

THE IMPACT OF WIKILEAKS ON THE STATE AND ITS SOVEREIGNTY

by

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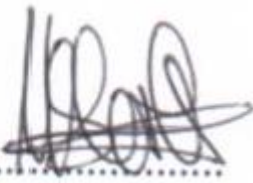
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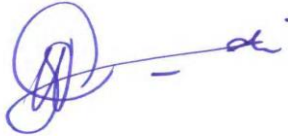
DECLARATION

I, Murray Sterley, hereby declare that the work presented in this dissertation is originally my own and has never been submitted for an award in any other institution. Proper citation and referencing has been done where information from other sources has been used.

Signature.....

Murray Sterley

Approved by:



Dr Siphamandla Zondi

Date.18 July 2015

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ABSTRACT

WikiLeaks emerged due to the belief that states (often democratic) were not as transparent as they claimed to be. Prior to WikiLeaks, transparency was largely done through state mechanisms and information provided to the media through official spokespeople. Through its online platform, WikiLeaks has attempted to widen this information net and corridor; allowing anyone with access to information to leak it anonymously. This dissertation investigates the effect of WikiLeaks on state sovereignty. It is crucial that sovereignty is continually investigated in order to understand where human society and the governance of human society are heading. Is the state losing greater sovereignty due to the emergence of WikiLeaks? The dissertation argues that the state is losing some sovereignty due to a WikiLeaks diffusion of sovereignty to citizens globally. However, WikiLeaks (although very well known) is a small part of many developments that underpin greater diffusion of state sovereignty including the growing power of the internet, diversification of media and other new methods that force state accountability.

LIST OF ABBREVIATIONS AND ACRONYMS

CBCs	Cross Border Corporations
FIFA	Federation of International Football Associations
ICAC	Independent Commission Against Corruption
ICT	Information and Communication Technology
P5	Permanent Five Members of the United Nation Security Council
R2P	Responsibility to Protect
UDHR	Universal Declaration on Human Rights
UK	United Kingdom
UN	United Nations
UNCHR	United Nations Charter on Human Rights
UNSC	United Nations Security Council
USA	United States of America
USCYBERCOM	United States Cyber Command Centre

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Chapter 1

1.1 Introduction

The nature and changes to sovereignty have been debated since time immemorial. Sovereignty has evolved in a variety of ways since its cementing into international politics through the Peace of Westphalia signed by Spain and the Dutch Republic at the end of the Thirty Years War in 1648. Since then the state has had to absorb challenges to its sovereign nature and to morph with time, maintaining its most basic structure, while its peripheral landscape changed. Some of these challenges have traditionally come from other states in the form of open wars, subtle wars and sabotage, among others, but it has also come from sources other than states too. In recent times, among the latter, can be listed criminal networks, radical social movements, and the process of globalisation that has weakened the sense of nationalism and national borders and the information revolution that has challenged the state's ability to secure itself. The emergence of WikiLeaks (www.wikileaks.org) as part of the fast growing culture of whistleblowing (informally described as leaking) on state secret conduct must perhaps be the most obvious challenge to state sovereignty today. The WikiLeaks site exposes state secrets and opens up states to scrutiny in areas that they have until recently been reluctant to be transparent about, publishing and disseminating through the mass media information leaked from intelligence files and state confidential closets to the embarrassment of state authorities. Leaking describes the action of releasing sensitive, confidential or top secret information to those not authorised to view the information contained within the documents. Leaks refers to the aforementioned documents released without authorisation.

This dissertation will attempt to study as a form of new impact on state sovereignty, the role of the internet site and organisation, WikiLeaks, on notions of state sovereignty and its reliance on the ability of states to maintain their power by keeping certain secrets. The impact of WikiLeaks upon state sovereignty touches on a wide variety of elements of the construction of state power

today and the evolution of society in the age of globalisation and information revolution today, which will be investigated. This dissertation will attempt to determine the main impacts that WikiLeaks has had on sovereignty.

WikiLeaks is an organization/website formed in 2007 which allows the anonymous distribution of information to all people with access to the internet.

‘Our goal is to bring important news and information to the public. We provide an innovative, secure and anonymous way for sources to leak information to our journalists (our electronic drop box). One of our most important activities is to publish original source material alongside our news stories so readers and historians alike can see evidence of the truth.’ (WikiLeaks, 2010, www.wikileaks.org/about/).

WikiLeaks advocates a basic two fold principle – all information on state activities should be made public while individual’s private information should remain private.

‘The broader principles on which our work is based are the defence of freedom of speech and media publishing, the improvement of our common historical record and the support of the rights of all people to create new history. We derive these principles from the Universal Declaration of Human Rights. In particular, Article 19 inspires the work of our journalists and other volunteers. It states that everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. We agree, and we seek to uphold this and the other Articles of the Declaration.’ (WikiLeaks, 2010, www.wikileaks.org/about/).

Its argument is that citizens should hold states accountable for their actions. In older versions of the state, citizens granted the state significant power with the hope that this power would be

used justly and fairly. With the rise of the internet and increasing citizen activism the demand to ensure that the state acts fairly and equally to all of its citizens has increased greatly. WikiLeaks is simply a result of this demand and it hopes to achieve justice through its work. In a sense WikiLeaks furthers the alteration of the social contract, enabling citizens to become actively involved in influencing the decision-making processes of the state. The issue of an evolving social contract has been discussed long before the internet or WikiLeaks (Buchanan, 1975).

The notion of state sovereignty of 1648 is not the notion of sovereignty of 2014 because of the passage of time; evolution of society; the rise of new technologies; changed philosophies of power and human agency; and because of society's need for state sovereignty change over time. Geopolitical changes, shifts in the nature of economic power, the rise of the mass media, the incidence of World Wars and the growth of democracy are simply a few of the elements that have contributed to changes of the nature of state sovereignty. The notion of state sovereignty has actually been changing continuously since 1648 because it refers to something that is by nature dynamic and living.

Internal state sovereignty is defusing from its originally state-centred nature towards a more diffused form. This diffusion has occurred as citizens have demanded a greater share of power over the last few hundred years. The idea of non-interference in other states affairs was a key tenet of the legacy of the Peace of Westphalia alongside the principle of territorial integrity of the state and the sovereign equality of the state. While these principles continue to be enshrined in constitutions and laws of states as well as in agreements between states and international law, in reality states penetrate each other's and interfere in internal affairs of others now more than ever. Within states, the notions of sovereignty of the sovereign represented by the king or government is being challenged daily by the agency of civil society or acts of criminality or opposing political forces in ways that diffuse its power and authority to a greater extent than before. The willingness of major global states to influence the turn of events in weaker ones especially those that do not conform to the dictates of the powerful is high. Assassinations, sabotage of internal politics,

corruption of economic players, and support for citizen uprisings against own governments, installation of clientele elite in some states and coups d'état are some of the most common ways in which the principle of non-interference is being increasingly undermined.

Due to this diffusion, the challenges of inequality and injustice in the world are increasingly being brought to light. With more power diffused, constituents expect more from their states, and when they believe their states are acting inefficiently, ineffectively or irresponsibly they will act in an attempt to influence the state to behave better. The manner in which these actions are taken include strikes or protests, campaigns through the use of mass media especially the new social media, or through whistle blowing mechanisms like WikiLeaks. A leak in the political sense is the release of confidential information to the greater public thus robbing the state of the power that comes with its monopoly over some information and also thus opening the state up for public scrutiny. The increased means (various forms of social media and WikiLeaks) of speaking out against power structures have raised the demand for equality and justice all over the world. Equality and justice are both terms discussed by the WikiLeaks organisation as some of the goals they hope to achieve through greater transparency. Those governed by the state can become more equal if they have access to more state information that remains secret. This can lead to greater equality in several senses of the word. Greater justice can also be achieved through the prosecution of corrupt acts or even the vindication of certain acts if certain confidential information is released.

Alongside the demand for equality and justice is the demand for greater state transparency. The necessary condition for equality and justice is government transparency through greater public knowledge of state activities. The earlier mentioned diffusion of sovereignty has led constituents to increasingly desire information on state activities. This push and pull between constituents and states has led some constituents to leak confidential information which the state chose to hold secret. In this sense some constituents are taking transparency into their own hands while pressurising the state to become more transparent. These actions are taken in the name of

increased equality, fairness and justice. Ahlberg (2012) concludes that there is a stable theoretical basis for transparency in accounting/finance and politics. These above-mentioned changes have further evolved the nature of the social contract between citizen and state. The idea of the social contract was once described by philosopher, Jean-Jacques Rousseau, in his book *The Social Contract* (Rousseau, J & Gourevitch V, 1997 & Rousseau, J, Dunn, S, & May, G, 2002) as the unwritten agreement between citizen (s) and the state that grants the state full powers of governance over its citizens. In this theory, the citizen would blindly give power to the state and trust the state to utilise this power to protect the state, but in reality citizens demand far more from the states with which they hold social contracts than the theory assumes. Citizens want increased services including security and protection. For example, during the global financial crash of 2008 citizens hoped that governments would take actions to prevent a similar scenario in the future while also helping poorer citizens to survive the crash without losing their homes. The social contract is still in place between citizen and state, yet citizens are now able to play a more active role in what they receive through the contract. When citizens believe they cannot attain their wishes through the social contract, they have turned to informal means of attaining these goals. Examples of this are the use of various social media tools, civil society groups and peaceful demonstrations to challenge the state into action to meet popular demands or aspirations. The culture of public protests in the world has grown to a point where there are more public protests

than citizen-state agreements. Public disgruntlement is shown a lot more than in the past. Social

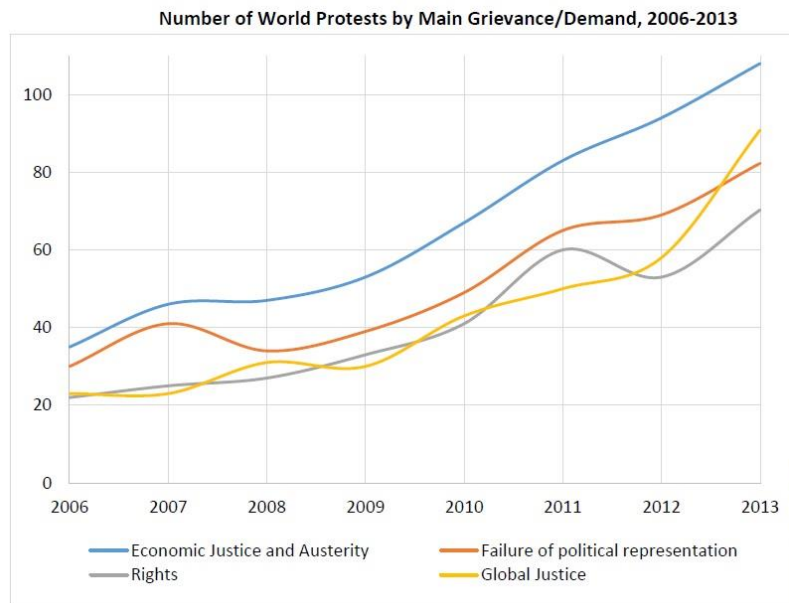


Figure 1: World Protests, 2006-2013 (Ortiz, 2013)

Source:
Ortiz, I., Burke, S. L., Berrada, M., & Cortés, H. (2013). World Protests 2006-2013. Initiative for Policy Dialogue and Friedrich-Ebert-Stiftung New York

movements challenging the boundaries of what is permissible have spread wide, from the Occupy Movement (2011) in the USA to Gezi Park Protests (2013) in Turkey and student protests in Hong Kong (2014). All of these protests challenge prior norms and demand a greater public participation in private and public governance. The figure above indicates the increase in protests per year globally from 2006 to 2013. A greater number of protests are being staged on social media (Shirky, 2011) and sometimes protests become illegal, through online hacking and violent demonstrations. The SONY hack of late 2014 and the violent demonstrations in Brazil prior to the FIFA World Cup highlight many societies frustrations with the current social contract and their increased move towards illegal mechanisms in an attempt to solve challenges (Buchanan, 1975). A hack or hacking is the (often illegal) access to digital space – wherein stealing, changing, damaging or a moving of the digital environment takes place. No information online is unreachable, it can only be protected by greater and greater layers of security that create longer hacking times. A hacker is the name of a person who conducts hacking in the digital space.

WikiLeaks emerges in this context. In a sense, it is about forcing a solution to citizen's demands and readjusting the social contract in favour of citizens against states that have become both

more powerful and more intrusive in the lives of citizens. Through the WikiLeaks website anyone with an internet connection can anonymously submit information (undermining state security and sovereignty) for global distribution without fear of being targeted by their state. WikiLeaks became an informal apparatus in which to circumvent the official means of action within the social contract. WikiLeaks enables an anonymous distribution of information from anyone to everyone. WikiLeaks could be used to increase justice, but could also be used for political goals; thus making the study of the platform far more complex than the simple goal of justice it purports. Nonetheless, it still moulds the social contract, forcing states to act in new and different ways.

WikiLeaks strives towards pressurising states into ethical and transparent conduct. States reactions in theory would react to treat the 'symptoms' of the problem and create conditions for a future 'cure' of the real challenges. The state would also conduct a form of damage control, while at the same time devising plans to avoid future leaks. These could include improving internal mechanisms to which increase justice and fairness while also increasing internal mechanisms for citizens to convey their concerns through formal state mechanisms which are independently processed. Some states have implemented independent arms of government which exist simply for the independent investigation of internal leaks. For instance the Independent Commission Against Corruption (ICAC) in Australia has been operational since 1989 and has dealt with several high profile corruption cases in New South Wales, Australia.

Thus, WikiLeaks is part of the “informalisation” of public accountability platforms that has the potential to bring about changes in decision making, accountability, responsibility and efficiency within states. It is difficult to provide comprehensive information on public accountability platforms as these can be forum boards (for example Reddit), news websites, social network sites and one of the many new leaks sites setup (Cryptome (older), Live Leaks, GlobaLeaks, AfriLeaks etc.). These platforms may be partially driving the state towards a more direct democracy by causing states to take steps to include citizens more in decisions.

This study attempts to understand how and in what ways does this growing public scrutiny of government conduct and performance, through the deliberate leaking of state secrets, contribute to the diffusion of state sovereignty. It is aimed at interpreting ways in which WikiLeaks, as a specific example of informal citizens' demand for transparency plays this role and what are some of the major lessons being learned. Is WikiLeaks simply a fading element of the internet, or will it continue to grow as a fifth estate and counter balance unchecked state power?

The study argues that WikiLeaks is part of a bigger process of challenge to the notion of state sovereignty and its association with the ability of states to maintain their advantage over citizens in the social contract through the maintenance of secrets that gives it power to dominate. It argues that if transparency and accountability have become channels that citizens are using to challenge the idea of state sovereignty and secrecy, then WikiLeaks is an important instrument by which citizens are gaining the ability to diffuse state sovereignty by increasing scrutiny of the state and protests against it. Yet, the study contends, the extent to which state sovereignty is defusing should not be over-estimated because, as the study shows, the state is also re-asserting its primacy in the power arrangements in respect to the transparency push. This leaves USA with a sense of challenge to state sovereignty and a counter-challenge to maintain it albeit with some adjustments.

1.2 Methodology: The Challenge of Measuring the Impact of WikiLeaks

One specific question posed in this research is whether WikiLeaks creates relative gains and losses for states, or if it simply decreases state sovereignty, towards a more popular and dispersed sovereignty in all states. The first scenario would suggest that state sovereignty is not affected in a general sense, and WikiLeaks is simply another actor in a world of neo-realism, which revolves around the state. The second scenario suggests that the effect is far more complex and does have an overarching effect on sovereignty in general.

The investigation commences by laying an argument that takes into account the disparities of the current state system, arguing that these created the conditions for WikiLeaks to grow into its current size. These disparities naturally highlight that stronger states are more greatly affected by WikiLeaks, thus there is a correlation between a state's strength and WikiLeaks effect on its sovereignty. For example, if a quantitative measurement were used to measure sovereignty, then Somalia's sovereignty could be 1 and USA's sovereignty could be 100. The impact on sovereignty arising from leaks would be much higher on the USA than on Somalia. This is due to its economic and military strength (its real power), but is also linked to the strength of its democracy, and the values it places on transparency and freedom of speech. These complex issues highlight the difficulty in pin-pointing WikiLeaks' effect on sovereignty across the international board; especially in states which all have a varying degree of power, democracy and transparency. WikiLeaks has varying impacts on each individual state's sovereignty, and therefore an answer of how sovereignty is affected will always be an aggregate between states.

It is generally accepted that the impacts of non-state actors on state sovereignty have forced an evolution of the state and a re-alignment of sovereignty (Strange, 1997 & Jayasuriya, 1999). Some aspects such as the World Wars have had less impact on state sovereignty, but a greater impact on society and socialisation, which later and more inadvertently impact on the strength of a state's sovereignty.

Similarly, colonialism and the end of colonial rule impacted both colonised and colonisers' societies. During the ending of formal colonialism questions of the notion of power, suppression, '*social-Darwinism*' and equality all arose within the colonisers' states and the former colonies. These questions, somewhat answered by decolonization processes, affected societies in former colonies and former colonial powers. Therefore most citizens became actively aware of the possibilities of power abuse by the state and it became an increasing cause to champion – to the current point of mass protests – whether they occur in reality or in cyberspace. Former colonial powers saw their states as bastions of human rights, and developers of the developing world, all

the while utilising former colonial links to increase their own domestic sovereignty, and in effect decreasing the sovereignty of the formerly colonised state. Highlighting that sovereignty has and can be used as a tool for net gains and net losses amongst states. It is harder to measure the influence of WikiLeaks in developing states, which already have a diminished form of sovereignty. Developed states sovereignty can be measured through their degree of cohesive governance; whereas developing states do not always have this longstanding cohesive governance. In summary, it must be noted that WikiLeaks actions' have an influence on all states, but the measure of this influence is far easier to determine in stable and developed states – and especially those with freedom of press and freedom of speech.

In theory WikiLeaks is not targeting any specific state, and simply uploads information that is sent to them regarding any state. It is an independent organisation with the blind goal of global transparency. All states with unethical or illegal secrets exposed will suffer a loss, thus highlighting a direct loss of sovereignty for all states that have information that is leaked. Information is passed down to journalists and citizens, who determine in what manner it is disseminated. Reactions due to the leaks may range from violent protest to apathy, depending on the type of society and the willingness of their people.

The general belief that all states have the right to their own sovereignty, as originally agreed in 1648, was cosmetically agreed to for most of the rest of the world. Global bodies such as the United Nations (United Nations Charter, Article 2, Paragraph 7 relates to non-interference by the UN towards other states and Resolution 50/172 of 1996 discusses non-interference and national sovereignty) and the Organisation of African Unity (its original charter defending the sovereignty of its states) helped draft the basic agreements and resolutions agreed to by most member states, which enforced and secured the right that European states principally had since 1648. Decolonisation spurred on by the World Wars and supported by multilateral organisations finally brought about a universal acceptance of state sovereignty, more than 300 years after it was originally implemented in Europe. Despite this, the disparities between states allowed for this

change to be somewhat cosmetic, thus making stronger states (those with greater economic or military might) have a stronger internal sovereignty, while weaker states (those with less economic or military might) had a weaker sovereignty. Therefore, throughout this study the reader should be reminded that although WikiLeaks acts blindly, its impacts on sovereignty differ depending on the strength of each state's sovereignty.

1.3 WikiLeaks as the Fifth Estate

Despite being a valid area for debate, the disparities of sovereignty directly correlating to the economic disparities, are not specifically in question in this dissertation; what is being investigated is rather the general impact of WikiLeaks on sovereignty in all states. It could be strongly argued that state sovereignty has decreased since 1648 (Strange, 1997 & Jayasuriya, 1999), however, never in such a manner that led towards the end of the state. Democracy provided the platform for citizens to become more involved in governance, simply through public debate and a free media. Many states found a way to incorporate and utilise these platforms to maintain a high level of sovereignty or authority over their citizens.

WikiLeaks has risen as a backlash towards states incorporating media and public freedoms into a maintenance of power strategy (Gehlbach & Sonin, 2014). WikiLeaks has argued that the traditional media often simply support the status quo and do not challenge the state sufficiently. WikiLeaks sought to use the internet to bring about a new platform which gives the less powerful groups or individuals in society the chance to release information they believe to be unethical and in the public interest. This has always been possible through the media; however the internet provided two crucial amendments to this "right": a global release platform as well as anonymity. These two factors are what have caused many to label WikiLeaks (or any leaks platform) as the fifth estate after the three arms of government and the fourth, which is the media. In earlier times the four estates seemed enough to bring about a society of justice and equality (given enough time for them to develop); but WikiLeaks became a natural partner to the fourth estate (Benkler, 2013), allowing for anonymity and a far greater coverage (as opposed to a few national

newspapers or TV stations which may or may not decide to cover the story). This has brought domestic issues into the international arena, placing greater pressure on states to make changes.

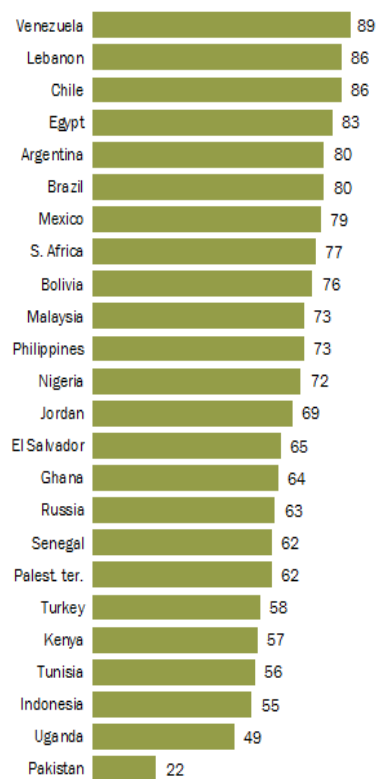
1.4 The Media and the internet: A Natural Globalisation Shift

Although the media was a balance to state power it also assisted in maintaining state power, that is, until globalisation began interfering with information sharing globally. Globalisation offered fresh external perspectives on local challenges or issues that may not have been seen as problems previously. The internet has created a platform for rapidly sharing information and allowing the forces of globalisation to occur even faster. Prior to the internet it was far easier for states to utilise media houses to distribute propaganda supporting certain power-bases. With media houses globalising, sharing information and resources it is far more difficult for states to control and use these groups as state information portals. Despite not being known for its real power, information and the dispersion of information has been used as a soft power to maintain a certain degree of control and influence, which lays the groundwork for stability within state borders.

New perspectives on old ideas arose with the advent of the internet; especially that of greater population participation within governance. Thoughts and ideas shared from one geographic or cultural area will influence another, while being reverberated in a slightly different manner, and also eventually influencing the original source of the idea. This only works fully if a given population has largely full access to the internet or social networking sites (Bakshy, 2012). Many countries with a very low internet penetration are largely excluded from this information mélange, however their older forms of media (print and television) will still attach to this idea-networking; bringing this effect, in its lesser sense to even the poorest states in the world.

Most Want Uncensored Internet Access

% saying it is important that people have access to the internet without government censorship



Source: Spring 2013 Global Attitudes survey, Q71.
PEW RESEARCH CENTER

Figure 2: Government Censorship Survey (Pew Research Centre, 2013)

Information is not only crucial to general state stability, but also for state security from terror threats or any other subversive threat such as hacking or simply protesting abusive state power. Security threats have increased with globalisation; the internet provides a platform to increase these threats, but similarly to monitor these threats. Many states are moving in the direction of applying greater control over the internet (China, USA, UK) while others are campaigning for its (mostly) absolute freedom (Venezuela and Bolivia both publicly stating support specifically for WikiLeaks). The Bolivian Vice President even went as far as creating a mirror sites for leaks specific to Bolivia, providing translations and analysis (Bolivian Mirror Site – <http://wikileaks.vicepresidencia.gob.bo/>).

The deeper question here is whether states are attempting to control the internet in order to maintain their sovereignty, under the guise of 'state security'? Increased internet freedom will decrease states sovereignty and the need for many of the functions they currently perform. Through the internet these functions can filter through to citizens, knowingly and unknowingly. Google statistics, opinions, shared online knowledge, the possibility of full democracies through online referendum portals are just a few aspects which decrease the need for government experts and in some cases parliaments. This futuristic scenario provides enough reasoning for the state to exert a measure of control on the internet, even if it is under the guise of 'state security'. The state's primary function is to survive and an uncertain survival through the major loss of sovereignty is incomprehensible. The internet has the ability to disperse power to the point where it is equally shared and the state would simply become an implementer of the dispersed sovereignty's decisions; in the process, negating all of Hobbes theories surrounding the Leviathan or all powerful state. With increased protests throughout the world for improved state services this scenario seems completely natural.

The Pew Research Report (2013) on internet censorship shows populations in developing countries with greater access to the internet want increased internet freedom. Young people in

these developing states are beginning to view internet freedom as a right and censorship of the internet as undemocratic. As twenty two out of the twenty four country groups interviewed showed between 55-89% in favour of greater internet freedom (Pew Research Report, 2013). The internet in its unregulated form does hold some security risks and WikiLeaks has highlighted possible dangers of sharing secret documents which may compromise lives or state security in general; however, this in itself does not provide a strong enough argument against the vast global support towards internet freedom. If democratic states wish to uphold democratic principles they would have to concede that their population's desire internet freedom and they should create new security apparatus to maintain secrets which uphold state security. If unethical conduct is leaked, the blame should be solely on that state or the participants in the unlawful or unethical actions. It should become state official's duty to know that if they participate in unethical or unlawful actions they are creating the possibility for a state security leak. If ethical and lawful behaviour ensues then there would not be a need for WikiLeaks, and legitimate security secrets could remain unknown.

1.5 The Problem Statement: Conditions for WikiLeaks

In this context, WikiLeaks only exists and has value because of what it does to the modern state system as we know it. WikiLeaks exists as a reaction to the existence, power, character and conduct of states and the problems, which arise from the system. These conditions were largely borne in democracies that promote transparency, yet had many hidden secrets of their own. These secrets occasionally surfaced after many years of their actions, and people questioned democratic citizens' ability to whistle-blow during the time of these corrupt or unethical actions. WikiLeaks created the platform for real time whistle-blowing which would decrease the future tendencies towards corruption or unethical action as well as stop these actions while they are being conducted.

WikiLeaks specific purpose for existence is not to bring about the demise of the state; but merely to transform the state towards transparency. WikiLeaks hopes to transform the state and its

nature. WikiLeaks believes that a decreased sovereignty will decrease a state's ability to conduct unethical or corrupt actions. It is still to be seen whether WikiLeaks survives and changes the nature of the state or is snuffed out and has very little effect.

WikiLeaks influences individual state power within two dimensions – domestic and international relations. Of course many impacts have overlapping effects, but it is crucial to view both impacts separately when investigating their effects. According to the neo-realism view of the state system, WikiLeaks is an agent bringing about relative losses for some states and relative gains for other states. This zero-sum game is possible within certain areas, within certain specific areas (for example if states criticise one another on the basis of the knowledge of unethical leaks), however the general impact of WikiLeaks: bringing about increased transparency leading to an increased and well dispersed political participation shows a diffused sovereignty.

WikiLeaks has challenged citizens globally to question their states authority and become involved in future decision making. The Pew Research Centre (aligned table from Pew Research Report, 2013) shows an increased mistrust towards government and an increased desire of citizens to have greater political influence, with the support of an increased internet freedom. With greater popular power throughout the world the state cannot ignore these population desires and will be shifted in this direction in time.

It is these weaknesses and cracks which will be explored later in this dissertation. In light of the regime change in Egypt in 2011 (Mabon, 2013), and growing civil unrest in states with increasingly dissatisfied populations, civil society throughout the world is growing in strength. WikiLeaks is simply one appendix of a growing body of civil society strengths. Its current impact on state sovereignty has been relatively minimal, but contributing to this body of civil society strengths it certainly has an eroding role. The limitations of this study, or more specifically of utilising neo-realism, would be that this study does not search for a moral answer to the question of WikiLeaks' relevance in the current international system. The study attempts to narrow its findings to purely

WikiLeaks impacts and thereafter reactions and counter-reactions. It is necessary to state that a study investigating the moral justification for WikiLeaks would be important, in light of the fact that WikiLeaks has also become a player with power in global politics. It has seemingly created its own unique social contract with citizens throughout the world, looking for new means to counter “old” power bases. The legitimacy of WikiLeaks can also be argued back and forth, warranting further research into this fairly untapped ground of technology-politics or fourth (or even fifth) estate politics. This study does touch on questions of legitimacy and morality; but generally focuses on the political question of sovereignty as epitomized by the maintenance and protection of state secrets.

1.6 State Security & WikiLeaks

States generally respond in one of two ways to the phenomenon of WikiLeaks: to improve the maintenance of their secrets and increase punishment to those who leak confidential government information outside of government institutions created for such purposes (in the name of state security) or to maintain transparency and internet freedom (at the possible risk of state security), while providing amnesty for “legitimate” whistle blowers. Weaver (2005) attempts to examine both sides of this debate: the need of state secrecy for security and the need for democratic transparency (providing safety to the legitimate whistle blower – one which exposes corruption or unethical actions). This calls into question how far transparency should extend – whether only unethical actions should be uncovered, or should all government action be brought into the light. If simply unethical actions were permitted under new secure whistle-blowing laws, the state would have a greater chance of absorbing the impact and maintain a degree of sovereignty with some legitimate ethical secrets. However, if full transparency becomes the order of the day the state would lose control of all secrets and sovereignty would move into the hands of all state citizens.

This scenario itself paints a futuristic picture of popular participation and a purer democracy, where the internet allows for ballots to be cast weekly or even daily on critical issues. These

scenarios are difficult to imagine, as the maintenance of this network and its secure operation would become the new state secret, thus redefining the state's role as the maintainer of 'The Network', a possible futuristic playground for corruption and maladministration; unless a new form of separation of powers is created as a loop which ensures the safety of 'The Network'. This idealistic world is difficult to imagine; however, during the times of monarchies and city states it was also hard to imagine our current democratic and rights based lifestyles. Additionally, the idea of the internet was not even conceived, highlighting the extreme possibilities of future governance and finally closing the door on Fukuyama's *End of History* argument (Fukuyama, 1989). Global progress will always be present; the day progress ends would be worrisome, because modern scenarios present new challenges and require improved solutions. When new solutions are not being created progress would be stagnant and regression would begin to occur.

This futuristic example highlights the continued need for state security, in some form or other; it is the maintenance of this security, which is viewed as a necessity (Weaver, 2005), but must be maintained within a balance of power in the separate arms of government, which provide a framework for stability and a structure within which humans can live in community. This future scenario displays a vast decrease of state power and sovereignty, yet maintains the need for state sovereignty for securing 'The Network' as the independent electoral body, the legislature and a refined democracy (not pure).

1.7 Conclusion: A Small Part of a New Global Shift

WikiLeaks is simply a small part of a bigger development that accounts for the changing nature of state sovereignty. It has become a natural progression for the state to change and adapt to modern influences. This study hypothesises that state sovereignty will decrease with an increase freedom of internet usage. WikiLeaks forms part of the critical elements of the internet which will decrease state sovereignty. WikiLeaks emerged at a time which allowed for its successful popularisation and growth; people believed in the ideals of WikiLeaks, supported it financially and critically. It will also be argued that WikiLeaks intentions are not specifically designed to denigrate

the state, but for a more simple cause of exposing corruption, crime and a misuse of power (privately or publicly). Given the right power and publicity this simple intention could have repercussions on domestic and international government as well contribute towards a change in the nature of state sovereignty.

The study will also touch on challenges to WikiLeaks, focusing on its own hidden secrets, editing of documents, refusal to redact all names in documents, but also the overall challenges of WikiLeaks being seen as a contradiction by breaking some states laws in the name of global justice. This includes challenges led by states embarrassed by leaks of their embarrassing conduct and statements about each other's, attempts to silence the transparency activists. This leading idea has forced people from all fields of work to re-think global laws and domestic laws which may not be sufficient in ensuring justice, the prosecution of unlawful actions by those in power and the exposure of unethical behaviour conducted in the name of state security.

Chapter 2

Analysis of State Sovereignty and Authority: a Conceptual Analysis

2.1 Introduction

As we have indicated, the notion and principle of state sovereignty is old but has been changing over time due to passage of time, internal and external challenges. With these changes, the authority of the state has also been changing in more ways than, but it cannot be said that there has more decline than reline in state sovereignty because changes have not been in one direction. In this chapter, we systematically use the review of literature to analyse the concept and practice of state sovereignty as it relates to the authority of the state over society and how citizens respond to this reality. It largely focuses on an investigation of the state and its behavior as the basis for analysing how it is directly and indirectly affected by WikiLeaks.

It is always risky to conduct a thorough analysis of relatively recent occurrences. This is the case with WikiLeaks because it is a change that in progress, a shifting target and something whose full impact is far from clear yet. Not much is written about the subject for the same reason and more will come with time. Yet, there is sufficient basis for this analysis on the grounds that there is a rich literature on the context in the form of challenges to state sovereignty, the changing nature and character of the state, the growing informalisation of public accountability, the impacts of internet and media, the growing role of non-state actors and other studies whose insights help to illuminate a study of this nature.

Individuals and organisations globally are surprised by WikiLeaks actions and at this type of challenge to the traditional power structures. This is partially because this challenge comes from people with very little power themselves. This surprise and its fascination factor fuels the sensationalism of WikiLeaks, often making it seem more powerful and of greater effect that what it is in reality. As the sensationalism in WikiLeaks fades, more academic articles have been written

on its activities and effects. The reactions by governments and senior government officials (especially the US) were quite strong therefore forcing more people to take notice of its influence.

Broad arguments over the states' loss of power or perceived loss of power have continued over the last few decades (Strange, 1997; Price, 2004 & Ōmae, 1995). The state exists due to the sum of all power factors that contribute to upholding its power. Economic, social, cultural and religious factors are a few of the life-giving factors towards state power. It therefore becomes difficult and possibly even incorrect to examine the effect of WikiLeaks on the state, whereas the effect should be examined on the parts that make up the state: political, economic and social. WikiLeaks affects political structures, corporations and societal norms; which in turn add to the changes within the nature the state. Below we discuss critically the state, its sovereignty and how these are impacted upon by changes in the world.

2.2 The State Defined

When examining the basic structure of the state in this dissertation four primary aspects are utilised: its geographic territory, its population, legitimacy (internally and externally recognised) and ability to govern or monopoly of force (Weber, 1984). These aspects are the foundation of any state, but any state is far more complex than these broad aspects. Many authors therefore go much further than this basic understanding; creating a far more specific definition which falls in line with their specific area of study (Gurr, 1990; Ghani, 2005 & Kukathas, 2008).

On the issue of sovereignty or power indicators, Gurr *et al.* (1990) outline three core facets: coherence, directiveness and military capacity. It is important to note that this 'state power' is regarded as a distinct element, separate from that of the nature of the state (autocratic or democratic). Coherence relates to the state's ability to maintain one single directive or manner of governance, as opposed to being partially democratic and partially autocratic. Thus a state could maintain a huge degree of sovereignty, while being highly democratic. Coherence is central to its sovereignty. The ability to govern in a coherent manner ensures stability and durability of the state, as opposed to governing in a variety of ways and allowing for dissent against the state to

occur. Directiveness is the next key indicator which displays the states abilities to carry out its' core functions such as tax collection, maintaining stability and order and the provision of services to its citizens. This is also largely the states' ability to influence any kind of activities within its borders. Based on this aspect alone it could be said that sovereignty or state power differs vastly throughout the many states of the world, with democracies diffusing this power, but at the same time entrenching its' power. As in the earlier example of Somalia, the state can exist without most of its sovereignty, but this does increase the risk of its demise. The military factor largely depends on the size of a states military force enabling a coercive influence without specific military action. This is carried out by making use of threats or military demonstrations to display sovereignty or a claim to sovereignty.

A willingness or perceived willingness to utilise force can play a large role in cementing a states sovereign power. A state may never use its military might, but if it is perceived to be willing to act militarily it will increase its power or sovereign base. Apart from the magnitude of a military force, its ability to organise itself efficiently to defend borders and uphold national security is a key component to uphold its' sovereignty (Gurr, 1990). It is against these indicators (state coherence, directiveness and military capacity) that we can compare, in a specific manner, WikiLeaks influence on state sovereignty.

If WikiLeaks affects these aspects then it affects the strength of states sovereignty. In a broad example, WikiLeaks has largely distributed many USA military secrets within its '*War Logs*', therefore detracting from the future ability of the USA to conduct successful military interventions and highlighting its decreased willingness to conduct future military interventions in areas which are of further geographical proximity to its own borders. Simply put, the idea that the whole world could know the exact details of American troops actions outside of the USA could be a deterrent to future military action by the state.

It could be argued that sovereignty has always been in existence, even prior to 1648, but the combination of the formation of the modern state and sovereignty, brought about a new version

of sovereignty which did not only refer to authority, but also the principle of non-interference by other states and citizens in the internal affairs of a state (Treaty of Westphalia). This principle has always been loosely utilised and has never been a universally enforced or accepted idea. Despite being a crucial element of the state system it is a 'de jure' element, not always enforced as 'de facto' laws are domestically.

2.3 The Nature and Functions of the State

The Social Contract (Rousseau), the Leviathan (Hobbes) and the actual translation of the Treaty of Westphalia provide an early understanding on the historical nature and birth of the state. The Treaty itself provides a basic understanding for the original inception and purpose of the state. Rousseau and Hobbes provide various interpretations of different types of states and which may or may not be better for human society. Debates between the Leviathan and the Social Contract are also relevant today as it is a discussion on the amount of power the state should have. If the state does not have enough power it may not be able to maintain stability, but if it has too much power it could abuse this power (Buchanan, 1975).

As stated previously this study focuses on the modern state and its future. Therefore much of the theoretical literature seeks to understand the nature of the structure (the state), before exposing the agent (WikiLeaks) to the setting. The following authors describe and articulate the state from various angles, and utilising them provides a holistic view on the nature and functions of the state, as well as how the state changes through internal and external variables. Some authors often argue that states have lost much of their power and influence to economic power and other external factors, yet never fully detach the importance of the state from the economic power base (Strange, 1997 & Lyons & Mastanduno, 1995). These arguments will be used to form a basic understanding of the nature of the state in its interactions with the international economy. The power which makes a state real and active is discussed by several authors, mostly concluding that states seek to increase their power (Mearsheimer, 2006 and Gurr *et al.* 1990). In a more broad analysis two authors are specifically used to draw a picture of the nature and functions of the

state (Kukathas, 2008 & Ghani, 2005). The effect of international law is briefly investigated as its intertwined relationship with states adds to the complex dynamic of WikiLeaks existence (Frost, 1986).

All of the above authors weave a thread of the complexity of international relations, moving a historically simpler analysis of realism towards an interwoven understanding through constructivism or more specifically critical theory (Linklater, 1990 & George 1994). WikiLeaks is a danger to any individual or group abusing power, thus making its work and its impact far wider than any one study can investigate. All of the above authors also explain the shared nature of sovereignty in international relations, taking into account non-governmental organisations, corporations, civil society and the media's effects on state power and state decision making.

Ghani *et al.* (2005) outline a greater number of elements which make up the nature of the state:

- Legitimate monopoly on the means of violence;
- Administrative control;
- Management of Public Finances;
- Investment in Human Capital;
- Delineation of Citizen Rights and Duties;
- Provision of Infrastructure Services;
- Formation of the Market;
- Management of the States Assets (including the environment, natural resources and cultural assets);
- International Relations (including entering into international contracts and public borrowing);
- Rule of Law.

Broadly or perhaps simplistically, non-interference in internal affairs of another state and maintaining basic domestic order sum up the states nature but also combine to form the most basic need of the state: survival (Mearsheimer, 2006 & Waltz, 2001). Just like any other environmental or physical phenomenon, the state must ensure its continued survival prior to any other function that it serves. Survival of the state is largely coordinated around the idea of state security. A state must be secure from domestic and international threats in order to maintain its

legitimacy. However, if we return to the example of Somalia we note that the bare skeleton of the state remains and survives; due to its recognised (even if sometimes disputed) geographical borders and its official United Nations seat. It is for these reasons that we cannot only take the simple or broad view of the state into account when attempting to analyse effects on its nature. The earlier ten functions of the state should all be analysed when attempting to determine the effect of WikiLeaks. In more inclusive states, or states with strong democracies, we can see these other functions playing a greater role in stability, calling into question the validity of neo-realism and upholding critical theory as a holistic and true way of examining the state (Linklater, 1990).

Outside of the power of the state or the state defined, Kukathas (2008) describes the nature of the state. He outlines six elements that broadly make up the nature of the state and largely eliminate common confusions of what the state is not. The state does not exist to subordinate all groups or individuals, nor does it exist for the specific interest of groups or individuals within the state. The state is not within human control and does not exist for any kind of altruistic purposes. It exists for the internal and external purposes of non-interference and basic order. Realists in theory would maintain that despite losses of power, the state is still the focal point because it still maintains these two simple core functions (Waltz, 2001 & Meier, 2013). Regardless of the amount of power it loses, it remains critical due to this continued role. Kukathas (2008, Presentation to the Conference on Dominations and Powers, no page numbers) asserts:

- 1) The state should not be viewed as a form of association that subsumes or subordinates all others.
- 2) The state is not an entity whose interests map closely onto the interests of the groups and individuals that fall under its authority, but has interests of its own.
- 3) The state is, to some extent at least, an alien power; though it is of human construction, it is not within human control.
- 4) The state is not there to secure people's deepest interests, and it does not serve to unify them, reconcile them with one another, bring their competing interests into harmony, or realize any important good such as justice, freedom, or peace. While its power might be harnessed from time to

time, that will serve the interests of some not the interests of all. 5) The state is thus an institution through which individuals and groups seek to exercise power (though it is not the only such institution); but it is also an institution that exercises power over individuals and groups. 6) The state is, ultimately, an abstraction, for it has no existence as a material object, is not confined to a particular space, and is not embodied in any person or collection of persons.(Kukathas, 2008, speech, no page numbers)

Kukathas (2008) reminds USA of the need to separate governments from the state they exist within. The state is an abstraction, an alien, and is simply existent due to its neighbouring states. If there was only one island or one country in the world, there would be no reason for the concept of states. States therefore only exist because of other states. The system of states exists because of each other, yet their functions allow for domestic and international benefits. Despite these benefits the system of states also brings about global and domestic challenges, such as how to control the international effects of the internet or WikiLeaks (Marechal *et al*, 2013). Currently domestic laws and courts are far stronger or have a better ability to act than international laws and courts. From Kukathas assertion we can derive the conclusion that states are not altruistic, but simply shells in which humans form governance and societies.

2.4 Is State Sovereignty Diminishing?

A continual debate remains over whether states are losing power or if it is simply a perceived loss of power. Lyons and Mastanduno (1995) argue in favour of a decrease of state power and sovereignty through international intervention (they discuss the emergence of the legitimate right to intervene in a state which are generally labeled as humanitarian interventions), which supported by observing the disparity among states; where weak states have less sovereignty and strong states have more sovereignty. Krasner (1995; found in Beyond Westphalia, Lyons and Mastanduno) argues that effects (growth of large corporations, media groups and NGOs) on the state have occurred since its inception, yet the state continues to operate (even if the operational level has changed in some ways – such as democracy and state balances between market forces

and regulation). Krasner (2001) argues that despite changes in sovereignty and the way the state operates; state sovereignty exists globally and is still the focal point of all political interaction.

Axtmann (2004) provides a good context and platform from which to examine the current nature of the state and changes that have occurred within the state in the last 20 years. These included: colonialism, regionalism, 9/11 terror attacks on USA soil, the 'War on Terror' and the doctrine of Responsibility to Protect; the so-called World Wars of the 1900s, the growth of multilateralism, the increase and influence of transnational corporations, and the 'ICT Revolution'. These underline the need to understand their effects on the state as the context for understanding the effect of WikiLeaks on the state today.

The argument about the impacts of various developments of sovereignty can create an impression that in fact state sovereignty is diminishing in the face of all these challenges (Lyons and Mastanduno, 1995). Jayasuriya (2001: 442) contends that sovereignty has not diminished, but rather has transformed or diffused. He argues that most effects of globalisation have been felt on a domestic level; 'rupturing and fragmenting the institutions and processes of governance...' He uses the concept of governance to highlight the fragmentation and distribution of sovereignty throughout government and non-government institutions.

On her part, Strange (1997) argues that state sovereignty has decreased through diffusion to large businesses and other institutions. Strange (1997) also notes the disparity between larger states with structural power and weaker states without that kind of power, labeling this as a growing asymmetry between states. She highlights states' inability to provide for its people and to protect its people. Seventeen years later we can still see these problems increasing, in many countries where revolutions and changes are occurring (Mabon, 2013 & Maqbool, 2013). Large businesses, but more especially, markets, have far greater power than ever. This increasing power of global markets has brought about problems due to minimal regulation and states inability to control financial institutions. This in turn increases citizen's demands for improved systems which are transparent and fair. WikiLeaks slots into this vacuum, lapping up all traced unethical actions,

which have a negative effect on people's lives (mostly relating to the incorrect use of finances which could have provided increased social services).

Likewise, financial markets shape and influence a state's fiscal decision making, creating an appearance of sovereignty, underlined by a lack of sovereignty. In this sense sovereignty has in many realms diffused into bodies which are not specifically controlled by any one specific group of people. Groups may have greater or lesser influence on these areas, but they are not the state, thus again demonstrating the loss or diffusion of state sovereignty. WikiLeaks slots perfectly into this mould of dispersing sovereignty and becoming a normative part of international relations.

A loss of sovereignty has in some instances spurred states on to attempt to increase their power. Jervis (2003) and Dunn (2005) investigate the 'Bush Doctrine' from two differing angles, justifying the policy and finding contradictions within the policy respectively. Despite these divergent views, both of these authors highlight the competitive nature of the state, attempting to do all within its power to increase and maintain its power base. Dunn's study specifically provides another insight into the disparities between states; some have the ability to invade others and those invaded often do not have the resources or capabilities to defend their sovereign positions. When looking at states such as Afghanistan, Iraq and the USA it is clear who has been mostly affected by WikiLeaks (Thomas, 2011). Iraq and Afghanistan have infant democracies and have largely been in the state of civil war since their respective invasions. These countries also have limited access to the internet, a crucial factor for gaining access to WikiLeaks and its information. It is quite easy for most people in these states to believe WikiLeaks is simply a propaganda machine of the USA or any other group or state. The strongest reaction can be seen from the USA in relation to the actions of WikiLeaks. The USA is one of the state's most greatly affected by WikiLeaks, and WikiLeaks has in a sense brought the country to a crossroads between extending freedom and transparency or limiting freedom and increasing the need for the maintenance of state secrets.

2.5 State Secrecy

The idea that state secrecy has increased towards the end of the 20th century requires systematic

scientific analysis to determine and explain (making it a near impossible task). The nature of the state system requires that each state caters only towards its own self-interests, often to the detriment of other states. Due to this “competition”, secrets are inevitable and form part of a state’s power base and allow it to maintain a particular reputation in international politics. Secrets are not hard power, but they have a link to disrupting or influencing hard power decisions. Therefore secrets have always been a component of the state and thus an element of its sovereignty and authority.

Weaver and Pallitto (2005) examine how secrets are utilised in the modern state, with the example of the Bush administration utilising a revised state's secret privilege after the 11 September terrorist attacks. Essentially this revised privilege allows the state to withhold any information (to the public or for court proceedings) which they deem harmful to state security. The state can therefore hold any information secret under this Executive action. A leaked statement by a USA government lawyer during that period highlighted how startling secrecy amongst the world’s strongest power is:

‘For those of USA defending the government from the range of legal assaults, openness is like AIDS- one brief exposure can lead to the collapse of the entire immune system... but we can always play the trump card- state secrets- and close down the game.’ (Anonymous USA Government Lawyer Quoted in Weaver & Pallitto, 2005, 85).

This presented a view (Weaver and Pallitto, 2005) among those in states negatively affected by leaks to say leaks could lead to a complete anarchy for the state that require some preservation of secrets to protect the agenda of the state. They worry that allowing small leaks will lead to a push for even bigger leaks until the point where the state has no secrets at all. This comes from an assumption that some or most state secrets are in the best interests of the nation or peoples in general rather than the sectional interests of government. All governments want others to believe that they act in the best interests of the greater public, but as the analysis by Kukathas (2008)

detailed above suggests, states/governments do often have interests and motives of their own sometimes unconnected to the public aspirations.

Weaver and Pallitto (2005) also argues that states, especially the USA, simply classify information as top secret to make any leak a danger to state security and thus qualify for draconian security measures. The USA government lawyers have discussed ways in which government could maintain as much secrecy as possible to avoid corruption and unethical practices coming to light. This explains the big push on the legal front and in government propaganda to show leaks as a negative conduct that is unpatriotic, and tantamount to treason. The state needs secrets both to preserve itself (perhaps for the good of society and order) and to cover up for corruption.

Anonymous leaks underline the importance of state secrets to the leading world power. Secrets therefore do form part of a state's power base and when distributed can detract from its power and thus decreasing a portion of its sovereignty (Weaver and Pallitto, 2005). This specific example gives a slight indication as to the direct impact of leaks on sovereignty, an important factor to be considered in our analysis of the impact of WikiLeaks as an example of leaks enabled by new technologies.

In most modern states, citizens "agree" to hand sovereignty to a group of people (government) who will make governance decisions on their behalf. The nature of the state itself is questioned if these citizens become more empowered, more knowledgeable and when they desire a larger proportion of influence over its sovereignty. The component of secrecy within the state has remained unchanged, but its citizens have increasingly desired a greater transparency and thus a greater distribution of sovereignty in order for more political and economic equality to be achieved. It could be argued that this desire has been present since 1648; however, the conditions for this to occur are only beginning to develop (with the rise and increase of participatory politics). These conditions are largely based on inter and intra-border information flows due to increased technology and one specific technology: the internet (Kahne *et al*, 2014).

Garris (2005: Speech at Burton Blumert Conference, no page numbers), contends that,

‘In the internet we see our greatest hope for freedom and for the continual progress of humanity.... In the internet we see the key to diminishing the power and status of the state and liberating ourselves from its oppression and deception.’

This statement delivered as a speech at a *Burton Blumert Conference* on ‘Gold, Freedom and Peace’ in 2005 is somewhat general, yet emphasises the power of the internet. It does not fully do justice to the state and its many facets; however, it does articulate what some people believe the state carries out: oppression and deception. Both adjectives refer to a reduction of the dispersed; oppression being a reduction of distributed resources and deception a reduction of distributed information. With more states competing for dwindling resources, secrets become more valuable, highlighting a correlation between state resource allocation and state secrets.

The internet is making secrets harder to maintain and leaks such as those by WikiLeaks are a major player in ending secrecy. Therefore secrecy is important for states sovereignty, but resources and resource competition is far more important, having secrets revealed can impact resource competition, but can never replace the unmistakable might of the real power of a state in gaining sparse resources.

Taking the above into consideration, the effect of diminishing secrecy (or transparency) will in theory be minimal on state sovereignty. This is proven in the short term by the responses and actions by the USA on their secrets being revealed. The longer term may showcase a more eroding effect on sovereignty and whether the effect of increased access to reliable knowledge and information will be a little more substantial towards decreasing the sovereignty of states. If powerful states become more transparent they would be providing some of their sovereignty to their constituents, but also to the global public. The effect of global publics on domestic sovereignty is ever increasing as we see global demonstrations against many states (Volkmer, 2014). This move towards greater transparency is unlikely by states, but in certain cases they may be forced into a corner where they have no other option but greater transparency (Hood, 2011 &

Ahlberg, 2012). States will continue to guard secrets, but in certain cases these will be leaked or forced out by a growing civil society drive for transparency (Sifry, 2011). Transparency is used here in the sense of political and economic transparency. This is derived from democratic principles of public participation in political structures. Transparency, alongside its natural partner accountability are described in some of the variables below.

2.6 “Historical” Variables Affecting the State Sovereignty

Apart from a few integral components of state sovereignty, the current state has incorporated and absorbed many new facets, giving it, in many ways a much more complex character than the modern state at inception in 1648. Lyons and Mastanduno (1995) have argued that many of these facets have greatly decreased and diminished the power and sovereignty of the state, but through the below investigation we can see more of the arguments of Krasner (1995), stating that the so called “diminishment” of state power has been exaggerated. The state has survived all of these changes and remains the focal point of from which power is shared, divided and utilised. Some of these more recent facets of change from the last 200 years would include the formation and evolution of democracy; colonialism; the United Nations and the Charter on Human Rights; the World Wars; the growth of regionalism and regional unity; 9/11, the war on terror, the Principle of Responsibility to Protect (R2P) and, most relevant to this thesis, the impact of information and communication technology. All of these aspects have shaped the state and the nature of sovereignty, yet have not removed the role of the state which is still pertinent in international politics.

In regards to this change Humphreys (2009) articulates that sovereignty is never permanent, but fluid and transferable. Eluding to the idea that sovereignty is in a slow constant state of evolution. This evolution encapsulates all new changes to the international system. States only have sovereignty because it is constantly agreed, knowingly (through democracy) and unknowingly throughout the world. If a global majority decided to eliminate state sovereignty and transfer it to another body then the legitimacy of states would be lost. Sovereignty has morphed continuously

through history, but still remains the focal point of political power and authority.

2.6.1 International Law and Sovereignty

Since Westphalia, state sovereignty has not only been an accepted standard, but it has become an international norm which translates into international law. Frost (1986) discusses these various norms, especially those found in international law in detail. The first international law norm is that most states agree that the guidance of international law is “good”. Despite these international laws being abused or broken, it is still agreed that these are needed to maintain global stability and justice. The second norm between states in international law is that of peace. War requires special justification, but peace does not require any justification, peace is a requirement for global stability. Stability in some areas is not necessarily in the interests of some states, but it is agreed that peace is the better or more greatly supported tendency. Thirdly, if war does break out, guidelines should govern the conduct of war. This is agreed upon by thinking that if war is justified, it should also fall under the confines of fairness and justice. Fourthly, if a state acts in a way which threatens international peace and security, an international body should use collective force to counter balance these actions. Fifthly, when conducting collective security activities, the use of economic sanctions should be utilised. Sixthly and finally, in order to culminate and cement these international laws, the aspect of diplomacy should be used to prevent war and counter the abuse of power in international relations. These international norms as listed in Frost (1986), and are generally accepted, have highlighted the continued importance of the state’s role in international relations. The state here has a domestic and an international role to promote peace, security and stability.

Ratified international treaties automatically become state domestic law, often making a domestic high court the last body which can enforce treaty compliance or obligations. Therefore, if a state was found guilty of transgressing other states sovereignty there is no higher law outside of domestic states which can enforce compliance or render punishment. The other numbers in the Treaty refer to the specific resolutions which would contribute towards bringing about peace and stability in 17th century Europe after two major conflicts: the 30 year war and the 80 year war.

Based on the principles within the Treaty of Westphalia it could be argued that the modern state was created for the purposes of peace between states (international relations), and not specifically to cater for domestic needs (social welfare). However, these interwoven elements can never be truly separated, as both have an effect on each other. Due to trade, international agreements, border disputes, the movements of people and a general interconnectedness of humankind there will always be some kind of international force exerted on the domestic issues of any state. The state is therefore not a natural condition, but an unnatural man made element used to bring about stability and peace (Ömae, 1995). Stability could be deemed as a natural desire or need, therefore making the causes or roots of state's and later state sovereignty natural, but their specific existence artificial. While being artificial but created with natural causes, the state is highly dynamic and complex, constantly shifting and changing and often inexplicable when attempting to study its nature through a single lens or single impact.

Since 1648 there has been constant interplay between foreign relations and domestic issues. The Treaty of Westphalia establishes the foundation for this 'peace between states' in order for states themselves to operate successfully. State sovereignty is therefore borne out of the principle of non-interference in state affairs by all other actors outside of a specific state. The Treaty therefore brought about a higher level of complexity within political relations. Instead of having a variety of geographic areas that could change hands depending on economic or military might, it would cement certain borders at the time, changing empires into nation states with fixed geographical areas. This was a European Treaty, so therefore the principle of state sovereignty only applied to a small portion of the world at that time. Through exploration and colonialism this model was placed upon original political structures throughout the world. It should be emphasised that sovereignty did exist throughout the world prior to colonialism, but it was colonialism that added the dimension of the "Westphalian" state to the differing versions of sovereignty, evolving sovereignty from simple authority, to a specific right of non-interference globally (Berger, 2006).

2.6.2 European Colonialism and Sovereignty

The evolution of the modern state as an international model of political arrangements spread to the world through the pernicious system of racist colonialism, and as independent states inherited this model of statehood, they also perpetuated the inherited rigid notions of state sovereignty. Through colonial expansion, the European state transposed itself to the rest of the world and imposed itself over displaced existing states, sometimes manipulating existing borders and other times creating artificial borders for the purposes of colonial rule and capitalist exploitation. Colonialism was a tool used to expand the powers of the European states over other peoples through violence and manipulation. This creation of a global coloniality was partly caused by competition among European states in the 15th to 19th centuries, and colonialism became the outlet for these states to acquire land and resources from other peoples to maintain their stature in Europe. This study considers this coloniality as important for understanding the impact of colonialism on the nature and character of the modern state in most of the world today. Colonialism forced the European version of the state onto the whole world. The struggle for colonial independence and subsequent gaining of independence cemented these state structures (Berger, 2006).

Omvedt (1973) suggests how colonial societies were “proletarianized” due to the fact that they were used for labour. This proletarianized society led to societies based on European society, albeit in a developing or much poorer form. This often formed structures of social systems in the colonies which were based on European models. Omvedt (1973) argues that these stemmed from capitalist class structures and replaced the traditional social structures of the old colonial regions. In saying this many former colonies did not completely lose their own culture of mannerisms and many of them were part of the formation of their post-colonial states. This blend of culture, traditions and European state model brought about a wide variety of states, which are all based on the same basic principles (geographical borders, citizenship, peace and security), yet differed in state operations.

In some ways colonialism entrenched the sovereignty of European states, it decreased wars or disputes within Europe and the fight for increased prosperity was set out in the rest of the world.

It exported wars and violence to dominated overseas colonies. Colonialism certainly increased the wealth of Europe dramatically, but it also took wars away from Europe and into the rest of the world. Colonialism which brought about largely artificial border demarcations has had a major impact on the continual nature of border wars, especially in Africa and other developing parts of the world. Bethke (2011: 3) sums up three main effects of colonialism in Africa,

‘...contradictions between traditional and colonial institutions; the creation of non-hegemonic states and the swift de-colonization process that produced fragile democratic regimes...’

Added to this could be a further three effects of before, during and after colonialism: the artificial border demarcations of the Berlin Conference, 1884-1885; the negative individual and group psychological effect on African peoples (being forced into lesser roles and subjugated to continual subservience to European people) and the continual influence of European dominance over African states played out by neo-imperialism through corporate powers as opposed to state powers. Adebajo (2005) discusses the above issues that continue to affect Africa while attempting to resolve security challenges through the continent. All of the above listed aspects still play a major role in developing ex-colonial states; therefore sovereignty can be viewed slightly differently in developed states and developing states. Sovereignty is a far more pronounced in developed states than in ex-colonial states.

Developing states also have relatively small media or public influence platforms, through which WikiLeaks actions' are able to affect domestic legitimacy and the nature of an individual state. Although still at a very low rate, internet penetration in Africa has increased 2000% in the last decade, compared to a global increase of 480%, meaning that this public influence will increase WikiLeaks influence going forward (Esterhuizen, 2012). Presently developed states have a larger capacity to be influenced by changes that WikiLeaks will bring about, but these changes to developed states will have secondary and long term impacts on developing states.

Axtmann (2004) discusses an analysis of colonies and the nature of their statehood. He cites Jackson (2004) who differentiated between negative and positive sovereignty. Positive sovereignty stems from a true realisation of sovereignty through a 'legal sovereignty' bestowed upon the state by its citizens. Colonised states did not have sovereignty bestowed by their citizens; it was a forced sovereignty by an external power. Colonised states were largely artificial as they were created outside of their borders and without the consultation of their citizens. At independence these states were recognised externally, but often not fully recognised internally. Internal sovereignty or a states' ability towards state supporting actions is fundamental in ensuring the survival of a state and the continued conducting of its duties.

2.6.3 The World Wars, the UN and State Sovereignty

The two major wars of the 20th century, the so-called World Wars, had a direct bearing on the evolution of the modern state and questions of sovereignty (Sassen, 2013). This was because sovereignty was continually violated during these wars, by all sides. These wars symbolized the fragility of the idea of statehood emanating from Treaty of Westphalia and the state system on which international politics is currently based. In fact, any military invasion of another state continues to demonstrate this fact and highlights incongruities in the realism argument of international relations. State sovereignty is a *de jure* principle which is *de facto* violated on a continual basis (Sassen, 2013). The wars were largely based in Europe, yet due to colonial linkages and economic ties most regions of the world were drawn into the conflicts.

Through these wars it was realised that states needed to be politically and economically strong internally in order to maintain their sovereignty or non-interference from other states. An inter-reliance of states would also decrease the possibility of sovereignty invasions, due to the self-defeating nature of a possible invasion. The combination of economic strength and regional or even global alliances were needed to internally strengthen states sovereignty.

After World War II important new features were created in order to attempt to support state sovereignty and defend individual rights. The United Nations (UN) was originally an attempt to

give equal status to all states on the international level (<http://www.un.org/en/aboutun/history/>). This attempt to bring about equality of states was thwarted by the creation of the Permanent Five (P5) members of the United Nations Security Council comprising the main victors of the war, namely: China, France, Russia, the United Kingdom and the United States of America. The P5 was created to bring about a stable balance of power, but little thought was given to the possible abuse of that power and the true inequalities built into the UNSC.

The second major feature of the post-World War II world was that of the Universal Declaration of Human Rights (UDHR, 1948). This attempted to lay a standard across all states on how their citizens should be treated, certainly decreasing sovereignty by defining an international norm on the treatment of all states citizens (Risse & Sikink, 1999). However, under this domestic norm states sometimes maintained the human rights practice domestically, while acted in direct violation of the declaration internationally (Gondi, 2014).

Any kind of war or even terror attack demonstrates the fragile nature of state sovereignty. The 2015 invasion of Yemen and the September 11 Terror attacks are examples of how terror or state led invasions of other states may negatively affect sovereignty. However fragile it may seem, there has not been a war that directly eliminated a particular state completely. Wars may have severely damaged a state's sovereignty, but never completely destroyed a state. These wars weakened the states they affected, but also forced the innovation of new ways of strengthening the state. Once again, the resilience of the state system is shown alongside the weakness of sovereignty. Linking this to WikiLeaks could give an indication that the state will not be affected, but the sovereignty of the state will be altered.

The United Nations (UN) began operating in 1946 and many colonies saw this as an avenue through which to bring about independence. Many factors brought about independence, and it brought about the general geographic and political nature of the current state system. The UN and its Charter on Human Rights (UNCHR) was a major element in cementing the rights of individual states, their sovereignty and the rights of their citizens. The UN and its various

multilateral bodies created a unique space which solidified and “legitimised” states and their power. However, it should be noted that this was not a legitimisation by citizens or citizen groups, but by states themselves. Simply put, the UN was and is a group of states that met and continue to meet to legitimise their authority. Due to the nature of power within the UN system this legitimacy is often only conferred when the United Nations Security Council (UNSC) agrees. The five permanent members hold the greatest power in the United Nations due to their decision or non-decision (veto) making power to act in support or against states. Köchler (2006, 323) says the contradiction within the United Nations is that each state is equal in the General Assembly, but only five states have veto power (power to make key security decisions alone) within the Security Council, saying

‘...irreconcilable normative contradiction, namely between (a) the principle of the sovereign equality of Member States and (b) the privileged position of the five permanent members of the Security Council, expressed in the veto right...’.

This quite accurately displays the inequalities displayed in the de facto realisation of state sovereignty globally. Under the theory of state sovereignty all states are equal and one state should not or cannot interfere with another states’ sovereignty (Lyons and Mastanduno, 1995). In reality, powerful states will utilise and undermine weaker states sovereignty in order to bolster their own power and authority. This is clearly displayed in the United Nations, with all states being equal, yet the permanent five (P5) having superior voting rights on the UNSC. Köchler (2006, 326) further states that the P5 ‘enjoy virtual immunity in their relations with other states...’ showcasing the power that this international organisation has brought to them. One of the functions of the P5 is to ensure that international law is observed; however there is little or no balance of power to ensure that any of these states comply with international law and UN resolutions. With this in mind the UN could be seen as a re-enforcer in some ways, but eroding in other ways, of the principle of state sovereignty.

Similar to that of colonialism, which spread the principles of ‘Westphalian Sovereignty’ throughout the world, yet continued to defy their sovereign rights, even after the end of

colonialism, through neo-imperialism of corporations and covert military operations. Power politics or 'real politik' constantly emerges as the dominant trend, despite international systems or the theory of state sovereignty.

Lefebvre (2012) discusses a WikiLeaks document which outlined how the USA acted against sovereign states in the horn of Africa in order to promote its own foreign policy interests; showing the disregard of sovereignty by a UNSC permanent member and the inability of any other states to halt these actions. This naturally has continued to be an impact on the Somalian state and its ability to function.

Although there are contrasting views on whether multilateralism assists strong or weak states and case studies can be used in either argument, multilateralism does strengthen strong or developed states sovereign position in relation to other states (Drahos, 2003; Gartzke *et al*, 2011). Funding for these institutions largely comes from strong states and thus allows these developed states another legitimate form of control over developing states. The UNSC especially allows the P5 to act within legal international norms, but also indirectly allows these states to act illegally internationally. The combination of their veto power and their economic and military might give them fairly free reign to disregard other states sovereignty. For weaker or developed states multilateralism offers the illusion of a global platform to prove their sovereign right to equality, yet does not offer any practical solutions to protecting their sovereign rights. The responsibility to protect is another multilateral aspect which has a decreasing effect on weaker states sovereignty, but will be discussed under a later heading.

2.6.4 Regionalism and State Sovereignty

Along with the formation and growth of the UN, the emergence of regional inter-state relations creates forms of statehood that are supra-national in form. This is linked to the UN resolutions and charters that have encouraged regional integration and cooperation, often providing them with a more formal role as regions with even power to negotiate on behalf of nation states (Fawcett, 2004). These international agreements gave more authority to regional powers, thus

often decreasing the sovereignty and power of individual states. Pomfret (2005) contends that there was a major trend towards regional economic groupings between 1948 and 2006. But he argues that this did not necessarily result in increased trade within a given region. Pomfret (2005) articulates that trade has and will continue to occur based on simple economic needs and not increase due to regional agreements. In their simple, self-interest actions, states will act in any way possible to maintain their survival and grow stronger than their neighbours or competitors. Some economic regions may decrease or increase a states' wealth, but they do not have any major effect on their sovereign power.

Vayrynen (2003) points out that regionalism occurs most often in order to counter larger states' political and economic influence. European and African regionalism grew largely after World War II. Both of these continental efforts were largely politically motivated, however, more recently the EU has become both political and economic with the spread of the Euro (€) and their increasing economic interdependence. Undoubtedly, regionalism decreases a state's level of sovereignty, yet like other sovereignty level variables, has a state re-enforcing element. Regionalism unites a geographic area under a specific cause, giving up individual states sovereignty for the increased strength of the overall group. If this regional grouping begins to fail it will have negative repercussions on the individual states within the grouping and possibly decrease their sovereign power. If the grouping prospers the individual states' sovereignty will increase (Vayrynen, 2003).

Once again it is not clear the extent to which regionalism effects a single state and its' sovereignty, except that this is part of the diffusion of the old notions of state sovereignty that were narrow and applied to pure nation-states. States are increasingly finding that they are bound by decisions taken within regions and in areas of public policy previously considered an exclusive domain of nation-states. At the same time, political regionalism can bolster a state's position in multilateral bodies, but this stronger position can also subside if the regional hegemon acts in a unilateral manner. Regional political agreements can protect weak states from external invasion, but cannot protect a weaker state from a far stronger neighbour. This was evident in the 2008 conflict between Georgia and Russia over South Ossetia (Filippov, 2009).

2.6.5 Democracy and State Sovereignty

The growth in popularity of democracy highlights the effect of international trends on domestic governance and sovereignty. Since the end of World War II and more especially since the end of the Cold War, the character and conduct of modern states have largely been measured according to their level of democratisation. Gurr *et al.* (1990) define this early movement towards democracy, labeling it as a move away from absolute to relative power. Monarchies in Europe and other parts of the world most often based their power in theory on a 'God-given right', entrenching their governance in an "absolute" sense. With revolutions throughout Europe, a move towards relative and dispersed power began (Axtmann, 2004). In theory the state was only given power and authority if its citizens agreed to this. With the 2011 uprisings in the Middle East and increasing uprisings throughout other parts of the world it could be argued that this relative power is becoming even more relative, and WikiLeaks is part of this "relativisation" or dispersing of power.

There are two broad streams of political systems in the modern world: single party autocracy and plural democracy; although the latter is a far stronger indication of inclusiveness, both aspects are built on some political participation (Gurr *et al.*, 1990). In theory, autocracies hold far more sovereign power within their executive, but have far less longevity due to the exclusive nature of their central power base; whereas democratic states hold less sovereign power but have increased longevity due to their inclusivity. This has shown how the state incorporated democracy or even perhaps how democracy engulfed states in order to sustain them (Hattersley, 1930).

Democracy can be traced back to many ancient civilizations in history. The earliest forms of democracy were simply in the form of shared decision making amongst the elite. Ancient Greece and other civilizations philosophized and crafted a documented form of democracy, but European democracy of the 21st century is fairly different and emerged out of a number of internal revolutions against European monarchies. Hattersley (1930) states that, one hundred years before 1930, Europe was run by aristocrats. He contends that modern democracy can be traced from the

religious reformation of the 16th century in Europe. This brought about a questioning of conservative practices, which were propagated by the elite. It was the beginning of a greater realization of equality in Europe. This allowed for an Enlightenment to take place that gave greater education access to most people. With the expansion in elite prosperity, the strengthening of monarchies and education more widely available, more of the proletariat were able to criticize the existing political systems. One of the outcomes of this was the French Revolution, which was largely influenced by the writings of Jean-Jacques Rousseau, *The Social Contract* (1762) and *The Discourse on Inequality* (1754), which became influential works during the time of the revolution, promoting the idea of fundamental principles of equality amongst humans and a social contract with the state on the basis of this equality of humans. For Rousseau, state sovereignty is found in the citizens who request people to lead them (Hattersley, 1930, 144-145).

Within Rousseau's ideal state, the rights of the community were above the rights of the individual but the government was never more powerful than either of these, while for Thomas Hobbes, another philosopher of the European Enlightenment, the government (or 'Leviathan') is given complete power to act as it sees fit for the benefit of society. Many governments today act in this 'Hobbesian' manner, acting without express permission from their citizens, but acting in the belief that they were granted power by their people (through democracy or other means) and they have the right to act to protect the sovereignty of the state, the community and the individuals within those communities. Rousseau envisaged freedom for all individuals within a state which could be linked closer to direct democracy or 'Consociationalism' (Lijphart, 1969), which allows for constant and complete civilian participation in government decisions. Many states have a 'Hobbesian' version of democracy. Some state actions will be highly democratic, while others will be conducted without the express permission of their citizens. It is sometimes seen as contradictory government, but this is simply the juxtaposed nature of states in the early 21st century. These states act at times in secrecy and undemocratically, generally to pursue the ten functions of the state and build towards a stronger state (Fukuyama & McFaul, 2008).

Governments that allow constant citizen participation are rare and therefore other mechanisms

have emerged which counter the abuse of power by the state and uphold the rights of communities and individuals. These include the separation of powers within the state; independent judicial systems; the media; civil society groups and now, made possible through the internet: greater individual freedom of expression. This freedom of expression is sometimes curbed in many states; however the internet provides a platform for anonymous and sometimes untraceable mediums of expression.

Since 1648 the state became the major area of political mobilization (instead of aristocracies or churches or other powerful groups), within which a variety of social and political groupings grew in order to influence state activities or decisions (Axtmann, 2004). This naturally increased political participation and led to an increase in “democratic” thought and the rise of democracy as a governance principle.

It brought about two dimensions of influence: that of society attempting to shape the state and the state trying to govern those groups. Prior to a full realization of democracy in the west, the idea of popular sovereignty emerged through the combination of nationalism and liberalism. The idea of liberal citizenship is that all individuals have the right to freedoms within the realm of the state. The state or any other individuals should not be able to interfere with one individual’s liberty or freedom. The state is allowed to be the overall sovereign power, but freedom to live as one desires should be granted. These specific freedoms or liberties are determined by the government of a particular state and democratically influenced by its citizens. Naturally these freedoms cannot infringe upon others or upon the ability of the state to protect and provide for its citizens.

The idea of protecting and providing for citizens within a sovereign state is not necessarily an expression of democracy but has developed through the democratization process. This idea of provision to citizens’ needs is based on a simple assumption that a state will be stable if its citizens are catered for. This being said, a state can remain stable for a period of time without catering for its citizen’s needs, but this will often result in civil instability which could in turn bring

about civil actions, such as strikes or 'stay-aways' which all have a negative impact on a state's ability to build its own wealth and compete with other states. Modern democratic states must use their resources to balance between the maintenance of their power and the provision of resources to their citizens. Therefore the state is vulnerable from internal and external pressures, demonstrating the continual balance a state must achieve in maintaining its sovereign authority (Mann, 1984).

A strong democracy can assist the state to maintain its authority against internal and external pressures (Dahl, 2013). Often external pressures are placed upon a state due to its mistreatment of its citizens or inefficiency of government actions. A strong democratic state will have measures to involve all its citizens in its decision making processes; however, a strong democracy cannot necessarily enforce the protection and provision towards its citizens, especially its minority groups. If a democracy decides to provide for and protect its minority citizens it will increase its own sovereign authority internally and externally (Dahl, 2013). This will bring about two positive elements which will lead to an increase of a state's legitimacy and authority. Firstly it will bring about a stable political and social environment through which its citizens enjoy freedoms and the ability to live in peace and security. This in turn will increase the ability to conduct successful economic transactions and business; allowing for internal economic growth and the increased possibility of Foreign Direct Investment (FDI). Apart from internal economic growth, FDI is a crucial factor in bringing about the successful economic growth of a country. If growth continues through FDI, internal business development and a balanced increased spending (spending in line with the growth and not over spending with the use of credit), will naturally increase the states citizens' quality of life, which will have positive repercussions on a state's ability to remain the holder of sovereign power over its territory (Hermes, 2003).

A final element of a democratic state that we consider here is its ability to maintain a perceived 'moral high ground' during bilateral and multilateral discussions in international politics (Gaddis, 2002). This element provides the state with a greater ability to negotiate its foreign policy, to argue for improved conditions in other states and the ability to win support from other states in a

variety of multilateral forums. This support can result in crucial votes on resolutions which place international pressure to change other states actions. This minimal decrease of other states sovereignty subtly increases the sovereignty of states which surround them, geographically or economically. Alongside this 'moral high ground' is the increase in accountability and transparency as an international norm (Berliner, 2014). As expressed earlier, transparency in this manner relates to the openness of political structures, the political decision making process and political decisions. Once a degree of political transparency is attained, accountability is naturally the next demand or request. Accountability is the ability to explain the reasons behind actions taken by an individual, group or state. Leaks have highlighted wrongs conducted by both states and corporations and shown the places where transparency is not present, and thereafter requested accountability. The reason for this demand for accountability is to determine whether a decision was taken in the interest of all or most stakeholders or taken in the interest of an individual or select few.

In summary it could be said that democracy supports a state's ability to remain legitimate and sovereign. Strong democratic principles within a state provide for international and domestic support for its sovereignty. Despite this, the nature of democracy detracts a certain amount of power from the states sovereign position. It is this trade-off that has fundamentally changed the nature of the state which was originally simply intended to protect a state from external invasions of sovereignty. A state is now forced to be more inclusive and democratic, therefore giving up part of its sovereign authority, in order to maintain its sovereignty (Dahl, 2013). This has been a trend with most impacts on state sovereignty. Sovereignty has been diminished in order for it to remain sovereign. The question could then be how much sovereignty can be diminished and the state still remain sovereign? The internet has emerged as a new dimension of democracy and power separation.

2.6.6 Global Corporations Impact on Sovereignty

One of the most evident impacts of the growth of global capitalism is how the growing power of

companies, especially the big multinational companies, is transforming the very nature of national state sovereignty, helping to diminish the power of the nation-state. Balaam (2005) quotes Robert Gilpin saying that the logic of the market is to locate economic activities where they are productive and profitable meanwhile the logic of the state is to capture and control the process of economic growth together with capital accumulation. Striking a balance between these two has always been the goal of the state as market forces generally operate more efficiently with less intervention, but in a poorer economy intervention can help secure some kind of economic stability (Clift and Woll, 2012).

Large companies tend to out-grow nation-states and become global in nature. Large companies that extend services, products and materials from some states to others have become an increasing challenge to state sovereignty. This is because they operate under a variety of states laws. They are able to treat labour differently in countries where they have labour intensive production. They are also able to store large profits in states with low or non-existing tax laws. Their size and wealth also means that they have a fair amount of influence over state affairs. Multinational companies are those that operate and have offices in several states, but maintain a single state for head office operations, whereas transnational corporations do not have a fixed head office and conduct business globally. For ease of reference these will be clustered into one group known as 'cross-border corporations' (CBCs). CBCs can increase or decrease state sovereignty (Strange, 1997). Like democracy and the state, this can be viewed as another trade-off relationship. States provide CBCs with a framework within which to work (formal or informal) and therefore allow them a measure of power within the state. In many developing states CBCs are given special privileges given the fact that they will create jobs and increase the states' economic output or growth. Sometimes this special privilege given to a CBC can decrease the abilities and economic performance of local business, making interactions between state and CBC a fairly tricky area. On one hand they could help to strengthen a state, with diminished sovereignty; on the other hand they could largely diminish a state's authority and simply use their land, resources, materials and labour for very little benefit of the host state (Luo, 2001).

Luo (2001) conducted a study on several CBC and host state scenarios and concluded that this relationship is turning from 'conflictual-adversarial' to 'cooperative-complementary' on a global scale. It seems that CBCs are seeing more and more the need for a state framework to work within and alongside in order to get business done. He refers to CBC-host government relations that more recently have taken a turn towards a healthy coexistence. Luo's study investigated how and why these relationships developed and generally found it was of greater use in the creation of better functioning within the host state, therefore improving profits. In an age of intense competition it is important to realise that large corporations will be merely replaced by other corporations if the host state does not approve of their negotiations. Previously many academics saw this issue in the light of a conflictual bargaining process whereby the CBC could use their power or influence, which could be greater than the host state to bring about a conclusion to business negotiations (Luo, 2001). Both government and CBC had bargaining chips and would try to gain the most out of these negotiations. The earlier conflictual view was based on political or economic reasoning whereas the cooperation view is based on strategic and sociological theories. CBCs and states are becoming more dependent on each other for critical resources; sharing these resources cooperatively has better pay-offs for both sides rather than CBCs owning them privately. This long-term relationship brings about cooperation, reciprocity and improves resource allocation in an efficient way. The earlier conflictual view was only based on the initial stage of the relationship and has very little to work with at later periods, especially with increased global competitiveness. The conflictual view also does not take into account managerial ties or networking, which is crucial to lessening bureaucracy and bringing about efficiency due to less communication costs and improved environmental knowledge and analysis. The evolving relationship between states and large corporations or CBCs also demonstrates a possibility for WikiLeaks or even other leaks sites and to complement the state. Stopping leaks sites has been shown to be unfeasible therefore forcing states into a more compromising solution. The state may have to simply accept this diffusion (Jayasuriya, 1999) and work alongside the continual possibility of leaks occurring through new technologies.

2.6.7 War on Terror, Responsibility to Protect and State Sovereignty

After the terrorist attacks on the USA on 11 September 2001, the United Nations was involved indirectly and directly in decreasing developing states right to sovereignty. Thus, USA sovereignty was expanded, while other states such as Afghanistan and Iraq had their sovereignty severely diminished. Firstly, the UN multilateralism was seen by affected states, especially the USA, as being ineffective in countering both the activities of terror groups that had cross-border movements and the unilateral military actions by the USA in the form of invasions of Afghanistan and Iraq, thus undermining the two states' right to state sovereignty. In reaction to this concern about the ability of the more legitimate UN multilateralism to respond timely to international security concerns, the UN Security Council adopted Resolution 1674 that solidified the concept of the Responsibility to Protect (R2P) based on the idea that nation states needed to show ability to respond speedily to violations of human rights and crimes against humanity or be open to interventions from other states to prevent such crimes. The concept outlines conditions under which the interference of some states in other state's domestic affairs could be justified, where there was abuse of state power or inability to protect citizens (Bellamy, 2010). This helped to further diminish state sovereignty. Actions by the USA in Iraq and Afghanistan undermined these states and some surrounding states.

This resolution is a major element in the formalisation of the decrease of developing or weak states' sovereignty. It re-iterates the blurred nature of state sovereignty in international politics. If a strong state or more specifically a member of the UNSC believes a state is not protecting its citizens adequately or abusing its own citizens, it could invade that country, claiming the principle of Responsibility to Protect. One respite to this issue is that of the balance of power found within the UNSC. Permanent members can either veto a UNSC resolution to act upon another state, or express their extreme dissatisfaction to an invasion of a state by a fellow UNSC permanent member. However, if any of the UNSC states do not particularly rely on, or are not the allies of, the state abusing its power; this state can be particularly vulnerable to an invasion of its sovereignty by an UNSC permanent member. On the other hand the basic balance created by varying foreign policy positions of Russia, China, the USA, the UK and France is sometimes the only element protecting a state from being invaded or losing its sovereignty due to the Responsibility to Protect

principle. The Security Council does bring about a delicate balance, which remains in place as long as the UN and the P5 remain in the same composition.

Before 9/11, terrorism was considered a relatively minor element within international relations, but it was brought to the forefront of international politics by the desire of the USA and its mostly European allies to fight what they saw a global threat. The 'war against terror' as the USA called fight against global terrorism undermined many states sovereign rights in the name of war on global terrorism. Viewing these interactions differently it could be said that the Bush Doctrine was simply done to re-assert the power of the USA internationally (Dunn, 2005). The USA has always had a strong foreign policy involved in other states affairs and governance, but the Bush Doctrine solidified this into an open defensible policy by stating military action was needed and the invasion of other sovereign states is needed in order to promote USA domestic security interests (Jervis, 2003).

Dunn (2005) sees the foreign policy strategies over the period of the Bush administration as ever changing and conflicting. Firstly they had a global counter terrorist strategy that then later became a stronger pre-emption strategy against all suspected terrorists and terrorist aids. It seemed that as more intelligence was gathered and USA suspicions throughout the world heightened the strategies of the Bush Doctrine increased in ruthlessness. Donald Rumsfeld wanted to bring in the element of pre-emption shortly after 9/11, using the argument that the USA could not defend its borders at every place and time and needed to root out the terrorists before they were able to carry out an attack. In a way the pre-emption strategy was set in place to determine which states supported the USA and how far they would go to support the US. Deterrence seemed weak to the Bush administration as the question arose as to how to deter terrorist elements who were not specific states. Containment also seemed far too weak when rogue states could trade their weaponry with these terrorist groupings unknown to USA intelligence. Pre-emption became the central tenet of the USA foreign policy at that stage. The definition was redefined to include any pre-emptive action that the USA believed was necessary, not simply scenarios that included the possibility of a threat.

In proving their continual willingness to ignore certain sovereign boundaries and take unilateral military actions globally they have sent a firm message to other states that their power is not restricted to their own sovereign borders. The external power of the USA is only countered by two other UNSC members to a degree Russia and China, both states in broader Asia. For instance, the USA would be far more hesitant to use a show of force against North Korea due to North Korea's fragile alliance with China. The current balance of power within Asia allows for little interference from the USA.

2.6.8 Impact of Information and Communication Technology on State Sovereignty

Alongside democracy, Information and Communication Technology (ICT) is arguably one of the biggest influences on the evolution of state sovereignty over the last one hundred years. Through its qualities of immediate communication and information sharing globally, borders have often been reduced to theoretical boundaries. In the past it was sometimes impossible to compare information, experiences or different sides to a story without traveling to different parts of the world. ICT, through computers and cell phones has allowed relatively instant access to a vast array of knowledge, experiences and opinions. This diminishes personal privacy, but also the privacy of the state, in terms of confidential documents (Sifry, 2011). This is evident in the current trial of Bradley Manning, who has been accused of releasing top secret military documents to WikiLeaks (Ludlow, 2010). A variety of different and differing information or sources on one topic can be provided by the internet, sometimes simply adding to the confusion or saturating the information on a topic. Inquiring individuals can use ICT to validate information and confirm its accurateness. Despite WikiLeaks personal calls to support individuals' privacy it will inadvertently diminish personal privacy in its quest to bring about greater transparency of governments and corporations.

Unlike other detracting effects on state sovereignty, ICT is one aspect that can be used successfully by any state or individual to undermine the authority of states. Most other detracting effects on sovereignty can only be successfully utilised by strong or developed states in order to

increase their power base. An internet connection and a strong knowledge of software programming or hacking abilities are the only elements needed to enter confidential or top secret information databases. Cyber-crime or unauthorised cyber activities are therefore not only confined to the powerful, but can also be conducted by anyone in any state, thus providing weaker elements of the international system a tool with which to counter more powerful states dominance (Reisinger, 2011). Cyber-attacks affecting the sovereign nature of states have grown in number (Songip *et al*, 2013).

Reisinger (2011) discusses a variety of back and forth cyber-attacks, from MI6 in the UK hacking an Al Qaeda online magazine and replacing bomb building steps with a cupcake recipe to the “Anonymous” group hacking NATO and releasing confidential contact details of their offices. State sponsored cyber-attacks are certainly increasing in order to counter individual or group attacks (Meer, 2013). This is a realisation by the state that they cannot ignore the activities of the cyber world, creating an often illegal necessity of hacking others who have hacked them. Whether the attacks are conducted by states or individuals, unauthorised cyber activity is a threat to any state and its sovereignty and possibly even higher threats to more industrialised or developed states. States which hold vast amounts of capital and wealth have these documented on secure networks. Most of the world’s finances are not in physical cash, but simply in digital code; which if hacked can cause great global financial challenges. Most developed states have large developed networks and massive servers storing most of their state and private information. The size of the hack of information determines the impact on the state and its sovereignty. For example, a population register of people, their phone numbers and home addresses could be stolen and sold to terror groups in order to target high-ranking political or economic figures. When Sarah Palin's email address was hacked in the USA and all her emails were distributed globally her political career was largely over. Similarly when revelations of all USA activity in Afghanistan and Iraq was published it brought to light severe abuses of power and especially made the USA public more wary of going to war.

A state’s real sovereignty lies in the aspects mentioned earlier in this chapter: coherence,

directiveness and military capability; but also in its ability to deliver on the ten functions of the state (Ghani *et al*, 2005, 6). A state's coherence would not necessarily be damaged by an unauthorised cyber invasion; however, its directiveness (ability to act in a strong and decisive manner) and its military capabilities can be affected by unauthorised cyber incidents. More military actions are being controlled by computer systems, especially those of drone attacks. If these elements are hacked then consequences towards most states sovereignty would be extremely negative. Cyber-attacks could be routed through certain states and conducted by a completely different state or grouping. This was made evident in the recent alleged hack on the New York Times by Chinese hackers. It is still unclear as to who carried out the attacks and proven that the attacks could have been re-routed through Chinese servers and IP addresses. This kind of activity opens up a far more serious threat than state sovereignty has ever received. Cyber-attacks exist in a state of perpetual anarchy, and if this anarchy is turned onto states that largely rely on ICT systems for their governance it could cripple even the strongest of states (Kugler, 2009).

US officials have attempted to equate WikiLeaks actions to cyber-crime; however they cannot prosecute anyone as the servers are based outside of USA territory. Documents that have been hacked out of confidential systems are often released to WikiLeaks. This calls into question the very nature of crime and what is currently defined as crime. New laws are constantly being created in domestic and international platforms in order to counter "illegal" cyber activity, but because of the trans-border nature of cyber activities they have been very hard to police or prosecute (Waxman, 2011). Information provided through WikiLeaks may not have a direct impact on a states' sovereignty, or their military capability, but it can distribute military secrets that may weaken a states' ability to act with their capabilities.

Despite ICT advancements, it is still maintained that the state remains the primary actor, regulating and curbing any activities in the world of ICT (Maclean, 2006). Currently, information and leaks of information are therefore not a major threat to a states' sovereignty, but they do detract portions from their overall sovereignty. Information could threaten governments and their existence, but it would only threaten a state if it were already weak. Information that is negative

towards a certain government could provide their opposition with an opportunity to increase their power in a state, but the state still remains the existing operational point of power.

WikiLeaks drive towards increased transparency is only a small part of a much larger technological effect on the state. Currently, the state is finding it very difficult to control the information distributed through the internet. This has been demonstrated by the information released by whistle-blower Edward Snowden, revealing how the USA used several internet corporations to “spy” on the global public (Kaiman, 2013). In this example state transparency is forcibly increasing and leveling the playing field between state and citizen, and decreasing the ability of the state and the individual, to commit offences, immorality or illegal actions. Chadwick (2003) discusses the idea that the internet was not being successfully used to promote democratization due to high level state interference, however, since major leaks have occurred through WikiLeaks and other bodies this is starting to change. People such as Bradley Manning and Edward Snowden have contravened their own state laws in order to ‘whistle-blow’ secret USA actions which many would deem unacceptable.

The internet has a major effect on government power and contributed to the low ratings of the Bush administration in the mid-2000s (Garris, 2005). The internet could be labeled as the home of libertarians and the conduit through which true freedom can be given to all individuals (Garris, 2005). This being said, greater individual freedom and online knowledge sharing does not equate to the diminution of state power in the international system (Liaropoulos, 2013); rather it creates inclusivity domestically. The state has always absorbed societal, political and economic changes in the past; and thus far it has been able to do the same with technological changes. As we note when studying the effect of democracy, it was only an initial perceived threat to state sovereignty, but ultimately worked successfully in conjunction with the state and actually upheld its authority. Being a unifying factor of transparency, freedom and sharing, the internet could certainly follow the same path as democracy when it comes to re-enforcing effects on state sovereignty. The state will have to develop a new character in order to absorb the effects of the internet and use it as a state re-enforcing factor (Lemley, 2011; Colombo, 2011).

Through the internet, WikiLeaks and other groups have brought about a 'fourth estate' (others refer to the fifth estate, if the media is the fourth) in the balance of domestic government power (Benkler, 2011). Even if WikiLeaks is closed, it has contributed to distributing and diluting the power and sovereignty of the state. WikiLeaks is largely based on the idea of transparency, which precedes technology and information distribution through the internet. Transparency is a democratic principle which is sometimes evaded due to the dual or internally conflicting nature of the modern state: its' domestic actions and its international actions. Often, states' international actions are aligned to, but not replicating of its domestic actions. As mentioned earlier, a state acts in the interest of its domestic objectives and therefore is able to act inversely internationally in order to support its domestic objectives (Mastanduno *et al*, 1989). This is derived from the realism theory on the state, and other authors have criticized this aspect of this states nature, bringing about critical theory (Linklater, 1990 & George, 1994). Despite Steinmetz (2012) claiming WikiLeaks only falls under the Realist theory, the role of WikiLeaks can be seen as a cross cutting element between the realism aspect of the state and the critical theory of international politics.

States and their interactions globally have always been a complex web of inter-connectivity; this has increased with modern developments such as the end of colonialism, the rise of democracy and the increase of improved communication technology. It could be argued that the end of colonialism generally strengthened state sovereignty and the rise of improved communication technology is eroding certain aspects of state sovereignty. Social networks have directly been involved in decreasing authority or 'de-legitimising' some governments, making the state temporarily or even indefinitely weak. According to the Fragile States Index several states are classified as failed, but this is largely due to ongoing civil wars and the inability to bring about stable governance (Failed States Index 2012, currently Fragile States Index). These states are still technically in existence, but their sovereignty is practically void. These state structures (geographical borders and a UNGA seat) are still in place and could allow for possible re-emergence of sovereignty.

Due to the internet being a relatively expensive commodity in the world, it is largely developed states which are affected by this technology and specifically by WikiLeaks. However, as mentioned earlier, the state is not necessarily that strongly affected by WikiLeaks as it is by ICT in general. Information leaks are a far smaller threat than the ability to illegally conduct an action through a state's capability. This being said, the state has thus far been able to control most of the possible negative effects on it by ICT (Kavanagh, 2015). ICT also has a positive or state re-enforcing effect increasing efficiency and business productivity. Once again another state-affecting-variable could be labeled as a double edged sword which can harm or protect state sovereignty. Overall, despite its diminished role, the state is still the main actor in international relations and all activities; although not always sanctioned or continually monitored by the state, WikiLeaks and ICT occur within the framework of the state (as opposed to a separate system of anarchy).

The philosophy behind states and their sovereignty can be divided into two major streams: one which says that states remain the nodal point of all other actions and another which argues towards the increasing erosion of the state. Axtmann (2004) develops a strong argument to say that the state is still the major focus in international relations and even all activities in the world. Axtmann argues that despite eroding effects, the state has remained the nodal point. Strange (1997) on the other hand argues that globalisation and three specific areas within have been eroded from the state's power capabilities. These areas are defence; finance and welfare; which Strange argues have become less state centred or orientated and more globalised.

Devetak (2009) cites Cox (1993 & 1999) and Gill (1993 & 1996), who both argue towards the 'internationalisation of the state'; which examines the idea that the basic functioning of the state has been subordinated by market forces. This has brought about a tension between the borders of 'ancien regimes' and an increased economic and societal interdependence. The factors of societal and economic interdependence are certainly present within the internet, which acts largely outside of the state's control. The amount of control any unitary state or even the international community should have over the internet is highly contested.

2.6.9 The Media and Sovereignty

While, as mentioned, the media is the fourth estate in the classical sense of the separation of powers, it was once fully incorporated within state sovereignty before moving into a more diffusing role (Price, 2004). Price (2004) concludes that media is not sufficient in its theoretical role as a balance of power to the state. In theory WikiLeaks provides a key element to this balance of power as it remains unbiased and unincorporated into a state. The idea of a fifth estate arises from the fact it emerges from the role of the fourth estate as a publisher of information to hold governments to account. For this reason, the fifth state requires the existence of a mass media that is willing to publish the information it collects and cause its discussion by many in the world. The relationship between the two is symbiotic to the extent that they are both assets for demanding transparency and accountability on the part of the state and other powerful actors in society including capital. The media is a crucial partner to WikiLeaks original principles of simply publishing raw information online and allowing the media to read, research, interrogate and interpret the information provided.

But, sometimes the media simply supports state sovereignty and is accessory to attacks on others demanding transparency by projecting them as anarchists or anti-patriotic or such. In regards to WikiLeaks the media plays the same role. While some journalists (David Brooks and Ross Douthat at the New York Times; and Heather Hurlburt at The New Republic, to name a few) strongly condemn WikiLeaks actions, others support WikiLeaks for its transparency agenda, supporting free speech and democratic principles (Hood, 2011; Sifry, 2011 & Chomsky, 2012). Hurlburt (2010, New Republic Article Online, No Page) says,

‘... the WikiLeaksers claim to promote the politics of peace and moderation. But this latest dump could very easily have the opposite effect, by giving the absolutists a chance to spread their stereotypes and illusions of a black and white world.’

Analytical reporters such as Hurlburt have conducted those actions on WikiLeaks releases, questioning their validity, the ethics of the information being published and the necessity of it

being published for the greater good; while others have simply viewed it as an attack on the current political structures of any given state. This debate is imperative to the purpose of WikiLeaks, who want the truth to be known, and not simply a blind belief in their own uploads (which could itself contain propaganda or untruths). The media has played the role of supporter and 'devil's advocate' well and even sometimes too well, to the point of sensationalising the stories, which is mostly unavoidable in global media (Elliott, 2013).

2.7 WikiLeaks: Academic Perspectives

Hood (2011) specifically calls WikiLeaks a new chapter for transparency globally. Like most perspectives, Hood highlights the divergence between two groups – one striving for increased transparency and another for a clear line dividing secrecy and transparency. WikiLeaks leads this charge for complete transparency. Those who want to create a clear line between what can be shared globally and what should remain secret often state that people's lives will be in danger if certain information is disclosed; while transparency advocates state that actions should never have been taken in the first place to create secrets which endanger lives. Both sides of this argument are clearly seen when debates take place between the USA State Department (advocating for secrecy of classified documents) and transparency campaigners generally found within the media and academia.

Fenster (2011) outlines the idea that transparency has both negative and positive effects. Positively, transparency can improve public systems and decrease corruption, while negatively it can harm government's progress on specific projects. Fenster (2011) also adds that it is impossible to measure the effects of the large numbers of leaks on specific countries, for example the Afghanistan War Logs. It cannot be confirmed that these leaks have directly led to anyone's death, whereas it is known that these leaks made the USA public more aware of their government actions and more insistent to have a say in future military actions (certainly making the people and government of the USA more wary to get involved in direct military conflict in the near future). Fenster (2011) also adds that previously there was a balance between transparency and secrecy, whereas it is now far more difficult to determine the ideal balance between transparency

and secrecy. There seems to be a growing divide between those who want more secrecy and those who want more transparency. Generally this is between governments and the media (or state citizens).

Žižek (2011) delves deeper into the idea of lies being necessary to uphold society or governance structures. Žižek states that WikiLeaks is attempting to break this concept globally, but is unfortunately not always succeeding. In his standard contentious fashion he says that citizens should feel ashamed after realising the realities of the leaked information through WikiLeaks. Essentially this should be a wakeup call for all citizens who want to create a better system of governance for the greater good of all humanity. This links up with his book published the same year: *Living in End Times* (essentially discussing the idea that humanity is creating its own end or destruction, often due to greed or ignorance and not having the ability to see the greater picture).

Sifry (2011) adds more strength to the WikiLeaks or transparency side of the debate by publishing *WikiLeaks and the Age of Transparency*. The book admits that it cannot answer all questions on this topic that unravels everything we know about how governments have functioned in the past. The book openly supports the work of WikiLeaks, while acknowledging its weaknesses. It points out that the overarching goal of global transparency is much needed and will only improve governance systems and people's lives. Sifry (2011) introduces the book with the startling realisation that the USA could have avoided almost every failure it has been through in its recent history if all citizens had full knowledge of the situations within which they were engaged. Sifry (2011) also links the birth of the internet with the rapid growth of transparency and participatory governance. The internet is the backbone of all the current major changes in the world.

Most of main stream academia has been relatively supportive of WikiLeaks' actions and its drive towards increased transparency. The good governance initiatives which flow from leaks will certainly improve people's lives. However, there is the awareness that there are dangers of sudden transparency and effects on the state system itself, which is built upon competition between states that use secrets to maintain power. This rapid transparency has the ability to

create dangers for leakers and those involved in this transparency war, as well as long term effects on the very nature of the state system. It is still too soon to tell whether these long term effects will be largely positive or more negative.

2.8 The Personality Factor: Assange and the Inside Views on WikiLeaks

In 2011, Canongate Books released the *Unauthorized Biography of Julian Assange* (which according to them had been initially authorised before Julian Assange withdrew his association with the work), that sheds light on the inside dynamics within WikiLeaks. Those irked by WikiLeaks have naturally taken advantage of this information in order to discredit this organization. Critics have pointed to the fact that this book that details divisions and ills within the body has Assange speaking in the first person to show that its content is authentic in order to ensure that the revelations stick and undermine the WikiLeaks agenda. Assange's former deputy at WikiLeaks who defected to form his own whistleblowing site, Open Leaks, Daniel Domscheit-Berg, also published a book that was revealing about internal dynamics and difficulties, entitled *Inside WikiLeaks*, published in 2011. While Domscheit-Berg (2011) happily embraced the idea of revealing state secrets, he and Assange disagreed on how to run the organisation, arguing for what he calls a more democratic and transparent approach and also disagreed on the editing of the Collateral Murder video (a video clip showing American soldiers killing innocent people in Iraq). Initially WikiLeaks said it would not edit any content and allow the media to choose how or when to perform that function, while the largely unchanged material would be free for anyone to view online. Various analysts, academics and journalists were then used to provide a variety of views on WikiLeaks' actions and effects (this included those who opposed and those who supported the actions of WikiLeaks). Assange believed that Collateral Murder needed to be edited in order to provide a concise impactful video which would create as much public outcry as possible. Contrarily, Domscheit-Berg believed this contradicted the founding principles of WikiLeaks which were to release unedited material (accept in the cases of redacting names which may result in future targeting or assassinations).

Maurer (2011, 25) states that the first major impact of WikiLeaks is the loss of trust between

various diplomats world-wide. Maurer articulates that diplomacy and most other international relations are built on a trust that is built up over many years. This loss of trust is not damaging to states in terms of real power, it only diminishes relations and negates their ability to attain intelligence and information for a relatively short period of time. The issue of a possible loss of lives specifically due to leaks is one often referred to USA government officials when attempting to fight the actions of WikiLeaks. However, Maurer (2011, 25) indicates that there have been no confirmed casualties or injuries due to any WikiLeaks releases.

2.9 Conclusion

This chapter has provided somewhat of a timeline of changes or impacts on the state and the sovereignty which defines the state. The state has evolved alongside governance, economic and technological advances. Throughout these changes sovereignty has diffused and become more accessible to different groups and individuals. Although different, the principle of state sovereignty remains. The state has much less sovereignty than it did 300 years ago and has become much more of a shell or skeletal structure around which and within which society and global interactions take place.

Current struggles within the state and for the maintenance of its sovereignty largely revolve around secrecy and transparency. Freedom of information, access to information and the spread of information all bring sovereignty closer to the state citizen and away from its earlier, more centralised nature. As mentioned in this chapter WikiLeaks produces a new phase within state development: the information phase which drives the push for transparency and continues to diffuse sovereignty to all within the state.

Chapter 3

Research Methodology

Research methodology is the exact means through which a research paper is created. Methodology includes data collection, data analysis, seeking conclusions and weaving a theoretical framework throughout the analysis and conclusions. Qualitative and quantitative methods are the broadest streams, generally used in social sciences and true sciences respectively, but not necessarily as a golden rule. Within these there are more specific methods which individually cater towards specific types of research questions and the answers that are sought. Due to the specific nature of some of these methods modern studies are using a combination of these methods when attempting to create a holistic view of a topic. The topic of state sovereignty and WikiLeaks certainly requires a holistic examination and therefore a combination of methods were used, along with a combination of theoretical frameworks.

This study is a social science qualitative theoretical dissertation. This study examines the broad effects of WikiLeaks on state sovereignty in the context of known effects on sovereignty coming from many other factors; considering qualitative variables for assessing the impact of WikiLeaks on both the idea and reality of state sovereignty in countries affected by the leaks. It is difficult enough to analyse the effect of WikiLeaks in a qualitative manner, let alone a quantitative manner. For this reason, the study is broadly a qualitative analytical study reflecting mostly on the basis of published literature and source material with a view to contributing to conceptual and practical debates about questions of the diffusion of sovereignty, the clashes between state secrets and transparency and increased citizen demand for freedoms and rights. It is hoped that the study will contribute to theoretical discussions as well as broader public discourses on the impact of whistleblowing initiatives like WikiLeaks on states today. This study grapples with understanding the current political system in the hope of recommending ways of possible adjustments within the system.

3.1 Methods

This dissertation has made use of content analysis of primary and secondary source materials to create this body of work. Journal articles, newspaper articles, books, magazines, webpages, forums, leaks pages, multilateral organisations resolutions and quantitative findings have all been used to compile this dissertation. This dissertation is labeled as applied research in that it attempts to improve the global knowledge on a specified topic and contribute towards solutions.

This dissertation is broadly defined as qualitative applied research that ‘involves any research that uses data that do not indicate ordinal values’ (Nkwi, Nyamongo and Ryan, 2001, 1). Creswell (2012) identifies five main streams of qualitative research: narrative, phenomenological, grounded theory, ethnographic and case study research. This dissertation is a combination of narrative (Assange’s life and the various perspectives of those who worked closely with WikiLeaks and those who fight against it) and phenomenology (studying the experience of the state through history, but also how groups of people experience WikiLeaks and its impact). It could be argued that this research includes other streams in a small way, but narrative and phenomenology would be the largest streams represented. For this type of broad study on the state it is very difficult to utilise quantitative methods, thus those methods were largely unused (apart from selective data studies). Qualitative methods have their own limitations in that they are inductions and descriptions which may differ depending on the researcher and their world view.

3.2 Limitations of the Study

It should be noted that information on WikiLeaks is often difficult to verify as it finds itself in the midst of an ‘information war’. Governments have attempted to deny the information, while others believe it is propaganda produced by the USA. Although research is growing on WikiLeaks it is still minimal, thus forcing the researcher to utilise many journalists’ interpretations of WikiLeaks. The true impact of WikiLeaks on the world and international politics may only be felt

years in the future, as documents are still being released and documents will continue to be released.

3.3 Theoretical Framework

A theoretical framework is a frame of reference or lens through which a researcher can view a set of observations and utilise to draw conclusions on those observations. Although a relatively new concept in the history of mankind, state sovereignty has become a pivotal point from which human governance has evolved. It has never been the sole keeper of power but since its conception in 1648 it has always maintained an element of power and authority over the people it governs. Power within state sovereignty has fluctuated, and its decline is a subject for debate (Cox, 1999; Gill, 1996 & Strange, 1997) as it has continued to be the central dynamic of world politics. It may not have the original power and authority as in 1648, but it still remains the focal point. This study considers this in relation to demands for greater diffusion of state sovereignty by the rise of non-state actors, citizen demands, transnational institutions, economic markets and globalisation, and how this expresses itself in the emergence of transparency-demanding platforms like the WikiLeaks. Therefore, our theoretical framework must enable USA to understand at least three variables: the state, state sovereignty and its diffusion, if at all, and accountability demands or whistleblowing. As mentioned earlier a combination of theoretical frameworks has been used for this study. Despite often clashing in much previous research, two main theories are utilised: critical theory and realism.

The study of states and their conduct is dominated by several main theoretical schools of thought including realists, idealists, Marxists and constructivists. The next sections highlight the key propositions of these theoretical schools in respect of state-citizen relations and how this expresses itself around sovereignty debates. We will then narrow the selection of theories to those that we choose to guide this study because of their utility for purposes of clarifying challenges to sovereignty and the impact of WikiLeaks.

The theory of realism in its various forms today owes its origin from the thoughts of Thomas Hobbes and Niccolò Machiavelli who proposed ways in which the arrangement of power in a republic occurred. Hobbes argued for a supreme sovereign authority ruling over a political system that seemed to be a state of nature that mirrored human emotions being anarchical. On this basis, the realist family of ideas is premised on the following assumptions: – 1. The nation state is a central actor in politics and international relations among countries; 2. States are rational actors with unitary character; 3. The primary focus on states is survival (without the state chaos and anarchy will occur); 4. The international system is anarchic as there is no overarching global body in control or above the state. Realism is useful in understanding the very nature and conduct of the state in the current world. Structural realism maintains that the state is the most powerful institution in our current world. It contends that it is human nature to attain and build a strong power-base. It understands that it is human nature, but more importantly the nature of the international system which is somewhat based on human nature and that this demands increased power in order to defend state institutions or even grow them (Mearsheimer, 2006).

Structural realism maintains that state survival is a pre-requisite on which all other political (and possibly even economic) actions are based. A state will act in order to ensure its survival, but also to increase its strength in the international system. Within this ongoing tension there is always the issue of a relative loss of power, allowing other states to increase relative gains (Waltz, 2001).

In this theory, power is the currency in international politics (Mearsheimer, 2001). Power is based on a large variety of elements, most especially economic and military might. This being said, other elements also affect states power, such as political and civil stability, social conditions, distribution of wealth and the individual interests of multinational corporations, NGOs and other organisations who may be aligned with certain states while not aligned with others.

Idealism (including liberalism as its main strand) is premised on moral and ethical values, which humans naturally tend towards. Political idealism would state that the goodness within humans is reflected on good natured relations between states. Humans coming together to form states will

do so for good purposes such as harmony and peace. Three main elements make up political idealism: reciprocity, perpetual peace and trading among states which promotes peace. This theory is not used as commonly today, but can be utilised as political rhetoric during political campaigns.

Groups within the state may be aligned to the right or the left, or somewhere in the middle of ideological divides; some supporting certain elements of the state while others may detract from the states sovereignty. At the same time these organisations may have some objectives which are aligned with a state and other objectives which are not aligned with that same state. All of these elements highlight the interconnectedness and complexity of international politics; although states are still central power structures they are influenced and shaped by a wide variety of external and internal factors. These factors all demonstrate the need to use Constructivism or more specifically critical theory (Linklater, 1990 & George, 1994) when analysing this interconnected complexity. Constructivism largely opposes realism, by stating that it tends towards a singular view without allowing for a holistic examination which is needed in international relations. Onuf (1998 and other works) is largely credited to the formulation of constructivism and how it is used in international relations.

Marxist interpretations of power and state centre on the idea that fundamental to all power is the distribution of economic power, that the economy is the superstructure of society and therefore economic actors have a greater bearing on power than is assumed by realists and idealists.

Part of the challenge in political theory has been the neglect of a variety of other theories coming from scholars outside of mainstream European thought. These all have useful insight on how political power and international relations are understood and include post-colonial theory, decolonial thought and subaltern thought. Subaltern thought specifically relates to groupings that are subordinated or found outside of a ruling class (politically, psychologically, socially or economically). This type of thought originally linked to colonialism, is now used to investigate

general inequalities globally; discussing the challenges faced by lower classes and groups excluded in different societies. This term was coined by an Italian communist writer, Antonio Gramsci. Although still outside of mainstream theory, this idea was popularized by Spivak (1988).

For the purposes of this study, the following assumptions are drawn from the various theories:

As realists believe, the state remains a central actor in domestic political arrangements; being the focus of responsibility to provide services to society and security to the people. Along with this it is a primary actor in international relations tasked to negotiate and sign agreements on behalf of countries. This being said, they are not unchallenged and therefore are not the sole actors, as citizens have the ability to protest and challenge state dominance as idealists/liberals show. Corporations also have a much more significant role in the construction of the hierarchy of power in the world that remains deeply unjust and unequal as Marxists and neglected South theories show.

The realist idea of state sovereignty (as entrenched in the constitution of the state in modern times and in international relations) is evident in constitutions, laws and international resolutions that confer on the state the centrality of its sovereignty in international relations. State sovereignty includes the ability to keep secrets and limit human rights as enshrined in constitutions. The UN Charter (Article 1 and more specifically Article 2) prevents states from interference from others. Realists have exaggerated this principle by neglecting to wholly examine the many challenges to state sovereignty and the fact that this sovereignty is contested all the time by various actors including civil society formations, labour unions and other public movements.

New actors in international relations and domestic politics are much more significant than realists accept. Therefore, the challenges to state sovereignty are much more serious than it is accepted. The greater awareness about rights, stronger use of courts and public protests are forcing states

to concede some of their authoritarian power resulting in greater transparency.

Critical theories including Neo-Marxism, post-modernism, post-structuralism, post-colonialism and crucial feminist thought are right in arguing that there is a great challenge to state sovereignty that leads to a greater diffusion of state power. Increasing globalisation has shown the diminishing ability of a state to dominate the sovereignty they once owned. The rise of popular sovereignty, dispersed sovereignty, the sovereignty of regional organisations and cyber sovereignty have all displayed this evidently. Despite this, parts of critical schools of theory including decolonial thought and subaltern studies are right to say this diffusion should not be exaggerated because states are fighting to regain losses or maintain power. This is highlighted in violent police clashes against demonstrations and new laws attempting to curtail popular power.

Therefore, this study draws from a cross-section of theoretical lenses because the reality today demands that our assumption be dictated by reality rather than narrow single theoretical lenses. No single theory has all we need to argue the case about WikiLeaks. We therefore chose a combination of mainstream and non-mainstream schools of thought to guide our analysis of the reality as presented by evidence.

In specific relation to WikiLeaks, actions carried out by leaks sites have a strong relation to the Social Contract Theory. Pettit (1997) argues that the Social Contract is only valid in the absence of an effective rebellion. The people therefore only agree to the contract if they do not rebel against it. There is space to question Pettit's argument and ask whether the contract can still be valid even if there is a constant ineffective rebellion. Any rebellion, whether it is effective or ineffective, shows some kind of dissatisfaction with the Social Contract, or in real terms, the current governance of a specific state. As time progresses and so the complexities of the international systems heighten, so the fixed standing of the older Social Contract becomes more fluid. The Social Contract has now developed into a more dynamic arrangement in that if popular protests occur, changes in governance can be made to incorporate differences and improve upon ineffective governance structures. WikiLeaks and other leaks sites will argue that they are part of

this ongoing protest. This is an ongoing protest, in pursuit of progress and improved states. The current state is not the state of 1648, in which changes were frowned upon; the current state is dynamic and has the ability to incorporate changes for the better.

3.4 Conclusion

A sound research methodology ensures that the overall research product is unbiased, valid and reliable. This gives the conclusions greater affect and thus ensuring they can contribute towards, and build upon the current knowledge on the topic. Without a method it is easy to simply string sentences together and draw rash conclusions where rational thought is required. Realism, Social Contract Theory, Idealism and Critical Theory all add value to the current tension playing out between transparency (represented by the internet and all leaks sites) and secrecy (represented by states who feel the need to maintain secrecy wherever possible). Systems of governance and states are needed (for without them anarchy prevails); yet these systems have always been dynamic and able to adapt, as they should be going into the future. In past times when the world was viewed in simpler terms and globalisation was far less present, it was easier to utilise single theories in research. It is with this logic that this study makes use of the aforementioned theories as a combination of theoretical lenses to understand the state and its relationship with WikiLeaks.

Chapter 4

Origins, history and current status of WikiLeaks

4.1 The Origins of WikiLeaks

In its early days, arguments as to who conceptualized and officially started WikiLeaks varied widely. Its own website -www.wikileaks.org- does not specifically state its exact origins, but provides a few important dates on this evolution. It was officially registered as a domain in 1999. Its first document release occurred in December 2006 and the website formally launched in 2007. This chapter discusses the environment in which WikiLeaks emerges as well as the personality of Julian Assange, which is central to the formation of the site. Without Julian Assange WikiLeaks specifically would never have existed. Many other leaks sites emerged prior to and after WikiLeaks, but none with so much drama and charisma, largely due to the actions of Julian Assange himself. This chapter also seeks to explore the development of Assange from a young teen hacker into the trailblazer he became.

The concept behind WikiLeaks is fairly futuristic like most issues surrounding the organisation, questioning the power held by governments and the business world, and stating that the information they hide should be visible to all people worldwide. Businesses and government both receive money from clients and citizens and in return provide a service. WikiLeaks believes that because citizens provide the finances (through taxes), they should therefore have the right to know all of the details surrounding the origin, creation, production, implementation and distribution of these services. WikiLeaks believes that current organisations designed to monitor businesses and governments are not independent or autonomous enough to ensure ethical and lawful conduct is continually practiced. WikiLeaks believes that an organisation (itself) is required which is truly unique in the sense that it has no bias or linkages to any businesses or countries. Leaks of unethical or unlawful actions create an additional safeguard or preventative measure in ensuring these types of actions are deterred in future. As long as WikiLeaks maintains its

independence it can continue to play a role of 'checking and balancing', a new arm in the separation of powers, existing outside of the dimensions of the state. This futuristic conception did not simply appear, but was largely the result of one luminary: Julian Assange.

The era in which WikiLeaks emerges is fairly important to understanding the philosophy or goals of WikiLeaks and the history of WikiLeaks is inextricably linked with the history of Julian Assange. Julian Assange could simply have been just another protester against government secrecy, but the freedom of information movement was strong, the conditions were right and his ideas were futuristic yet concrete.

4.2 Challenges to WikiLeaks Integrity

Another dent in WikiLeaks credibility is the allegation of rape against Julian Assange in Sweden in 2010; Assange discusses these allegations in detail in his unauthorised biography (Assange, 2011). Can justice be a true facet of WikiLeaks if its founder refuses to face the allegations of rape in Sweden? Once again, those supporting WikiLeaks would argue that in refusing to be extradited to Sweden (and avoiding a possible further extradition to the USA); Assange is acting in the greater good. Assange's refusal to stand trial in Sweden will ensure the continued survival of WikiLeaks and its ideals. Unfortunately WikiLeaks' contradictions have weakened its status globally. A group such as this cannot hold itself above standards it attempts to set out for the world. However, these issues will not stop the fight of WikiLeaks and especially the continuance of internet leaking if WikiLeaks were to be closed – this has been proven by the continued existence and operation of WikiLeaks years after Assange was detained in the Embassy of Ecuador in London in 2012.

Due to the growth and support of transparency, which has become a global ideal, Assange was able to garner support for the WikiLeaks website and its actions throughout the world. This support has been found in continual donations (Wau Holland Report, 2012) from individuals and groups as well as support that was received from media groups. Despite this support Assange has become a controversial figure. In *Inside WikiLeaks* (2011), Daniel Domscheit-Berg writes about his perilous battles with Assange during the early formation and execution of the WikiLeaks project.

Another issue is of Assange's apparent autocratic management of WikiLeaks, leading many to believe he is undemocratic, non-transparent and irregular in his own dealings with the website and its activities. The over-arching issue is that activists, who are also anarchists, will inevitably end up being a contradiction when fighting against a system with structures. They are attempting to use systems to fight against structures, in order to change systems and structures, without a set of functioning guidelines. Due to their nature anarchists and activists will always be somewhat disorganised and without a set of functional guidelines. Unfortunately WikiLeaks did not have a strong set of functioning guidelines, just a set of principles based on transparency guiding their actions. These principles without functioning policies can be viewed on www.wikileaks.org.

Year	Donations (incoming)	Expenses (outgoing)	Reserve ¹
2010	1'331'698.19 €	401'824.62 €	
2011	139'401.88 €	660'522.84 €	
2012	68'995.05 €	392'434.37 €	
Total:	1'540'095.12 €	1'454'792.83 €	85'302.29 €

Figure 3: WikiLeaks Income and Expenses 2010-2012 (Transparency Report, Wau Holland Foundation, 2012)

4.3 The Funding of WikiLeaks

The obvious contradiction of WikiLeaks' promotion of global transparency mixed with its own secret operations is one often used by its ongoing detractors and former advocates (Barnett, 2010; Domscheit-Berg, 2011). Zetter (2010) alleges that at the time of printing her article WikiLeaks received approximately US\$800 000 in donations and spent US\$38 000 of that in a period of six months. This was confirmed by the Wau Holland Foundation who channeled the funds for the organisation. The moral challenge or issue that Zetter (2010) lays out is that there is no open organisational policy on how funding is spent. The article also alleges that WikiLeaks requires annual operational costs of US\$200 000, yet no trace of how these funds are dispersed can be located. This lack of transparency is an ironic contradiction towards WikiLeaks ideals of

global transparency. In 2012 the Wau Holland Foundation did release an audit report on all funds received and spent by WikiLeaks (Wau Holland Foundation Transparency Report, 2012). Between 2010 and 2012 around €1.45 million was spent by WikiLeaks, highlighting specific aspects on which funds were spent and showcasing a decline in donations. Unfortunately for WikiLeaks, donations towards their group only sufficiently cover their costs when a high profile leak is distributed. When there is little activity by the organisation donations decrease rapidly (As shown by Fig. 1, Transparency Report 2012, Wau Holland Foundation).

Cryptome.org published an article displaying Assange's expenses from 1 April 2010- 1 July 2010 at \$52 000. This included business class flights, accommodation and personal expenses (Cryptome Page Leak, 2010). This raises another crucial question of why leaks sites would compete against each other. Detractors of leaks sites may say this proves their intentions, simply formed for anarchic and egotistic purposes. It would seemingly also make sense that leaks sites would support each other. However, in advocating for global transparency a leak site would be contradictory if it did not leak information on other leaks sites.

Despite some internet controls in some countries the internet operates in a stateless world. Anyone from any state may have a very real physical effect on people or actions in another state. Therefore WikiLeaks has the ability to act in a covert way (sometimes justified in order to remain hidden or not prosecuted by some states legal systems), but in bringing about global transparency it must choose to itself be transparent. The non-transparent manner of their operations portrays the organisation as something above global morality and leans towards anarchy in its haphazard manner of publication.

Initially WikiLeaks decided never to edit or change a story (besides blacking out sources or implicated names for security purposes), but its publication of the Collateral Murder video demonstrates its ability towards sensationalism. This original decision was to ensure that plain facts are submitted to the public and it would be the decision of journalists to use these facts ethically; however, editing leaked information facilitated the inclusion of emotional swaying into

the leaks. People always had the ability of checking journalist's stories by confirming the leaks on WikiLeaks. By editing or creating a story line behind some WikiLeaks published material; they simply became another media house, with the ability to gather vast amounts of secret documentation. WikiLeaks took a side within the story, the side which did not need to be taken, given the evidence found within the Collateral Murder footage (Bajjal, 2013).

4.4 Assange and WikiLeaks

The personality behind WikiLeaks, Julian Assange, is an important basis for understanding the idea and platform of WikiLeaks. The history of WikiLeaks and the personality are inextricably linked. Assange grew up in a period of Australian history which promoted multiculturalism, due to an influx of immigration. Although many of the Australian political leaders did not agree with these social changes, they could not dispute them as they related to the foundation of their democratic existence. Juxtaposed to this, Australia's continuing unbridled support for USA actions throughout the world, regardless of whether these actions were "democratic", created a unique environment for the development of Assange and his political philosophy. Assange would have seen his government as acting in one manner domestically, but in an immoral manner internationally, while lying to its domestic constituents about these international actions. The following statement broadly sums up WikiLeaks' actions and provides an insight into why it was created:

'The broader principles on which our work is based are the defence of freedom of speech and media publishing, the improvement of our common historical record and the support of the rights of all people to create new history... Publishing improves transparency, and this transparency creates a better society for all people. Better scrutiny leads to reduced corruption and stronger democracies in all society's institutions, including government, corporations and other organisations. A healthy, vibrant and inquisitive journalistic media plays a vital role in achieving these goals. We are part of that media.' (WikiLeaks, 2010).

An early goal of Assange's International Subversives group was to attack military systems. Assange wrote a programme called "Sycophant" which would sweep the computers he hacked for all passwords (Assange, 2011, 44). Assange states that they started as mere anarchists having fun, then later realised they could change the world with the information they discovered (Assange, 2011, 45). Assange also clarifies his distinction between individual's privacy and organisation or state transparency. Despite Assange's strong stance on transparency he believes ardently in the importance of individual privacy. This could seem something of a contradiction, especially if an individual commits immoral or illegal actions with negative effects on others. It does make a dream of forcing transparency on groups but not individuals seem more improbable, but in the 1990s many would have said the actions of WikiLeaks in the last decade were improbable and if leaks occurred, would be snubbed out in a relatively short space of time.

Most information regarding the time-line in the evolution of WikiLeaks can be found in a biography of Assange entitled, *Julian Assange: The Unauthorised Autobiography*. Published in September 2011, unauthorised by Assange, the book describes the arrest of Assange and his time in jail in 2010, his early years, and other parts of his life. It describes how Julian Assange developed a need to rebel and learnt to fight against conformity from his parents, who were both avid protesters against various causes from gay rights to Australia's part in the Vietnam War. It also provides a detailed insight into Assange's thought processes growing up. It details childhood and killing ants with a magnifying glass, an act justified by the need to destroy the creatures that often inflicted vast amounts of pain through their bites and with some ants, their poison, which was sprayed into a recently bitten surface. This self-righteous action, with undue thought to the greater system of nature may be seen as typical of a young child, with very little to project onto the adult Assange; however, could give a small insight into the very nature of the current Julian Assange.

Ideas of revenge and restoration of justice can all be drawn out of his life story. It was Assange's sense of justice at that time which led him to burn ants, it is also his adult sense of justice which leads him to report leaked confidential information. Just as some may say it was not the right of

the young Assange to burn the ants, it will also be argued that the adult Assange does not have the right to publish documents which states, corporations or individuals classify as confidential. Ants certainly do not deserve to be burnt, as they simply act within the confines of nature and their natural inclinations.

At another time in his childhood Assange's mother asked for some tomatoes from their neighbours. Their Italian neighbours refused and Assange reacted by stealing two baskets of tomatoes. This certainly highlighted his personal sense of social justice, which was coupled with his admitted prejudice to the Italians. He admits to now being ashamed of that prejudice, but not to the wrong of taking the tomatoes. The question of whether taking the tomatoes is wrong or not can become a highly philosophical and somewhat unnecessary debate, but within the realms of state law and order stealing is a criminal offence and cemented in law to diminish an unwarranted and continual stealing of all neighbours from each other. In this way the same relates to the original concept of state sovereignty, which attempted to end military invasions of other states. Military invasions still occur during this age of state sovereignty and stealing is still prevalent. Just with these examples the state will always have confidential information and this information will continue to be stolen or leaked. It is part of the nature of the ordered chaos brought about by the state system. Side effects of this system of ordered chaos or orderly anarchy such as unwarranted invasions of sovereignty are what brought about the need or desire for WikiLeaks and other devious activities undermining the state.

The upbringing of Julian Assange laid out in the chapter 'Magnetic Island', set the perfect stage for his continual defiance for authority; continuous tendency towards non-conformity and the philosophy behind the emergence of WikiLeaks. Assange even describes life while moving around with one of his mother's boyfriends as good preparation for the pack-up-and-go lifestyle that WikiLeaks often required. Christine Ann Assange (née Hawkins, Assange's *mother*) had one boyfriend who continued to terrify their family; forcing the family to continue moving through the country, seemingly being followed by him. This, Assange claims, prepared him also for being followed by subversive forces while operating WikiLeaks. Assange's upbringing is somewhat of a

mystery, and often disbelieved by many as a kind of folklore background that he created in order to substantiate how he came to form WikiLeaks. Whether truth or half-truth, it is Assange's own account, and if he states that is the truth it cannot specifically be argued against, especially when it refers to indirect consequences of how he became the man he is today. One sentence which stands out in the biography, 'There's no God, and no sense of universal justice, either, but there is nature's own sweet irony.' (Assange, 2011, 28).

This provides a valuable insight into the function of WikiLeaks. If there is no universal justice then revealing secrets or confidential documents is not necessarily an act of justice, but more of a power-play against the traditional authority of the international system. The philosophy of WikiLeaks as outlined in Star (2011), is that WikiLeaks will bring about an era of 'political clarity' which will make state or political secrets virtually impossible, forcing political leaders to act responsibly with the power they are designated. This idealistic idea of one man changing the international system is grandeur and improbable. The internet itself has diminished the possibility of states maintaining "critical" secrets, but state actions themselves are creating platforms to protect their secrets from greater exposure. Seemingly, the internet can decrease any authority's means of maintaining secrets, but it will not be a specific individual or unique website. WikiLeaks has pioneered the idea of freedom of international political and corporate information, but the ability to transfer and transmit information remains with the internet itself and all of its users worldwide.

Julian Assange argued that 'We are often called arrogant, or I am often called arrogant, and I suppose I must be – you might have to be arrogant in order to resist the persistent slings and arrows chucked at you, even on those occasions when you don't deserve them' (Assange, 2011, 97). This arrogance, coupled with the immense feeling of power borne out of hacking a variety of intelligence systems from a young age created the perfect productive ground for the birth of WikiLeaks a decade later.

As a young activist hacker, Assange was not entirely sure what he wanted to do with his skills, but

he had a kind of inkling that they could be used to improve the lives of people. He knew it could lead to an increase of transparency, a shift in politics and improving individual rights for privacy (Assange, 2011: 41, 42 & 43). From his mid-teens Assange would have had this idea inside his mind, the idea of leading people out of the “slavery” of states subversive actions and into a greater future of internet freedom. This does not call for the end of states, but re-enforcers states in a new way, a way which strengthens their existence, but distributes their sovereignty. After the major leaks of WikiLeaks, he would probably say that the process of internet freedom and transparency has been championed by WikiLeaks, but still needs further support and strengthening from all sectors of society.

The notion of WikiLeaks did not emerge when Assange formed the idea, but rather from a concept borrowed from a type of “father” site called Cryptome.org. Ideas leading Assange to Cryptome and WikiLeaks began when Assange was given his first computer and modem at age 16. Assange first received a computer, on which he began programming, playing with software codes and decrypted files all distributed on disks. It was only when his family bought a modem that he realised the full potential for software and the endless possibilities of software creation. In his unauthorised biography he discusses the expense of initially using the internet and how hackers at that time would use their programming skills to get cheaper or free calls (Assange, 2011, 35). Upon receiving the modem Assange developed software that could seek out other computers on a modem network in Australia. This was his unintended entrance into the world of hacking and all other possibilities involved in such an activity. During the end of the Cold War Assange was hacking into communications between high-powered states. His early thoughts on hacking into Australian and other computers world-wide was that it was on the verge of changing the relationship between individual and state, decreasing the power of the state and allowing individuals to have a greater influence over what were previously unreachable power structures. Thus, not advocating for anarchy or an end to states, but forcing states to submit to transparency and fairness for their citizens and the citizens of the world.

Assange's hacker name also gives an insight into how he perceives the world or how he perceives

his online actions. “Mendax” he explains, was taken from an ancient writing, Horace's: ‘Splendide Mendax’ meaning nobly untruthful. A belief in being untruthful in order to bring about justice or take part in a noble cause could be labeled as a contradiction by some, but also a righteous action by others. Is it right to be untruthful to a select group in order to provide truth to a mass group? The principle of the greater good to a greater number of people is hereby applied. Democratically speaking the larger group has the right to decide on how information is distributed, and if society comes to this point illegally is it possible to blame the original deceiver? Many revolutions that brought about the end of unjust states were forced to break laws and the newly formed states salute the revolutionary actions. The above questions delve into other philosophical topics that cannot be explored in greater length as they will detract from the original question of the relationship between WikiLeaks and the state. However, those who support WikiLeaks will argue it is a necessary resistance that may break laws to bring about greater freedom and improved lives. Another question posed by WikiLeaks detractors is can a leak site truly continue its work if itself is not transparent? This contradiction, which will be later examined in detail, is that WikiLeaks continually attempted to remain largely secret, while advocating for global transparency. This led many groupings to believe that WikiLeaks was funded by or worked for a group of individuals or a specific state. WikiLeaks argued that they needed a degree of secrecy in order to protect themselves from persecution, prosecution and elimination.

Cryptome.org had shown WikiLeaks founders that it was possible to be transparent as an organisation and continue to leak documents. Its owners are known and have published their own disputes with the law online (Crary, 2013). Its founder and owner, John Young and his wife Deborah Natsios choose which files to upload, as some may be nonsensical and deliberately false, but refuse to edit the files in any way, saying it was up to the reader to decide what they meant. WikiLeaks also originally did not edit any distributed files, however, seemed to lose this principle when the ‘Collateral Murder’ video was edited and released.

When studying at Melbourne University, Assange enjoyed Mathematics and Physics, and this impacted on how he wanted to use his programming skills to improve the world around him. He

thought that, specifically, quantum mechanics made a person see the world clearly and systematically, and more importantly asked crucial questions which interrogate the very nature of systems and not just a few of their functions. Quantum mechanics taught him to view information as matter, and how it changed or was hidden depending on how it was treated by people (Assange, 2011).

Assange (2011) uses the analogy of a 'pipeline to justice', within which information flows. The internet is therefore a massive group of pipelines with hidden and publicly known information. WikiLeaks has the ability to give access of this hidden government or corporate information to the public. This 'pipeline to justice' presupposes that information or freedom of information brings about true or improved justice. The contradiction herein is that Assange himself does not believe in a universal justice, merely justice based on each individual's or group of individual's beliefs in right or wrong. However, if one individual sees clarity within their own theories, it becomes difficult for other individuals to use other viewpoints to dispute that clarity. The metaphor of the pipeline brings about a variety of questions such as who owns the pipeline, who mends the pipeline, where does the pipeline lead, how many have access to the pipeline and where the pipeline may be blocked. These questions all relate to the flow of information and despite states or systems controlling these pipelines, the idea is to give control of the pipelines (or information) to everyone on the planet. This freedom of all information would create clarity in stopping or slowing down the harmful actions of states or organisations towards other individuals or groups, thus bringing about justice. Other challenges which stem from this theory link to intellectual property, and whether it is correct to steal intellectual property. This opens up a massive debate on the very nature of the neo-liberal economic foundations of global financial systems. For example, how long a pharmaceutical company should be allowed to hold secret its formula to a lifesaving drug, which poor people may not have access to, due to their price setting? In the same breath, who should decide whether intellectual writing property should be maintained and sold at a set price, or simply distributed freely through websites advocating increased sharing and decreased market monopoly on products?

The proposal of allowing all humans access to all state and corporate information is highly theoretical and states could simply argue their actions are done in the protection of their own sovereign territory and constituents; therefore certain aspects of their information and actions must remain secret. For Assange the internet was a massive system of pipes, containing vast amounts of information often not freely available or not understandable by the greater world public. Blame is placed on the media (or the fourth estate) by Assange, stating that media is subtly or knowingly controlled by states and they have therefore not done enough to bring about freedom of global information and transparency.

The media themselves are funded on the ability to sell stories. The ability to deliver a story and the stories themselves are largely supplied by state or corporate agencies. This opens up a need for transparent-minded individuals to contribute towards the fourth estate by unashamedly and boldly releasing information previously held secret by states and organisations. Assange does acknowledge that the search for the truth and quest for justice within the truth is far more complex than a pipe analogy. This lays the platform which re-affirms several aspects of contradictory logic within WikiLeaks: 1) Individual privacy can be maintained while state or organisation transparency is paramount, 2) In the quest for transparency and justice casualties will be inevitable (Bradley Manning, Afghan war informants, other leakers and information leading to mob justice on guilty individuals). For Assange this may not matter, as his quest for universal transparency would be strengthened through his supporters (Sifry, 2011; Brian *et al*, 2011 & Schell, 2010). In 2006 operations began to create WikiLeaks. On 4 October 2006 Assange registered WikiLeaks. With no offices, but servers in several countries, the operation attempted to create a secure network for whistle blowers.

4.5 Challenges of Whistleblowing

There is little doubt that WikiLeaks has been plagued with controversy since its inception. Assange himself is no stranger to controversy; in a 1996 Australian court proceeding he pleaded guilty and was found guilty of 24 hacking incidents in 1991 which were deemed 'quite serious'. Julian Assange was released on a three year "recognisance" order and made to pay \$7100 in

various compensatory ways. His hacking was not done for relative personal gain, but simply to prove a point against powerful systems (Lowe, 2011). Assange had compiled a booklet entitled *International Subversive* and website called *Best of Security*, based on his hacking activities and outlining how to hack certain systems. This demonstrates Assange's basic premise behind his WikiLeaks actions: challenge the status quo and the system. The challenge to the system is towards justice and the equity of justice as, 'Justice, in fact, rightly upheld, is a check on power, and we can only look after people by making sure that politics never controls information absolutely.' (Assange, 2011, 134).

Overwhelmingly WikiLeaks supporters (Sifry, 2011; Brian *et al*, 2011 & Schell, 2010) would say the website is a global breakthrough for transparency and its effects are improving the lives of humans across the globe. It would be added that it is shifting the nature of domestic and global politics towards a more improved world with increased justice. They would also argue that increased transparency and global internet participation and interaction will bring about improved governance structures, therefore having the possibility of improving lives around the world. Supporters of WikiLeaks would say that the global population at large would not know about many illegal activities throughout the world if their operation was not present. When a few people know about illegal activities they are often allowed to continue due to the lack of vigour behind the fight against them, but when illegal actions are distributed through the international media, governments are forced to act against illegal actions within their structures or the structures of organisations that are found in their states.

It would also be argued that WikiLeaks must exist in order to protect whistle-blowers and enable their actions to be carried out without harm being caused upon them. This is in theory what WikiLeaks have been trying to achieve, however have not specifically been successful in the cases of Bradley Manning and Edward Snowden. The idea behind WikiLeaks.org is to allow a safe whistle-blow platform; in other words maintaining a hidden identity of any leaker. Bradley Manning was found guilty on various charges and is serving several life sentences in the US, while Edward Snowden is attempting to outrun USA officials who want to extradite him for similar

prosecution. WikiLeaks has created the encouragement and increased the hype and belief in the necessity to leak corrupt or immoral actions, but has not been able to protect these individuals. Opposition against WikiLeaks comes in a variety of forms: states, organisations, corporations and individuals.

4.6 State Challenges

States that wish to maintain the secrecy of some of their actions strongly oppose WikiLeaks and continue to attempt to close their operations. The majority of leaked documents through WikiLeaks have been of USA origin (Afghanistan and Iraq War Logs and the Diplomatic Cables), therefore bringing about the strongest backlash from the US. The USA knows that they can only prosecute WikiLeaks by essentially prosecuting individuals who are working for the group who they could argue have broken USA laws (some which extend to non USA citizens, in cases which it could be justified that harm could be brought upon USA citizens). The USA has been attempting to extradite Julian Assange for several years, either through Sweden (where the rape allegation was lodged against Assange) or the UK. In order to avoid this, Assange had no choice than to take refuge in the Ecuadorian Embassy in London. He has remained there since June 2012. On 13 March 2015 the Swedish government agreed to interview Assange in the UK and therefore decreasing his chances of being extradited to Sweden and thereafter further extradited to the US.

State opposition to WikiLeaks would claim that governments and corporations have their own internal whistle blowing mechanisms which should be used instead of WikiLeaks. They would argue that these are the correct channels to send information on corrupt or immoral actions. A realist argument would also be used to justify the idea that each state should be the custodian of its own challenges. Due to the nature of the state system and competition amongst states, it is seemingly unfair that states' secrets are leaked throughout the world and to other states.

4.7 Organisation Challenges

Organisations and corporations, such as the Church of Scientology and Bank Julius Baer have both

been effected by WikiLeaks secret document releases. Like the state, they have united in an attempt to stop all future WikiLeaks activities, yet the nature of WikiLeaks' global actions prevent a specific domestic charge being laid against the website.

A MasterCard, VISA, PayPal, Bank of America and Western Union extra judicial blockade was in place over WikiLeaks since December 2010 (essentially blocking any kinds of money transfers to WikiLeaks through these financial institutions); however in July 2013 MasterCard ended this blockade, allowing finances for WikiLeaks to flow through their institution. WikiLeaks claims this blockade was unfounded and illegal, and this was proven by the court ruling of 24 April 2013 which WikiLeaks and DataCell won against VALITOR - VISA and MasterCard operating in Iceland. In December 2014 a counter lawsuit was subsequently filed for WikiLeaks' losses during the blockade period (Constante, 2014).

4.8 Individual Challenges

Individual's opposition claims often carry the most weight, such as Daniel Domscheit-Berg, who once worked closely alongside Assange within WikiLeaks. Domscheit-Berg (2011) highlights several reasons for leaving WikiLeaks and starting his own leaks site: OpenLeaks.org. Of these, maintaining the confidentiality of leakers, non-transparent use of funds, and finally Assange's growing lack of trust in Domscheit-Berg were the main factors. All of these factors are major issues when attempting to run a ground-breaking leaks site, which could revolutionise the world.

WikiLeaks ideal is that sources must be protected in order to promote the use of the website; through the idea that despite speaking openly against people who misuse power the individual leaker will remain confidential and not have to fear possible repercussions. If sources cannot remain confidential then a leak site becomes irrelevant. People could simply email their leak to any number of media houses or non-governmental organisations and thus making themselves vulnerable to being caught. The inability to keep some of their sources confidential has rendered WikiLeaks ineffective and has showcased their blatant disregard for the possibility of some human casualty for the sake of transparency. This was made clear in the actions of Assange who did not

necessarily care if anti-Taliban informant's names were redacted out of leaked documents: 'Well, they're informants. So, if they get killed, they've got it coming to them' (Zetter, 2011).

This was said by Assange in response to The Guardian newspaper's request to have all possible informant names redacted. Assange's thoughts in this regard are that this push for transparency will save more lives than it will cost and therefore the actions of WikiLeaks are justified, even if some people lose their lives. Opponents of WikiLeaks would say that this is an impossible moral judgement call and no individual or group should be able to make such a decision. Assange and WikiLeaks would more than likely counter-claim that states and corporations make these decisions every day.

WikiLeaks remains active, although its actions have been hampered by Assange's 'house arrest' to the Embassy of Ecuador in London. Despite being trapped in the embassy Assange has been able to continue work of WikiLeaks, releasing 'Spy Files 3' on 4 September 2013. WikiLeaks' diminished funding is also currently effecting its continued operations. WikiLeaks has made a profound effect in the world, yet may not continue to last if its founder, Assange does not continue the work he has done through the website. Continued opposition from the USA and many other states could eventually shut WikiLeaks down, although this is becoming more unlikely as no efforts have succeeded between its emergence in 2007 and 2014.

4.9 Conclusion

The WikiLeaks story is the script of a Hollywood movie, therefore not surprisingly so many movies have been made surrounding the story of the organisation and website. It was formed as a result of the dissatisfaction of global citizenry towards state and corporate secrecy; that in turn was affecting the lives of all humans. It is another strike against the strength of the state which has been struggling to maintain its power after a barrage of challenges throughout the last one hundred years. In its short history it has raised debates and questions around the nature of the current state and whether transparency should be elevated or whether secrecy should be maintained. Its impact has forced academics, journalists and even government employees to

review current governance structures, support for whistleblowers, freedom of information and even individual privacy. WikiLeaks has also suffered personal and organisational setbacks, with challenges coming from states, corporations and even religious groupings. These challenges did stagnate WikiLeaks' work, but the WikiLeaks spark has ignited a new era of openness that cannot be undone; a new era made up of questioning of secrets and transparency demands.

Chapter 5

The WikiLeaks Effect on State Sovereignty: An Analysis

5.1 Introduction

There is no question that WikiLeaks has become the most prominent actor in the growing array of actors focused on forcing states to account for what they do in private or in secret, challenging them to open up a more and to share information with citizens. It has generated a lot of debate regarding the nature of the state and state sovereignty, accountability and transparency. Speaking to Democracy Now after the release of secret cables on the USA government, Professor Noam Chomsky argued that WikiLeaks was a huge help for the USA itself and its constitution that promotes freedom of information, saying 'I don't see anything that's come out on WikiLeaks that was legitimate secret. I mean, WikiLeaks is a service to the population. Assange should get an award or presidential medal of honour' (Chomsky, 2012, quote during speech). On the other hand, the Obama government and other has lambasted the site as a threat to the national security and global interests of the US, that it has generated negative relations between countries and that it borders on criminality. There are also many other views in-between. In this sense it is difficult to determine what the WikiLeaks Effect truly means. It has provided more evidence for activists to use in campaigns, it has provided political power to opposition groups and it has created a global debate on the use of transparency. This chapter analyses the effects of WikiLeaks on state sovereignty in reality and as an idea, and how the variety of responses explain the impact that the WikiLeaks may have on these concepts. Essentially the WikiLeaks Effect is twofold – it increases activism against state misuse of power, but it also increases the State's demand for secrecy.

5.2 Debates about WikiLeaks

The debates surrounding WikiLeaks have (with a few exceptions) generally been between academia/journalism (promoting transparency) and state employees (defending the right or

importance of secrecy). Despite this, some still question whether WikiLeaks is simply acting unethically in some cases and therefore attempting to solve a problem while also being a problem (referring to WikiLeaks rush to publish documents without redacting names and endangering lives.). This raises the question of whether transparency should be completely free or whether the state should be allowed to protect certain secrets, in the name of security and protection of individuals. Within this argument there is also the delicate issue of who should be allowed to classify documents. If it is only the state and state institutions then the world would remain with the same problem which WikiLeaks is attempting to eradicate. Essentially, can the state begin to operate, and operate successfully, without any secrets? Alongside the debate on WikiLeaks is the larger debate on internet freedom and whether governments should have greater control over the internet. This in itself is a huge topic, with many intricacies (delving into criminality, freedom of expression, access to information and privacy). Out of this, a debate has emerged for and against the increased strengthening of international law which would govern the internet and therefore also the actions of WikiLeaks.

5.3 Sovereignty “Measured”

The idea of measuring sovereignty is something that can never be scientific yet could be laid out by viewing the core elements of a state: 1) a defined territory, 2) a population falling within this territory, 3) recognition of a state by other states and multilateral bodies and 4) the ability to govern or act with the monopoly on governance power. Although Biersteker and Weber (1996, 2) do not agree with combining the words “state” and “sovereignty” in this modern formation of the state, they do agree to the fairly broad principles that outline the state above. This is because sovereignty is the foundation of international law, yet has become a largely contested term due to its use and abuse by powerful states. Within this examination the idea of sovereignty can therefore be separated from the state, as we have seen from the example of Somalia. The Somalian state still exists but its sovereignty is virtually non-existent. This could be likened to a dormant volcano that does not erupt for hundreds of years, yet when conditions are right may begin to erupt frequently.

WikiLeaks actions or simply leaks that appear on their site are unlikely to have any effect on the first three elements as listed above, and even the last element would not explicitly be damaged by WikiLeaks. This is due to the soft power nature of information disclosed by WikiLeaks; the leaks in themselves do not bring about the changes, but may add pressure to an existing situation that could bring about effects on the first three elements. Given that, WikiLeaks has largely published information harming developed states with stronger democratic principles such as the US. This is because these states often claim high moral or democratic values, yet can abuse these values as much as any other type of state. Also, WikiLeaks' impact is largely felt in well-developed democracies that place a high value and respect on freedom of speech, yet sometimes abuse these and other values to which they claim to adhere. Democracy and freedom of speech allows leaks to filter through to society and enable these issues to be debated publicly. States with diminished freedom of speech have less ability towards this public debate or discussion, therefore making them less vulnerable to the effects of WikiLeaks.

5.4 Leaks and Governance

The effect of WikiLeaks on the state and on the international system has not been as profound as what USA state department officials have previously argued. Information and the flow of information only yield a certain amount of power, whereas economic or military might always yields the highest power. Information can lessen this power, but real power will always be found in these elements. Despite this, WikiLeaks has changed the idea and position of transparency internationally, forcing governments to act in different ways, reacting to leaks of their confidential information. WikiLeaks can be seen as a small part of a much greater effect on state sovereignty, that of the 'ICT (Information and Communication Technology) revolution'. Despite this effect being relatively small and seemingly insignificant, WikiLeaks or leaks in general are at the core of the changes being brought about by the ICT sector. ICT has brought about a sudden increase in the speed and efficiency of global communication; WikiLeaks has used this platform to rapidly distributed state or corporate secrets. Therefore WikiLeaks cannot be isolated from the greater effect of ICT on the state and must be understood within this linked framework. Prior to WikiLeaks Assange talks about his early hacking days:

‘... a battalion of young computer hackers were going inside these networks, seeking to create a transformation, I would argue, in the relationship between the individual and the state, between information and governance that would come in time to partner the wall-breakers in their effort to bust the old order.’ (Assange, 2011, 36). Assange also said, ‘What we wanted to do was not protest abusive power, but unseat it.’ (Assange, 2011, 38).

This is just a call for open governance, which in their theory would bring about increased justice and fairness for its citizens and citizens throughout the world. Despite these attempts at unseating abusive power, most observers would believe there are two ways in which to view WikiLeaks’ impact on the state – an entrenching role or a dissolving role. However, an ‘either-or’ scenario within the complex arena of international relations is highly unrealistic. This analysis would argue that WikiLeaks is causing both of these reactions simultaneously. The state and state organs currently reside in constituencies which are continuously leaking information. Through the social contract the state remains legitimate with these constituencies; however its legitimacy, as continuously re-affirmed throughout this paper, is being morphed. Jayasuriya (1999) would argue that sovereign power is never dissolved, but simply diffused; either way, the power found within sovereignty is no longer maintained through a central point.

In some ways WikiLeaks is diffusing state institutions power, and handing this power back to a more informed public. For example, the power of the USA to spy on its citizens and citizens of other states is being increasingly debated by constituencies throughout the world, and will more than likely result in referendums and resolutions (Germany and Brazil’s Draft Resolution on Spying) on the matter. These institutions will either remain or be reformed with increased public participation. However, as mentioned earlier, during this diffusion of state power, there is a reaction by the state to strengthen itself and maintain its power base. In the USA the *Cyber Intelligence Sharing and Protection Act* (CISPA) is receiving greater support amongst politicians. If passed, it will effectively allow the USA government to request information from internet service

providers on its citizens. This would also effectively give them access to anyone globally using their specific internet service providers. It was passed by the House of Representatives in April 2013, but has still failed to pass the Senate vote. Thus confirming the juxtaposed outcomes of WikiLeaks on the state, with leaks continuing to share state secrets and the state reacting in an attempt to protect its secrets. This is likely to bring about a situation where the state will have to accept certain information being leaked and continue to operate within this framework. In a way CISPA is showing that the state is preparing itself for the free flow of information and its ability to gather intelligence on any citizens. In this manner sovereignty will be diffused to the states constituents, but the state will not be in danger of diminishing.

The alternative to the state system is international anarchy; however the entrenched nature of the state makes this seem virtually impossible. WikiLeaks is not fighting for or attempting to bring about global anarchy, but rather global justice within the state system. In this sense they are further entrenching the ability of the state system to survive and live on. By nature the internet will continue to perpetrate freedom of information and leaks sites will be a common component of its future, but like all other impacts on sovereignty previously, it will be absorbed into the state system and become a part of its functioning. The state system is far broader and stronger than anything else in world politics; it would only take the fall of several economically and militarily strong governments to have a major impact on the state system. The likelihood of this occurring is very small as there will always be major state powers, no matter how weak they may be. The internet has brought about an increased freedom for individuals, but these individuals remain citizens and their actions continue to be governed by the states within which they reside. In this sense WikiLeaks has contributed towards an evolved sovereignty, a sovereignty that still exists due to the constant confirmation from surrounding states, yet an existence in a very different time in history compared to the time of its inception.

WikiLeaks changed its own rules and nature by editing the Collateral Murder Video. This was a change from an earlier stance which suggested that edits should only be carried out by journalists. Perhaps WikiLeaks felt their leaks were not given the respect, admiration and follow-up actions

they deserved, especially by states such as the USA? Is their early ideal of creating a fully transparent world highly idealistic and improbable? The simple answer to both of these questions is: yes. By their competitive nature states will always maintain secrets, if these secrets cannot be maintained sovereignty is at risk. As alluded to, this will not necessarily risk the system of states, but merely bring about a forced shift in the nature of sovereignty. A forced global transparency would immensely decrease the sovereignty of world powers, which have been given state authority.

5.5 Challenging Sovereignty

Many governments such as the US and the UK believe WikiLeaks is simply an operation to bring about chaos or anarchy, and therefore a major threat to states and their sovereignty. Many political leaders have strongly opposed WikiLeaks actions and their motivations. One of these leaders is USA conservative Glenn Beck who says that WikiLeaks strives for anarchy in order to restructure power (Clabough, 2010). Assange himself agreed that leaking was an act of anarchy, but targeted specifically against corruption and abuse of power. Beck (Clabough, 2010) further argued that this anarchy will lead to a weakening of the state, which will in turn force the state to act with stronger power and curtail freedoms. This is certainly a possible side effect from the actions of WikiLeaks; that states will become more secretive and take abusive actions which will further consolidate their power. This has been seen in Syria throughout 2012 and Egypt in 2013 to a lesser extent. It was not WikiLeaks itself which weakened these states, but the actions of people who had greater knowledge through WikiLeaks revelations.

Uprisings against the state can be met with strong resistance which could cause further abuse of power; however, without protests or visible action an abusive state will more than likely never be stopped or brought to justice. An abusive state holds the monopoly of military power and force; only a stronger domestic or international force could curtail that power. In a sense Beck is correct in that WikiLeaks is creating a re-structuring of the international political system. Sovereignty is not necessarily being eroded, but rather reformulated. Sovereignty is fluid and it continues to change to suit the needs of a changing world and changing systems within the world.

In some cases USA and other foreign officials living in several countries throughout the world were forced to either relocate to other countries or return home. This therefore did create a cost factor of the leaks; done as a precaution to prevent possible attacks or loss of life due to names occurring in some of the leaks. A former British military intelligence officer, Daniel Yates, said that the Taliban was examining the leaks to determine if any of their associates were named as sources (State Responses to WikiLeaks, Wikipedia, No Year). The general impact statement that comes from most USA officials is that the leaks were embarrassing but not of any major damage towards the USA.

Many countries had statements given for their responses to the WikiLeaks phenomenon (State Responses to WikiLeaks, Wikipedia, No Year). Countries such as the USA, Canada, Japan and the UK had strong condemnation for the site, whereas countries such as India, Israel and Russia seemed more entertained by the leaks than anything else. Benjamin Netanyahu stated that the leaks proved Arab States were serious about attacking Iran but did not mention any threat from leaks regarding the state of Israel; whereas the Japanese foreign minister (Seiji Maehara) labeled the leaks as a monstrosity and criminal.

Israel also stated that the leaks were of little concern, but simply highlighted what many intelligence officials throughout the world knew, and what ordinary citizens often suspected. Venezuelan President Hugo Chavez These often highlighted the separation between the global North and global South but none of them could provide any kind of real damage, apart from the expenses of moving USA diplomats or intelligence officials to other parts of the world. The effect of WikiLeaks has thus been fairly sensationalised and the true short term impact is very minimal. A longer term impact would be harder to determine, but the speed of technological changes would point towards a further increased access to information, whether it is classified secret or not.

At this stage WikiLeaks has simply brought about an embarrassment and anger from government

officials, that public activities and expenditure, especially of the USA, are becoming public knowledge. Even companies such as Julius Baer Bank were not found to have done anything illegal, but merely exposed its clients who legally utilised them to avoid tax. This was simply another embarrassment as Julius Baer Bank continues to operate successfully. They may have lost some current or future customers due to the leak, but this possibility would or should have been in the risk assessment of the bank and its customers. Based on these statements and resultant minimal re-actions we could ascertain that the current real damage caused by WikiLeaks is minimal and its effect on the state and state sovereignty is not anything that would cause much change at all. This being said, it is important to view the unintended consequences and side effects of WikiLeaks, especially within what could be labeled as a continuum of globalisation effects on the state. The side-effects of WikiLeaks are various, and each studied in isolation would demonstrate very little effects on sovereignty. Similarly, globalisation is made up of a variety of different aspects bringing change to the world; in isolation they do not provide any significant change, but as a group of effects over a period of time, the change is immense. Globalisation changes are also often difficult to realise or comprehend during the time they are occurring and can only truly be understood when viewing the period as a longer time frame. Likewise, it is difficult to understand the effects of WikiLeaks currently, but its' effects must be viewed within the context of the ICT revolution and as well as other continual influences on international relations and specifically the sovereignty of the state.

5.6 WikiLeaks and the Key Functions of the State

When viewing the more detailed ten functions of the state from Ghani *et al* (2005), greater impacts of WikiLeaks can be seen within specific areas. All of these functions will continue to be provided by the state, but the manner in which they are provided may change. Once again, it is the developed states that will be mostly affected, but six of the aforementioned ten functions (in Chapter 2) will be largely affected within states. These would be: Management of public finances; investment of human capital; delineation of citizens' rights and duties; provision of infrastructure services; management of the state's assets and international relations. These functions relate specifically to the services the state provides for its citizens, which in essence reinforces the social

contract that all states maintain with their citizens. The stronger the social contract, the stronger the sovereignty of the state. If the state is able to provide these services adequately its citizens will re-affirm the social contract, thereby reinforcing the state's ability to function in the other four areas: legitimate monopoly on the means of violence; administrative control; formation of the market and the rule of law. Within this analysis we could then divide these two groupings into state services and state sovereign reinforces. Information released from WikiLeaks will reveal any possible shortcomings within state services, thus weakening the social contract, which in turn will negatively affect the state sovereign re-enforcers.

Almost unknowingly WikiLeaks brings about several unintended consequences. In a way it brings about increasing equality, but not true equality, between developed and developing states. As mentioned earlier it provides the global South with political leverage against the global North. It enables developing states to use leaks which highlight the abuse of power by developed states as soft power "influencers". In a manner it highlights the abuse by all states, whether developed or developing, thus bringing to light the true nature of ordered anarchy within the state system.

Another unintended consequence is that WikiLeaks forces states into increased dialogue over shared global and domestic challenges. In 2013 the USA and China agreed to hold regular talks on common hacking challenges (Sanger, 2013). Domestic issues and international issues are inextricably linked, both affecting each other; a good example of this is the relationship between international and domestic law. Although these laws are distinctly separate they have impacts on each other and increase synchronization throughout the world; forming part of globalisation. Similarly, leaks released through WikiLeaks make unscrupulous secrets open, bringing about a more transparent dialogue between states. The USA-EU cooperation agreement could be an example of this; WikiLeaks information has brought about colder relations between the two parties, but in the longer term this could bring about an increased understanding and improved relationship. Most leaders in the European Union (EU) were strongly outspoken against the WikiLeaks revelations of the USA spying on their states (Smith-Spark & Brumfield, 2013). The USA Defence Secretary Robert Gates publicly stated that leaks were embarrassing, but did not have a

major impact outside of that (Hunt, 2010). Most states have publicly stated their frustrations towards these spying revelations; however, it is understood that these states understand the nature of global intelligence and knew about being spied upon. The states of the EU and the USA have admitted to sharing vast amounts of confidential data on their citizens for security purposes. International spying is older than the current system of states, and this undoubtedly reached new heights during the Cold War, but also increased rapidly alongside the ICT changes. Governments' ability to spy on individuals became greater, while individuals' abilities to steal confidential government information also grew.

WikiLeaks actions do not directly affect the first two aforementioned elements of the state, its territory and population; these elements are largely outside the influence of information. However, classified information being leaked to the public could change these aspects in certain ways. If people learn about corruption within their state they may wish to immigrate to another state. This in itself would not always be a strong push factor towards immigration but could influence the decision of a citizen to immigrate. It is not the direct fault of the whistleblower for a corrupt official going to jail; likewise it is not the direct fault of WikiLeaks if negative reactions occur due to their revelations.

In terms of state borders, the increased access to information could supplement a desire for parts of a state to secede, however no cases currently exist which demonstrate increased access to information alone has caused such action. Secession movements are common but generally weak throughout the world. The greatest contribution towards secession is that of historically artificial borders or historically adjusted borders; this is because nations or specific people's groupings may find themselves being governed by larger neighbouring groupings (Pavkovic, 2013). This has commonly occurred in Eastern Europe and Africa, due largely to historically external influences. The social contract as alluded to in Chapter 3, states that citizens knowingly or unknowingly give power to their political leaders. This provision of power therefore also provides the theoretical ability for citizens to withdraw power and grant authority to those with a greater suitability towards their needs. The social contract therefore also provides a need for leadership

transparency. If a citizen, willingly or unwillingly allows themselves to be led, they also have the right to know exactly how they are being led and which actions are done in the process of leadership. The goal of universal transparency (as stated on the WikiLeaks website) forces leaders to be more open with their actions and their use of public funds.

The element of states recognition of one another is unlikely to be influenced by leaks. This is because states are recognised by their historical legitimacy and their current ability to govern their territory and constituents. If these aspects are weak it would decrease recognition, but leaks would only bring these weaknesses to light and are not the weaknesses themselves. Due to globalisation it is likely that other states will determine these weaknesses prior to any kind of leak, and the leak would only bring the knowledge into the public domain. One example of this is the case of the revolution in Tunisia which ousted President Ben Ali. Although the public knew about the corruption, specific details were not known and these details combined with the worsening economic situation led to popular protest unseating the government. Leaks regarding Tunisia's government of 2010/2011 did bring about its illegitimacy amongst its constituents (White, 2011). White (2011) argues a similar line, as has been argued in this chapter, that the leaks were not the sole cause of the revolution but did intensify anger against the Tunisian state. The leak regarding Tunisia spoke frankly about 'The Family', referring to the President and his extended family. Ben Ali (the former Tunisian President) and 'The Family' were sometimes referred to as the Tunisian Mafia. Most Tunisians knew about this blatant abuse and successful businesses grew largely because of their links to 'The Family'. It was only when economic crises created major living challenges in Tunisia that the people decided to rise up against the Ben Ali government. Therefore, the government was changed partially through the power of a leak, yet the state of Tunisia remained and remains a recognised state.

The final broad element of a state is that of its ability to govern with the monopoly of force. A leak is not necessarily a counter force, but a leak contributes to uprisings which the state may not have the ability to suppress. In both the Egyptian and Tunisian uprisings, citizens were not necessarily surprised by WikiLeaks revelations, yet these revelations brought about fresh impetus to the

unrest (Mabon, 2013). Although not necessarily brought about by a leak, the June/July 2013 protests in Egypt show an indication of a state that has lost its monopoly on force (Maqbool, 2013). If a state has lost its monopoly on force, it still could be argued that broadly speaking it maintains the status of a state due to its borders, populations and its recognition (even if recognised as a failed state) by other states. The element of monopoly of force is lost, therefore most sovereignty is lost, but the state remains, and with the necessary actions the element of monopoly on force (alongside sovereignty) can be brought back. Most other states, especially those with large amount of leaked information (the USA), have not lost any monopoly on force. This example highlights WikiLeaks as a soft power influencer, with lesser strength against strong entrenched states.

Three elements demonstrate states' power capabilities: coherence, directiveness and military strength (Gurr *et al*, 1990). These elements can be used to determine a state's strength or weakness. WikiLeaks actions' would affect states coherence the most, with leaks highlighting inconsistencies between the manner a state claims to act and the way it may sometimes act. These actions of immorality and corruption can demonstrate towards states citizens its inability towards a coherent and open manner of action, thereby weakening a state's ruling party. A states military capability would not be heavily affected by leaks, apart from if operational leaks occurred during a specific military activity.

WikiLeaks and other similar sites now pose a deterrence threat to states considering war for dubious reasons. USA military actions across the globe are decreasing (Walker, 2014), despite the continuance of their large numbers of military bases throughout the world. It could also deter states considering justified war due to the possible military activity leaks (which would weaken a military invasion) or the leaks of corrupt or immoral actions which have been found to be common within the condition of war. State power is still largely found in its economic and military might, but WikiLeaks detracts from this power if any state's use of these elements is abusive. WikiLeaks is therefore not necessarily detracting from state power, but largely deterring states from future abuse of power; thereby diminishing their sovereignty. The impact on a state's

willingness to go to war is still to be determined and a topic for further research.

5.7 WikiLeaks and the Rise of Transparency

Transparency is another element demonstrating the impact of WikiLeaks on the diffusion of state sovereignty, justifying the critical theorists' argument about state sovereignty as a contestable dynamic. In modern states, constituents with more knowledge can hold greater power than they previously did and thus transparency opens up space for citizens to have more power over the state, while secrecy strengthens the state. This power is then lost by the state in a zero sum game, and citizens increase influence on the state. Transparency practically means being 'given or demanded information from public organisations as well as private corporations or from different entities within an organisation' (Ahlberg, 2012, 2). WikiLeaks positioned itself as a champion for expansion of transparency and its supporters hold out hope for increase of transparency in governance throughout the world (Ahlberg, 2012).

Ahlberg (2012) correctly points out that transparency was used historically in ancient Greece and in the writings of early political philosophers. Also, transparency is indirectly linked to the separation of power in government (Chigora, 2012). In historical terms the legislature had to know the actions of the executive and the judiciary had to ensure that both groups act within their own law. This was a limited transparency (as sharing of information was confined to the three arms of government), however, still founded in the idea that this kind of transparency promoted fair governance. In order for separation of powers to be successful all three arms of government must be transparent with each other. Greater transparency within these arms will increase transparency with states constituents.

Within Ahlberg's explanation he highlights two prominent features of transparency: its rise in popularity and its extensive use throughout the world in any kind of administration structures. With an increased flow of information comes an increased demand for information. The flow and demand aspects reinforce each other, having strong ramifications on all public and private organisations. When citizens realise their increased access to information, the desire for

information increases and the willingness to share information increases. The current rise in whistle-blowing on a global level has demonstrated this phenomenon. A former auditor for Morgan Stanley has filed a lawsuit against the bank, stating that his reports on their poor lending practices were not taken seriously. Oxford Analytica discusses this case by saying that whistle blowing is both exciting and dangerous, with benefits and negative consequences. Whistle blowing is increasing, but the risks and rewards remain. Safety and security for whistleblowers has not increased (Oxford Analytica Daily Brief, 26 September 2013).

Ahlberg (2012) argues that the rise of transparency as a popular idea falls in line with changes that are accepted internationally as solutions for societal challenges. This then implies that transparency is somehow a solution for a modern challenge. The basic idea of the challenge could be summed up as: irregularities, illegalities and immoral actions which are either largely unknown, not investigated, unchallenged or unresolved due to the power structures in both the international and national systems. This challenge is directly related to the theory of state sovereignty which pits states against each other in a continual struggle for dominance. Stronger states maintain power and the ability to act relatively unchallenged in the international arena, while weaker states simply have to deal with the consequences of these often unchallenged and sometimes illegal actions. The past and occasionally present idleness or inaction, linked to illegal state international action was directly linked to a pure support for an individuals' state, which has waned due to increased globalisation. People are still strongly linked to their states, but a growing number of citizens are becoming conscious of global challenges such as inequality and violations of human rights by their own governments, often outside of their borders. Although rights are viewed differently in different regions and different cultures there is a move towards a body of universal rights. The Universal Declaration on Human Rights was one step taken in 1948 that has created a platform on which to develop these rights. States are being forced to work more closely together in these various developments, thus transferring some sovereignty from a domestic level to an international level. Globalisation as a cumulative force has done much to dissolve the strong degree of state nationalism or support (Suryadinata, 2000).

This three tier, cross-cutting, positive reinforcement of: globalisation; increased demand for information and global desire for transparency has contributed greatly towards the birth of leaks such as those by WikiLeaks and other leaks groups. Leaks have not only sought out state or public information but also information from corporations or any other formal groupings. This demand for information has increased exponentially, as people want to know more about specifics that effect their lives.

The international system of states remains an anarchic struggle for power and transparency disrupts this struggle. Despite this, any progress made on international transparency can be attributed to WikiLeaks. Whether it occurs or not, transparency is an element of most democratic states and therefore could only make any real impact within a state which labels itself a democracy and values a practicing idea of transparency within its governance framework. This is because most global or regional governance structures largely do not have the ability to enforce transparency or freedom of information upon states. In essence, on most issues states are still the highest sovereigns and therefore higher bodies generally do not force a state into action. This would only occur if a state has acceded to various regional or global agreements such as within the European Union or the Rome Statute. Even these agreements will only be adhered to if it is in the state's best interest. Of course, even states with constitutions which uphold transparency as an ideal and make use of it within a legislative framework, still maintain secrets. Norway scored the highest in the 2012 Democracy Index with 9.93 out of 10; however, it's questionable environmental actions, dubious pension fund investment abroad and oil investments in numerous human rights violating authoritarian states showed much unethical behaviour (Curtis, 2009). The USA itself is ranked 21st and labeled as a full democracy, yet its own questionable human rights and state sovereignty violations were revealed by WikiLeaks between 2007 and 2010.

The state system itself allows for these double standards in the form of rules promoting openness and rules protecting the state against openness, while WikiLeaks attempts to universalise the idea and practice of transparency in order to decrease contradictions within the state and increase stronger citizen participation. WikiLeaks has succeeded in part, but its actions are still played out

within the state system, in which strong states use all of their available resources to maintain power and authority internationally. As much as critical theory argues against the use of the older theory of state sovereignty, due to an interconnected and globalised world, its argument can only be strengthened when states lose part of their sovereignty. As long as states maintain much of their sovereignty the idea of universal transparency will always be a futile ideal. Even if states choose to be transparent in their domestic activities it does not necessarily make them transparent in international relations. WikiLeaks uses a blanket approach to the juxtaposition between the domestic and the international arena's. It may be argued that this is the only way to force states and corporations into transparency, yet it may simply increase the desire and actions to cover up irregularities or unethical actions. It is clear however, that this bi-dimensional system or this juxtapositioning between domestic and international arena is not ready for the impact of WikiLeaks, therefore most states will do all they can to end their activities. Other, emerging or developing states will use the information sourced in the leaks to undermine developed states. In diplomacy this undermining is particularly important when weaker states are attempting to gain leverage in a specific negotiation. This creates another side impact of WikiLeaks leveling the playing field between the historically strong or developed states and the emerging states, or simply put, between the Global North and Global South.

There is obviously a strong correlation between corruption and transparency because absence of one is required for the other to become a reality (Azfar, 2007). Direct accountability or transparency consistently has a negative correlation with corruption in the sense that corruption requires that certain actions including unethical decisions and illegal actions are hidden from public scrutiny; this is partly why states keep secrets. Greater transparency will bring about a decrease in corruption because it creates a stronger deterrence factor. It is a simple and obvious theory often discussed by constituencies. WikiLeaks' desire to bring about a universal political and economic transparency will have an effect on states' propensity towards corruption and has an effect on states that have very little transparency but take the boldest decisions and make big claims on ethical issues.

The effect on the international state system will relate to what happens to the states that constitute the system. The system is built on rules, laws and charters that safeguard state sovereignty, but also those that safeguard rights and freedoms including freedom of information. As we have already seen, WikiLeaks has brought to the centre of international debate questions of information, secrets and transparency. This has been showcased in many multilateral debates, especially within the United Nations General Assembly. The recently debated Post 2015 Sustainable Development Goals (SDGs) included heated debate on freedom of information under Goal 16: Peace, Justice and Governance. Brazil has made strong statements in support of access to information and strongly condemning invasions of privacy by the USA secret service.

WikiLeaks and initiatives of this nature exist to eliminate limitations to freedom of information, which means the more secrecy continues, the more WikiLeaks will be needed; but as states find new ways of opening up, they make WikiLeaks unnecessary. Julian Assange once declared ‘...the purpose of WikiLeaks is simply to make WikiLeaks unnecessary...’ (Harshaw, 3; Eds. Star, 2011). The likelihood is that the promotion of these norms and rules will fall back to the international justice system, courts, and other enforcement mechanisms after states had adjusted to the demand for accountability.

WikiLeaks is part of efforts attempting to create a universal culture of transparency and an increased freedom to ‘whistle-blow’ on illegal activities, making the organisation of WikiLeaks itself unnecessary. Due to the relatively recent popularity of transparency globally this would seem a highly futuristic or idealistic statement. It would be far more realistic if it was said within a current democratic state which valued and upheld transparency; however the international system is not democratic and currently does not have the ability to enforce transparency. In reality WikiLeaks would only become unnecessary if all humans knew what everyone in power was doing. This scenario is seemingly impossible and therefore this statement could largely be viewed as rhetoric to increase its global popularity. WikiLeaks certainly needs an increased public marketing as it required huge amounts of funding to remain active in the midst of attacks from corporations, states and religious groupings.

5.8 Impact on the Nature of the State

We mention above the six elements of the nature of the state including that the state should not be viewed as an institution that subordinates all citizens. Indeed, the state will never make its entire citizen's subordinate, as some will receive more power, authority and wealth than others and challenges to state sovereignty such as by WikiLeaks enable citizens to assert their rights and power a lot more. Some citizens will have to work within state systems or government, challenging the power and authority of the state as it has happened with those who leaked cables to WikiLeaks, thus causing powerful governments to panic and rethink what they do. Other citizens will benefit from supporting the state through individual actions and private institutions as it has happened with officials that have energetically defended the states from the whistle-blow initiatives introducing new rules to limit freedom of information. It is quite visible that all states have groups who are marginalized and subordinated below a state's power and these clearly benefit from any actions that cause the states to become more responsive to human rights and freedoms like freedom of information. While there has not been obvious civic actions by the marginalized as a result of WikiLeaks, all transparency benefits the weak in society all the same. WikiLeaks has enabled marginalised groups access to knowledge that they previously would not have had, allowing these groups to question state subordination and question the dynamics of power structures within the state. These "questions" themselves have not always been enough to end state subordination, as in the case of Guantanamo Bay. WikiLeaks revealed human rights abuses at the prison, yet it continued to operate.

The second element suggests the state is not necessarily concerned with citizen's needs or concerns. In this regard the state has its own interests, which do not necessarily mirror those of its citizens or constituents. The state is simply alive to ensure its survival. This survival may or may not include catering towards its citizens. In a democratic state citizens have a greater voice in the determination of their states' actions, but this does not ensure a state will act on the will of its people. Regardless of a democratic or autocratic nature, the state will still act in a way which supports its own survival, without the need to act morally or justly. This also means that states

can support certain groups within its jurisdiction or sovereignty in order to uphold its sovereignty. Its interests are therefore linked to the interests of various groups and do not necessarily include moral or ethical judgement. WikiLeaks has brought many of these unethical power structures to light, yet few strong examples of this having any major impact exist. One slight example is that of Brazil signing two freedom laws in two years. The Freedom of Access Law in 2012 and the Civil Law Marco Internet (2014), otherwise known as the Internet Bill of Rights in Brazil. This is an example of a state embracing technology in order to maintain survival through a revised Social Contract which provides more power to state citizens.

Element three is about the state being out of human control. States are constructed by humans and sometimes enveloped by other states, but their nature or substance cannot be changed. There is no other way to exist outside the current entrenched system, other than anarchy. WikiLeaks is simply a manner of bringing about anarchy and an attempt at creating a new form of international system (Clabough, 2010), but whether the reality after the existence of WikiLeaks bears this suggested intention is another case. A simple overview of the history of WikiLeaks shows that this is not the case. There are two reasons for this: the first is that WikiLeaks does not intend to destroy states and create stateless anarchy. Its goal is simple: to achieve global transparency and to bring about improved global justice. We have found in our analysis that they have no subversive goals, although their platform of online whistle blowing protection is fairly unique and unintended consequences may be possible.

The second reason is that the actual impact of WikiLeaks does not point to destruction of any state. No state has collapsed directly as a result of its actions. Just as states are not specifically within human control, the consequences of WikiLeaks actions' within the state system are not necessarily controllable. The internet and the platform of WikiLeaks have created a new way of looking at information and the availability or freedom of information. The ability of the internet to gain access to and distribute confidential information is an ongoing construction, found largely outside of the realm of state sovereignty and the ability of any major power, economic or political. The desire for information and the need to distribute it grows exponentially with the internet. Like

the fluid nature of sovereignty, governments and economic powers simply have to embrace the continued possibility of the free flow of information. Those groups which do not embrace this change will stand more to lose as leaks become more frequent.

The state does not assist with any form of reconciliation, justice or peace; this is brought about and attempted by the government of the time. WikiLeaks attempts to force an improved justice by allowing information on state activities to be freely available, therefore dissuading states to abuse their power in the future. It is this dissuasion justice that largely does not flow through any specific justice system, yet in some ways balances between the abuse of power and the needs of states. WikiLeaks' fight for transparency and justice is therefore not a state issue, but a governance issue. The state is not a custodian of justice or transparency, a state is simply a skeleton for governance structures, these structures hold the power for justice and the possibility of transparency. This holds true that WikiLeaks will not impact on the state and its sovereignty, but merely affect the manner in which structures operate within the state. For example the way that information is stored and secured on USA government servers has changed. Far fewer government officials have the level of access to information that Bradley Manning once had.

The fifth element of the nature of the state is that people will use the state to wield power and the state itself wields power over people. Power is excised through the state and WikiLeaks is attempting to change this power dynamic and not specifically end state sovereignty. People use the state to excise power over others. This could also be labeled as a 'power-conduit' (similar to the pipe analogy used by Julian Assange in his biography); in a sense it provides the power for individuals and groups to create a selected structure for the states constituents to live within. This structure enables a monopoly on law making, force and the decisions on what or how to provide for the states constituents. The state is what affords a government the power to act, and whether these actions are democratic or autocratic is irrelevant. This power structure is needed for any kind of societal, political or economic transactions to occur; this creates the law and order under which all aspects of modern society function.

The sixth and last element is that the state is an abstraction and not a material object confined to a single specific space. It cannot simply be changed through civil unrest like governments can. It is this element that can assist in demonstrating the WikiLeaks effect. Leakers and WikiLeaks workers have been named as “hacktivists”, political activists using computer technology for their political goals. They are fighting for change within government or governing institutions. They are therefore fighting a ‘collection of persons’ or government structures and not attempting to derail the state system (which is simply an abstraction). They are fighting for change within the state system and not demanding an overhaul of international politics. The state simply being an abstraction of order therefore cannot disappear without a replacement of either anarchy or another future political system. WikiLeaks only originated from a belief in the need for increased global transparency by powerful states; the need did not arise out of anger or fight against the system of states and their sovereignty. The abstraction of the state is simply the skeletal structure on which governance and order is formed. It is this ‘governance and order’ that WikiLeaks is attempting to transform into transparent institutions.

WikiLeaks impact here points towards an evolution of sovereignty and a change to how governments treat information and their future actions. The global system of states will largely remain as the only current alternative is anarchy. In a society built on the order of sovereignty, people could not continue to lead their lives without the foundation of sovereignty. Leaks would therefore not push people towards a desire for anarchy, but a desire to change their social contracts with their political or business leaders. This change or evolution of the social contract links to the constant evolution or accommodation of the state in terms of domestic and global circumstances. This current change in itself has no effect on the territory of a state or the recognition of a state by other states. States undergoing political upheaval are still states and other states recognise this need for change. Sovereignty and the nature of the state have constantly evolved in order to survive various impacts or changes within the international political system. All major impacts on the state have simply been absorbed into the state, changing the nature of the state, but allowing the state to continue largely in its most basic form – having

specific geographic borders and being recognised internally and externally. Other more specific aspects of the state are more susceptible to change.

5.9 International Law and WikiLeaks

International law is intertwined with state sovereignty and therefore is likewise affected by the emergence of WikiLeaks. States have incorporated international law into their domestic law, only to the extent that this entrenches state sovereignty, but still law has also become an avenue for the push to expand and perforate the veneer of state sovereignty. States therefore act in relation to international perceptions as well as their power interests. This interrelation or correlation could be termed as an analytical framework on how states act. Internal interests and power struggles combined with external forces and perceptions drive international relations. WikiLeaks certainly affects both aspects: if internal secrets are revealed it changes power dynamics inside a state, but also creates new international perceptions of states. For example, the USA is now perceived by the international community of states and citizens in a much different light after the Collateral Murder video and after revelations of their spying on enemies and allies throughout the world. States and citizens outside of the USA are far more wary of their future actions, collaborations and partnerships. Alongside this, a domestic debate has emerged within the USA on freedom of information and privacy of citizens. In 2006 50% of USA Republicans believed the government intrudes on their privacy, but in 2013 this figure jumped to 77% (Jaycox, 2014).

The release of private or secret information regarding states activities forces states to act in order to reduce the damage caused by such releases. Domestic reactions have generally been in a two-step process. The first is to defend the actions/secrets that were revealed and the second is a plan of action to prevent further secrets being revealed. The revelations that the USA has been using internet service providers to spy on its own and many other citizens throughout the world led to the drive to bring about the Cyber Intelligence Sharing and Protection Act (CISPA). Effectively, CISPA will allow the USA to legally continue this “spying” on its own citizens. When Bradley Manning (now Chelsea Manning) leaked thousands of war logs the USA realised it needed to constrict access to these confidential files and ensure those working on them would be deterred

from future leaking. This was shown in the harsh treatment of Bradley Manning in prison and the life sentences he was granted (Chelsea Manning, Wikipedia, No Year).

Law has also been used gag WikiLeaks. A major part of what the state have done in response is litigation against WikiLeaks and people associated with it in order to stop what states see as damaging leaks. There is a number of such court cases to review, suffice to pick out here those that illustrate different elements of this response. For instance, Julius Baer Bank filed an injunction against WikiLeaks from leaking certain information (relating to their transfer of several companies earnings to tax havens) and a San Francisco judge ordered WikiLeaks hosts to discontinue their site in the US. This was one of the earliest negative reactions to WikiLeaks and the site was ordered to be closed, however WikiLeaks won a counter suit in which the judge agreed to allow the site to remain open in the USA due to an argument created from the 1st Amendment. According to reports this bank leak has led to tightening of all major bank information. The Anonymous group of hackers released information from HBGary, an internet security firm attempting to maintain the secrecy of top banks internal workings. The firm looked at several ways in which to counter WikiLeaks information distribution. One method would be to attempt to stop those who publish the material in the mainstream media (Naughton, 2011). The idea is fairly weak as anyone can be a publisher of online material and the mainstream media can always latch on to smaller publishers and online bloggers. Attempting to stop the distribution of information published on WikiLeaks is currently futile.

It is much more difficult for states to use international law to constrain or punish WikiLeaks unlike domestic law through which some states have brought actions against WikiLeaks. The Espionage Act in the USA is being used against Assange and WikiLeaks. This act allows the USA to prosecute any citizen or foreign national that has disseminated confidential USA government documents. Many discussions and rumours have emerged on whether the USA would use this law against Assange, yet the USA has not implemented this action (which more than likely would be taken if Assange was extradited to the US). The argument against the case for the use of the Espionage Act would be international human rights law, in which WikiLeaks could argue that the world has

the right to know of human rights abuses by USA security forces in Iraq, Afghanistan, the Yemen and Cuba.

Currently it could be argued that elites still play a strong role within the state, but most state governments have become increasingly participatory with the increase of democracy, human rights and other elements such as ICT, which have diffused power throughout constituencies and allowed greater influence. Current states therefore have the ability to be influenced and changed by a variety of sectors, whereas 300 years ago this was not at all possible and state changes were brought about by a select few. The current changes that ICT and WikiLeaks are bringing about could be grouped into a revival of the 'participatory revolution', refreshing the nature of democracies globally.

5.10 WikiLeaks Impact on the Diffusion of Power Debate

The changes to the state not being seen as a zero sum game refers to the fact that if power is given or taken by non-state entities it does not necessarily infer a loss of power by the state or by its sovereignty. New dimensions of power are constantly occurring, yet sovereignty remains present. These dimensions of power remain under the sovereignty of the state, even if they are not directly influenced or controlled by the state and even if their power changes the nature of the state. Jayasuriya (1999) uses the example of various state agencies and bodies which have relatively independent power or sovereignty over their specific areas of expertise. This is granted by the state bringing about a necessary diffusion of power in order to maintain order and continuance in a complex world with increasing complexities. A complex and globalised world has therefore forced a diffusion of power within states, in order for them to remain states and remain sovereign. States no longer have central power bases, but have increasingly diffused their power through a variety of branches. This is partially a result of democracy, or democratic changes, but also as mentioned above, the highly complex nature of the world which cannot be successfully controlled or regulated through a small group of people. A large variety of experts with differing knowledge bases are needed for a state to operate successfully in a complex and ever changing

world of interlinked and interlocked systems.

It is this complexity of international relations, global politics and domestic politics which allow for the diffusion of state sovereignty and the continued survival of central state sovereignty to occur concurrently. This occurs through the actions of state citizens and state officials continuously grinding against each other. In effect, greater transparency and greater invasions of privacy are occurring. WikiLeaks have generally advocated for increased transparency and increased individual privacy, however, greater transparency will naturally lead to a decrease in individual privacy. Privacy debates emerged in the 1980s when network technology was still in its infancy (Westin, 1982); while transparency debates emerged with strength in the 1990s (Florini, 1996; Tomkins, 1999). More recently studies (Adjerid *et al*, 2013; Rubinstein, 2012) show a decrease in privacy and an almost subliminal acceptance from the public.

WikiLeaks' contribution to this has been in several areas. Firstly, an increase in debates on a world scale and at all levels of society regarding the question of transparency in a manner that makes it difficult for states to strengthen state secrecy. Largely it has been security services and top government officials who have campaigned for the side of state secrecy, although even Presidents and Members of various parliaments have begun speaking out against the secrecy of government surveillance. Brazilian President, Dilma Rousseff has spoken out strongly against secret state surveillance throughout the world. Although advocating for a balance between secrecy and transparency, Chris Inglis (NSA Deputy Director) even acknowledged that transparency needed to increase. Former security services officials from the USA and the UK have all added their voices to the debate, saying that legislation needed to be in place and proper supervision of any kind of surveillance is crucial. Others would argue that it is a contradiction in terms if surveillance is monitored by an independent body. Would this body ever be able to be truly independent without harming the work of surveillance?

The role of non-state actors and individuals in taking on powerful institutions and speaking their truths to power has also been bolstered. Julian Assange and Edward Snowden have become

symbols of what individuals can do to challenge the huge machines of power like states. It does not matter whether one agrees or disagrees with them, but the fact is that individuals, specifically “hacktivists” are standing up and taking on the powerful. Due to the power of the internet and its ability to make something go viral, individuals are able to gain massive audience if the right aspects are being discussed at the right time. Video blogging is used by individuals, news rooms, political figures and large corporate groupings. WikiLeaks combined with the internet makes whistleblowing possible and gives a much greater voice to individuals who previously did not have this type of power.

5.11 State Reactions: Proportionate or disproportionate?

An important element of assessing the WikiLeaks effect is to measure how states have responded both to the existence of WikiLeaks and to specific leaks in order to determine the effects of WikiLeaks on their conduct. We have known for a time that states stand to act harshly against threats they feel or fear and less so about distant threats. So, the state responses say something about the effect. Two considerations are important for this purpose: one is what states have said and secondly what they have done in response over and above the actions described above. This section reflects on the basis of examples from a number of countries how states have responded.

In respect to what have states said; naturally the biggest reactions to leaks published on WikiLeaks have come from those in positions of power who have the most to lose. With the release of the Afghan and Iraq war details and Diplomatic Cable leaks the USA government has arguably been the hardest hit by the impact of WikiLeaks actions. From the USA and other affected states a wide variety of reactions have appeared. Some supporting WikiLeaks partially, others calling for Assange to be charged under the Espionage Act of 1917 (Phillips, 2012) and some even as brazen enough to say that Assange should be killed by a drone or USA Special Forces (People okay with Julian Assange being Murdered, WikiLeaks Forum, No Year).

Reactions from within the USA have ranged from anger to appreciation. The White House spokesman, Robert Gibbs stated that the leaks were dangerous and could cause harm to a variety

of groups and individuals. He specifically indicated that Diplomats and Intelligence officials were at risk if their names were included in leaked documents (US Defence Department Response to WikiLeaks, 2010). No specific examples of this possible harm were listed but scenarios could be imagined. Leaked conversations of USA diplomats talking to democratic opposition parties in autocratic states could cause harm to these political groupings and possibly the entire USA diplomatic presence in that country. These scenarios are possible, although it has been difficult to determine any real harm caused by WikiLeaks actions. If there were any serious cases the countries harmed by leaks would magnify the stories for maximum impact. A former USA cyber security and counter terrorism officer, Roger Cressey said leaks from the website had hampered discussions with states such as Saudi Arabia, Yemen and Afghanistan, who were also assisting with counter-terrorism activities and the fight against al-Qaeda. Secret discussions with these states had built up a level of trust and cooperation, which may now be difficult to rebuild. These relations which may or may not be damaged are however, simply immeasurable. The only true way in measuring a state's ability to influence global affairs are in determining their real strength in terms of economic, political and military might. These elements are outside of the control or influence of leaked conversations or information.

Information decreases in value with time and therefore most leaked information regarding diplomatic interactions is simply outdated and of no effect. In this regard leaks are most powerful in the hands of states constituents, in order for them to know and truly understand the actions of their governments. Leaks largely created embarrassment in this regard and detracted power from certain individuals and groups. If the leaks highlighted corrupt practices constituents had the right to the information and therefore the defence against the leak of such documents becomes very weak.

Some states have not spoken ill about WikiLeaks, but have used leaks to speak tough to other states that have been shown to have acted unethically against them. Brazil, France, German, Mexico and Spain were just a few countries who were outraged over USA spying leaked (Smale, 2013). These leaks have continued to have an impact on diplomacy amongst these states,

decreasing trust and lowering the chance of cooperation.

Michael Cox (Chatham House - a UK-based Think-tank) said that the leaks would not cause any major damage to the international system, but simply bring about higher levels of secrecy and confidentiality within government and diplomatic operations (Smale, 2013). This belief supports the idea that WikiLeaks will have little effect on the sovereignty of states and most of its damage would affect governments from weak or developing states. Zenor (2011) outlines several platforms which support WikiLeaks actions, from Time Magazine, the First Amendment Coalition, the Economist and Amnesty International. Zenor (2011) even cites people who claimed that WikiLeaks had a major contribution towards the 'Arab Spring' uprising.

One of the most notable reactions to WikiLeaks was the 2010 USA Federal Ban on its employees accessing any information leaked by WikiLeaks. This meant that even accessing mainstream media sites which have published 'Wiki-Leaked' information could be punishable by law (MacAskill 2010 & LaFranchi 2010). This is due to the fact that the leaked information is still regarded as classified. This issue creates a whole new challenge for the USA government, as WikiLeaks information is found on a variety of mirror sites and media sites. The challenge of monitoring every USA Federal employee may be far too difficult for even the USA government. A few months later in January 2011 the USA Air Force published an online recommendation that family members of USA Air Force staff could also be prosecuted for reading 'Wiki-Leaked' information. The Air Force later backtracked on this statement, saying that correct authorisation was not received to publish the warning on its website. This was brought about by an outcry from family of USA Air Force staff (MacAskill, 2011).

The USA government is placed in an uncertain and highly uncomfortable situation as it is trying to minimise the harm created by documents leaked on its activities. It cannot completely stop its employees from accessing classified documents leaked by WikiLeaks, as these have been published online and in physical paper format. Even outside of internet information flows people talk, watch television, attend meetings and take part in a variety of other information sharing

activities. There has become a strong apparent contradiction in the USA governments' foreign policy of promoting freedom of speech and press throughout the world, yet is seen to be willing to take strong action against those who leak documents of their possibly illegal government action. These contradictions are common when domestic needs meet international actions.

Due to the nature of the international system the manner in how a state deals with its citizens can often be very different to the way its deals with foreign states and foreign public. WikiLeaks and other leaks sites are now forcing a change in this regard. There is a greater need for accountability when states partake in activities in other states, especially in the activity of wars and covert wars. The USA attempting to block all access to these leaked documents is frivolous and focus should be placed on activities going forward. There should be a focus on ensuring activities that are conducted by the state will not embarrass or cause harm if they are leaked. That, combined with new regulations on the control of confidential documents and the decisions to classify documents as confidential, should be reviewed.

Zenor (2011) states that whistle blowing protection in the USA is very weak and greater protection should be afforded to national whistle-blowers if they wish to contain and act upon leaks within the confines of the state. Whistle-blowers should be deterred from sending classified information to platforms outside of the USA government. This would only be possible if internal whistle-blowers identities are kept secret and a public prosecution platform is strong enough to deal with their leaks. This strength should include, if necessary, the ability to prosecute senior government members for compliance or collusion toward illegal government action. Secondly a new legal standard for declassification must be formulated; this will be utilised through two basic principles: 'classified documents must contain information pertaining to national security and cannot contain information about illegal government actions' (Zenor, 2011, no page number).

All documents that do not fit these criteria should automatically become declassified. This would ensure that classifications are only used for their correct means, to protect national security and not to protect illegal government action.

According to Geoff Morrell, the Defence Department Press Secretary in a statement released after WikiLeaks released the war logs in 2010, WikiLeaks induced individuals to break the national law and leak classified documents that terrorists might use the information for future attacks and so, in their view, WikiLeaks posed dangers to informants currently infiltrating terror cells. The Defence Department requested that Assange return all the stolen documents but did not offer any kind of amnesty for Assange or WikiLeaks if this was done. The USA would not hesitate to prosecute Assange under any law possible.

This reaction by the Pentagon appears to be in contradiction with its claim that most of the leaks have already been documented in various types of journalism, which means they were harmless. Yet it said the information had the ability to harm current troops stationed in Iraq or Afghanistan. The USA government was clearly ready for this press statement as it occurred very shortly after the leaks were broadcast, but it remains a rapid reactionary response and not in any way a concrete plan of action on how to deal with current and future leaks. If the USA continues with responses similar to this then groups such as Anonymous and WikiLeaks will continue to locate confidential documents and leak them. This information war will continue unabated until governments of major powers change their actions and create reasonable internal mechanisms for dealing with confidential documents which reveal illegal or improper activities by government individuals or groups. Unfortunately, power and the seeking of greater power within the anarchic system of states often create a necessity to act illegally or immorally. The argument will always be made that a state needs to act in these irregular ways in order to protect its own citizens. This is simply a facet of the state system and the principle of sovereignty moves between greatest importance and lesser importance depending on how a strong state needs it usage. Sovereignty has always been a loose concept and this information war has highlighted this even more.

5.12 Media Freedom and Transparency

As mentioned in Chapter 3 transparency has increased in importance globally, especially as an indicator for democracy and democratic institutions and the use of the media in this regard is

important. Certain states have recently become well known for their transparency advocacy. Iceland and Sweden are especially highlighted for their increased push towards political transparency as WikiLeaks looked to both states as a possible base. When the USA Federal Bureau of Investigations landed in Iceland in 2011 to investigate WikiLeaks they were asked to leave the country by the Icelandic Home Secretary. Also in 2011 the parliament of Iceland passed a Bill which enshrined transparency and freedom of expression into law (Lemkin, 2015). In Sweden two out of their four fundamental laws of governance concern freedom of expression (Lemkin, 2015). Julian Assange was based in Iceland for a long period of time while working on WikiLeaks and the Collateral Murder video was edited in Iceland. Despite changes in server providers Sweden has been the home of the WikiLeaks servers since the organisation commenced.

During its emergence WikiLeaks formed several key partnerships with journalists and newspaper organisations. In its early days it collaborated with Der Spiegel (Germany), The Guardian (UK), Le Monde (France) and the New York Times (US). These partnerships were crucial in assuring that leaks received the exposure that was needed. If only a portion of the internet had published the documents and a few bloggers had written about them, these leaks may have been perceived as propaganda and illegitimate. These respected newspaper institutions were crucial in legitimising the leaks released by WikiLeaks. The relationship between WikiLeaks and the aforementioned organisations was initially good, but worsened after WikiLeaks pushed to release war logs and diplomatic cables without redacting names and possibly endangering people's lives. The media houses wanted to maintain a level of media ethics, protection of sources and their own integrity. WikiLeaks did not have a global reputation and therefore, in a sense, had nothing to lose. It was this point that WikiLeaks made unethical decisions through Julian Assange, whereas it could have chosen a different path with improved ethical decision making.

5.13 The Internet & State Sovereignty

The internet is certainly a new aspect of the world, only being freely available to larger populations for about 20 years. Like many other modern elements of society it exists in a grey area of state sovereignty, operating within states, yet also transcending state borders and often

transgressing laws which apply in some states. The internet is the overall platform upon which WikiLeaks is based and WikiLeaks is only a small fraction of what the internet comprises. The internet has also allowed the ICT revolution to become a major force for change in the world, affecting every aspect of the way the world functions. The speed and efficiency of communication, the availability of a constant stream of old and new information and the ability to locate secret information through hacking has brought about major changes within the current global system and the way in which states operate domestically and globally. Slaughter (1997, 184) paraphrases Mathews (1997) in attributing this power shift to a change in the structure of organisations generally, from centralised to decentralised and from hierarchical to non-hierarchical formations:

Mathews attributes this power shift to a change in the structure of organisations: from hierarchies to networks, from centralised compulsion to voluntary association. The engine of this transformation, he says, is the information technology revolution, a radically expanded communications capacity that empowers individuals and groups while diminishing traditional authority. (Slaughter, 1997, 184)

It is clear that the internet and rapid communication through its physical networks has empowered individuals and communities more than anything else in history. It must be reiterated that this empowerment is not a transfer of power or zero sum game, but simply an emergence of a new power source, attached and detached from, found within and found outside, of the core sovereign power of states.

The internet therefore has a far greater impact on the world than any of its individual sites. Some sites would stand out as bringing about changes to the way the internet operates and is used. The relationship between websites and the entire internet is reciprocal, with both effecting each other. Websites expand and change the nature of internet usage; however the internet remains relatively constant in terms of its existence and its nature. States are attempting to change the

nature of the internet by restricting certain sites; however, due to its availability and its ability to continually mirror sites, the internet is virtually uncontrollable. In a sense it could be compared to a combination of matter and the universe; it is ever expanding, cannot be destroyed, but merely morphed into different forms and used in varying ways.

The internet's effect on the state has been far greater than past influences, over which states were largely able to gain control over a period of time. Due to globalisation and the increased state financial interdependence, the internet has become a unique feature of the world. Its uniqueness comes from its inability to be controlled and its unstoppable expansion. For as long as server space increases and servers become smaller, the internet will keep growing. Like the state, the internet has no specific mandate or objective; it certainly also does not have a moral or ethical foundation. Like the state, it is the nature of humans that shape the way it looks and will continue to look going into the future. Without the internet WikiLeaks could never have emerged. The internet has provided the platform for WikiLeaks existence. The internet is generally outside of a single states control and thus WikiLeaks is also outside of a single states control. The internet allows any person with a connection to upload information to WikiLeaks, while at the same time allowing the same information to be viewed globally. This provides a fresh and easily accessible source for journalists, but also an outlet for whistle-blowers who do not trust internal whistle-blowing mechanisms.

5.14 WikiLeaks: a future?

Two sets of factors will impact on what becomes of WikiLeaks in future. One is an internal set of factors to do with how WikiLeaks functions and is managed, and other is external, relating to how the international environment enables or dis-enable leaks generally including whether legal protection for whistle-blowing improves or not.

Internal Factors

One of the biggest challenges WikiLeaks has faced is not a support base, but rather its own

specific worker base. For a long time WikiLeaks attempted to inflate the perception of its real size, which in reality was often only two people and a few other journalists. The work that its team had to complete in short periods of time was far too great. This often led to shortcuts being taken and many names not being redacted from leaked documents. WikiLeaks has always been a small group of people with a huge goal, largely coordinated and driven by its founder: Julian Assange. The pending investigation for rape allegations in Sweden also had a major impact on WikiLeaks' credibility and their continued support from the public. Julian Assange has been the main figure in WikiLeaks creation and its continued existence; if he were to be assassinated or jailed it would more than likely bring an end to the website. As noted he is a charismatic figure with a zeal for controversy and an unwavering goal of global transparency. Funding for WikiLeaks (servers, staff travel, accommodation and food) has been a daily struggle since its inception as it largely relies on donations. The amount of these donations generally correlates with high profile exposures; therefore, if they do not continue to leak documents their finances dwindle. However shaky they may be, WikiLeaks does have a foundation to continue, but this would largely depend on Assange's ability to continue to lead the organisation.

External Factors

This debate aside, it is clear that WikiLeaks has been a major spark that has ignited a goal of global transparency and a revival of a 'participatory revolution'. WikiLeaks has made secrets known that likely would never have been known to the public. Along with the internet WikiLeaks and other groups have pushed the idea that organisational or state information belongs to all who live in the world, simply because their actions effect populations and populations have a right to change their future actions towards a more just society. So, growth in transparency through better laws and strong protection of rights will help WikiLeaks grow It will provide the site with global recognition and acceptance, not only from citizens, but from states and governments.

As indicated, WikiLeaks funding was largely bolstered by donations shortly after major leaks were published. If WikiLeaks does not continue to leak information their funds will end and their ability to maintain payments for their website and their servers will become severely weakened

(although the piratebay.org in Sweden, agreed to host WikiLeaks without charge¹). In this regard it could be argued that WikiLeaks overextended itself in an attempt to create a strong global awareness of their activities and the information they have leaked. WikiLeaks has brought about the largest document releases in history (Parr, 2010) and has perhaps attempted to release far too much information in a very short period of time. This information could have been slowly organised, had names redacted and leaked over a period of years, thus increasing the effect of the leaks and ensuring a slow and steady source of donor funding. With Assange still “trapped” in the Embassy of Ecuador in London, WikiLeaks activities have stalled, yet their impact is still massive. They have shown governments the ability of ordinary citizens to counter their power and force government structures to reconsider how they act and how they classify future documents.

The issue of WikiLeaks not being transparent themselves, the rape allegation against Assange and the apparent continued arrogance of Assange have done little to maintain support for WikiLeaks. The support that it has lost through these issues will always be present towards its original ideals: increased global transparency. Further allegations that Assange demanded confidentiality agreements to be signed by all parties who worked on WikiLeaks’ documents and requests for huge sums of money for interviews have increased negativity towards the websites dubious reputation. This has further increased the likelihood of WikiLeaks closure, yet no clear indications have appeared towards this possibility. With new leaks being distributed by Edward Snowden and WikiLeaks assisting his travel to escape conviction, the USA has gone on a new offensive to attempt to stop future leaks and prosecute current leaker's. The conviction of Bradley Manning is evidence of this offensive (Sheerin, 2013). Manning was convicted of 20 charges including theft, fraud and espionage. At the time of his conviction in August 2013 the USA was still trying to extradite Edward Snowden in order to prosecute his leak in the USA. As one of the major global powers the USA is still unwilling to allow the internet and a group of hackers to influence the way it carries out its domestic and foreign policies. It is becoming an increasingly open war of information with the USA attempting to close all loopholes of access to information, while information is continuing to flow from their grasp. This has been demonstrated with the Cyber Intelligence Sharing and Protection Act (CIPSA), in which the USA government is attempting to

legalise spying on its citizens for the purposes of security enhancement. This is a simple attempt for the state to increase its control in a global environment which is gradually diffusing the state's power and sovereignty.

Time Magazine's article entitled '*Geeks who Leak*' (Scherer, 2013) describes a new generation of young people growing up on the free flow of information over the internet and struggling to compliment it to the secrecy of the states they work within. They believe that confidential information of state actions should be freely available. However, in a world governed by the state system is it permissible to say that all of the world's humans are entitled to certain states private information? This is another research topic in itself, but the gist of the article is that leakers and the ideology of leaking information is growing and therefore regardless of whether WikiLeaks continues to operate, leaks will continue to appear on a more regular basis. The idea of a free flow of information is fairly organic; it does not need further cultivation and it cannot be slowed. This could bring about a future where governments would be forced to share information and disclose their actions continuously. This idea may have been highly idealistic prior to the internet, but now governments and corporations would either have to create more stringent controls on their information or let it flow freely. The case for bringing about more stringent controls on information carries further consequences in that hacktivists and other activists will always attempt to gain access to this confidential information. This scenario has already being labeled as an information war prior to and after the actions of WikiLeaks (Marshall 2010 & Molander *et al.* 1996). While governments improve information encryption, hacktivists develop new tools to circumvent the blockades.

In some ways WikiLeaks has failed and other ways it continues to live on. In the murky world of information flows, negative and positive stories about WikiLeaks abound. Insider information from people who have worked with Julian Assange does often point towards scandal or negativity. His authoritarian leadership and often shrouded or hidden activities (as highlighted by Daniel Domscheit-Berg) tell a story of a man attempting to change the nature of the global system, but not always knowing exactly how this will be done, in a way finding his way in the dark. The

internet has brought about vast changes to the world; most of all the flow of massive amounts of information has made an impact on all people of the world. WikiLeaks has attempted to make hidden information available to the global public, yet the reaction by many states has been negative to the point of almost closing down the organisation and forcing Julian Assange into a chosen prison in the Embassy of Ecuador in London. States will always maintain and use secrets, but leaks sites such as WikiLeaks will always attempt to reveal these secrets, bringing about a constant tension between states and individuals, providing sovereignty to individuals or groups but not necessarily decreasing the sovereignty of states. If the global system were a sport, it could be said that the nature and form of the sports pitch or even the peripheral rules are constantly changing, yet the core rules of the sport remain the same. The state remains present, yet the nature of its sovereignty is constantly evolving.

5.15 Conclusion

This chapter discussed the effects of WikiLeaks on state sovereignty and its perceptions through the various themes that have emerged in the debate about WikiLeaks, namely: the question of transparency, which while increasing, diffuses partially, the sovereignty of the state to its citizens. Also prominent in the debate is how the state is dealing with the phenomenon of WikiLeaks, but more importantly its management, or attempted management of the internet. There is a realisation here that the internet is organic in nature: its expansion and nature cannot be curtailed by any single group, it is a result and product of global thought and actions. The state is visibly attempting to maintain greater sovereignty by exerting greater control over the internet and WikiLeaks, but this becomes difficult due to the weakness of international law over these international issues. The internet and WikiLeaks are global elements which different states are trying to curtail domestically; while an enlarging group of citizens are pushing for greater democratic and transparency reforms.

The biggest current threat to state sovereignty is that of ICT and developments stemming from ICT advancements. The fact that most developed states rely on ICT networks and servers for most of their activities opens up the possibility of major catastrophic events unfolding through the

actions of illegal cyber activities. However, ICT also serves to strengthen strong or developed states. Like all other effects that have previously affected the state, it remains to be seen whether the state can simply absorb this variable into its continued functioning, or whether ICT is one factor contributing towards the demise of the state. If the latter is true, then WikiLeaks would be a small factor within this contribution towards state demise. The spread of information is currently not a specific major threat to states, but can destabilise governments, which could later have an adverse effect on the life of the state and its sovereign worth. The system of states and their sovereignty has repeatedly maneuvered through various obstacles and challenges in its history. Despite many critical theorists saying the state is far weaker than it once was, it is still the focal point of all interactions in international relations, however, the ever growing complexity of the international system makes it ever harder to predict future outcomes and the prospects for the state and its attached sovereignty.

Chapter 6

WikiLeaks, State Sovereignty and Transparency: A Conclusion

6.1 Introduction

WikiLeaks has brought about several major impacts in the world. These can be divided into domestic, international and effects which dually affect both. Domestically it has changed the way in which people view and interact with the social contract; whereas internationally it has changed the dynamics of relations between states. Within this study an effort has been made to separate the state from one of its core facets: sovereignty. The state is a very basic element, which itself has not changed much since 1648, however, its facets, especially sovereignty have continually morphed. The line between purely domestic or purely international affairs has been blurred through globalisation and WikiLeaks has become another blurring effect within the greater area of globalisation. Effects on domestic issues will have repercussions internationally and vice versa. States are still their own unique entities, but many of their actions have global repercussions, especially if they are strong global players. This chapter provides highlights of the discussions that have been used to analyse the impact of WikiLeaks on the state, state sovereignty and citizen's relations with the state through transparency.

6.2 On State Sovereignty

The state can exist without sovereignty, if other states continue to re-affirm its existence. An important aspect that this study displays is of sovereignty not being dissolved or disappearing. Sovereignty is merely being diffused or transferred, as participatory governance structures increase. Democracy was a major part of this increase in citizen participation in governance, but since its early formations it appears that this increase in citizen participation has become relatively dormant (especially since the end of the Cold War). WikiLeaks, but more specifically ICT changes have brought about a new platform for a 'participatory revolution', increasing the desire

of citizens to be actively involved in reforming what could be labeled as 'sovereignty structures'. These structures are held in place by the global elite and many people are frustrated with the low level of participation democracy has given them within their particular states or even global system. WikiLeaks, social networks and other internet based sites have brought about a new outlet for this frustration and a possibility to make an impact, without financial or political leverage.

We envisaged investigating issues that placed challenges on the state, but through the investigation it was realised that none of these issues have challenged the state, but rather impacted on the nature of sovereignty. The state has remained present and its general nature has remained: geographic borders, a population, internal and external recognition. It is the power structures, which can be summed up as its sovereignty which have constantly evolved. WikiLeaks current impact has not shown a major direct effect on sovereignty, but glimpses of reactions and counter reactions point towards a shift in the nature of state sovereignty. WikiLeaks has diffused a portion of state sovereignty into the hands of its constituents who have access to an internet connection.

Sovereignty is a crucial facet within the state, but it does not necessarily matter where sovereignty lies and if citizens have a greater sovereignty than state structures; it is only as long as it still exists to support the functions of the state, that the system of states remains intact. State structures need sovereignty and whether this lies with the elite or more with the constituents is irrelevant. It will only become irrelevant when the citizens with this sovereignty decide to erode state structures and thus dissolving sovereignty into increased anarchy. The use of the terms sovereignty and anarchy are used here with caution, as a state can have sovereignty and anarchy to varying degrees, and have higher or lesser degrees of sovereignty or anarchy in certain geographic areas. Thus it is dangerous to simply use the terms interchangeably. Politicians will make use of the possibility of "anarchy" to scare its constituents into specific 'belief tunnels', in order to bring about desired changes; while an absolute anarchy is virtually impossible.

WikiLeaks has brought a fresh look onto many old topics within democracies. These include the idea of transparency (or freedom of information) and justice through increased transparency. WikiLeaks is largely based upon these aspects, yet justice through transparency is relatively difficult to measure or ascertain, as this kind of forced transparency is above the law of many states, yet justice can currently only occur within domestic states courts (as international courts or policing is still too weak). WikiLeaks is a bold step in attempting to change the nature and structure of the political systems of the world. It does not attempt to create the demise of the state or bring about anarchy, but rather seeks to detract power or sovereignty from a central point; it is playing a diffusion role in the ever diffusing sovereignty.

6.3 State Responses and their proportionality

Despite various attempts to close down WikiLeaks and prosecute Julian Assange it has not been possible because they conduct affairs internationally, and can only be prosecuted by a domestic court as they have not transgressed any international laws or norms. Global governance structures are too weak to dismantle WikiLeaks, therefore leaving this in the hands of individual states. Not all states disagree with the actions of WikiLeaks, as they benefit from the information/intelligence leverage created by WikiLeaks. It is therefore only some states that seek to end WikiLeaks' work, but even within these states large support for WikiLeaks' actions exist. It could be said that WikiLeaks is ahead of its time, and in a way the world is not ready to act against it or even absorb its goals. It has not been stopped, but similarly it has not been greatly successful in bringing about improved justice through transparency.

Many states will continue to argue that the actions of WikiLeaks are highly irresponsible and are a major security threat towards their military and their citizens. This has been countered by the argument that no loss of life has been confirmed as a direct result of WikiLeaks' actions. It must be acknowledged that WikiLeaks does operate in what could be termed a bi-dimensional framework. This refers to the domestic and international levels within which WikiLeaks operates and affects the world. The leaks released by WikiLeaks effect states internally and externally. The internal effects can bring about major political changes, or simply make a constituency more

aware of its states actions. This can effect democracies in that constituencies may be led to change their voting patterns; and autocracies in that it may contribute towards popular uprisings, as in the 'Arab Spring' examples. While operating within the bi-dimensional framework WikiLeaks may provide benefits to some states while having negative consequences for others, thus largely being a positive contribution for states constituents, but having more of a negative impact on international relations. Overall, WikiLeaks is and will continue to contribute towards providing more sovereignty to states constituencies.

6.4 Impact of Internal Dynamics at WikiLeaks

Finally, WikiLeaks has been plagued with a variety of controversies, which has in some ways made its work seem unreliable, but in other ways simply publicizing their work even more. Rape allegations against Assange, allegations of his autocratic leadership, possible financial impropriety and the editing and publishing of some material (instead of releasing unedited material, which could allow a viewer to determine their own conclusions) are just some of the negative issues surrounding the organisation. Despite these issues, WikiLeaks has brought about a new way to think about transparency and created a global debate on which information should be private or public. Much of their released information has been fascinating and often saddening to the general public – especially the knowledge of specific war actions and the invasion of privacy through information collected through major internet service providers. Despite this, much of the information released by WikiLeaks was already suspected by the general public, known by many diplomats, journalists and other security officials. As posited by Andrejevic (2014), WikiLeaks has forced dialogue on certain issues which were known but often avoided by mainstream media and political figures.

6.5 Impacts of WikiLeaks

Longer term changes from the operations of WikiLeaks are hard to determine (and these should be researched once sufficient time allows a holistic examination), but currently WikiLeaks has brought about a variety of short term changes. Firstly, information warfare between those who

believe all state or corporate information should be freely available and the states or corporations themselves. This “war” has been ongoing for a number of years, and has increased through the emergence of WikiLeaks. Both sides of this “war” are constantly creating new software or mechanisms to hack or hide information. This activism has brought about a new drive for improved democracies (or new democracies) with greater transparency. Global information war and privacy wars will continue to grow, alongside the growth of a variety of leaks sites; proving that WikiLeaks alone is not a major sovereignty changer, but it sparked an information revolution. Similarly, Julian Assange alone has not changed sovereignty, but as the self-enforced first global ambassador for leaking and public information transparency; he has publicised and marketed a once underground movement to become a global norm. WikiLeaks and Julian Assange no longer carry this mantle, but it is carried by the wave of the internet, the hundreds of leaks sites and the desire to know more, curb corrupt power and work towards a more equitable world.

6.6 The Future of Hacktivism: WikiLeaks Case

This scenario may create a future deterrent for states wishing to go to war for questionable reasons. States attempting to invade other states sovereignty, to simply increase their economic might, would be wary of the true reasons for these invasions coming to light. International internet regulations will become stricter, but the enforcement of these will be challenging as a greater amount of people become involved in this ‘participatory revolution’. Political scientists will be forced to recognize the political impact of these “hacktivists”. The nature of activism has gone underground through the internet and leaks sites such as WikiLeaks have enabled this underground world to remain relatively secret. No matter what happens to Julian Assange and WikiLeaks in the future; a flame has been lit under domestic and international politics that threatens to re-align the power balance between elites and activists, possibly resulting in the greatest diffusion of sovereignty since 1648.

6.7 Future Research

The area of any impacts from the internet on the state is extremely broad and vast amounts of

research are needed to examine these effects. Research on whether a future state needs a balance between secrecy and transparency or whether transparency without secrecy can allow states to continue to function is necessary. The increase of a global morality, in which state or private officials feel the need to leak information for the greater good, is in itself a major impact on sovereignty. Citizens who feel the need to look after all humans across state boundaries are becoming more common and global views towards many future governance challenges are developing. The state must continue to be dynamic to incorporate these changes or it will be left with no choice than to act with unnecessary force.

Another future question to investigate would be whether the state should look to strengthen its own position in order to survive, or should humanity be striving towards a greater form of governance which in effect is shared sovereignty, shared decision making and participatory governance (or participatory democracy). Within this there are questions on laws governing the internet and freedom of expression online. The internet as a tool can be used for high moral purposes, yet it can also allow for increased criminality and immoral actions. Humans must learn to adapt alongside their own creations, or they will create their own destruction.

This study was merely based on critical analysis of writings about WikiLeaks and future studies should also include actual leaks papers and the specific effects they had on individuals and societies. The amount of leaks available to study makes it impossible to provide adequate attention to all and therefore some could be studied in groups, such as Abu Ghraib Prison or Diplomatic Cable leaks regarding specific countries or regions.

6.8 Conclusion

Thirty years ago the idea of WikiLeaks would have been science fiction, yet today it is a reality; leaking is common place and therefore the nature of the state has changed. The state has shown its resilience through its ability to incorporate changes and challenges and there is no reason to believe that the state cannot do the same with threats of increased leaks, decreased secrecy and a relatively free and open internet. The manner in which the state in general chooses to react to

these dynamics will determine the future of governance globally. This study has clearly demonstrated that WikiLeaks has impacted the sovereignty of the state. However, unlike changes in the past this has occurred rapidly and unexpectedly. The state is “scrambling” to recover the sovereignty that WikiLeaks effectively transferred to “ordinary” people. The state should adjust itself in a moderated manner, knowing that this is simply human progress and it should not be placed ahead of positive progress. WikiLeaks has diffused sovereignty, but only as a segment of greater changes affected by the internet. Whoever controls the internet controls the future of sovereignty.

References

Adebajo, A. (2005). The Curse of Berlin: Africa's Security Dilemmas. *Internationale Politik und Gesellschaft*, 4, 83-98.

Adjerid, I., Acquisti, A., Brandimarte, L., and Loewenstein, G. (2013). Sleights of privacy: Framing, disclosures, and the limits of transparency, July. In *Proceedings of the Ninth Symposium on Usable Privacy and Security*.

African Union Charter. (1963). www.au.int/en/sites/default/files/OAU_Charter_1963_0.pdf
Accessed on: 2 July 2015.

Ahlberg, J. and Jonnergård, K (2012). *The rise of transparency*. Seminar Paper. Found at: <http://lnu.se/research-groups/corporate-governance/1.65512/seminar-the-rise-of-transparency---a-conceptual-analysis?l=en>. Accessed on: 21 April 2013.

Al Jazeera and Agencies. (2010). *Reaction to WikiLeaks Documents*, Al Jazeera Website, Found at: <http://www.aljazeera.com/news/americas/2010/11/20101128211347486244.html> Accessed on: 9 July 2013.

Andrejevic, M. (2014). WikiLeaks, Surveillance and Transparency. *International Journal of Communication*, 8, 12, 2619-2630.

Assange, J. (2011). *Julian Assange: The Unauthorised Autobiography*. Canongate Publishers: Edinburgh.

Axtmann, R. (2004). The state of the state: the model of the modern state and its contemporary transformation. *International Political Science Review*, 25(3), 259-279.

Azfar, O. and Nelson W. (2007). Transparency, wages, and the separation of powers: An experimental analysis of corruption. *Public Choice*, 130(3-4), 471-493.

Baijal, S. (2013). Collateral Murder: YouTube Video. Found at: <http://www.policymic.com/articles/45975/collateral-murder-youtube-video-u-s-apache-attack-at-heart-of-bradley-manning-trial>. Accessed on: 25 June 2013.

Bakshy, E., Rosenn, I., Marlow, C., and Adamic, L. (2012). The role of social networks in information diffusion. In *Proceedings of the 21st international conference on World Wide Web* pp. 519-528.

Balaam, D. and Veseth, M. (2005). *Introduction to international political economy*. Upper Saddle River, New Jersey: Pearson & Prentice Hall.

Barker, J. (2002). Mechanisms to Create and Support Conventions, Treaties, and Other Responses. Found at: <http://www.eolss.net/EolssSampleChapters/C14/E1-44-01/E1-44-01-TXT-02.aspx> Accessed on 5 June 2013.

Barnett, J. (2010). WikiLeaks and the failure of transparency. Nieman Journalism Lab. Found at: <http://www.niemanlab.org/2010/07/wikileaks-and-a-failure-of-transparency/> Accessed on 13 June 2013.

Bellamy, A. and Reike, R. (2010). The Responsibility to Protect and International Law. *Global Responsibility to Protect*, 2(3), 267-286.

Benkler, Y. (2011). Free Irresponsible Press: WikiLeaks and the Battle over the Soul of the Networked Fourth Estate, *Rev.*, 46, 311-397.

Benkler, Y. (2013). WikiLeaks and the networked fourth estate. *Beyond Wikileaks: Implications for the future of communications, journalism and society*, 11-34. Palgrave Macmillan, UK.

Berger, M. (2006). From nation-building to state-building: the geopolitics of development, the nation-state system and the changing global order. *Third World Quarterly*, 27(1), 5-25.

Bethke, F. (2011). *The Consequences of 'Divide-and-Rule' Politics in Africa*. Mimeo. Found at: <http://wordpress.uni-greifswald.de/ib/wp-content/uploads/2011/08/The-consequences-of-divide-and-rule-politics-vers.-1.0-Felix-Bethke.pdf> Accessed on 26 May 2013.

Bianchi, A. and Peters, A. (Eds.). (2013). *Transparency in International Law*. Cambridge: Cambridge University Press.

Biersteker, T. and Weber, C. (Eds.). (1996). *State sovereignty as social construct*, Vol. 46. Cambridge: Cambridge University Press.

Bolivian mirror site for country specific leaks (Constantly updated site). Found at: <http://wikileaks.vicepresidencia.gob.bo/> Accessed on: 7 June 2013.

Brian, D., McDermott, P., & Weins, J. (2011). WikiLeaks is a wake-up call for openness. *Government Information Quarterly*, 28(2), 135-136.

British Broadcasting Team (BBC) Europe. (2013). Draft United Nations Resolution by Germany and Brazil to protect individual privacy. Found at <http://www.bbc.co.uk/news/world-europe-24781417> Accessed on: 5 November 2013.

Brown, W. (2010). *Walled states, waning sovereignty*. Cambridge (US): MIT Press.

- Buchanan, J. (1975). *The limits of liberty: Between anarchy and Leviathan* (No. 714). Chicago: University of Chicago Press.
- Chadwick, A. and May, C. (2003). Interaction between states and citizens in the age of the Internet: 'E-government' in the United States, Britain, and the European Union. *Governance*, 16(2), 271-300.
- Chomsky, N. (2012). Noam Chomsky on WikiLeaks, Obama's Targeted Assassinations and Latin America's Break from the US, 14 May 2012. <http://www.m.democracynow.org/stories/12776> Accessed on: 25 February 2015.
- Clabough, R. (2010). The Unintended, or Intended, Effects of WikiLeaks? Found at: <http://www.thenewamerican.com/world-news/europe/item/8627-the-unintended-or-intended-effects-of-wikileaks>. Accessed on: 8 July 2013.
- Clift, B. and Woll, C. (2012). Economic patriotism: reinventing control over open markets. *Journal of European Public Policy*, 19(3), 307-323.
- Colombo, C. (2011). Internet and Citizen Participation: State of the Art, Factors and Determinants. In Manoharan, A. ed., *E-governance and Civic Engagement: Factors and Determinants of E-democracy*, IGI Global, 292-313.
- Constante, A. (2014). Mastercard, Visa sued for WikiLeaks donations blockade. Asian Journal. Found at: <http://asianjournal.com/news/mastercard-visa-sued-for-wikileaks-donations-blockade/> Accessed on: 6 July 2015.
- Crary, D. (2013). Older, quieter than WikiLeaks, Cryptome perseveres. Found at: <http://news.yahoo.com/older-quieter-wikileaks-cryptome-perseveres-170532857.html> Accessed on: 14 June 2013.
- Creswell, J. (2012). *Qualitative inquiry and research design: Choosing among five approaches*. London: Sage Publishers.
- Cryptome Page Leak (No date). Found at: <http://cryptome.org/0001/wikileaks-buck.htm> Accessed on: 23 November 2013.
- Curtis, M. (2009). Norway's dirty little secrets. *The Guardian*. Found at: <http://www.guardian.co.uk/commentisfree/cif-green/2009/sep/24/norway-ethical-oil-environment-arms>. Accessed on: 28 April 2013.
- Dahl, R. (2013). *A preface to democratic theory*. Chicago: University of Chicago Press.

Devetak, R. (2009). Critical Theory. In Burchell, S. *et al.*, *Theories of International Relations* 4 ed. (pp. 159-182) Houndmills, Basingstoke, Hampshire, U.K.: Palgrave Macmillan.

Domscheit-Berg, D. (2011). *Inside WikiLeaks: My time with Julian Assange at the world's most dangerous website*. New York: Random House.

Drahos, P. (2003). When the Weak Bargain with the Strong. *International Negotiation*, 8, (1), 79-109.

Dubai Alarabiya. (2011). WikiLeaks and Tunis Revolution. Found at: <http://www.alarabiya.net/articles/2011/01/15/133592.html> Accessed on: 26 November 2013.

Dunn, D. (2005). Bush, 11 September, and the conflicting strategies of the 'War on Terrorism.' *Irish Studies in International Affairs*, Vol. 16, 11-33 Found at: www.istor.org/stable/30001932 Accessed on: 15 June 2013.

Elliott, C. (2013). WikiLeaks and the Public Interest Dilemma: A View from Inside the Media. In Brevini, B *et al.*, *Beyond WikiLeaks: Implications for the Future of Communications, Journalism and Society*, 78, Palgrave Macmillan, UK.

Enrica (WikiLeaks Forum Guest). (2012). People okay with Julian Assange being murdered. Found at: <http://www.wikileaks-forum.com/-wikileaks-related-news/23/here-are-the-people-who-are-ok-with-julian-assange-being-murdered/12031/> Accessed on: 2 January 2015.

Esterhuizen, I. (2012). Internet growth strong in Africa. Found at: <http://www.engineeringnews.co.za/article/internet-growth-strong-in-africa-2012-01-16> Accessed on: 26 May 2013.

Evans, G. and Sahnoun, M., Co-chairs (2001). *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. Ottawa, ON, Canada: International Development Research Centre, Minister of Foreign Affairs.

Failed States Index 2012 (renamed to Fragile States Index). Found at: <http://ffp.statesindex.org/> Accessed on: 7 June 2013.

Fawcett, L. (2004). Exploring Regional Domains: a comparative history of regionalism. *International Affairs* 80 (3), 429-446.

Fenster, M. (2011). Disclosure's effects: WikiLeaks and transparency. *Iowa Law Review*, 97, 753-807.

Filippov, M. (2009). Diversionary role of the Georgia–Russia conflict: international constraints and domestic appeal. *Europe-Asia Studies*, 61(10), 1825-1847.

Florini, A. (1996). The evolution of international norms. *International Studies Quarterly*, 40, 363-389.

Frost, M. (1986). *Towards a Normative Theory of International Relations: A Critical Analysis of the Philosophical and Methodological Assumptions in the Discipline with Proposals Towards a Substantive Normative Theory*. Cambridge: Cambridge University Press.

Fukuyama, F. and Bloom, A. (1989). *The end of history?*, 16, 3-18. Chicago, National Affairs, Incorporated.

Fukuyama, F. and McFaul, M. (2008). Should democracy be promoted or demoted?. *Washington Quarterly*, 31(1), 23-45.

Gaddis, J. (2002). A grand strategy of transformation. *Foreign Policy*, 133, 50-57.

Garris, E. (2005). The Internet vs. the State. Speech delivered at the Burton S. Blumert Conference on Gold, Freedom, and Peace. Found at: <http://www.lewrockwell.com/orig/garris3.html> Accessed on: 12 June 2013.

Gartzke, E. and Naoi, M. (2011). Multilateralism and Democracy: A Dissent Regarding Keohane, Macedo, and Moravcsik. *International Organization*, 65 (03), 589-598.

Gehlbach, S. and Sonin, K. (2014). Government control of the media. *Journal of Public Economics*, 118, 163-171.

George, J. (1994). *Discourses of Global Politics: a critical (re) introduction to international relations*. Boulder: Lynne Rienner Publishers.

Ghani, A., Lockhart, C. and Carnahan, M. (2005). *Closing the Sovereignty Gap: an Approach to State-Building*. Overseas Development Institute, Working Paper 253.

Gondi, J. (2014). War Crimes Tribunals, Mass Atrocities and the Role of Humanity's Law in Transitional Justice. *International Journal of Transitional Justice*, 8(1), 162-170.

Gurr, T., Jagers, K., and Moore, W. (1990). The transformation of the Western state: The growth of democracy, autocracy, and state power since 1800. *Studies in Comparative International Development*, 25(1), 73-108.

Hattersley, A. (1930). Short History of Democracy. Found at: <http://203.200.22.249:8080/jspui/handle/123456789/1567> Accessed on: 4 December 2012.

Hermes, N. and Lensink, R. (2003). Foreign direct investment, financial development and economic growth. *The Journal of Development Studies*, 40(1), 142-163.

Hobbes, T. and Curley, E. (1994). *Leviathan: with selected variants from the Latin edition of 1668* (Vol. 8348). Indianapolis, Hackett Publishing.

Hood, C. (2011), From FOI World to WikiLeaks World: A New Chapter in the Transparency Story?. *Governance*, 24: 635–638.

Hopf, T. (1998). The promise of constructivism in international relations theory. *International security*, 23(1), 171-200.

Humphreys, S. (2009). 'Polymorphous Sovereignty'. In C. Barbour, and G. Pavlich, eds., *After Sovereignty*, London: Routledge.

Hunt, A. (2010). WikiLeaks backfire by exposing hidden US Virtue: Albert Hunt. Found at: <http://www.bloomberg.com/news/2010-12-05/leaks-backfire-by-exposing-hidden-u-s-virtue-commentary-by-albert-hunt.html> Accessed on: 8 July 2013.

Hurlburt, H. (2010). Why WikiLeaks is Bad for Progressive Foreign Policy. 30 November 2010. Found at: <http://www.newrepublic.com/blog/jonathan-cohn/79483/wikileaks-round-iii-will-it-matter-much> Accessed on: 9 January 2015.

Jayasuriya, K. (1999). The Rule of Law in the Era of Globalization: Globalization, Law and the Transformation of Sovereignty: The Emergence of Global Regulatory Governance. *Indiana Journal of Global Legal Studies* 6, 425-56.

Jayasuriya, K. (2001). Globalization, sovereignty, and the rule of law: from political to economic constitutionalism? *Constellations*, 8(4), 442-460.

Jervis, R. (2003). Understanding the Bush Doctrine. *Political Science Quarterly*, 118 (3), 365-388.

Kahne, J., Middaugh, E., and Allen, D. (2014). *Youth New Media, and the Rise of Participatory Politics*. Youth and Participatory Politics Research Network Working Paper #1, March 2014.

Kaiman, J. (2013). China's state newspaper praises Snowden for 'tearing off Washington's sanctimonious mask'. Found at: <http://www.guardian.co.uk/world/2013/jun/25/peoples-daily-savages-us-over-snowden> Accessed on: 25 June 2013.

Kavanagh, C. (2015). Cybersecurity, Sovereignty, and US Foreign Policy. *American Foreign Policy Interests*, 37(2), 100-112.

Krasner, S. (2001). Abiding sovereignty. *International Political Science Review*, 22(3), 229-251.

Kugler, R. (2009). Deterrence of cyber-attacks. In D Franklin *et al.*, *Cyberpower and National Security*, ed. Dulles: National Defence University Press. 309-342.

Kukathas, C. (2008). A Definition of the State. London School of Economics. Presentation to the conference on Dominations and Powers: the Nature of the State. Found at: <http://philosophy.wisc.edu/hunt/A%20Definition%20of%20the%20State.htm> Accessed on: 12 May 2013.

Köchler, H. (2006). The United Nations Organization and Global Power Politics: The Antagonism between Power and Law and the Future of World Order. *Chinese Journal of International Law*, 5(2), 323-340.

LaFranchi, H. (2010). US to federal workers: If you read WikiLeaks, you're breaking the law. Found at: <http://www.csmonitor.com/USA/Foreign-Policy/2010/1207/US-to-federal-workers-If-you-read-WikiLeaks-you-re-breaking-the-law/> Accessed on: 11 July 2013.

Lefebvre, J. (2012). Choosing Sides in the Horn of Africa: WikiLeaks, the Ethiopia Imperative, and American Responses to Post-9/11 Regional Conflicts. *Diplomacy & Statecraft*, 23(4), 704-727.

Lemkin, P. (2015). Deep Politics Forum, Iceland's Efforts to Become an International Transparency Haven and Free Speech Zone, Found at: <https://deeppoliticsforum.com/forums/showthread.php?5977-Iceland-s-Efforts-To-Become-an-International-Transparency-Haven-and-Free-Speech-Zone#.VKZ56NKUe2E> Accessed on: 2 January 2015.

Lemley, M., Levine, D. and Post, D. (2011). Don't break the Internet. *Stanford Law Review Online*, 64, 34-38 (http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1978989) Accessed on: 14 March 2015.

Liaropoulos, A. (2013). Exercising State Sovereignty in Cyberspace: An International Cyber--Order Under Construction?. In *Proceedings of the 8th International Conference on Information Warfare and Security 2013* (p. 136). Academic Conferences Limited.

Lijphart, A. (1969). Consociational democracy. *World Politics*, 21(02), 207-225.

Linklater, A. (1990). *Beyond Realism and Marxism: critical theory and international relations*. London: Macmillan.

Lowe, A. (2011). For lonely teenager Assange, a computer was his only friend. Found at: <http://www.theage.com.au/national/for-lonely-teenager-assange-a-computer-was-his-only-friend-20110114-19rcq.html> Accessed on: 24 June 2013.

- Ludlow, P. (2010). WikiLeaks and hacktivist culture. *The Nation*, 4, 25-26.
- Luo, Y. (2001). Toward a cooperative view of MNC-host government relations: building blocks and performance implications. *Journal of International Business Studies*. Vol. 32, 3.
- Lyons, G., and Mastanduno, M. (1995). *Beyond Westphalia?: state sovereignty and international intervention*. Baltimore: Johns Hopkins University Press.
- Mabon, S. (2013). Aiding Revolution? WikiLeaks, communication and the 'Arab Spring' in Egypt. *Third World Quarterly*, 34(10), 1843-1857.
- MacAskill, E. (2010). US blocks access to WikiLeaks for federal workers. Found at: <http://www.guardian.co.uk/world/2010/dec/03/wikileaks-cables-blocks-access-federal/> Accessed on: 11 July 2013.
- MacAskill, E. (2011). US air force backtracks over WikiLeaks ban. Found at: <http://www.guardian.co.uk/world/2011/feb/08/us-air-force-wikileaks-families-banned-classified-material/> Accessed on: 11 July 2013.
- MacLean, S. (2006). The Political Economy of Information and Communication Technology and Democratization Processes. Found at: http://paulgoodrick.com/wp-content/uploads/2011/01/2011_1_14_Paul-Goodrick_SFU-BA-Honours.pdf Accessed on: 1 January 2015.
- Mann, M. (1984). The autonomous power of the state: its origins, mechanisms and results. *European journal of sociology*, 25(02), 185-213.
- Maqbool, A. (2013). Egypt crisis: Mass protests over Morsi grip cities. Found at: <http://www.bbc.co.uk/news/world-middle-east-23115821/> Accessed on 11 July 2013.
- Marechal, N., Chan, T., Collins, J., Kutay, C., Mooney, J., Riley, L. and Damaliamiri, M. (2013). WikiLeaks and the Public Sphere: Dissent and Control in Cyberworld. *International Journal of Technology, Knowledge & Society*, 9(3).
- Marshall, A. (2010). WikiLeaks and the Worldwide Information War. Found at: <http://www.globalresearch.ca/wikileaks-and-the-worldwide-information-war/22278> Accessed on: 10 July 2013.
- Mastanduno, M., Lake, D. and Ikenberry, G. (1989). Toward a realist theory of state action. *International Studies Quarterly*, 33, 457-474.

Maurer, T. (2011). *WikiLeaks 2010: A Glimpse of the Future?* Discussion Paper 2011-10, Science, Technology, and Public Policy Program, Belfer Center for Science and International Affairs, Harvard Kennedy School, August 2011.

Mearsheimer, J. (2001). *The Tragedy of Great Power Politics*. New York: WW Norton & Company.

Mearsheimer, J. (2006). Conversations in International Relations: Interview with John J Mearsheimer (Part I). *International Relations*, 20(1), 105-123.

Meer, H. (2013). Hacking incidents and the rise of the new Chinese Bogeyman. Found at: <http://www.aljazeera.com/indepth/opinion/2013/02/201322510446268971.html> Accessed on: 7 June 2013.

Mitchell, G. (2011). Why WikiLeaks Matters. *The Nation*, 31 January 2011, p4.

Mohamed, M. (2009). US Strategic Interest in Somalia: From Cold War Era to War on Terror. Master's Thesis found at: http://horseedmedia.net/wp-content/uploads/2010/10/US_STRATEGIC_INTEREST_IN_SOMALIA.pdf Accessed on: 22 November 2013.

Molander, R., Riddile, A., Wilson, P., and Williamson, S. (1996). *Strategic information warfare: A new face of war*. Santa Monica: Rand Corporation.

Naughton, J. (2011). WikiLeaks: Big business has wised up and it ain't pretty. Found at: <http://www.guardian.co.uk/technology/2011/feb/20/wikileaks-baer-tax-avoidance-hbgary> Accessed on: 10 July 2013.

New York Times Online Journalists. (2010). The Defence Departments Response, 22 October 2010 (Geoff Morrell). Found at: <http://www.nytimes.com/2010/10/23/world/middleeast/23response.html?pagewanted=all& r=0> Accessed on: 26 November 2013.

Nkwi, P., Nyamongo, I., and Ryan, G. (2001). *Field research into socio-cultural issues: Methodological guidelines*. International Center for Applied Social Sciences, Research, and Training.

Onuf, N. (1998). Constructivism: a user's manual. *International relations in a constructed world*, New York, Routledge. 59-78.

Ortiz, I., Burke, S., Berrada, M. and Cortés, H. (2013). *World Protests 2006-2013*. Initiative for Policy Dialogue and Friedrich-Ebert-Stiftung New York Working Paper, (2013).

Ōmae, K. (1995). *The end of the nation state: The rise of regional economies*. New York: Simon and Schuster.

Oxford Analytica Daily Brief. (2013). Found at: <https://www.oxan.com/display.aspx?ItemID=DB185859> Accessed on: 25 November 2013.

Parr, B. (2010). *Biggest military leak in history: WikiLeaks releases 390, 000 Iraq War documents*. Found at: <http://mashable.com/2010/10/22/biggest-military-leak-in-history-wikileaks-releases-390000-iraq-war-documents/> Accessed on: 11 July 2013.

Pavkovic, A. (2013). *Creating New States (Epub) Theory and Practice of Secession*. Sydney: Ashgate Publishing.

Pettit, P. (1997). *Republicanism: a theory of freedom and government*. Oxford: Oxford University Press.

Pew Research Centre. (2013). *Emerging and Developing Nations Want Freedom on the Internet*, 19 March 2014.
Available at <http://www.pewglobal.org/2014/03/19/emerging-and-developing-nations-want-freedom-on-the-internet/> Accessed on: 15 June 2014.

Phillips, R. (2012). *Further US demands for espionage charges against Assange*. Found at: <http://www.wsws.org/en/articles/2012/07/juas-j09.html> Accessed on: 8 July 2013.

Pomfret, R. (2005). *Regional trade agreements*. School of Economics, Adelaide: University of Adelaide.

Price, M. (2004). *Media and sovereignty: The global information revolution and its challenge to state power*. Cambridge (US): MIT Press.

Reisinger, D. (2011). Hackers go wild: An Overview of Recent Incidents. Found at: http://news.cnet.com/8301-13506_3-20068763-17/hackers-go-wild-an-overview-of-recent-incidents/ Accessed on: 7 June 2013.

Risse, T. and Sikink, K. (1999). The socialization of international human rights norms into domestic practices: introduction. *Cambridge Studies in International Relations*, 66, 1-38.

Rousseau, J. and Gourevitch, V. (1997). *Rousseau: 'The Social Contract' and Other Later Political Writings*. Cambridge: Cambridge University Press.

Rousseau, J., Dunn, S. and May, G. (2002). *The social contract: And, the first and second discourses*. New Haven: Yale University Press.

- Rubinstein, I. (2012). 'Big Data: The End of Privacy or a New Beginning?'. New York University Public Law and Legal Theory Working Papers. Paper 357.
- Sanger, D. and Landler, M. (2013). USA and China Agree to Hold Regular Talks on Hacking. The New York Times (June 1, 2013), http://www.nytimes.com/2013/06/02/world/asia/us-and-china-to-hold-talks-on-hacking.html?_r=0 Accessed on: 13 March 2015.
- Sassen, S. (2013). *Losing control?: sovereignty in the age of globalization*. Columbia: Columbia University Press.
- Schell, J. (2010). Three Good Men. *The Nation*, 291(22), 23-24.
- Scherer, M. (2013) Geeks who Leak, Time Magazine, 24 June 2013, Found at: <http://content.time.com/time/magazine/article/0,9171,2145506,00.html> Accessed on: 5 November 2013.
- Sheerin, J. (2013). WikiLeaks source Manning convicted on most charges. Found at: <http://www.bbc.co.uk/news/world-us-canada-23506213>. Accessed on: 2 August 2013.
- Shirky, C. (2011). The political power of social media. *Foreign Affairs*, 90(1), 28-41.
- Sifry, M. (2011). In the age of WikiLeaks, the end of secrecy?. *The Nation*, 11, 17-22.
- Sifry, M. (2011). *WikiLeaks and the Age of Transparency*. New York: OR Books.
- Slaughter, A. (1997). The real new world order. *Foreign Affairs*, 76 (5), 183-197.
- Smale, A. (2013). Anger Growing Among Allies on USA Spying. 23 October 2013. Found at: <http://www.nytimes.com/2013/10/24/world/europe/united-states-disputes-reports-of-wiretapping-in-Europe.html?pagewanted=all> Accessed on: 9 January 2015.
- Smith-Spark, L and Brumfield, B. (2013). EU Leaders warn USA spying scandal may hamper fight against terror. 25 October 2013. Found at: <http://edition.cnn.com/2013/10/25/world/europe/europe-summit-nsa-spying/> Accessed on: 5 November 2013.
- Songip, A., Zaki, Z., Jusoff, K., Prebagan, J., and Boon-Beng, N. (2013). Cyberspace: The Warfare Domain. *World Applied Sciences Journal*, 21(1), 1-7.
- Spivak, G. (1988). *Can the subaltern speak?. Marxism and the Interpretation of Culture*. Chicago: University of Illinois Press. 271-313.
- Star, A. (2011). *Open secrets: WikiLeaks, War and American diplomacy*. New York: New York Times

Publishing.

Steinmetz, K. (2012). WikiLeaks and Realpolitik. *Journal of Theoretical and Philosophical Criminology*, 4 (1), 14-52.

Strange, S. (1997). The Erosion of the State. *Current History*, Nov 1997; 96, 613, November, 365-369.

Suryadinata, L. (Ed.). (2000). *Nationalism and globalization: east and west*. Singapore: Institute of Southeast Asian Studies.

Thomas, B. (2011). WikiLeaks and the question of responsibility within a global democracy. *European View*, 10 (1), 17-23.

Tomkins, A. (1999). Transparency and the emergence of a European Administrative Law. *Yearbook of European Law*, 19(1), 217-256.

United Nations Charter. (1945). www.un.org/en/documents/charter/ Accessed on: 2 July 2015.

United Nations History Page. (2015) <http://www.un.org/en/aboutun/history/>. Accessed on: 5 July 2015.

Vayrynen, R. (2003). Regionalism: Old and New. *International Studies Review* #5, 25-51.

Volkmer, I. (2014). *The global public sphere: public communication in the age of reflective interdependence*. New York: John Wiley & Sons.

Walker, D. (2014). *Trends in US Military Spending*. 15 July 2014. Found at: <http://www.cfr.org/defense-budget/trends-us-military-spending/p28855> Accessed on: 9 January 2015.

Waltz, K. (2001). *Man, the state, and war: a theoretical analysis*. Columbia: Columbia University Press.

Wau Holland Report: Transparency Report 2012 for: 'Project 04: Enduring Freedom of Information' (WikiLeaks). Found at: <http://www.wauland.de/en/index.html> Accessed on: 25 June 2013.

Waxman, M. (2011). Cyber-Attacks and the Use of Force: Back to the Future of Article 2 (4). *Yale Journal of International Law*, 36, 421-459.

Weaver, W. and Pallitto, R. (2005). State secrets and executive power. *Political Science Quarterly*, 120(1), 85-112.

Weber, M. (1984). Legitimacy, politics and the state. *Legitimacy and the State*, New York: New York University press. 32-62.

Westin, A. (1982). *Home information systems: The privacy debate*. *Datamation*, 28(7), 100-114.

White, G. (2011). *This is the WikiLeaks that Sparked the Tunisian Crisis*. Found at: <http://www.businessinsider.com/tunisia-wikileaks-2011-1/> Accessed on: 10 July 2013.

WikiLeaks, What is WikiLeaks? (Date unknown). Available at <https://www.wikileaks.org/About.html> Accessed on: 21 April 2013.

Wikipedia, Chelsea (Bradley) Manning. (Constantly updated Wikipedia Page). Found at: http://en.wikipedia.org/wiki/Chelsea_Manning Accessed on 26 November 2013.

Wikipedia, State Responses to WikiLeaks. (Constantly updated Wikipedia Page). Found at: http://en.wikipedia.org/wiki/Reactions_to_the_United_States_diplomatic_cables_leak Accessed on: 26 November 2013.

Zenor, J. (2011). *Damming the Leaks: Proposing a Better Policy on the Free Flow of Information in the Era of WikiLeaks, Whistleblowers and War*. works.bepress.com. Accessed on: 2 January 2015.

Zetter, K. (2010). *WikiLeaks cash flows in, drips out*. Found at: <http://www.wired.com/threatlevel/2010/07/wikileaks-funding/> Accessed on: 13 June 2013.

Zetter, K. (2011). *WikiLeaks Defector Slams Assange in Tell-All Book*. Found at: <http://www.wired.com/threatlevel/2011/02/wikileaks-book/> Accessed on: 24 June 2014.

Žižek, S. (2011). Good manners in the age of WikiLeaks. *London Review of Books*, 33(2), 9-10.