple sovereigns' police powers. WikiLeaks may have embodied cyberspace's promise to provide a welcome refuge from policing, surveillance, and coercion, as well as a means and a place to plot against conspiracy. And it may have presented itself as a geo-political force that, like the encrypted networks which cypherpunks formed, would create the conditions for freer public and private spheres to emerge. But WikiLeaks has not liberated the people—at least not yet. And it has led to Assange's virtual imprisonment by the conspiracy he had imagined.

WikiLeaks, Intelligence, and Politics

WikiLeaks continued to operate during Assange's exile, although he stepped down as editor-in-chief of Wikileaks in September 2018 (while retaining the title of publisher) as Ecuador's withdrawal of his internet privileges at the embassy continued.⁵⁰ Most famously, during the 2016 U.S. presidential campaign WikiLeaks released emails stolen from Hillary Clinton, Clinton's campaign manager John Podesta, and the Democratic National Committee; and in the days just prior to France's 2017 national election, it released emails stolen from Emmanuel Macron's presidential campaign. Although these were not its only leaks—they also leaked hacked emails from Turkey's leading political party and files relating to CIA surveillance programs⁵¹—the Clinton and Macron leaks were strategically timed to enhance their impact on key elections. WikiLeaks could no longer claim status as a mere information conduit that abided

by standards of journalistic objectivity, if it ever could (and if such standards in fact existed among legacy news outlets).

Instead, the site began to serve more clearly as a non-state intelligence network—something WikiLeaks occasionally invoked by proclaiming itself the “first intelligence agency for the general public.”⁵² Unlike a neutral clearinghouse or news outlet, an intelligence agency performs a strategic task. *State* intelligence networks seek geo-political advantage by gathering open source information and actively engaging in clandestine human and signals intelligence; they also more famously and covertly attempt to disrupt and even overthrow rival states’ political leadership. *Private* intelligence services assist corporate and individual clients by spying on rivals and enemies, often in secret and in ways that cause harm to their targets.⁵³ WikiLeaks, by contrast, represents “the public” in order to check and balance the powerful entities and interests who can fund and staff their own spy network. It releases information to the world, rather than solely and secretly to its sponsors. But that claim merely begs the question of what constitutes the public’s interest and how the website distinguishes between the nebulous public’s interests and WikiLeaks’ and Assange’s own interests—as well as whether the disclosure of information is always a public good.

The more pressing issue, however, is how this self-proclaimed intelligence agency performs its self-defined remit. Criminal indictments and multiple news reports have alleged that Assange directed WikiLeaks to leak documents that he knew or should have known were made available to him from hackers with direct links to state actors. At the time of writing (early 2019), the question of whether WikiLeaks knowingly acted in conjunction with Russian agents has not yet been proven in court, nor have contemporaneous documents proving its involvement

been made public. Assange and WikiLeaks have denied doing anything beyond its normal role of providing a host for leaks. But the evidence is persuasive, notwithstanding Assange's denials.

Most significantly, the U.S. Special Counsel's Office (SCO), created in 2017 to investigate Russian interference in the election, has alleged that WikiLeaks received and posted stolen campaign-related documents while working with Russian intelligence and representatives from the Trump campaign to release them in order to influence the 2016 presidential election. The documents were the product of a hacking campaign overseen by the Main Intelligence Directorate of the General Staff ("GRU"), a Russian military intelligence agency that gained access to computers and online accounts belonging to the Democratic National Committee and the Hillary Clinton campaign. As Clinton and Trump won their political parties' nominations, GRU created fictional, anonymous hackers to serve as go-betweens (or "cut-outs") for its dealings with WikiLeaks in order to give the two parties plausible deniability about their work and collaboration.

The SCO offered a hint of the evidence it possessed of WikiLeaks's work in its 2018 indictment of GRU officers.⁵⁴ The indictment cited private direct messages sent from WikiLeaks to one of the cut-outs, suggesting that the documents would have a "much higher impact" on the election if WikiLeaks prepared and posted them, and would hurt Clinton's campaign while assisting Trump's. Another message from WikiLeaks confirmed receipt of the archive and promised to quickly release it.⁵⁵ A second indictment—this one not filed by the SCO but shared with U.S. media by its target, a confidant of Trump advisor and long-time political operative Roger Stone—appeared to provide evidence of the Trump campaign's contacts with Assange. It also demonstrated the extent to which WikiLeaks prepared and timed the disclosures to maximize their harm to Clinton.⁵⁶ And the indictment that the SCO filed against Stone further

cited communications in the government's possession that linked WikiLeaks to Stone and to "a senior Trump campaign official."⁵⁷ The indictments' allegations are consistent with summary reports from U.S. intelligence agencies that investigated Russian interference, as well as with congressional testimony from former national security officers who oversaw those investigations and had seen intelligence on Assange's professional relationship with Russia.⁵⁸ If true—and it would require an enormous conspiracy among U.S. governmental agencies and reporters who have independently reported this story for it to be false—then WikiLeaks knowingly played a key role in a state's campaign to disrupt a rival government's democratic election.

The Macron leaks, which occurred the following year, were at least superficially similar. Two days before the 2017 French presidential election, 20,000 emails from the Macron campaign—nearly all of them banal and none of them scandalous—were uploaded initially to a file-sharing site and then were posted on 4chan, an anonymous message board. WikiLeaks ultimately posted the emails to its site and also promoted them on Twitter, retweeting their existence alongside "alt-right" activists in the U.S. and numerous bot accounts on Twitter and Facebook—many of them linked to Russia and Russian-speaking communities—and the Russian government-controlled media channels Russia Today and Sputnik.⁵⁹ No evidence that WikiLeaks was directly involved in organizing the hack or strategically releasing the materials has emerged nor has proof of any direct links between the hacker(s) to Russia. Furthermore, the leaks appear to have had little impact, especially in the election's final result, besides lending an air of chaos to the vote. But insofar as the election pitted the pro-European, neoliberal Macron against the far-right Marine Le Pen, with whom Russian leader Vladimir Putin was on friendlier terms, WikiLeaks's secondary role in promoting and archiving the leaks suggested at least a parallel interest to Russia's.⁶⁰

We may never know these leaks' precise short-and long-term impact on politics and public opinion, much less any specific harms or benefits they might have directly caused to democracy and the quality of governance. The hacked emails and WikiLeaks' role in releasing them may not have caused or even helped Trump's surprising victory; the campaign, like all major national political events, was far too complex to single out particular determinants as causal. The FBI's announcement in the final days of the campaign that it was reopening its investigation into Clinton's use of a private email account and server while she was Secretary of State seemed to have a much greater impact, especially on press coverage.

But even if WikiLeaks' actions and the hacked emails had no effect on the election, they undercut WikiLeaks's fading image as a high-moral agent of the public interest that apolitically enlightens the public and holds all powerful institutions and their leaders equally accountable through the disclosure of secret documents. WikiLeaks, it seems, had and has an agenda beyond disclosing secrets. Even if it did not support one candidate or party over another in an election (a claim belied by evidence that Assange coordinated with Trump allies about its release and sought assistance from his family and associates after the fact), it appeared willing to work with one nation's intelligence service against another.

Assange's responses to criticisms of WikiLeaks have rung false, except to his strongest supporters. When questioned about the disclosures, Assange has asserted that the Russian government did not give WikiLeaks the documents—although he has shifted between flat denials and refusing to answer questions on the grounds that WikiLeaks does not reveal sources.⁶¹ Worse, he has made obviously false suggestions about his sources, going so far as to hint that the documents might have come from a DNC employee whose recent murder had become the subject of proliferating and false conspiracy theories.⁶² Meanwhile, Trump and other

Republicans initially praised WikiLeaks's role; in doing so, Trump reversed his 2011 statement that Assange should be subject to the death penalty for leaking the Manning materials.⁶³ Assange reciprocated, in a way, to Trump's new-found fondness for his website, as direct messages from the WikiLeaks Twitter account to Trump's son, apparently written by Assange and released by Trump, Jr., seemed to indicate. Assange proposed that in exchange for his past and possible future work on Trump's behalf, President Trump should propose to the Australian government that Assange be named ambassador to the U.S.⁶⁴ Assange's efforts to befriend far-right politicians in the U.S. and Trump friends is understandable, as his stay in the embassy appeared, as of this writing, to extend indefinitely, but it certainly suggests an ulterior motive to WikiLeaks's coordination with the Trump campaign in 2016.⁶⁵

All of this has further raised Assange's profile and may help extricate him from his exile. Perhaps to also have incrementally weakened the neoliberal hegemony in the West, a development Assange has openly advocated. But it is very tangentially related to WikiLeaks's supposed project as a technological transparency fix to the "bad governance" Assange claimed to oppose, but with which he now seemed willing to collaborate. The Clinton and Macron leaks reveal Assange and WikiLeaks to be conspiratorial political players in a conspiratorial geopolitical struggle.

Transparency as Politics

Assange and WikiLeaks represent extremes in transparency theory and practice. Their rise challenged existing open government laws—both because they seemed much more effective than weak open government laws (like the U.S. Freedom of Information Act) that exempt many of the documents WikiLeaks liberated, and because their actions revealed their potential

irrelevance in a digital environment. With Assange as its leader and in-house philosopher, WikiLeaks also challenged the theory behind transparency. WikiLeaks stands for the proposition that complete transparency, not an emasculated one that “balances” openness against supposedly justifiable secrecy, should be imposed even against the most resistant institutions in order to achieve all of transparency’s beneficial consequences more quickly. If transparency represents a perfect and perfecting administrative norm, after all, then the public should no longer be subject to the legal compromises to which existing laws and policies inevitably succumb. Transparency, its advocates often proclaim, constitutes a non-political tool to fix politics. Assange radicalized that claim, suggesting that WikiLeaks’ distribution of massive, anonymously-obtained document caches constitutes a non-political tool to disrupt and revolutionize politics.

But Assange’s predicament and WikiLeaks’s emergence as a private intelligence entity reveal the impossibility of this idea. The site’s project of imposing informational discipline on the state cannot occur outside of the geo-politics that Assange might at one time have sought to escape. When governments predictably fought back against him and his organization, Assange became what he might otherwise have abhorred. He is now a celebrity victim and forthrightly political actor forced to build alliances with imperfect nation states and their agents—and even with the worst, most conspiratorial ones—often to further private ends. The fact that those private ends may be understandable and even deserving of some degree of sympathy merely confirms that WikiLeaks is not a machine perfectly designed to kill conspiracies. Instead, it is another tool subject to the limitations of technologies and laws that imperfectly address a key administrative problem of democratic governance: the distance between the state and its public.

Nor can more quotidian efforts to impose transparency on the state avoid existing political institutions, the limitations of technology, and the ideological terrain on which those

efforts work. Transparency laws result from a political process, shaped by compromises struck by the various interested parties and institutions involved in their enactment. This is the story that Ben Worthy has told recently about the UK Freedom of Information Act, that Sam Lebovic and Michael Schudson have told about its predecessor in the U.S, and that Prashant Sharma has told about India's legislation; it is also what non-governmental organizations have attempted in shaming and sometimes forcing governments to conform to anti-corruption standards by becoming more transparent.⁶⁶ Like those before and after him who have made important strides in opening the state to public view, Assange could not impose his vision on a complex world. The price he has paid, and the ways he and his organization have adapted to the world's response to him, are merely the most dramatic examples of the long and complex struggle to impose transparency against bureaucratic resistance. The "bodies" he imagined that his truth bullets would fell don't exist; instead, *his* body has been imprisoned for years in spectacularly visible isolation in central London.

¹ The quote appears in Raffi Khatchadourian, "Julian Assange, A Man Without a Country," *New Yorker*, August 21, 2017, <https://www.newyorker.com/magazine/2017/08/21/julian-assange-a-man-without-a-country>.

² Mark Fenster, *The Transparency Fix: Secrets Leaks, and Uncontrollable Government Information* (Stanford University Press, 2017), 50-55; Mark Fenster, "Disclosure's Effects: WikiLeaks and Transparency," *Iowa Law Review* 97.3: 753-807 (2012).

³ This is true as well for Bradley Manning's motives, at least to the extent they have been disclosed. See David Leigh and Luke Harding, *WikiLeaks: Inside Julian Assange's War on Secrecy* (New York: PublicAffairs, 2011), 84-87.

⁴ Julian Assange, "Don't Shoot Messenger for Revealing Uncomfortable Truths," *Australian* (Dec. 7, 2010), <http://www.theaustralian.com.au/in-depth/wikileaks/dont-shoot-messenger-for-revealing-uncomfortable-truths/story-fn775xjq-1225967241332>.

⁵ WikiLeaks, "About: What Is WikiLeaks?" (May 7, 2011), <https://wikileaks.org/About.html>.

⁶ See Hans Ulrich Obrist, “In Conversation with Julian Assange, Part I,” *e-flux* (May 2011), <https://www.e-flux.com/journal/25/67875/in-conversation-with-julian-assange-part-i/>; Richard Waters, “Online Leaks: A Digital Deluge,” *Financial Times* (July 30, 2010), <http://www.ft.com/intl/cms/s/0/9098a06a-9c1c-11df-a7a4-00144feab49a.html#axzz1bkWjzeLA>.

⁷ “Julian Assange on WikiLeaks, War and Resisting Government Crackdown,” *Democracy Now!* (Dec. 31, 2010), https://www.democracynow.org/2010/12/31/julian_assange_on_wikileaks_war_and; see also “Time’s Julian Assange Interview: Full Transcript and Audio,” (Dec. 1, 2010), <http://content.time.com/time/world/article/0,8599,2034040,00.html> (presenting Assange’s claim that transparency can “achieve a more just society” by allowing a more knowledgeable, engaged public to oppose “abusive plans or behavior”).

⁸ Julian Assange, “Introduction: WikiLeaks and Empire,” in *The WikiLeaks Files: The World According to US Empire* (London: Verso, 2015), 3.

⁹ On the question of whether the First Amendment applies to WikiLeaks, and the significance of this question, see Yochai Benkler, “A Free Irresponsible Press: Wikileaks and the Battle over the Soul of the Networked Fourth Estate,” *Harvard Civil Rights-Civil Liberties Law Review* 46.2 (2011): 311-397, 351–63; Mary-Rose Papandrea, “The Publication of National Security Information in the Digital Age,” *Journal of National Security Law and Policy* 5.1 (2011): 119-130; see also Jack Goldsmith, “Why the U.S. Shouldn’t Try Julian Assange,” *Washington Post* (Feb. 11, 2011), <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/10/AR2011021006324.html>.

¹⁰ “WikiLeaks Is the Method We Use Towards Our Goal of a More Just Society: Assange,” *Hindu* (Apr. 13, 2011), <http://www.hindu.com/2011/04/13/stories/2011041357631300.htm>.

¹¹ For a discussion of how rights talk permeates political theories of transparency, see Fenster, *The Transparency Fix*, pp. 23-37.

¹² See, e.g., Tom Slee, *WikiLeaks Shines a Light on the Limits of Techno-Politics*, TOM SLEE BLOG (Dec. 5, 2010), <http://tomslee.net/2010/12/wikileaks-shines-a-light-on-the-limits-of-techno-politics.html> (discussing the difference in aims of transparency proponents, who seek to improve how government functions, and WikiLeaks, which seeks to make government operations more difficult).

¹³ Tim O’Reilly, *Twitter*, <https://twitter.com/timoreilly/status/8943982939738113> (Nov. 28, 2010, 10:03 AM).

¹⁴ See Jennifer Lynch, “Sunshine Week: Do Open Government Laws Still Matter in the Era of WikiLeaks?” Electronic Frontier Foundation (Mar. 13, 2011), <https://www.eff.org/deeplinks/2011/03/sunshine-week-do-open-government-laws-matter-era>

¹⁵ Alexander Howard, “Tim Berners-Lee Says WikiLeaks Is Not Open Government Data,” *Huffington Post*, Dec. 6, 2017, https://www.huffingtonpost.com/alexander-howard/tim-bernerslee-on-wikilea_b_798671.html.

¹⁶ Benkler, “A Free Irresponsible Press,” 331–33.

¹⁷ See Robert Brodsky, “Whistleblower Protection Bill Dies Again, on the 1-Yard Line,” *Government Executive* (Dec. 23, 2010), <http://www.govexec.com/dailyfed/1210/122310rb1.htm>; Glenn Greenwald, “WikiLeaks Reveals More than Just Government Secrets,” *Salon* (Nov. 30,

2010), https://www.salon.com/2010/11/30/wikileaks_10/ (discussing commentators who were outraged by WikiLeaks, some of whom called loudly for Assange's assassination).

¹⁸ "From One Transparency Advocate to Another," *On the Media* (July 30, 2010), <https://www.wnyc.org/story/132860-from-one-transparency-advocate-to-another/>; for more of his criticism, see also Steven Aftergood, "WikiLeaks Fails "Due Diligence" Review," *Secrecy News* (June 28, 2010), http://www.fas.org/blog/secrecy/2010/06/wikileaks_review.html.

¹⁹ Nancy A. Youssef, "In WikiLeaks Fight, U.S. Journalists Take a Pass," *McClatchy* (Jan. 9, 2011), <http://www.mcclatchydc.com/2011/01/09/106445/in-wikileaks-fight-us-journalists.html>.

²⁰ Assange assailed the International Studies Association for what he deems its "religious hysteria" in failing to make use of WikiLeaks's disclosures. See Assange, "Introduction: WikiLeaks and Empire," in *The WikiLeaks Files: The World According to US Empire* (London: Verso, 2015), 6-11. For alternative explanations for scholars' apparent diffidence about the diplomatic cables, see Daniel W. Drezner, "The Academic Universe Is Indifferent to WikiLeaks," *Washington Post*, July 30, 2015, https://www.washingtonpost.com/posteverything/wp/2015/07/30/the-academic-universe-is-indifferent-to-wikileaks/?utm_term=.0100fe88efc8; Daniel W. Drezner, "What should scholars and foreign policy wonks do with WikiLeaks?" *Foreign Policy*, Nov. 29, 2010, <https://foreignpolicy.com/2010/11/29/what-should-scholars-and-foreign-policy-wonks-do-with-wikileaks/>.

²¹ See, e.g., "Stephen Collins, Open Government in a WikiLeaks World," *Government Technology Review* (Australia), Dec. 21, 2010, <https://www.govtechreview.com.au/content/govtech/article/open-government-in-a-wikileaks-world-480460024> ("[P]henomena such as Wikileaks are a symptom, rather than the disease itself. Wikileaks exists because of the failure of governments around the world to operate openly."); Ron Deibert, "After WikiLeaks, A New Era," *New York Times* (Dec. 11, 2010), <http://www.nytimes.com/roomfordebate/2010/12/09/what-has-wikileaks-started/after-wikileaks-a-new-era> ("WikiLeaks is only a symptom of a much larger phenomenon to which governments, businesses and individuals will all have to get accustomed. Our lives have been turned inside out by a digital world of our own spinning. We will need new rules, norms and principles to adjust to this new environment."); Alex Howard, "Is WikiLeaks Open Government?," *Gov 2.0* (Nov. 28, 2010), <http://gov20.govfresh.com/is-wikileaks-open-government/>; Jeff Jarvis, "WikiLeaks: Power Shifts from Secrecy to Transparency," *BuzzMachine* (Dec. 4, 2010), <http://www.buzzmachine.com/2010/12/04/wikileaks-power-shifts-from-secrecy-to-transparency/> ("[I]n the internet age, power shifts from those who hold secrets to those [who] create openness. That is our emerging reality.").

²² *Espionage Act and the Legal and Constitutional Issues Raised by WikiLeaks: Hearing Before the H. Comm. on the Judiciary*, 111th Cong. 79 (2010) (statement of Thomas Blanton, Director, National Security Archive, George Washington University), available at <https://judiciary.house.gov/wp-content/uploads/2010/12/Blanton101216.pdf>.

²³ The best account of these writings is Aaron Bady, "Julian Assange and the Computer Conspiracy; 'To Destroy This Invisible Government,'" *zunguzungu* (Nov. 29, 2010, 9:05 AM) [hereinafter "Julian Assange and the Computer Conspiracy"], <http://zunguzungu.wordpress.com/2010/11/29/julian-assange-and-the-computer-conspiracy-to-destroy-this-invisible-government/>.

²⁴ Julian Assange, *Conspiracy as Governance* (Dec. 3, 2006), 1 [hereinafter *Conspiracy as Governance*], available at <http://cryptome.org/0002/ja-conspiracies.pdf>. That essay and another, Julian Assange, *State and Terrorist Conspiracies* (Nov. 10, 2006), are available as part of the same file on the Cryptome website. The former essay is a revision of the latter, written less than a month later, and is a more authoritative version of Assange's argument.

²⁵ *Conspiracy as Governance*, 2.

²⁶ *Id.* at 3.

²⁷ *Id.* at 1–2.

²⁸ *Id.* at 2–3.

²⁹ *Id.* at 2–3.

³⁰ As Assange explained in an interview with the BBC:

There is a reason why people write things down. Yes, you can organise a small group of people to do something with just word of mouth. But if you want to enact policy, for example, to get Guantanamo Bay guards to do something, get the grunts to do something, you've got to write it down or it will not be followed.

“Transcript: The Assange Interview,” *BBC News—Today* (Dec. 21, 2010), http://news.bbc.co.uk/today/hi/today/newsid_9309000/9309320.stm.

³¹ *Conspiracy as Governance*, at 5.

³² Julian Assange, “The Non Linear Effects of Leaks on Unjust Systems of Governance,” *IQ.org* (Dec. 31, 2006). Assange apparently stopped posting at IQ.org in 2007, and the site is no longer operational. See <http://www.iq.org>. But this post is available at <http://cryptome.org/0002/ja-conspiracies.pdf>. For this and other posts from IQ.org, see also http://www.anorak.co.uk/wp-content/uploads/assange-IQ.org_.pdf.

³³ Slavoj Žižek, *Living in the End Times* 408–09 (London: Verso, rev. ed. 2011); “Julian Assange and the Computer Conspiracy.” In an essay intended to dismiss WikiLeaks' importance, Umberto Eco concedes this point, noting that even an “empty secret” whose content is widely known can cause “irreparable damage” to those who thought they controlled access to the secret. Umberto Eco, “Not Such Wicked Leaks,” *Vox:Europ* (Eric Rosencrantz trans. Dec. 2, 2010), <http://www.presseurop.eu/en/content/article/414871-not-such-wicked-leaks>.

³⁴ See “WikiLeaks:Strategy,” *WikiLeaks*, <https://www.wikileaks.org/wiki/WikiLeaks:Strategy> (declaring that the site should not “alienate” transparency and anticorruption groups and the organizations that fund them “without good cause,” even if those groups tend to be more conservative than WikiLeaks).

³⁵ Robert Manne, “The Cypherpunk Revolutionary: Julian Assange,” *The Monthly* (Australia), March 2011, 17–35, see especially 29–30.

³⁶ See Becky Hogge, “News of the World, Media Cartels and the Fiscalisation of Power: 2009 Interview with Julian Assange,” *Barefoot Technologist* (July 27, 2011), https://barefootintocyberspace.com/2011/07/27/assange_transcript/.

³⁷ “Time's Julian Assange Interview: Full Transcript and Audio,” (Dec. 1, 2010), <http://content.time.com/time/world/article/0,8599,2044040,00.html>.

³⁸ Finn Brunton, “Keyspace: WikiLeaks and the Assange Papers,” *Radical Philosophy*, Mar./Apr. 2011, available at <http://www.radicalphilosophy.com/commentary/keyspace-wikileaks-and-the-assange-papers>.

³⁹ See generally Emmanuel Alloa, “Transparency: A Magic Concept of Modernity,” in *Transparency, Society and Subjectivity*, Emmanuel Alloa and Dieter Thomä eds. (Cham, Switzerland: Palgrave Macmillan, 2018), 21-55 44-47; Christopher Hood, “Transparency in Historical Perspective,” in *Transparency: The Key to Better Governance?* Christopher Hood and David Heald eds. (Oxford: Oxford University Press, 2006), 3-23

⁴⁰ Fenster, “Disclosure’s Effects,” 781-805.

⁴¹ On Assange’s antipathy towards Clinton, see Khatchadourian, “Julian Assange, A Man Without a Country.”

⁴² See Clare Birchall “Interrupting Transparency,” in Emmanuel Alloa and Dieter Thomä (eds) *Transparency, Society and Subjectivity* (Cham, Switzerland: Palgrave Macmillan, 2018), 343-367; Thomas C. Ellington, “Transparency under Trump: Policy and Prospects,” *Public Integrity* (2018) DOI: 10.1080/10999922.2018.1463837; on Trump’s peculiar form of transparency, see Mark Fenster, “Transparency in Trump’s America” *Governance*, 30.2 (2017), 173-175.

⁴³ See generally Ibrahim Saleh, “WikiLeaks and the Arab Spring: The Twists and Turns of Media, Culture, and Power,” in *Beyond WikiLeaks: Implications for the Future of Communications, Journalism, and Society*, eds. Benedetta Brevini, Arne Hintz, and Patrick McCurdy (London: Palgrave Macmillan, 2013), 236–244; for a discussion of the arguments in favor and against WikiLeaks’s influence on the Arab Spring, see Fenster, *Transparency Fix*, 184-85.

⁴⁴ I make and explain this argument at length in Part II of Fenster, *Transparency Fix*.

⁴⁵ Brian Bennett, “CIA chief calls WikiLeaks ‘non-state hostile intelligence service,’” *Los Angeles Times*, April 13, 2018, <https://www.latimes.com/politics/washington/la-na-essential-washington-updates-pompeo-are-you-sure-trump-1492114120-htmstory.html>.

⁴⁶ Susan Hennessey, Quinta Jurecic, Matthew Kahn, and Benjamin Wittes, “What to Look for in Possible Assange Charges,” *Lawfare*, Nov. 16, 2018, <https://www.lawfareblog.com/what-look-possible-assange-charges>.

⁴⁷ For a description of Assange’s life inside the embassy, see Khatchadourian, “Julian Assange, A Man Without a Country.”

⁴⁸ Dan Collins, “Ecuador tells Assange to avoid political activity online – and feed the cat,” *Guardian*, Oct. 16, 2018, <https://www.theguardian.com/media/2018/oct/16/ecuador-embassy-tells-assange-clean-bathroom-feed-the-cat-do-laundry>.

⁴⁹ Esther Addley and Alan Travis, “Swedish prosecutors drop Julian Assange rape investigation,” May 19, 2017, <https://www.theguardian.com/media/2017/may/19/swedish-prosecutors-drop-julian-assange-investigation>.

⁵⁰ Jason Murdock, “WikiLeaks: Julian Assange Steps Down as Editor After Being Silenced by Ecuador,” *Newsweek*, Sept. 27, 2018, <https://www.newsweek.com/wikileaks-julian-assange-steps-down-editor-chief-appoints-kristinn-hrafnsson-1141973>.

⁵¹ The Turkish emails appear at <https://wikileaks.org/akp-emails/>. For an extensive complaint about the leak's excessive disclosure of private information, see Zeynep Tufekci, "WikiLeaks Put Women in Turkey in Danger, for No Reason," *Huffington Post*, https://www.huffingtonpost.com/zeynep-tufekci/wikileaks-erdogan-emails_b_11158792.html (July 25, 2016). The CIA hacking materials were disclosed in WikiLeaks's so-called "Vault 7" and "Vault 8" releases. See Lorenzo Franceschi-Bicchierai, "WikiLeaks Starts Releasing Source Code For Alleged CIA Spying Tools," *Motherboard*, Nov. 9, 2017, https://motherboard.vice.com/en_us/article/qv3xxm/wikileaks-vault-7-vault-8-cia-source-code.

⁵² See Emma Best, "WikiLeaks admitted it's a non-state intelligence service," *Emma Best: A mosaic made out of the wilderness of mirrors*, <https://emma.best/2018/11/14/wikileaks-admitted-its-a-non-state-intelligence-service/> (Nov. 14, 2018).

⁵³ Ironically, in 2012 WikiLeaks itself released emails hacked from a private intelligence firm Stratfor, and touted its finds as revealing the company's "informers, pay-off structure, payment-laundering techniques and psychological methods," including about Stratfor's intelligence-gathering against WikiLeaks and Assange. See WikiLeaks, "the gifiles," <https://wikileaks.org/the-gifiles.html> (Feb. 26, 2012).

⁵⁴ Eric Geller, "Mueller's timeline: How the Russian hacks unfolded," *Politico*, July 13, 2018, <https://www.politico.com/story/2018/07/13/mueller-russia-hacks-timeline-686521>

⁵⁵ See *United States v. Viktor Borisovich Netyksho et al.*, criminal indictment filed July 13, 2018, U.S. District Court for the District of Columbia, Case 1:18-cr-00215-ABJ, available at <https://www.justice.gov/file/1080281/download>.

⁵⁶ David A. Graham, "Is WikiLeaks a Russian Front?" *Atlantic*, Nov. 29, 2018, <https://www.theatlantic.com/politics/archive/2018/11/wikileaks-trump-mueller-roger-stone-jerome-corsi/576940/>

⁵⁷ See *United States v. Roger Jason Stone, Jr.*, criminal indictment filed Jan. 24, 2019, U.S. District Court for the District of Columbia, Case 1:18-cr-00215-ABJ, available at <https://www.lawfareblog.com/document-indictment-roger-stone>; see generally Devlin Barrett, Rosalind S. Helderman, Lori Rozsa, and Manuel Roig-Franzia, "Longtime Trump adviser Roger Stone indicted by special counsel in Russia investigation," *Washington Post*, Jan. 25, 2019, https://www.washingtonpost.com/politics/longtime-trump-adviser-roger-stone-indicted-by-special-counsel-in-russia-investigation/2019/01/25/93a4d8fa-2093-11e9-8e21-59a09ff1e2a1_story.html

⁵⁸ See *Assessing Russian Activities and Intentions in Recent US Elections*, Intelligence Community Assessment (ICA 2017-01D, Jan. 6, 2017), at 3, available at https://www.dni.gov/files/documents/ICA_2017_01.pdf. The report concluded with "high confidence" that WikiLeaks served as the main medium through which the Russian intelligence services leaked hacked materials, that Russia and WikiLeaks had developed a close relationship which allowed Russia to leverage WikiLeaks's reputation for "authenticity." On Assange's relationship with Russia, see Jo Becker, Steven Erlanger and Eric Schmitt, "How Russia Often Benefits When Julian Assange Reveals the West's Secrets," *New York Times*, August 31, 2016, <https://www.nytimes.com/2016/09/01/world/europe/wikileaks-julian-assange-russia.html>; Michael Weiss, "Julian Assange, Donald Trump, and Vladimir Putin: A Troika for Our Insane

Era,” *The Daily Beast*, Aug. 1, 2016, <https://www.thedailybeast.com/julian-assange-donald-trump-and-vladimir-putin-a-troika-for-our-insane-era>.

⁵⁹ On the Macron leaks, the difficulty of attributing them to the Russian government, and WikiLeaks’ promotion of them (alongside far-right and Russian government interests), see the French government report, Policy Planning Staff (CAPS, Ministry for Europe and Foreign Affairs) and the Institute for Strategic Research (IRSEM, Ministry for the Armed Forces), *Information Manipulation: A Challenge for Our Democracies* (2018), available at https://www.diplomatie.gouv.fr/IMG/pdf/information_manipulation_rvb_cle838736.pdf.

⁶⁰ On Russia’s interest in the election, see Adam Plowright, “France and Macron have buried allegations of Russian meddling,” *Washington Post*, May 23, 2018, <https://www.washingtonpost.com/news/global-opinions/wp/2018/05/23/france-and-macron-have-buried-allegations-of-russian-meddling>.

⁶¹ Euan McKirdy, “WikiLeaks’ Assange: Russia didn’t give us emails,” *CNN*, January 4, 2017, <https://www.cnn.com/2017/01/04/politics/assange-wikileaks-hannity-intv/index.html>; “WikiLeaks’ Assange denies Russia behind Podesta hack,” *Politico*, Nov. 3, 2016, <https://www.politico.com/story/2016/11/julian-assange-russia-john-podesta-wikileaks-230676>.

⁶² Dave Weigel, “The life and death of the Seth Rich conspiracy theory,” *Washington Post*, May 24, 2017, https://www.washingtonpost.com/powerpost/the-life-and-death-of-the-seth-rich-conspiracy-theory/2017/05/23/aba640c4-3ff3-11e7-adba-394ee67a7582_story.html?utm_term=.955d4668ee80. WikiLeaks also encouraged baseless conspiracy theories that developed from the over-interpretation of some of the emails hacked from Clinton’s campaign chair’s account. See Robert Mackey, “Julian Assange’s Hatred of Hillary Clinton Was No Secret. His Advice to Donald Trump Was.” *The Intercept*, Nov. 25, 2017, <https://theintercept.com/2017/11/15/wikileaks-julian-assange-donald-trump-jr-hillary-clinton/>.

⁶³ McKirdy, “Assange: Russia didn’t give us emails.”

⁶⁴ Julia Ioffe, “The Secret Correspondence Between Donald Trump Jr. and WikiLeaks,” *Atlantic*, Nov. 13, 2017, <https://www.theatlantic.com/politics/archive/2017/11/the-secret-correspondence-between-donald-trump-jr-and-wikileaks/545738/>. Assange’s public statements regarding his personal stake in the election dated back to the campaign itself. See Charlie Savage, “Assange, Avowed Foe of Clinton, Timed Email Release for Democratic Convention,” *New York Times*, July 26, 2016, https://www.nytimes.com/2016/07/27/us/politics/assange-timed-wikileaks-release-of-democratic-emails-to-harm-hillary-clinton.html?smid=tw-nytimes&smtyp=cur&_r=0.

⁶⁵ Marcy Wheeler, “The Year Long Trump Flunky Effort to Free Julian Assange,” *Empty Wheel*, Dec. 4, 2018, <https://www.emptywheel.net/2018/12/04/the-number-of-times-assange-tried-to-coerce-release/>.

⁶⁶ Sam Lebovic, *Free Speech and Unfree News: The Paradox of Press Freedom in the America* (Cambridge, Mass.: Harvard University Press, 2016), chapter 7; Michael Schudson, *The Rise of the Right to Know: Politics and the Culture of Transparency, 1945–1975* (Cambridge, Mass.: Harvard University Press, 2015); Prashant Sharma, *Democracy and Transparency in the Indian State* (London: Routledge, 2015); Ben Worthy, *The Politics of Freedom of Information: How and Why Governments Pass Laws that Threaten Their Power* (Manchester, U.K.: Manchester

University Press, 2017). I discuss the anti-corruption campaign in *The Transparency Fix*, pp. 43-46.