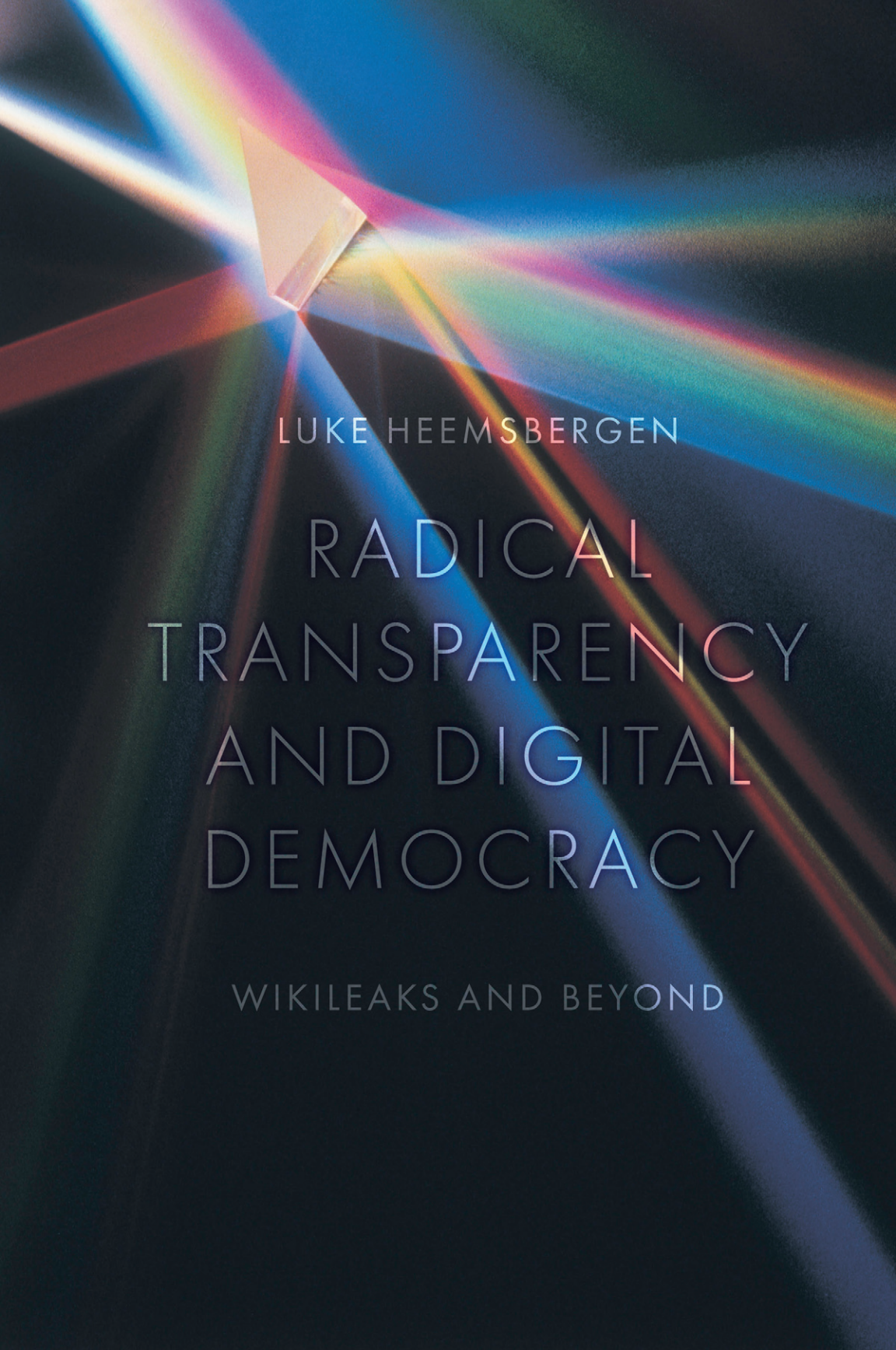
LUKE HEEMSBERGEN
RADICAL TRANSPARENCY AND DIGITAL DEMOCRACY
WIKILEAKS AND BEYOND

Radical Transparency and Digital Democracy

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Radical Transparency and Digital Democracy: WikiLeaks and Beyond

BY

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INVESTOR IN PEOPLE

To Wyatt and Sebastian,
may you crack things open so that others might see

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About the Author

Luke Heemsbergen's research and teaching, lights fires and builds bridges between digital communication and political life. This work has been shaped by serving the public in the Canadian Government's Department of Foreign Affairs and (separately) serving up international profits in the corporate sector. His return to academia allowed him to critically engage emerging forms of socio-political visibility afforded by digital communication technologies that open new power relations in society, including novel interfaces of the digital-material world such as 3D printing and augmented reality.

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Acknowledgements

This book started a long time ago in a galaxy far from where WikiLeaks is now. When I left government to pursue a graduate degree, WikiLeaks was a quirky website that most people thought similar to Wikipedia, and I thought interesting enough to make a fun MA thesis. Fifteen years later, a lot has changed, and a lot of people have guided the thoughts that are expressed in these pages. Once again, I start by acknowledging Jess as my constant enabler and, through the turns of 2020, underwriter of this work. Robert Hassan, Helen Sullivan, and Sean Cubitt built any rigour that is displayed herein, and I continue to appreciate their lessons and friendship. Lincoln Dahlberg, thank you for your guiding comments to my early research that allowed this next chapter to flourish. Comrade-mates Robbie Fordyce, Suneel Jethani, Alexia Maddox, Bjorn Nansen, Luke van Ryn, Thao Phan, Nate Tkcaz, César Albarrán Torres, Andrew Schrock, Tom Sutherland, and Katie Warfield, your work and critique of mine inspired me to perspire towards the light. Special thanks to my RA, Dr Johnston, whose archival research did Harvard (and I) proud. Berkman friends, thanks for blowing my mind and breaking my research doldrums. Mikkel Flyverbom, thank you for making new prisms not only visible but also accessible for me in so many ways; I will be forever grateful to the Stohls, even if these particular acts of kindness are now forgotten amongst their many others. The support given during the research journey from the Alfred Deakin Institute of Citizenship and Globalisation at Deakin University (from Fethi to Jenny), as well as support from the University of Melbourne (Adrian especially) cannot be overstated. Endless thanks to Jen McCall for green-lighting a green author, despite me writing phrases like that, and for the continued support of the team at Emerald that saw the work through.

I acknowledge it takes far more courage for whistleblowers, leakers, and muckrakers to carry out the task of cracking open what democracy must be, compared to merely writing up how their stories inexorably shift our own goals forward. We are all indebted to those who move to break open new ways of seeing ourselves and our potentials.

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Introduction

Recent history offers a well-worn start to our story of radical transparency; a divisive publisher used new forms of decentralised media technologies to disclose leaks from Empire as he sequestered in London. The publisher's political resources in the City protected him against the reach of the state, yet his experiment of using new media to distribute leaked government secrets was untenable. The state closed in. But here is the twist. Instead of being dragged out of hiding and put under arrest, the publisher was protected; in a rousing and revolutionary speech in front of Parliament, the Lord Mayor of London himself refused to give the publisher up and vigorously defended publishing leaked secrets as a newfound democratic right. Subsequently, and immediately, the Lord Mayor was incarcerated in the Tower of London. Far from cypherpunk fan fiction for Julian Assange, that story of radical transparency is real life London, circa 1771. History continues that while Lord Mayor Brass Crosby suffered six weeks of imprisonment – and gout – London rioted for his release. When parliament reconvened to decide our Lord Mayor's fate, the House refused to enact further carceral process and freed him to jubilant city-wide bonfires and a 21-gun salute. Arcana imperii crumbled, again. That snippet of history is a story that helps us define radical transparency by showing how disclosure through a disparate combination of new media, actors positioned separate to powerful institutions, and new ideas for politics can act to radically reconfigure democracy.

This book is about how such instances of radical transparency come together as socio-technological apparatuses that afford new and unique forms of governing. Consider the importance of Lord Mayor Brass Crosby saving various decentralised pamphlet printers from the powers of Parliament. At his own expense, he argued that the then-illegal reporting on anything that said in parliament was crucial for a better functioning democracy. Radical transparency in 1771 brought together multiple hand-written verbatim leaks from parliament, small independent printers and their novel media platforms. This socio-technological apparatus allowed decentralised messengers to pamphlet wider London with the secrets of Parliament, affording new information on how democracy worked, and new expectations for how it should. 1771 serves as a helpful reminder that the definitions of democratic practices of transparency are a product of historical, material and political relations that, although discursively related, are materially enacted and conceptually diverse. Soon after Mayor Crosby's release, pamphleteers – including a man named Luke Hansard – followed emerging market opportunities and institutional direction to create a new form of transparency to keep political leaders accountable. What

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started as a radical act of leaking and publishing led to the creation of official records of parliament – what citizens of the United Kingdom, Canada and Australia still know today as 'Hansard'. Can we see corollaries with histories of transparency in current practices of digital leaking and publication of state secrets? This book does not make a case for the functions of Assange's infamous website to be institutionalised into .gov addresses. Yet, the complex events around WikiLeaks suggests radical transparency has the power to determine and reframe fundamental democratic questions: who gets to know what, how they come to do so, and how that shifts expectations of power and control. The book considers instances of transparency then to not only be disclosures that decentralise information from the few to the many, but instances that mediate new ways of knowing publicly and acting politically. This approach suggests how radical transparency can crack open what is known *of* democracy and afford new forms of governing in it. As the poet L. Cohen saw it, *there is a crack in everything, that's how the light gets in.* The cracks offer glimpses of what might be.

The power of transparency to shift democratic practice towards more just and emancipatory governing is clear in Western democratic history. For example, freedom of information/access laws are widely heralded as key developments. Yet, increasing transparency not only leads to movement away from secrecy, it moves practice laterally across political planes that enact specific ways of bounding particular problems – for good or ill. For example, the Freedom of Information Act (FOIA) in the United States and equivalents in other democracies configure very specific gateways to knowledge that were designed towards offering more public information to the public to enhance civic channels of accountability. The problem was the government held the information, and the public could use it to better plan their own lives and hold the government to account in new ways. Yet, FOIA requests are easier to access for some over others – corporate actors use the process much more than civic ones, and these laws have even led to the creation of markets where public data are resold to private interests for profit (Kwoka, 2015).

The simple inference is that uses and practices of transparency differ. These difference become more easily discernible across time and space that bring their mediating systems into relief; it seems reasonable to consider how paper records of Hansard differ dramatically from pinpoint FOIA requests, or the uses and practices of digital disclosure seen in WikiLeaks. To explain these differences and the processes that build them, I argue that transparency practices should be considered as unique socio-technological configurations called apparatuses that afford specific rationalities and technologies *of government* that shape and guide conduct (Miller & Rose, 2008). The linked movements, away from secrecy and laterally on the political plane, are most visible when transparency happens through independent and voluntary disclosure of the secrets of others (Heemsbergen, 2016). Such movements both define and transgress the socio-technical regimes that define current democratic expectations and allow critique of axiomatic definitions of what transparency is, does, and why it matters. The remaining sections of this chapter detail how I define radical transparency; introduce why radical transparency matters for democracy; begin to build the theoretical account of how transparency informs government; and finally, lays out the narrative of the book's chapters.

What Is Radical Transparency?

I define what is 'radical' about transparency through three dimensions: *mediation*, *position* and *the political.* These dimensions show how when transparency is radical, it uproots practices of government and ushers in new ways of seeing, knowing and organising. The first dimension, mediation, considers new forms of disclosing information to new audiences in ways that differ from extant practices. Digital media that 'Kill Secrets' (Greenberg, 2012) through networked cryptography are one example. Longer histories show how printing presses, telegraphs, and national newspapers have each changed how information can be efficiently decentralised for larger public consumption. Each medium demonstrates why transparency's mediation affects how democracy functions. The second dimension of radical transparency involves the independent position of actors making organisations transparent, akin to what James Arnold (2019) describes as outsider whistleblowing. In addition to media and position, radical transparency also involves new modes of politics. That is, radical transparency uproots political assumptions about transparency, enabling new types of questions about democratic practice to be asked and new ways of democracy to be carried out.

Considering the first dimension, I am happy to disclose that this book is not the first to define radical transparency in relation to the digital age. Writing about digital tools, Hammond (2001) used 'radical transparency' to describe an organisational approach that uses rapid and abundant networked information flows to access outcome and process data that were previously confidential. He situated his definition within a context of abundant data and potentially neoliberal policies that have modified both the reach of state and the responsibilities of self in response to lowering barriers of content creation (Sifry, 2011). As such, Hammond and Sifry's contribution to radical transparency is chiefly concerned with how new digitally mediated processes uproot how information is disclosed, accessed and shared. While necessary for 'radical transparency', as I define it, radical mediation is an insufficient lens to understand what is at stake. *This Machine Kills Secrets*, Greenberg's (2012) book title, claimed as a response to the widespread adoption of digital encryption and anonymity tools in practices of disclosure. Yet secrets remain. Those digital media were necessary but not sufficient to kill secrets. There are other important registers that enact radical transparency in democracy and configure which secrets are to be destroyed and how.

The social complexity of these issues became apparent to me when I was a grad student in 2006, writing an MA thesis on a quirky new website called WikiLeaks.org and sporadically trading emails with its then anonymous founders. Past the site's novel technological affordances centred around how plentiful encrypted data can become widely read were new questions that traditional understandings of whistleblowing and transparency could not resolve. These questions considered the publisher's relation to the data and public as well as the new political capacities provided to each set of actors. That is to say that the 'how' of mediating technology signalled new positional and political dimensions available for who was disclosing and for what ends.

The second dimension of radical transparency accounts for the position of the transparency 'maker' in relation to the organisation or data being made transparent. By organisation or data, I mean the body in which the data-to-be-disclosed are based or that controls the extent the data are disseminated as public information. Arnold (2019) identifies this form of radical transparency as outsider whistleblowing that is not reliant on organisational structures and is, in fact, empowered by their opposition and rhetorical distance to the organisation. He offers Samizdat as dark networks that shed the light of suppressed literature in the Union of Soviet Socialist Republics (USSR), specifying the *Chronicle* as a publication that reported on the reach of the Soviet State though clandestine means and make-shift technologies. Another example is the position Peter Eigen took when he founded Transparency International as an entity outside of and separate to the World Bank, where he was previously employed (Holzner & Holzner, 2006, pp. 194–198). Traditionally, outsider whistleblowers do not start as outsiders. Allison Stranger (2019) suggests that in legal-political systems with strong protections around freedom of speech, potential whistleblowers will continue to be pushed towards 'leaking' to the press as internal organisational barriers to whistleblowing remain arcane. At the same time, her work defines the difference between whistleblower and leaker, starkly on grounds of the illegality of the conduct reported. That is to say that if extant governing institutions render conduct illegal, it is legal to report it. Otherwise, leakers must be prosecuted. The narrow precision of this definition is ripe for abuse – as the Snowden disclosures showed – and forecasts the political dimension of radical transparency that is detailed below. For now, consider that radical position is sometimes conflated with 'involuntary' transparency.

Radically positioned transparency should not be conflated with involuntary transparency. Nevertheless, notable scholars of government and transparency (Florini, 2003; Fung, Graham, & Weil, 2007; Heald, 2006; Holzner & Holzner, 2006; Hood, 2010; Lord, 2006; Stiglitz, 1999) come to define transparency through *voluntary* disclosures from within organisations, even if the state compels these disclosures. To specify the key underlying difference, Karen Lord (2006, pp. 17 and 126) suggests that voluntary transparency denotes 'deliberate acts of openness', while involuntary transparency is 'due to technological breakthroughs' allowing outside actors to corral data into knowledge without the comprehension or consent of the subject. In context, involuntary transparency functions as an external and independent check on agencies' behaviour outside of their control (Shkabatur, 2013, p. 113). While Shkabatur point is well taken, it is short-sighted to conflate 'involuntary' transparency with external position to the organisation when considering a longer lens of democratic practice and the agency of citizens in democracy.

The exploratory historical research in Chapter 1 of this book specifies notable outsider/radically positioned moments of transparency through the institutionalisation of both Hansard and the twentieth century regime of Open Diplomacy. These practices of government show the errors of discounting the democratic value of 'positionally' radical transparency as involuntary. They present strong evidence of disclosures that are radical in both position and media mechanism

becoming voluntarily institutionalised into democratic practice. Here, changing media capacities and public information foment new political needs and bring about new formations of 'insider' transparency practice. Further, labelling these practices 'involuntary' diminishes the importance of the public's capacity to govern itself or its administrator-politicians. Instead, the label 'involuntary' centres the unit of analysis through an organisational subject rather than object; who is to make what transparent? The citizen is written out of the 'involuntary' story. As will be explained in detail in Chapter 7, what some scholars suggest are 'involuntary' actions might be better understood in governmental terms as practices of freedom (Griggs, Norval, & Wagenaar, 2014) that contest institutional procedures and channels, consider new strategies and enact struggles toward new formations outside of the previous institutional possibilities. These practices of freedom are quite *voluntarily* enacted by those with the agency to do so – a public making new publicness. Paradoxically then, it might make more sense to consider only those organisations that are bound to disclose through legislation or those subjects under unrelenting surveillance as a suffering from transparency that is involuntary (Heemsbergen, 2016). Voluntary or involuntary speaks to capacity and autonomy of subjects' actions, not insider or outsider status to organisational data. Otherwise, the unit of analysis is the organisation itself, rather than the public and what it demands of organisations. To me it seems democracy remains interested in the latter. Regardless, the dimension of *position* here speaks with more nuance than a dyad of (in)voluntary disclosures when considering the governmental effects of transparency. Democratic agency of disclosure is radical to the extent that it is distributed across society and away from the centre.

I note that in some cases, radical new forms of mediation through digital networks are enacted through radical positioning. For instance, Hammond's original example of radical transparency that equates to the use of Information Communication Technologies (ICTs) to rapidly and widely disclose assumes radical position is important. To explain radical transparency, Hammond tells the story of how the Global Forest Watch Network:

> …combines satellite imagery with detailed on-the-ground data collection, compares actual forest practices with lease agreements and established standards, and posts the resulting data and maps on the Internet, naming the companies and countries involved. (2001, p. 104)

In his example, the mechanism to mediate transparency information (a decentralised network) is developed, opens access, verifies performance, and discloses its data from various positions outside of the organisations it is making transparent. The constitutive act of the global forest network shows a radical position to the states and company objects that are being made more transparent. The relative positionality of the network affords data flows in ways that are key to enabling new forms of transparency and governance.

On the other hand, transparency radical by position may not be transparency at all. Instead, it could easily be categorised as sur/sousveillance (Mann, Nolan, & Wellman, 2002), where information of a private/secret nature is captured by those above/below without prior agreement. In this sense, Andrew McStay (2014, p. 44) suggests radical transparency opens wide 'machinations of power for public inspection [as well as the] public processes and private lives of citizens' to those machinations. The critique is that democratic legitimacy needs to be based on public institutions rather than the ability of individuals or other non-representative groups to break either open. Here then, a distinction between personal and bureaucratic secrets can clarify a possible misconception of radical transparency in democratic governing; my interests in transparency are limited to public concern and disclosure of bureaucratic data secrets. I follow Max Weber to understand bureaucratic secrets as those that 'shield [organisational] knowledge and conduct from criticism' ([1918] 1980, p. 730) or that might enable the public to live more autonomously through the sharing of that information. Actors radical in position to (i.e. outside of) such secrets can move to disclose them to offer the public more transparency to organisational action as well as guidance toward new public capacities. But this clarification of radical position renders yet another question visible: what is conduct worthy of criticism and what information is sufficiently emancipatory to disclose publicly? Outright corruption, malfeasance or maladministration is easy enough to publicise. But how do more undergirding political assumptions of the conduct of governing complicate what is worthy of public appraisal? Do we expect transparency of outcome or processes? Do we open secrets to craft public debate to make choices or to expand the visibility of choices that were already there? These *political* questions point towards the third dimension of radical transparency: the political.

The political dimension of radical transparency references whether the political assumptions performed by acts of transparency match the contextual and expected democratic worldview found within the organisation being made more transparent. Radical transparency is crucial to the democratic project in that it is *political*; it contests and challenges the inherent conditions and structures of normal *politics* (DiSalvo, 2012). Transparency, in other words, is radical in a political dimension to the extent its design uproots (the radix of) one set of expected democratic assumptions for another. For example, Alasdair Roberts contrasts liberal and deliberative uses of the term transparency to suggest it does not function as a 'single commodity, and an unalloyed good' (2006, p. 194). One form is invoked to ensure profits through global economic liberalisation – opening the books of firms and nations to rationalistic accounting of growth potentials. The rights-based deliberative usage ensures protection from the very effects of that liberalisation. Roberts' clarification explains how different actors across contexts employ different means to create different 'goods' when making conduct transparent.

This book understands the implications of such arguments from an agonistic lens, where politics is the means and structures that enable governing, while the political is defined by ongoing contests that challenge those conditions and structures, questioning the default politics of the day. That is to say the final dimension

of radical transparency relates to what Carl DiSalvo (2012) understands as adversarial design. DiSalvo suggests that 'political' design is adversarial in that it creates objects that can 'function to prompt recognition of political issues and relations, express dissensus, and enable contestational claims and arguments' (DiSalvo, 2012, p. 12). This means that radical transparency both reveals new questions and creates new informational structures with which to deal with these questions. An example borrowed from Disalvo's work on adversarial design – that I argue showcases radical transparency at work – is Eric Cadora and Laura Kurgan's (2005) 'Million Dollar Blocks' project. The project tracks and discloses how crime affects communities. But instead of reporting the number and location of crimes geographically as one might expect from crime 'transparency', it exposes where those who become incarcerated (used to) live and how their incarceration costs are related to the larger community. According to DiSalvo, the Million Dollar Blocks project 'reveals previously obscured configurations in the cycle of crime and incarceration … challenge[ing] the common understanding and use of crime statistics' (DiSalvo, 2012, p. 13). The researchers of the project are adamant that its disclosures bring something new and *political* into relief:

> Using rarely accessible data from the criminal justice system, the Spatial Information Design Lab and the Justice Mapping Center have created maps [that] suggest that the criminal justice system has become the predominant government institution in these communities and that public investment in this system has resulted in significant costs to other elements of our civic infrastructure – education, housing, health, and family. Prisons and jails form the distant exostructure of many American cities today. (Cadora & Kurgan, 2005)

The transparency created through these maps suggests a radically different political conceptualisation to the problems of crime and punishment. Million Dollar Blocks registers as radical on all three dimensions explicated here: the data are displayed in new geo-spatial media forms via Geolocation Information Systems that upend the meaning of their original line-item incarcerations reports; the information is remediated by an actor outside of the prison-industrial complex or representative government; and the work presents a political question via critique of political economy towards the conditions and structures of the dominant system. The knowledge generated from radical transparency information, thus, creates 'generative capacity [to] produce new entities and relations in the world' (Baert & Rubio, 2012, p. 4). It does not reveal, it creates. It does not expose, it performs. Radical transparency projects are the cracks that let the lights of a new world in, at the same time as their light cast specific hues on the old.

Considering these dimensions in conjunction offers up a crucial inference; transparency's political capacity is not static nor are political expectations of democracy – each shifts the other. For example, what is said in parliament, what is written in international treaties and what is shared for sake of public health are all unique public artefacts of radical processes of transparency that retain unique

degrees of democratic merit. These artefacts each trace distinct lines in the political plane that decides how knowledge is produced and with whom it benefits are shared. Yet, the radicality of transparency projects can be lost when we assume there is only one way of carrying out democracy or that the way we are currently carrying out democracy is unchanging.

Why (Radical) Transparency Matters to Democracy?

Transparency is commonly considered a requisite for stable democracy. In fact, the ostensible 'clarity' of transparency makes it the least likely place to find evidence of different political paradigms of democracy, and thus, the best place to look (Flyvbjerg, 2006) – if one hopes to falsify singular or static perspectives on the democratic project itself. Radical transparency is then interesting because of what it makes visible on three levels. The first is the subject that is unexpectedly disclosed and its immediate democratic implications that limit and grant power – this is wheelhouse of traditional transparency. The second level concerns political assumptions that are made newly visible in subjectivities of the governed; radically different conceptions of how democracy functions interweave with new material disclosure practices to afford new ways of carrying out democratic governing. The third level is a realisation that multiple material practices of disclosure create multiple hues of democratic practice that must live in harmony. Any movement from secrecy to transparency is refracted through a mediating apparatus that gives political materiality and colour to the light of transparency in ways that mediate specific modes of outcome. Recognising the movement on the political plane goes beyond policy concerned with how much transparency is necessary. It also goes beyond scholarship that looks to mix varieties of transparency to obtain *the* desirable outcome. Instead, the material practice of transparency reveals that irreducible desirables exist in a world that is sung into existence through the act of mediating political needs into public information.

This book, then, tells the story of radical transparency and democracy. It is a story about WikiLeaks, decentralised communication networks and cracking open staid versions of democracy to let the light shine through. The story I tell in this book charts a path from the Mayor of London being imprisoned in 1771, through the Bolsheviks mass-leaking treaties in revolution, subsequent modes of open diplomacy, the weaponisation of information 'leaks' in a post-truth world, and the mediating technologies each of these cases uses to radically find and disclose secrets. It is a story that tells us we should reconsider how technologies of government, media practices, and assumptions of democracy interact. It shows how radical acts of transparency have shifted democratic expectations in the past and will continue to do so in the future. To help make sense of these shifts to democratic expectations, I bring literatures of governmentality and democracy together with media studies to offer novel insights and critiques of transparency through a framework of apparatus and affordance. Apparatus refers to various elements and their available relations that are constrained together in a specific design that mediates information to make disclosures. Affordance refers to how

these constraints mediate democracy – that is how types of capacities and constraints form unique ways of going about democracy. Radical transparency apparatuses afford new and specific ways of knowing problems and implementing solutions.

I use my framework of apparatus and affordance to unpack the workings and effects of radical transparency. Empirically, I consider the digital present and trace radical transparency projects back to analogues of the past to help guide our democratic futures. As such, the book focuses heavily on WikiLeaks from 2006 through to its weaponisation circa 2016, and beyond. It considers material practices of radical transparency in the context of the democratic and media norms they upend. Digital disclosure does not 'kill secrets' – it uproots them and their political infrastructures to enable new forms of light to be shone on the political. Transparency sets expectations for the conduct of conduct through material disclosure practices. These material practices (de)form the idea(l) of transparency through media apparatuses that manage visibility, thereby enabling new forms of freedom and control. Transparency does not simply reveal 'the truth'. Instead, it gives clearer definition to some aspects of reality than others so to organise and structure society. I argue the management of visibility involved relies on dualistic forms of power that both recognise others and offer them up to new forms to control. The tendencies of transparency to reveal and control are apparent across a spectrum of political assumptions that define both calcified configurations of democracy and their inevitable transfigurations into something new. To return to Cohen: *there is a crack in everything, that's how the light gets in.*

Transparency in(forms) Government Theory and Practice

Transparency is commonly understood in government as a inextricable democratic good defined through making organisational data available where it was previously not (Mitchell, 1998). This definition aligns to the Supreme Court of the United States Justice Louis Brandeis' century-old call for the electric 'sunlight' of transparency to 'disinfect' corruption (1913). Brandeis' metaphor of disinfectant mechanism worked through opening procedures and methods to scrutiny, so that organisations became open to critique and improvement (Harvey, Reeves, & Ruppert, 2013, p. 294; Strathern, 2000, p. 313). With a precision that earned them a Nobel Prize, Akerlof, Spence and Stiglitz (in Akerlof, 1970; Newbery & Stiglitz, 1987) interpreted this type of transparency as a measure against asymmetries of information that distort efficiency. Transparency exposes what was unknown to parties involved, preventing poor choices from poor information. To Akerlof, Spence and Stiglitz, transparency offered raw, verifiable, and simplified data that limited the power of political actors to asymmetrically hold information. In this use, transparency acts as a rationality of government that renders problems in a classical liberal form: protecting citizens by convening a forum to hold powerful actors accountable (Bovens, 2010). Yet, liberal political thought is not representative of all conceptions of democratic governing. Nor does liberal philosophy entirely capture how transparency is used or conceptualised across history. We are

reminded here of Roberts' (2006, p. 194) acknowledgement that transparency does not function as a single 'unalloyed good' and instead reflects discrete 'doctrines' tied to assumptions of democracy.

Past axiomatic understandings of what transparency is and does is a realisation that designs of transparency apparatuses matter. They take a discrete social and technological forms that in turn *inform* society in specific ways. If transparency is about distributing information, its information has both content and form, and some informational forms are designed to produce alternative worlds more than others. Vilém Flusser designates design as a 'tragic' process that informs *hyle* (matter, 'stuff', the medium of production), as it deforms the idea or *morphe* (form), by distorting ideal form into a medium (Flusser, 1999, p. 24). In this way, the materiality of media is informed by the transparency ideal but deforms that very ideal to the socio-technical contexts within which it is used.

The book makes the case that the conceptual ideal of transparency is deformed by socio-technical media apparatuses as, by design, they inform specific political needs and make certain actions available. Our political, governed, discursive and informational existence has always been mediated. Taking this argument to the extreme, Birchall (2011, p. 78) argues for the possibility that transparency has no essential meaning 'outside of the discursive formations that invoke it or the historical context in which it is situated'. Such specificity helps mitigate the risk of conceptual stretching through channelling Mouffe and Laclau's (1985, p. 113) concept of the floating signifier but offers a slightly unsatisfactory claim to unite the transparency as concept. An insight that helps is Ball's (2009) claim that transparency is developed through specific metaphors that convey a way that, 'organisations and nations are expected to conduct their day-to-day activities' (Ball, 2009, p. 303). Transparency becomes, in governmental terms, the expectation of conduct that draws from Foucault's (1994, p. 237) evocative French phrase *conduire des conduites*. That is, transparency makes conduct visible, while also setting expectations about the conduct *of* conduct. Transparency is not a metaphor for letting light pass through to make conduct visible. Rather, it becomes a metaphor that refracts what is made visible in relation to what one *expects* to uncover.

Such a socio-technological account of transparency is performative and material. On the one hand, it qualifies the disclosure of information by asserting that communication 'is the very means by which organisational realities are constituted and maintained' (Albu & Flyverbom, 2013, p. 3). Transparency practices shape and modify the organisation they are making visible, rather than just uncovering what they are or how they work. At the same time, anything that is made visible is only so through how it is mediated. 'Raw' unmediated data, information or knowledge is an impossibility. If there is an unmediated void in the transparency equation, it is secrets. Filling the void of secrets creates new informational relations between actors – and the media matter. This is not a new argument. Countering Brandeis' hopes for transparency exposing all from darkness, it was Walter Lippmann that stated that the machine of 'blazing publicity' does not create an equity of visibility. On the contrary, the public had to endure a 'beam of a powerful lantern which plays somewhat capriciously upon the course

of events… leaving the rest in comparative darkness' (Lippmann, 1927, p. 47). Lippmann continued, that the machine itself is 'without morals or taste of any kind, without prejudice or purpose…It is guided by [people]' (Lippmann, 1927, p. 47). I argue that not all lanterns are designed equally and that the taste of the designers matter. The design of digital transparency media platforms affects the public's gaze, while by the same design necessitating the creation of new space for darkness.

This book explores socio-technical constructions that have mediated what transparency can be. My socio-technical approach builds on Flyverbom's (2019) suggestion that, by considering the performative and material aspects of transparency in terms of democratic theory and practice, transparency functions more as a prism than a window. Here, I also reference Andrea Brighenti's (2010) conception of visibility as a social category that delineates between both reciprocity (we see each other) and control (I see where you are, compared to me). Visibilities of recognition emancipate and dignify through mutual recognition through the achievement of egalitarian recognition. Visibilities of control evoke order through hierarchies that offer subjugation, imposition of behaviour and a means of control. Each end of this spectrum holds connections to specific formulations of power – measured in the ability to enable acting in concert with others for public–political purpose or the ability to assert control over others by depriving them of power.

Similarly, transparency, which is supposed to reveal a singular truth, actually refracts new pluralistic expectations of democratic conduct. Its electric light is split into a multitude of political colours that redefine power, 'the political', and what we see as democratic, by considering the plurality of political hues in socio-material terms. I suggest the mediation of disclosure is inextricably linked to specific and discrete political paradigms that co-create how the concepts of democracy and transparency function in practice. The central questions of this book are how do emerging instances of radical transparency afford shifts in democratic governing? And what are the implications of these shifts? To provide a tentative answer, I draw from three conceptual fields of literature to create a rigorous platform for interpretive empirical research. Scholarship on transparency, governmentality and media studies combine to build a vocabulary for transparency that challenges the axiomatic understandings of what governing through transparency can mean. I show how transparency sets expectations for the conduct of conduct through material practices. Media that manage visibility (de)form the idea(l) of transparency to enact both freedom and control. Transparency does not reveal the truth but considers how any disclosure gives some aspects of reality more definition at the expense of others (see Lippmann, 1927/ above). In more modern language, how digital technologies make one thing known, also hides something else (Bridle, 2018). Stripped to its essence, transparency manages visibility in ways that organise and structure society (Flyverbom, 2019). This book explores the claim that in democracies at least, shifts to transparency practice manage what is visible in ways that make expectations of conducting conduct visible.

Most accounts of governing and transparency are strangely silent on the constitutive role of media that mediate information. Democratic transparency practice especially is defined through the *mediation* of information. Yet, there is a surprising lacuna in leading studies on transparency and democracy about how the media that mediate transparency information affect potentials for governing (see Florini, 2003; Fung et al., 2007; Graham, 2002; Holzner & Holzner, 2006; Lord, 2006; Stiglitz, 1999). Canonical transparency-governance scholars that do explicitly mention media can relegate the media to 'neutral transmitters of content' (Lord, 2006, p. 6). Even if 'the problem of communication' (Graham, 2002, p. 568) is engaged, it is only to determine the most efficient vehicle for the disclosed information, negating the potential for the media to be the message. The lack of integration of media theory to questions of transparency in government may be a symptom of the larger disunion between what Fung, Russon Gilman, and Shkabatur (2013) call optimists living on 'technology street' and pessimists living on 'political science street'. Technology street proponents of networked media assumed digital media have emancipatory effects on socio-political relations (Benkler, 2006; Shirky, 2011). Such an optimistic perspective can be uncritically applied to transparency prognoses (see Hammond, 2001; Sifry, 2011). Synthesis of political science street and technology street has previously been explained by applying a political science frame of 'realism' to evolving technological use; people live nasty, brutish, and short lives, and this 'reality' is reflected in whatever tools they create and use. But this is a reductive concept of the human condition and how individuals organise themselves, or act in concert.

I navigate the techno-idealism and techno-realism divide by querying how pluralistic political paradigms of transparency form in relation to the media that people use to materialise each paradigm. That is, I ask to what extent do affordances of media contribute to paradigms of governing practice. My definition of 'media' surpasses narrow and empty 'vehicles' that carry information (e.g., telegraph, newspapers, parchment paper). Instead, I believe that media are interpreted through an ecology of infrastructures that make and distribute content in forms that carry particular contexts (Couldry, 2012). What type of information can the telegraph contain? And to whom is it able to communicate with? What social pressures persists in the infrastructures that surround its material parts, and how do these interact in a design of media apparatus that offers specific capacities at the constraint of others? Media are further specified in the chapters that follow through via Flusser's (1999) philosophy of design to help describe how affordances form specific *communicative* capacities and constraints. Foucault's (1980) understanding of media apparatuses then help explain how these affordances are themselves constrained together to inform new potentials for specific *democratic* capacities. These theories of media provide a platform for more precise and accurate understanding of transparency as government. They specify how ideals like transparency and democracy are 'deformed' into material mediated forms of empirical and pluralistic practice. We can follow Davis' (2020) suggestion that objects' affordances shape action for socially situated subjects. However, we must also acknowledge that the socially situated actions-goals of transparency in democracy are multiple and co-constructed through the mediation of ideal into

(de)formed material practice. *How* socio-technical objects afford transparency influences *which* political outcomes are desired, enabled or constrained across a pluralistic political plane. As we will see in Chapter 2, Lincoln Dahlberg (2011) has picked up on a similar pluralism defined within digital mediation of democracy practice creating novel – and radically pluralistic – subjects and democratic desires.

Outside of democratic scholarship, emerging organisational-communication transparency scholarship considers how mediating technologies shed light on objects, subjects, and practices as they create new relationships. For these scholars,

> …the transformation of basic information into knowledge is seen as strongly dependent on mediating technologies, which are never neutral but always impose certain constraints on the nature and type of possible human communications, while facilitating other types. (Hansen & Flyverbom, 2015, p. 6)

This organisational-communication perspective has been most fully developed through the works of Mikkel Flyverbom (2019) in organisational studies and through colleagues in the Copenhagen Business School (Hansen, Christensen, & Flyverbom, 2015). It has also been developed in critical studies of WikiLeaks (Heemsbergen, 2013) and scholarship on algorithmic accountability (Ananny & Crawford, 2018). Together, they offer critiques of a transmission model of communication that most transparency scholarship rely on and offer more accurate conceptualisations of transparency's use and impact.

There is opportunity to push such political questions further still and question what transparency media apparatuses afford to democratic practice. Such democratic-critical accounts of transparency can aim for what Clare Birchall (2014, p. 85) calls 'a resistant, critical methodology' that offers radical transparency as a 'mechanism able to subvert or at least interrupt dominant attitudes toward disclosure's limited and prescribed role'. Relatedly, Christensen and Cheney (2015, p. 86) claim that while the desire for transparency rejects established representations, what is made visible is not pure and should be studied in terms of how transparency is producing new regimes of visibility and control. They call for future research to shift focus from what transparency is or ought to be to, to questions of what transparency does as a 'communicative, organisational and political set of practices' (2015, p. 73). The current project brings this criticality to disclosure practices that manifest as political action and relates these practices to democratic governing.

The power of the current project derives from bringing together streams of scholarship about how media apparatuses make politics by managing visibility. The book, then, is situated in a re-emergent intertest on whistleblowers and their networks (Arnold, 2019) and the media platforms that enable new types of encrypted journalism to create public knowledge (DiSalvo, 2020). I bring these perspectives to questions of materiality of media and political theory. More specifically, I explore how our mediated, material and political conceptions of transparency relate to

critical theories of democracy and government. I am interested in reconsidering what disclosure, leaking and whistleblowing can be an instance of and how cracking open new information flows enables new forms of governing. Transparency is a value-ridden project built through socio-technological contexts, which mediate unique informational capacities to govern. This book considers how media practices enable new actors to share secrets in new ways, making visible ways of seeing, knowing and governing that were previously unformed. Each case of radical transparency that is presented reveals capacities to shift democratic practices towards new expectations of governing, producing proto-institutions. Proto-institutions have previously been defined as new local practices, rules and technologies of governing that transcend particular relationships and may become either formally or informally normalised (Lawrence, Hardy, & Phillips, 2002). However, I am interested in the *formation* of such regimes of practice – that Sullivan (2009, p. 65) speculates might be undertaken to unsettle established relationships of governing and society. Proto-institutional stories are the stories of the mediated evolution of democracy. They can be best understood through rethinking how technologies of government, practices of media, and assumptions of democracy form in concert. They specify how material-political practice affects and is affected by democratic aspirations and material realities of making organisations more open and transparent. This is to say the study of radical transparency involves both the socio-technical mechanisms of collection of information (i.e. surveillance per (Andrejevic, 2006)), and the specific design purpose of how that information is publicly disclosed. Radical transparency shows a complex picture of material practices working in context of the democratic and media norms they upend; digital leaking did not end up killing secrets (Greenberg, 2012), but it continues to uproot ways of conducting conduct. The capacity to uproot the conduct of conduct brings to bare theoretical questions introduced here that concern how transparency becomes a practice of government, how it specifies forms of power through managing visibility and what this means for the democratic project.

Scope of the Book

The book's narrative is organised as follows. We begin with empirical exploratory research on analogue histories of radical transparency and democracy in Chapter 1 to inductively develop the theories at hand, which are clarified in Chapter 2. Chapters 3 through 6 tell the stories of diverse case studies of radical transparency in digital times. Chapter 7 considers their implications for the evolutions of democracy and points to conclusions of the work. In the spirit of full disclosure, I detailed what to expect in each chapter:

Chapter 1 contextualises the political history of radical transparency before digital media. It describes surprising histories of how transparency mechanisms disrupted the mediation of information, political assumptions of governing, and insider/outsider status to what was previously secret. This history starts with the

radical pirate genesis of Hansard reporting on Parliament in eighteenth-century Britain, as quickly narrated in this chapter's first few paragraphs. It then leaps 150 years forward to relay how technologically advanced and decentralised publication of secret government documents electronically bounced around world to create an entirely new set of questions about how democracy was to be carried out; I discuss how the 1918 mass leaks from Tsarist Russia, through telegraph and national newspapers, galvanised a new era of Open Diplomacy. I read each of these histories as representing distinct socio-technological contexts and media that afford distinct democratic practice. The assembled media apparatuses afforded distinct materialisations and management of visibility that (de)form the idea(l) of transparency into practice. For clarity, the *ideal* of transparency is *deformed* via material constraints, while the active material management of visibility *forms* the *idea* of transparency into political practice. This first chapter supports my argument of what radical transparency is and does – long before digital networks – via affecting democratic government through: new forms of mediation, outsiders providing publicity, and shifts to expectations of the practices of democracy. The chapter concludes with consideration for the need for a better way to describe how each new construction of transparency is expressed and maintained. How specific material socio-technological apparatuses come to mediate disclosures in specific political expectations is one of the questions that requires further consideration from the exploratory research in this chapter.

Chapter 2 indulges in a theoretical exploration of deforming transparency for governing practice along political expectations to set a framework for the empirical work to come. It begins by reviewing literatures on the ideal of transparency from government and political science, which suggest that studies of transparency rarely incorporate communications and media studies perspectives. To correct this course, I synthesise research from media, transparency and critical governmentality studies. Specifically, I bring together the language of Vilém Flusser's (1999) philosophy of design with Foucault's (1980) description of apparatus (*dispositifs*) and post-foundational democratic theory (Griggs et al., 2014). In this mix, the concept of affordances is useful to explain how the design of transparency apparatuses creates specific political outcomes. The deformation of ideals towards meeting specific democratic needs and working through specific material constraints forms *how* transparency delivers unique contextual political goods. The materiality of transparency practice mediates political subjects with their expectations – it is how they become political. I then present a framework to study radical transparency apparatuses through the socio-technological elements that exist within each apparatus. The potential relations between these elements, when expressed through a constraining design, afford new forms of conduct.

Each in-depth case study after Chapter 2 uses my framework of apparatus and affordance to specify how the elements and potential relationships between them work as a constraining political designs to enact radical transparency and inform political practice. The constraints of apparatus design give transparency political purpose. The constraints of apparatus design is best understood through communicative affordances (Schrock, 2015), while their political outputs is best

understood as political affordances (Heemsbergen, 2019) or affordances in practice (Costa, 2018) – the multivalent 'how' of democracy being brought about through digital disclosure of secrets.

Chapter 3 is the first to leverage my framework of apparatus and affordance to WikiLeaks' mutations from website to weapon. In early 2021, as this book goes to press, the end of Assange's story again seems nigh. Rather than focus on ad hominem developments, I tell the story arc of WikiLeaks.org from the perspective of its design and political affordances. First, I map the functionalities and political affordances of the WikiLeaks site and disclosures from 2006 through to 2011 from insider and public accounts. In this chapter, I argue that WikiLeaks.org went through four design iterations that each had unique impacts on democracy. The chapter then concludes with a return to a functioning WikiLeaks.org hosting 'hacked' leaks (around 2012) through to the 2016 US election, when it became a weaponised information extension of the Federal Security Service (FSB) and Main Intelligence Directorate (GRU) of Russia.

Chapter 4 witnesses the Cambrian explosion of radical transparency websites 'after WikiLeaks', offering systematic study of design and affordance in the ecology of evolving digital leaking practices that WikiLeaks inspired. Most of the over 90 leaks sites and platforms lived nasty, brutish and short lives as they experimented with new forms of digital leaking. The chapter considers how the design elements of these emergent apparatuses varied, leading to shifts in political-democratic expectations. Most new online disclosure projects employed a similar underlying form and/or ethos to the WikiLeaks model: anonymously uploaded secrets will be widely shared. However, many had unique designs that afforded specific democratic potentials to evolve expectations of the democratic conduct of conduct. The chapter finds that while WikiLeaks was not the first leaks project to utilise the disruptive and decentralising powers of the internet (see Cryptome.org since 1996), it inspired a diverse ecology of practices and democratic outcomes. Chapter 4's large n view of leaks sites (94) suggests an abject failure of forming proto-institutions. The sites did not link together in any meaningful network, suffered short half-lives for their disclosing or a more general dubious utility. Even Snowden's documents are now lost to time. Yet, the exceptions to the mass extinction of leaks sites that concludes this chapter are the subject of the next.

Chapter 5 considers how proto-institutions after WikiLeaks emerged from practices of hacking-to-leak and other alternative formulations of radical transparency. Using cases of Anonleaks, Potentially Alarming Research from the Anonymous Intelligence Agency (Par:AnoIA), and the International Consortium of Investigative Journalists (ICIJ), I argue that proto-institutions that survived the Cambrian explosion of leak sites from Chapter 4 normalised changes to democratic practice in distinct ways. I then explore other proto-institutions of radical transparency driven by conspiracy theories opposed to government, private databases (such as Clearview AI) and track-and-trace approaches to managing the COVID-19 pandemic. This chapter shows how democratic needs continue to evolve in ways linked to the radical expectations of conducting conduct that radical transparency apparatuses make visible.

Chapter 6 inverts the assumptions of the radical transparency machine itself, claiming that there are more 'secrets to kill' than just what organisations hold dear. Some secrets present as information problems of ignorance, rather than reflect forces that constrain the powerful from sharing what they know. This chapter explores radical transparency projects that invert transparency problems and practices by managing visibility through reckless experimentation of what the public makes visible. Specifically, it looks at thee cases of developed democracies making their publics' politics radically visible: Canada (leadnow.ca), Australia (OurSay.org) and Iceland's crowd-sourced constitution. Each project radically exposed public opinions and political issues to governors which would have otherwise remained 'secret'. As expected, each of these three cases of radical transparency informs practice as it deforms the ideal of transparency into a new political configuration.

Chapter 7 summarises and revisits the diverse cases of radical transparency in preceding chapters to more fully argue how radical transparency creates new visibilities of recognition and control. I suggest radical transparency can develop into proto-institutions, elucidate what these look like, and consider how to make them work (democratically) in the digital age. Specifically, I work through how visibility as a social concept (Brighenti, 2010) interacts with post-foundational democratic practices explained by Griggs et al. (2014) as practices of freedom and control. I argue that creating ever more efficient strategies of creation and 'control of' subjects through visibility is necessary but is not sufficient for emancipatory democracy. I call for an emancipatory recognition-based visibility management defined through forms power that offer 'control with' to also be integrated into newly forming institutions of transparency practice. That insight becomes especially prescient as nations grapple with ongoing digitally mediated disclosure practices, including forms of precision public health disclosures that were previously unthinkable before COVID-19.

To conclude the chapter, I put the frameworks of apparatus and affordance to work in pluralistic speculative designs for public health tracing and tracking. This is not to claim clairvoyance for the latter 2020s. Instead, it shows how a design of radical transparency in a new realm that unsettles established relationships between politicians, the public, and professionals might materialise, and further, how its functionality therein employs both visibilities of recognition and control that relate to practices of freedom and control. Like the empirical cases that proceeded it, the concluding thought experiment shows a double movement of opening up information previously unknowable to the public in a way that is productive to constraining rationalities and technologies of government that act upon a social problem in a specific new way. That explains the essence of what radical transparency is and does – opening and then constraining shifts to the expectations of conducting conduct. Radical transparency makes visible the material nature of the information defining democratic practice, the necessity for and inevitability of shifting those democratic practices, and therein the capacity we have to choose how 'control of' and 'control with' others will come to define our acts of governing through disclosure in future.

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