

Lessons From WikiLeaks

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You can take the ruling class by surprise every few decades, and the ruling class duly spends the next few decades making sure it doesn't happen again. Then, from an unexpected quarter, it gets another punch on the nose. There have been the really big surprises, like the ones in St. Petersburg in 1917 and Dien Bien Phu in 1954, and there have been the smaller ones, like May/June 1968 in Paris and the anti-WTO demos in Seattle in 1999.

This year Julian Assange and his comrades at WikiLeaks managed to take the ruling class by surprise no less than three times—with the two big data files on Iraq and Afghanistan and the diplomatic traffic from late November on. The surprise in the last instance was not so much the specific content of the cables—carefully filtered by WikiLeaks and the five collaborating news organizations—but the overall realization, prompted by the sheer volume of the material, that this is an awful lot of mildly dirty laundry to have hanging in the front yard. Granted, the diplomatic files were legally accessible to maybe 2.5 million licensed viewers—but this was still the ruling class and its employees chatting among themselves. Suddenly the entire world could see how people really talk and think when they're running an empire, as opposed to making grand speeches about freedom at the UN General Assembly or while accepting a Pulitzer Prize.

And so the world has been getting a fine education in just how carefully diplomats and news organizations and journalists and academics connive at this secrecy. The New York Times cherry-picks Wiki-originating cables to exaggerate the supposed Arab eagerness for Israel to bomb Iran. CNN's Wolf Blitzer implores the government to bury its secrets even deeper.

One of the biggest lessons for us comes in the form of a wake-up call on the enormous vulnerability of our prime means of communication to swift government-instigated, summary shutdown.

Forty-three years ago *Ramparts* magazine published its disclosures of the CIA's capture of the National Student Association as a front organization. The magazine became the target of furious denunciation by the Liebermans and McConnells of the day. Even before publication the CIA's Desmond FitzGerald authorized a dirty-tricks operation against *Ramparts*. But at no time did the government muster the nerve to flout the First Amendment and try to shut the magazine down on grounds that it was compromising "national security" and guilty of espionage. A courtroom challenge by *Ramparts*'s lawyers would have been inevitable.

While visiting Britain in the early 1970s, former CIA case officer Philip Agee had a brief meeting with Tony Godwin, editor in chief of Penguin Books. Godwin agreed to publish Agee's tell-all exposé, including the names of active CIA officers and details of their operations. Agee managed to write the book in Paris, though I warned him that the CIA certainly knew of his plans and would probably try to kill him. They bugged his typewriter and later floated disobliging rumors about his sex life and drinking habits, but no one tried to shove him into the Seine or even put him in a French prison.

Today? At the least, all of *Ramparts*'s electronic business operations would be closed down. Pressured by the US government, Amazon would deny Penguin all access or ability to sell books. Just look at what has happened to WikiLeaks. Its sites have vanished—though more than 1,400 mirror sites still carry the disclosures. Amazon, Visa, MasterCard, PayPal and the organization's Swiss bank

have shut it down, either on their own initiative or after a threat from the US government or its poodles in London and Geneva. Assange is in a British prison, facing a hearing on trumped-up Swedish allegations zealously posted by Interpol. The US government is warning potential employees not to read the Wiki materials anywhere on the web, and Attorney General Eric Holder is cooking up a stew of new gag stipulations and fierce statutory penalties against any site carrying material the government deems compromising to state security. Commercial outfits like Amazon are falling over themselves to connive at the shutdowns, actual or threatened.

So far as the Internet is concerned, First Amendment protections appear to have no purchase or even acknowledged standing. Even before the WikiLeaks hysteria took hold, the situation was very serious. As Davey D recently reported on his Hip Hop Corner website, over the Thanksgiving holiday Homeland Security, along with Immigration and Customs Enforcement, the Justice Department and the National Intellectual Property Rights Coordinating Center, seized more than eighty websites, including popular hip-hop sites RapGodfathers.com, dajaz1.com and Onsmash.com. These sites were accused of copyright violations. No hearing. Alive one minute, dead the next.

So here we have a public “commons”—the Internet—subject to arbitrary onslaught by the state and powerful commercial interests, and not even the shadow of constitutional protections. The situation is getting worse. The net itself is going private. As I write, Google and Facebook are locked in a struggle over which company will control the bulk of the world’s Internet traffic. Millions could find that the e-mail addresses they try to communicate with, the sites they want to visit, the ads they may want to run are all under Google’s or Facebook’s supervision and can be closed off without explanation or redress at any time.

We need a big push on First Amendment protections for the Internet: one more battlefield where the left and the libertarians can join forces. But we must do more than buttress the First Amendment. We must also challenge the corporations’ power to determine the structure of the Internet and decide who is permitted to use it.

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P.S.

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