Public Secrecy and the Democratic Security State

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What is the relation of secrecy to state sovereignty? The answer would seem to be relatively straightforward: sovereignty is rooted in, and strengthened by, secrecy. This is among the dominant assumptions of political economy since Machiavelli. No doubt, it matters whether the regime in question is fundamentally autocratic or democratic; authoritarian regimes often embrace sovereign practices that democracies shun. But this distinction may be less important than it first seems. Authoritarian regimes often invest much in public relations; and as Giorgio Agamben has so powerfully demonstrated, democracies also develop sovereign exceptions to transparency, public deliberation, and individual liberty. Many


2 On the surprising influence of the secret police on public culture in the Soviet

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democracies, in fact, provide constitutionally for the suspension of democratic rule in periods of unrest, invasion, and other states of emergency. Some such exceptions become relatively durable lacunae within democracy.

It would be hard to think of a better example of the latter than the institutions of the United States (US) National Security State. Born in 1946 with the creation of a small Central Intelligence Agency, what first seemed a tiny exception to democratic practice has mushroomed into a juggernaut consisting of 17 different intelligence agencies employing hundreds of thousands of workers and costing $75 billion per year — more than the total spent on intelligence by all other world governments combined. Some 45 US agencies, 1,271 sub-bureaus, and 1,391 private corporations now perform ‘top secret’ work. More than 850,000 Americans – 1 in every 181 workers – hold a ‘top secret’ clearance. The covert sector of the US produces 50,000 intelligence reports and 500,000 new ‘top secrets’ per year. It declassifies only a small part of this information and is now sitting on billions of pages of classified documents. The physical footprint of the system is large as well. In purely symbolic terms, Washington, D.C.’s 33 intelligence installations occupy 22 times the space used by the entire infrastructure of the US Congress. In short, the covert sector of the US National Security State has increasingly become a version of the state itself. It has its own government departments (the intelligence services, shell companies), its own laws (National Security Council (NSC) memoranda, secret authorization directives, covert rules of engagement), and its own territories (remote airstrips, Guantánamo Bay, rendition sites). It is the institutional sedimentation of “the state of exception” — the paradoxical tendency to suspend democracy as a means of saving democracy.

This gargantuan system would seem to confirm the view that state sovereignty requires secrecy. But that is not the whole story. It is notable that the clandestine work of the democratic security state is far from secret. While its operational details are concealed, its activities are incessantly depicted in public culture — often through melodramatic fiction. In what follows, I argue that this sort of publicity has been indispensable to the growth of the US National Security State over the past 60 years. From the very start, the clandestine structure of the National Security State relied on a particular form of ‘public secrecy’, a paradoxical combination of concealment and disclosure that makes state secrecy a widely known practice that is tolerated and indeed romanticized by an appreciative public, despite its profound violation of democratic practice. Public secrecy is the mechanism that manages the profound contradiction of the democratic security state, which on the one hand trumpets its commitment to democracy and on the other develops a foreign policy increasingly hidden from public view. This contradiction is not simply the result of a creeping state secrecy. It relies equally on a regime of public relations and fantasy that encourage public acceptance of covert policy.

This argument runs counter to common assumptions about the relation of democracy to secrecy. In his classic account of the bourgeois public sphere, for example, Jürgen Habermas argues that modern liberal democracy emerged specifically in response to state secrecy. “The principle of publicity was held up in opposition to the principle of secrets of state,” explains Habermas,
especially “the catalogue of secret practices first inaugurated by Machiavelli” as a means to “secure dominion over the immature people.” Against this Machiavellian model of sovereign powers, a new public “articulated the concept of and demand for general and abstract laws and ... came to assert itself (i.e., public opinion) as the only legitimate source of this law.”

This change in the public’s conception of itself was famously fostered not only by liberal capitalism but also by new social organs – literary societies, salons, coffee houses, libraries, concert halls, theaters, museums. By allowing debate on matters of social importance, such institutions created the conditions in which the public could conceive of itself as a source of power opposed to “the secret chanceries of the prince” (35). The primary social consequence of such interactions was what Habermas calls public “reason”: “The bourgeois public sphere may be conceived above all as the sphere of private people come together as a public ... against the public authorities themselves, to engage them in a debate over the general rules governing relations in the basically privatized but publicly relevant sphere of commodity exchange and social labor. The medium of this political confrontation was peculiar and without historical precedent: people’s public use of their reason” (27). In this context, “reason” is the result not simply of a particular intellectual procedure but of a general social condition in which information is both “accessible to the public” and publicly discussed.

This story about the birth of liberal democracy has been much critiqued, for good reasons, and it is certainly not the only story. In fact, one of the great ironies of the Enlightenment public sphere was the role of secret societies in its creation. Nonetheless, the basic narrative is still widely accepted, and it is implicitly invoked whenever people demand government ‘transparency’, glasnost, popular rule, public oversight, and so on. Western public discourse of all stripes – from journalism and academic commentary to Hollywood melodrama – particularly celebrates these values, even (or especially) when it is most cynical about their subversion. It is important to stress that Habermas himself was deeply concerned about modern threats to the public sphere. His concern, however, was less the growth of state secrecy than the rise of pathological forms of publicity. Strategic mass communications, Habermas argues, have undermined reason and led to the “refeudalization” of society. “In the measure that it is shaped by public relations, the public sphere of civil society again takes on feudal features” – particularly in the personal “aura” and “prestige” of celebrities (195). This argument – that mass culture swung the rational Enlightenment back toward the irrationality of the pre-modern or feudal – is a version of what Horkheimer and Adorno called “the dialectic of Enlightenment.” Interestingly, while Habermas focuses primarily on new forms of publicity, he repeatedly notes that these forms have the same effect as an increase of secrecy. “At one time,” he observes, “publicity had to be gained in opposition to the secret politics of the monarchs... Today, on the contrary, publicity is achieved with the help of the secret politics of interest groups... The very phrase ‘publicity work’ betrays that a public sphere ... has to be ‘made,’ it is not ‘there’ anymore” (201). Indeed, Habermas notes, the problem of the post-war public sphere stems from two, opposite, “disturbing tendencies...: first a tendency toward too much publicity with a

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7 For an excellent collection of essays on the limitations and power of Habermas’s concept, see Craig Calhoun in Habermas and the Public Sphere (Cambridge, MA: MIT Press, 1992).

8 Reinhart Koselleck, Critique and Crisis: Enlightenment and
consequent disregard of the individual’s right of privacy; and second, a tendency toward too little publicity, with a consequent in increase of secrecy in areas hitherto considered public” (140, emphasis added).11

These two changes—a new regime of publicity and a rise in secrecy—are not as separate as Habermas makes them seem. In the US, the birth of the Cold War Security State involved both the creation of covert agencies and a massive commitment to strategic state publicity—an effort that President Dwight Eisenhower openly described as psychological warfare.12 The decisive moment in the creation of the former came in 1947–1948, when President Truman signed two secret memos written by his new NSC. The first, NSC-4A, directed the newly created CIA to launch a program of “covert psychological operations” against the Soviet Union.13 The second, NSC-10/2, transformed the CIA from an intelligence-gathering agency to an operational outfit with a charter to engage in “propaganda, economic warfare; preventive direct action, including sabotage, anti-sabotage, demolition and evacuation measures; subversion against hostile states, including assistance to underground resistance movements, guerrillas and refugee liberation groups, and support of indigenous anti-Communist elements in threatened countries of the free world.” Far more importantly, however, NSC-10/2 specified that such actions must be conducted so “US Government responsibility for them is not evident to unauthorized persons and that if uncovered the U.S. Government can plausibly disclaim any responsibility for them.”14

The “unauthorized persons” here are, of course, US citizens; they have been reconceived precisely as the “immature people” over whom Machiavelli urged the Prince to exercise sovereign deception. When President Truman signed this directive on June 18, 1948, he institutionalized not simply secret warfare but also public deception as an essential element of US policy. It was what George Kennan, the chief architect of the US Security State, called “the necessary lie.”15

In many ways, NSC-10/2 is the shadow Constitution of the Cold War. It carved out a parallel administrative structure not subject to democratic oversight. This covert sector grew rapidly. Its central principles—covert action, plausible deniability, compartmentalization of information, and psychological warfare—are notably epistemological in character. What connects them, above all, is a concern with public knowledge. Because the architecture of the Security State emphasized secrecy, its commitment to propaganda and psychological warfare is often overlooked. And yet, this effort was probably more decisive. Beginning in the early 1950s, Eisenhower launched a massive psychological warfare program, including an elaborate apparatus propaganda agencies that worked tirelessly to weave strategic messages into the fabric of public communications around the globe. This effort was coordinated within the Central Intelligence Agency (CIA), but was inextricably interwoven with the fabric of the public sphere. The CIA hired celebrated public relations experts, many of whom retained their corporate positions. For example, C. D. Jackson, Eisenhower’s chief psychological warfare advisor, (and “America’s single most influential Cold Warrior,” according to Frances Ford Saunders) did most of his work for the US government while simultaneously overseeing the publication of Time and Fortune magazines as a vice president at Time-Life.16

Such relations between the covert and

12 Kenneth Osgood, Total Cold War: Eisenhower’s Secret Propaganda Battle at Home and Abroad (Lawrence: University Press of Kansas, 2006).
16 Saunders, The Cultural Cold War, 360. See also Osgood, 29–30, 76–150.
Secrecy, Spectacle, and Power

A mushrooming security state undermines the core identity claim that the U.S. is exceptionally committed to democracy and liberal ideals.

Private sectors point to the importance the US NSC put on the worldwide control of public messages. The CIA invested enormous resources, for example, in sponsorship of Western art and writing. By 1977, it had underwritten the publication of more than 1,000 books, including many modernist classics, new anti-socialist fiction, and works by current and former intelligence agents such as John Hunt, Peter Matthiessen, James Michener, Howard Hunt, and William Buckley. The NSC also spawned an elaborate apparatus of ‘white’, ‘gray’, and ‘black’ propaganda agencies – including the United States Information Agency, the United States Information Service, the Voice of America, and Radio Liberty – that worked tirelessly with the CIA to weave strategic messages into the fabric of public communications around the globe.17 Some of these efforts were themselves indistinguishable from covert operations. For example, to unseat the left-wing Árbenz government in Guatemala, the CIA broadcast fake news stories over Voice of Liberation Radio, reporting that Árbenz was meeting Soviet officials, that Árbenz would soon confine all 16-year-olds to concentration camps for ‘reeducation’, and so on. The CIA supplemented such operations by planting phony caches of Soviet arms in the country (Operation WASHTUB), and it later concocted the even more cynical Operation PBHISTORY, which planted fabricated ‘historical proof’ of Soviet influence in Guatemala.18 It would thus be a profound misconception to see the growth of a large apparatus of clandestine agencies as process separate from what Habermas calls the “refeudalization” of the public sphere in the middle of the twentieth century.

The astonishing growth of this system since World War II has produced a qualitative change in the structure of public knowledge about US foreign affairs. Significantly, the effect of this system was not so much the suppression of public knowledge as the transformation of how the public knows. As the ideal of the rational public sphere came into tension with a Cold War model of psychological warfare, the result was a new form of public knowledge about the work of the state. This new ‘knowledge’, however, is often rooted in speculation, fiction, and fantasy. It is a kind of ‘half-knowledge’ that results from restrictions on certain kinds of knowledge and incessant contemplation of the hidden work of the state. The US takes great pains to manage public attitudes about its sovereign, covert activity. This is so not only because the democratic security state depends on public support and funding, but also because the US has distinguished itself from its rivals by asserting its own ‘exceptional’ commitment to democracy and liberal ideals.19 A mushrooming security state undermines the core identity claim of the US – that its commitments to human rights, individual liberty, and democratic procedure are what separate it from lesser nations. This is why US intelligence agencies now have large public relations bureaus and why those bureaus lend so much assistance to filmmakers. A 2012 lawsuit by the conservative group Judicial Watch, for example, revealed that the CIA and Department of Defense gave Kathryn Bigelow and Mark Boal, the makers of the Oscar-nominated film Zero Dark Thirty, extraordinary access to classified information about the US raid on Osama bin Laden’s compound in Pakistan.20

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17 On these distinctions and their history see Osgood, Total Cold War, 29–30, 76–150, esp. 77–78. White propaganda is attributed to a source, whereas gray propaganda is not. Black propaganda is “secret, subversive propaganda that deliberately lied and slandered, purporting to come from enemy sources rather than the American government” (30).
19 On American exceptionalism, see Pease.
20 See Judicial Watch, “Judicial Watch Obtains DOD and
In short, state secrets cannot simply be suppressed by the state. Rather, they are what the anthropologist Michael Taussig calls “public secrets” – “that which is generally known, but cannot be articulated.” Public secrecy allows the public to know on the level of fantasy what it cannot know in an operational sense. It is a regime of half-knowledge that facilitates public acceptance of initiatives deemed ‘necessary’ even though their specific details are not debated in the rational democratic public sphere.

But how does the public acquire even ‘half-knowledge’ about clandestine activity? There are several ways. First, secrets leak incessantly into the public sphere. They are disclosed not only by aggressive guardians of the public interest – journalists, historians, activists – but also by state and enemy agents for a wide variety of motives, including both public welfare and public deception. Second, the covert state intentionally reveals some of its activities. It is a paradoxical monster whose need for massive public investment conflicts with its need for operational secrecy. Covert work cannot continue without public approval, but it also cannot be disclosed, and thus the covert state has an interest in generating a public that thinks it has a general knowledge of such work but does not and cannot know in detail. This is why military agencies routinely permit the use of their equipment in Hollywood films and why the CIA has a large public relations division.

But the third and most important way the public ‘knows’ about covert action is through popular fiction. One consequence of covert security policy is that fiction is one of the few permissible discourses through which citizens can represent the secret work of the state, which the public must ultimately approve ‘sight unseen’. Foreign and domestic intelligence is thus a major subject of popular culture, central to thousands of films, television serials, novels, comics, and electronic games. These representations are artistically and politically diverse. Some are brilliant literary experiments or carefully researched historical novels on the political consequences of ‘the invisible government’. Others are melodramas – spy thrillers, counterterrorism flicks, black ops and paramilitary fictions. The political and philosophical issues of covert government are also occasionally displaced onto the landscapes of science fiction and the American western, to a variety of political ends. Some covert sphere representations function as virtual propaganda for the National Security State, while others satirize or soberly critique the “body of lies” that has led to intelligence failures, human rights violations, and the growth of sovereign state capacities in the democratic West.

A major consequence of this transformation is that the “rational-critical public sphere” starts to look even shakier than it did to Habermas. Not only are there a many matters of consequence that the public cannot know, but the covert state has become an active purveyor of strategic fictions designed to manipulate various publics. The public sphere is thus deformed into what I call “the covert sphere”: a new cultural imaginary shaped by both institutional secrecy and public fascination with the secret work of the state. If the public sphere is a forum for political participation, then the covert sphere is a more specific forum for the deliberation of clandestine policy from the Cold War to the present. The covert sphere includes discourses and cultural institutions through which the public can fantasize the clandestine dimensions of the state. Although it is a subset of the public sphere, it operates by different rules because of the strictures of state secrecy. Unlike the supposedly ‘rational-critical’ public sphere, the covert sphere is dominated by narrative fictions – including novels, films, television serials, and electronic games – for fiction is one of the few permissible discourses in which the secret work of the state may be disclosed to citizens. The projection of strategic fictions, moreover, is a primary goal.

21 Michael Taussig, Defacement: Public Secrecy and the Labor of the Negative (Stanford: Stanford University Press, 1999), 5, 2, 7, 6; original emphasis removed from some passages.

22 For a fuller account of these differences, see Melley, Covert Sphere.
of some clandestine state agencies. The covert sphere is thus a space of conjecture, suspicion, violent excess, and fantasy. Within its confines, the contradictions of the democratic security state are both exaggerated and resolved. The awesome power of the security apparatus seems at once a comforting shield around the ‘homeland’ and a leviathan that threatens individual liberty, commits atrocities, and undermines democratic ideals. Yet the depiction of such fears in fiction invites the public to dismiss them as ‘mere entertainment’ – fantasies far removed from the real work of the security state.

While the covert sphere is not the same as the covert sector of the state, these two fields overlap and influence each other. Not only does information leak constantly from the covert sector into the covert sphere, where it is reported journalistically and converted into fiction, but the extraordinary compartmentalization of the covert sector – the fact that each operational secret is restricted to those very few who ‘need to know’ – means that even covert agents are stuck mainly in the covert sphere. The covert sphere is thus much more than simply the cultural reflection of real covert actions or a collection of diversionary fantasies about secret government. It is an ideological arena with profound effects on democracy, citizenship, and state policy.

Chief among these effects is the management of a new social compact in which citizens trade democratic oversight for enhanced security. Under the terms of this revised social compact, citizens tacitly acknowledge that their elected leaders will deceive them about some actions taken on their behalf. They know that they are expected not to know, but their popular culture is nonetheless obsessed with fantasies of the state’s possible activities. This arrangement has fostered a political culture in which half-knowledge and suspicion generate incessant speculation about the ‘real’ nature of political power. “Major decisions involving peace and war,” observed Ross and Wise almost 50 years ago, “are taking place out of public view. An informed citizen might come to suspect that the foreign policy of the United States often works publicly in one direction and secretly through the Invisible Government in just the opposite direction.” Once a significant portion of government work becomes top secret and “plausibility of denial” becomes a widely known concept, the belief that political power is wielded by powerful, invisible actors can hardly be called paranoid. The rise of a large covert sector, in fact, explains much of the contemporary tendency toward paranoia and conspiracy theory.

In addition to this deep suspicion of the government, the growing security state has inspired a huge body of literary and visual works, including much sophisticated post-modern historiographic skepticism. It has also fostered a romance of espionage and covert action. For more than 60 years, American culture has been suffused with action films, television dramas, novels, comics, and gaming experiences (using both simulated and real weaponry) that make spying and special-forces work highly attractive. With several billions of dollars in sales and roughly 1 billion user-hours, the Activision “Call of Duty” series is, according to its CEO Bobby Kotick, “one of the most viewed of all entertainment experiences in modern history.”

Even the bourgeois outfitter Pottery Barn now markets a ‘Telesonic Spy Ear’ to children, asserting that “secret missions require smart, high-tech

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23 For an excellent account of the role of “state fantasy” as an ideological mechanism, see Donald Pease, The New American Exceptionalism (Minneapolis: University of Minnesota Press, 2009).


25 See Mark Fenster, Conspiracy Theories: Secrecy and Power in American Culture (Minneapolis: University of Minnesota Press, 2001); Timothy Melley, Empire of Conspiracy: The Culture of Paranoia in Postwar America (Ithaca: Cornell University Press, 2000); and Peter Knight, Conspiracy Culture: From Kennedy to the X-Files (New York: Routledge, 2000).

26 See Melley, Covert Sphere, 23–40.

In short, the logic of the covert sphere has transformed American culture. The grim activities of the security state are now the very fabric of everyday life—albeit in the displaced form of ‘harmless’ entertainments, tired generic conventions, and quotidian fantasies. This powerful system of public secrets underpins the democratic security state, simultaneously ‘revealing’ the state’s undemocratic work and inviting us to disavow our knowledge as the product of fantasy and speculation. Is it any wonder that Americans continue to see their nation as a paragon of democracy despite its increased commitment to surveillance, covert action, and state sovereignty?