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Cameron, Louise Breslin (2012) Time, truth and accountability in information control and dissemination. PhD thesis

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**Time, Truth and Accountability in Information  
Control and Dissemination**

Louise Breslin Cameron  
BA (Hons), MFA, MSc

Submitted in fulfilment of the requirements for the degree of Doctor of Philosophy

Humanities Advanced Technology and Information Institute,  
College of Arts, University of Glasgow

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## Abstract

The title of my thesis is *Time, Truth and Accountability in Information Control and Dissemination*. The central argument of the thesis is that accountability is an illusion. We take accountability to mean being liable for actions and answerable to some body, but then we encounter the opacity of 'liable in what particular respect?' and 'answerable to whom?' Accountability is muddled with other concepts which we take to be implicit in its meaning. We appeal to 'transparency', but transparency is never absolute, and how would we know if it were? To make all processes and all information transparent to everyone who needs to know, wants to know, or claims to have an interest, would be a stifling endeavour. I will show that 'accountability' is a term much used but rarely understood, and that this can have tragic consequences not only for individuals but for society as a whole. Using Plato's allegory of the cave as a structure for the thesis, I will develop the argument by following the prisoner's journey through changing contexts, towards self-awareness and the understanding that our knowledge is always open to revision. Within accountability and audit culture, I will explore the entangled notions of transparency, truth, trust, freedom of information, justice and democracy, considering how our interpretation of concepts is context-dependent and how this affects communication, our understanding of our experience, ourselves and our world.

The thesis is essentially phenomenological in style and approach. Integral to my inquiry is an examination of how our experience influences our understanding. Over time and in the process of everyday living, we accumulate experience and we interpret this experience. Our conclusions change, are constantly open to revision and are dependent on both our individual perspective and the wider context; our perspective and context are themselves subject to change with the passage of time. Awareness of this variability is fundamental to effective human communication because it allows us to move across different domains, maintaining some level of mutual understanding even as it is transformed by context. Yet, notwithstanding this awareness, there is also the potential for intentional and non-intentional misuse of terms, resulting in misunderstandings and a failure of intelligibility and communication. If concealed and exploited rather than acknowledged and disclosed,

this failure can alter the course of events irrevocably, and with disastrous consequences. This breakdown results in an erosion of trust on all scales, international, national, corporate, and individual, and once lost, this trust is hard to re-establish. Paradoxically, even when we discover the fragility of trust, we are drawn to trust again, sometimes with little choice, but the consequences of a continuing implicit trust can be serious, and I will elaborate on this idea with reference to several high profile examples.

Finally, I will argue that we often seek security in our illusions, like Plato's prisoner we can be dazzled by them and pained when they are dispelled, yet even when we are disabused of our illusions, we are never entirely free of them. We can never escape the Cave for we must trust in the potential for accountability of those responsible to us. I suggest then that we must move away from the rituals of accountability and towards an honest accountability where our common project is to seek truth, however painful that might be.

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## Acknowledgements

I feel privileged to have had the opportunity, over the years, to share my time in HATII with so many wonderful people who every day show their relentless commitment both to the work of their students and to their own research, reaching out across disciplines, enriching the academic community.

I extend my very warm and grateful thanks (which could never be enough) to my supervisors over the last five years, Dr. Susan Stuart and Prof. Michael Moss, two very rare individuals in whom I placed so much trust and who were steadfast when things appeared to be drifting. Thank you for being so generous with your time and your ideas in shaping this thesis, for your determination, and for believing this project could succeed.

Thanks to those who helped make the viva a positive, challenging, and unexpectedly enjoyable experience, by directing the proceedings in a way that I feel allowed me to shine. From this, I take great confidence: Dr. Bill Cameron for his patient, thoughtful and detailed consideration of my thesis, his very constructive comments and questions, and his rare and enviable ability to draw out the best in people through an acute and respectful sensitivity to ideas and how they might be most powerfully and precisely expressed; Prof. Charles Ess whose comments in the viva were both challenging and very supportive of the potential in my research, and who took so much time to digest and comment on my thesis, and whose very helpful and positive advice and reading recommendations are much appreciated; Prof. Ronan Deazley for the gracious way in which he conducted the viva proceedings.

Thanks to Prof. Andrew Prescott and Prof. Eric Ketelaar, external examiners in the departmental annual progress review process throughout my studies, and to the HATII community, some of whom have shown me great personal and professional support by giving their time generously and providing invaluable feedback throughout

the completion of this project: Dr. Ian Anderson, Alistair Tough, Stephen Woodruff, and in particular to Ann Gow and Adele Redhead who were a great encouragement whilst I got to grips with teaching; to my doctoral colleagues, Dr. Rory Crutchfield, Emma Gascoigne, Dr. Craig Gauld, Dr. James Girdwood, Dr. Leo Konstantelos, Dr. Paul Lihoma, Dr. Hannah Little, Dr. David Macknett, Dr. Tony Ross, Lindsey Short, Katharine Woods, and Will Young, and to the department administrator, Elaine Wilson, who always lends a sympathetic ear, always knows what to do and makes time to help.

My very warm thanks go to my office mates, Susan Bell, Dr. Robert Cowan, Christa Gattringer, Agnieszka Ewa Marszalek, Dr. Ioanna-Maria Patsalidou, Paul Vickers, Sam Wiseman, and in particular to Bo Hanley for listening and for being such a strong shoulder when my confidence was at its lowest.

Thanks to all those who work at Glasgow University Library to ensure readers have access to a diverse collection of resources, without which so many research projects would never come to fruition; to Finlay at the IT Helpdesk, who was so patient and calm when I was neither; to everyone at Glasgow University Nursery, without whom I would have found it almost impossible to complete this project and where my son has had so much fun and found many friends; to everyone at Glasgow University Students' Representative Council who have had to contend with a rather stressed and distracted me in the final stretch prior to the submission of my thesis: my special thanks go to Adam, Anne, Bob, Gemma, Iain, Laura, Mariya, Markee, and Sarah, and in particular to Gina who showed such patience, understanding and support in the final months, and to Alison for her calm encouragement, reassurance and confidence in me throughout. Thanks to Linda, Janice, Billy, Robin and Elle, at Glasgow University's John Smiths bookshop, and to Stevie at Oxford University Press, for their support, generosity, and all the chats over many years. Thanks to all the wonderful people in Glasgow University Hospitality Services, in particular to Cathy, Pat and Lorraine, who always have a smile and a kind word, which at times made all the difference.

Thanks go to all my friends: in particular to Alistair, Ann, Daniel, Igor, Irene, Marlene, Stuart, Sue, and Trevor for having so much confidence in me over many years. And to my wonderful family who have supported me throughout: my Mum and Dad for being such loving parents who have always been on my side, supporting me with confidence in everything I do; to my sister Yvonne for listening and understanding, and for being a great friend, and to Simon, Ewan, Alex and Rosie for helping make the post-viva celebrations such fun. Thanks to Carol and Peter, who have stepped into the breach so many times to care for Calum, and who have been a great support during the completion of this project; to Graham and Derek who have supported me throughout. I love you all.

And finally, my warm and grateful thanks go to my husband Colin and my son Calum who mean everything to me. To Colin, thanks are not enough for his taking the lion's share of the responsibilities over the last few years, for standing by me when it looked like this project might never end, and for always believing in me. To Calum, for being the most amazing, beautiful, funny, and good little boy any mummy could hope for. I love you both.

This project was funded by the Arts & Humanities Research Council, Award Number 07/134326

## Introduction

“It’s a human impulse to try to understand and investigate, but it’s also a human impulse to try to protect our illusions [...]”<sup>1</sup>

We are told that we live within a democratic state. We are told that our culture is an audit culture with a comprehensive accountability, broadening transparency, freedom of information we can trust, and that truth and justice are actively sought and deliverable. All of these issues are the subject of this thesis. All of these issues are problematic.

The title of my thesis is *Time, Truth and Accountability in Information Control and Dissemination*. The thesis is essentially phenomenological in style and approach. For clarity here, I turn to Professor of Philosophy Robert Sokolowski’s, statement in his *Introduction to Phenomenology*:

“Phenomenology insists that identity and intelligibility are available things, and that we ourselves are defined as the ones to whom such identities and intelligibilities are given. We can evidence the way things are; when we do so, we discover objects, but we also discover ourselves, precisely as datives of disclosure, as those to whom things appear. Not only can we think the things given to us in experience; we can also understand ourselves as thinking them.”<sup>2</sup>

The central argument of my thesis is that accountability is not what it appears to be. I will show that accountability is illusory within an audit culture. Processes of accountability allow the *status quo* to be transformed into aspiration and this, on the one hand appears to fulfil accountability, whilst on the other it removes real aspiration and moral imperative, undermining the possibility of accountability. As Marilyn

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<sup>1</sup> Benson, O. & Stangroom, J. (2006) *Why Truth Matters*, Continuum, p.162

<sup>2</sup> Sokolowski, Robert (2008) *Introduction to Phenomenology*, p. 4

Strathern writes, this collapses the is and the ought.<sup>3</sup> I draw into view a variance in how terms and concepts are understood and how they are used. Although we must try to account for this variance, it can impact on how accountability and audit culture operate, allowing the potential for a rhetorical manipulation which might lead to misunderstanding, error or deliberate misinformation.

## Structure

“The safest general characterization of the European philosophical tradition is that it consists of a series of footnotes to Plato.”<sup>4</sup>

The structure of my thesis takes Plato’s *Allegory of the Cave* as a framework. Adopting this approach allows the central argument of the thesis to be encapsulated or reflected in its structure. In a reading of the allegory as a hierarchy of conscious self-awareness, knowledge and control where the individual is caught in various situations within a context constantly in flux, I use it to set scenes within which to explicate some of the complexities of mediated individual perception of reality which exists in the world, amongst the perceptions of individuals, the public and society. The prisoner’s experience is mediated and her attention is focused on what appears before her, she perceives these appearances as reality. Over time she moves through different stages in the allegory which disclose to her that understanding is limited by experience. It is this relationship between time, experience and perception and its bearing on accountability which interests me. Experience is always mediated and this mediation can skew our perception of reality.

Testament to the scope and persistence of Plato’s “wealth of general ideas”<sup>5</sup>, as Whitehead contends, are the references made to Plato and, in particular, to the

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3 Strathern, M. (2000) “Abstraction and Decontextualisation: an anthropological comment or: e for ethnography” pre-publication draft, Available at:

<http://virtualsociety.sbs.ox.ac.uk/Grpapers/strathern.htm>

4 Whitehead, A. N. (1985) *Process and Reality*, The Free Press, p. 39

5 Whitehead (1985) p. 39

*Allegory of the Cave*, in popular media culture. A number of cinematic works have employed the allegory as a powerful metaphor where light is thrown on the gap between appearance and reality and where the fight for freedom of thought is championed. For example, in Alfred Hitchcock's *Shadow of a Doubt* (1943),<sup>6</sup> a young woman's illusions are shattered on her emergence from the familiarity and comfort of home into the world of information through the library. Moreover, in Peter Weir's *The Truman Show* (1998),<sup>7</sup> the leading character makes a break for freedom. Truman's way of life is safe and secure but has been manufactured as reality television spectacle, and every day consists of similarly choreographed encounters which Truman gradually begins to mistrust because of their predictability. Truman escapes to the world beyond his enclosure, against the odds, and he does so in spite of the fact that freedom, and what it means, is a complete unknown to him. With this act he becomes a champion for truth and a life of authenticity, showing his illusions to be dispelled and living up to the pun in his name as he becomes a 'true man'.

The metaphor of the cave is exploited to great effect in José Saramago's novel *The Cave* (2003)<sup>8</sup> in which the author depicts the explicit transformation of Plato's *Allegory of the Cave*, and by extension the situation of the human being, into a visitor attraction. This resembles Reality TV programmes, such as *Big Brother*,<sup>9</sup> where we are shown ourselves (or aspects of ourselves through the experiences and behaviour of others) for our entertainment; contestants are kept in isolation from the outside world, whilst being observed and judged by it. In Saramago's text, human experience is put on display, commodified, and we are shown the relative powerlessness of the worker in a consumer capitalist hierarchy and the various stages of consciousness of this powerlessness. The popular aspiration to take up residence in the novel's seemingly utopian 'Centre' leads to a loss of connection with the world, the earth, and a distancing from the possibility of self-sufficient creativity. In his book *Persons*,

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6 Hitchcock, A. (Dir.) (1943) *Shadow of a Doubt*, Universal Pictures

7 Weir, P. (Dir.) (1998) *The Truman Show*, United International Pictures

8 Saramago, J. (2003) *The Cave*, Vintage

9 Wikipedia "Big Brother (TV series)" Available at: [http://en.wikipedia.org/wiki/Big\\_Brother\\_\(TV\\_series\)](http://en.wikipedia.org/wiki/Big_Brother_(TV_series))

Warren Bourgeois takes up this idea of “real freedom”<sup>10</sup> writing that “politically, it involves the power to create things in which we take pride and to share them with others in an environment where none are exploited, all contributions are valued, and all needs are honoured.”<sup>11</sup>

Boundless as the allegory’s metaphorical applications may be, for example as a model for the universe, society, birth, life, and death, the intention here is to concentrate on how it captures the nature of individual perspective as both separated from and interconnected with others and the world; the former by being in itself, in its skin, the latter by the extension of its impact beyond the physical boundary. The perspective of the individual is not only located in itself but is located on the horizons of others, viewed from their perspectives. Others judge us based on what we appear to believe. Here there is a distinctly phenomenological aspect to my interpretation and use of Plato’s allegory, where, using the phrase *horizons of others*, I am invoking the language of hermeneutics and phenomenology and their focus on intersubjectivity. We are enabled, by the concept of intersubjectivity, to experience ourselves as: “being a subject among other subjects, and one experiences oneself as existing objectively for these others.”<sup>12</sup>

I begin with an outline of Plato’s *Allegory of the Cave*, giving my interpretation of it as a hierarchy of conscious self-awareness, knowledge and control whereby we can attempt to disentangle the power relations between individual, government, state and media. This hierarchy is set within a circular process of return, where each individual moves through different states of conscious self-awareness where she is chained, freed, then in the midst of turning and returning. She is involved in a continuous re-evaluation of what she believes to be true, acknowledging new contextual information and arriving back at renewed, but nevertheless, still her own, individual perspective. The thesis is then divided into four parts, each taking one stage of the allegory, or the

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10 Bourgeois, W. (2003) *Persons: What Philosophers Say About You*, Wilfrid Laurier University Press, p. 174

11 *Ibid.*

12 Wikipedia, *Phenomenology*, Available at: [http://en.wikipedia.org/wiki/Phenomenology\\_\(philosophy\)#Overview](http://en.wikipedia.org/wiki/Phenomenology_(philosophy)#Overview)

hierarchy, as its theme. These parts are titled *Chained: The Situation of the Prisoner in the Underground Cave*, *Freed: A Liberation of the Prisoner Within the Cave*, *Turning: The Genuine Liberation Man to the Primordial Light*, and *Returning: The Freed Prisoner's Return to the Cave*. Each of the four parts has 2 chapters which are organized as follows.

In Chapter 1 I set out the key terms of the thesis. Within the theme of accountability and 'audit culture', notions of transparency, truth, trust, freedom of information, justice and democracy will be considered. I will show that our understanding of these terms affects our understanding of ourselves and the society within which we live and that our understanding is both experience and context dependent. In Chapter 2 I consider the broadening context for trust as we move beyond from childhood into the wider social context. I consider how context can be framed by the culture of transparency leading to exclusion of contextual information and limited understanding.

In Chapter 3 I will elaborate on this point in a discussion of the individual's world view and, in particular how our relationship with time influences our perception of meaning. By invoking the concept of the asymptote I can elucidate this point. The asymptote is defined as: "A line which approaches nearer and nearer to a given curve, but does not meet it within a finite distance."<sup>13</sup> In Chapter 4, I illustrate the conflict between appearance and reality, by referring to the case of Peter Connelly, comparing this case with an instance from cinema in the film, *Precious: Based on the novel "Push" by Sapphire*. Time and truth are bound together in an asymptotic relation where truth is necessarily ever-vulnerable to the challenge of contingency and is continuously reconfigured as new information emerges changing what we perceive as truth. Truth is therefore never wholly disclosed to any individual. Change is a defining factor in both the individual's world view and in reality. Final and absolute truth is not achievable. But by acknowledging that change has a bearing on truth as time passes, we can, at any given moment, come close to truth.

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13 Oxford English Dictionary online, Available at: <http://www.oed.com/>

In Chapter 5, I explore how finding out the truth is a turning point which can lead us to question our trust in power and its control of information complicating our relationship with truth. Our relationship with truth involves us in a continuous process of becoming where time is the medium in which truth is emerging. We are continuously having to reinterpret information as more is disclosed to us, giving wider context to what we believe to be true. As illustration of the power of rhetoric, I consider the conflict between roles within organizations and individuals I refer to whistleblowing, the death of Dr. David Kelly, Dr. Jeffrey Wigand's fight against Brown and Williamson Tobacco, and Bradley Manning's continuing fight against the United States government. In Chapter 6 I consider how, although we desire truth we also fear it, stressing that this can lead us to seek safety and security in the familiarity of our illusions. George Orwell's *Doublethink*, and the killings of Harry Stanley, Jean Charles de Menezes and Ian Tomlinson will be examined, in order to show the frailty of consensus, the power of fear and prejudice, and how these can gather enormous momentum in our public institutions. I also include a short discussion of the *Milgram Obedience Experiment* which serves to illustrate the unnerving aspects of human behaviour which can result from individuals' capitulation to authority and reluctance to show dissent within the group dynamic.

In Chapter 7 I look at our need to restore trust, showing that once lost, trust is very difficult to re-establish yet in spite of this, we are drawn to trust again. In Chapter 8 I show that we are more comfortable with our illusions and prefer not to have them challenged. I consider how we treat those who have broken the Cave's spell by disabusing us of our illusions and how sometimes our need to feel secure can lead us to hypocrisy and double standards.

### **An outline of Plato's Allegory of the Cave**

In Plato's allegory we are asked to look at prisoners who are chained in an underground cave and have been so since childhood. They cannot move and are only able to see the wall of the cave directly in front them and shadows cast upon it by others who mediate their experience. When a prisoner is freed, she is compelled

to stand up, turn and face the light. This causes her to experience the pain of having her illusions dispelled and everything she thought she knew now comes into question. The pain sometimes causes her to feel the need to retreat to her previous situation where everything appeared certain, but sometimes, in spite of the pain of having her illusions challenged, she continues on the journey from darkness into light. After a time her dazzled vision grows more accustomed to her new situation, where change continuously challenges her illusions. Contrary to what we might think, stasis is not reality. It is change, the defining aspect of reality, which we come to realize means we can never be entirely free of our illusions. We can never escape the cave.

### **A Hierarchy of Conscious Self-awareness, Knowledge and Control**

I read the allegory as a hierarchy of conscious self-awareness, knowledge and control, where the individual is caught in various situations, in a context that is constantly in flux. As context changes, we are required continuously to re-evaluate what we believe to be true, in a circular process of return. Such re-evaluation challenges our illusions and makes us feel insecure. I am reminded of the English economist Kenneth Ewart Boulding's words in his book *The Image: Knowledge in Life and Society*, when he writes on the individual's image of the world, echoing Plato's allegory:

“The image is built up as a result of all past experience of the possessor of the image. Part of the image is the history of the image itself. At one stage the image, I suppose, consists of little else than an undifferentiated blur and movement. From the moment of birth if not before, there is a constant stream of messages entering the organism from the senses. At first, these may merely be undifferentiated lights and noises. As the child grows, however, they gradually become distinguished into people and objects. He begins to perceive himself as an object in the midst of a world of objects. The conscious image has begun. In infancy the world is a house and, perhaps a few streets or a park. As the child grows his image of the world expands. He sees himself in a town, a country, on a planet. He finds himself in an increasingly complex web of personal relationships. Every time a message reaches him his image is likely to be changed in

some degree by it, and as his image is changed his behavior patterns will be changed likewise.”<sup>14</sup>

Boulding sees such self-realization as environmental – a viewpoint with which I sympathize, whereas James S. Fishkin adopts a seemingly genetic perspective. In *The Voice of the People* he gives an account of Plato’s *Allegory of the Cave*, emphasising Plato’s sentiments that “the common people are not fit to rule.”<sup>15</sup> Each of us is, after all, caught in the cave; as subjective individuals we perceive and experience from our own perspective, this is inescapable. In this sense I make no distinction between people by using labels like ‘common’, ‘the middle class’ or ‘the elite’, as to do so would be to foolishly succumb to belief in an illusion. Although some individuals may be fit to rule and some not, we should base our judgements about this not on accident of birth. We should judge any individual on what we know about their character, intellect and their experience of life. By acknowledging our predicament as subjective individuals we give ourselves the chance to mitigate the effects of our subjectivity by tempering it with the subjectivity of others, through lateral communication, in an attempt to find a way of living which is closer to fairness and justice for all. Some individuals have the will to temper their perspective, showing themselves to be capable of debating face-to-face with others, exercising Fishkin’s “ideal of face-to-face democracy”<sup>16</sup>; others show few signs of this capability or the will to include others in democratic process.

### **Chained**

In Plato’s *Allegory of the Cave* Socrates tells the story of prisoners in an underground cave who have been chained from childhood. Each prisoner is caught, unable to move and so has only one point of perspective, not fully her own. She is unable to turn her head she is forced and able only to face forwards towards the wall of the cave. Upon this wall, shadows appear, cast by:

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<sup>14</sup> Boulding, K. E. (1956) *The Image: Knowledge in Life and Society*, Vail-Ballou Press, Inc., pp. 6-7

<sup>15</sup> Fishkin, J. S. (1997) *The Voice of the People*, Yale University Press, p. 13

<sup>16</sup> *Ibid.*, p. 4-5

“men passing along the wall carrying all sorts of vessels, and statues and figures of animals made of wood and stone and various materials”<sup>17</sup>

The men carrying these objects are not constrained and have conscious self-awareness; this affords them a perspective from which the narrow limits of the prisoner’s context and experience are especially apparent. These men have powerful status as mediators and manipulators; they mediate the prisoner’s experience and influence her perception of meaning. Socrates says of the prisoners:

“Like ourselves [...] they see only their own shadows, or the shadows of one another, which the fire throws on the opposite wall of the cave.”<sup>18</sup>

Socrates describes the prisoners as “Like ourselves”<sup>19</sup>; and, with this, Plato sets up the reader as one of them, allowing us to imagine being imprisoned and constrained as they are. Here, the experience of the individual is linked to the experiences of other individuals. If we take all of these experiences as being of equal value, this might allow us to consider this situation as a shared, common, even egalitarian experience. With the affordance of this ‘insider’ position, given the opportunity to imagine ourselves as prisoners, we are aware of the comparative narrowness of the prisoners’ context and experience, which they believe encompasses all experiential possibilities. We are aware of this because we have access to the wider context, by means of the allegorical text. We can question this experience and ponder its meaning. We are able to ask how meaning changes through the different stages in the allegory. We can also see how the prisoner, although she is unaware of it, has always had the potential to experience beyond her constraints, should her shackles be removed. In comparing the prisoners to ourselves, we are introduced to the sense of self and how the individual’s perspective interrelates with the perspectives of

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17 Jowett, B. “Plato, The Republic, Book VII, The Allegory of the Cave”, Available at:

[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

18 *Ibid.*

19 *Ibid.*

others, through being in the world. As we move through the world we become conscious of change and we reflect.

Plato's prisoner is not self-aware; unbeknown to her, she is an individual amongst other individuals, some of whom are in the same position, having the same constraint of movement as she has, and some of whom are not constrained but are free and use this freedom to manipulate the prisoners' perception. Since the prisoner's context is constrained she is marginalized. She does not know, nor does she know that she does not know, that her context – the world - is wider than her experience of it. Here we can see something of German biologist Jakob von Uexküll's distinction between *Umwelt*, the experiential world for the individual organism, and *Umgebung*, the wider or objective world.<sup>20</sup> We might express this simply as her world and 'the world'. For the prisoner, appearance is reality; the shadows are not shadows, since they are deemed to be reality. The prisoner believes the shadows are reality based in truth, but they are in fact the result of objects manipulated in light, they are illusion.

Plato's prisoner does not perceive the necessary prior existence of objects to the existence of the shadows. Nor does she perceive that men create these shadows through the manipulation of objects in light. For the prisoner there is no question of the authenticity or reliability of the shadows. This is all there is, and it is reinforced by her continuous experience of it. She believes it to be true because she has nothing against which it can be compared and she has no way of moving in closer to investigate or stepping back to evaluate the situation within a wider context. Socrates is quite clear about this:

“To them [...] the truth would be literally nothing but the shadows of the images.”<sup>21</sup>

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20 For more detail on this see: *Wikipedia*, Jakob von Uexküll, Available at: [http://www.newworldencyclopedia.org/entry/Jakob\\_von\\_Uexk%C3%BCll](http://www.newworldencyclopedia.org/entry/Jakob_von_Uexk%C3%BCll)

21 Jowett, B. "Plato, The Republic, Book VII, The Allegory of the Cave", Available at:

[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

## **Freed**

When she is freed, with her freedom of movement, the prisoner's reality changes, she experiences appearances as appearances; and so begins her journey through the cave, towards the light, and eventually she exits the cave and moves out into the presence of the sun. Whilst at first she is dazzled by the light, initially seeing shadows most clearly, in time, she grows accustomed to this world, becoming able to see the light of the moon and stars, although, at first, seeing "the sky and the stars by night better than the sun or the light of the sun by day."<sup>22</sup> Finally, the freed prisoner "will be able to see the sun"<sup>23</sup> itself, and, in light of this experience, she begins to reason about her situation and how it has changed. Having begun this reasoning, each freed prisoner is then made to move "suddenly out of the sun to be replaced in his old situation."<sup>24</sup> When she emerges from the cave her "eyes full of darkness"<sup>25</sup> are dazzled by the light and require considerable time to "acquire this new habit of sight."<sup>26</sup>

The allegory in its entirety represents the process whereby the individual becomes conscious of reality and the self, as opposed to accepting appearances as reality. Plato uses the metaphor of imprisonment to describe what it is for an individual to accept appearances as reality. Once freed, the individual turns and becomes aware that what she took to be reality is mere appearance. She becomes aware of the men carrying objects, mediating her perception and experience of reality using objects to make shadows by manipulating them in the light of the fire. Now, aware of this, she is dragged up through the cave into the light of the sun, where at first she is dazzled and once more can only see shadows or reflections of the light in water. She is eventually able to see the sun "in his own proper place" as the reality that somehow enables everything else to be.

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<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

<sup>26</sup> *Ibid.*

When the prisoner is freed from her chains, she is paradoxically at once both individuated and made part of the community. She embarks on a journey through which she gradually gains awareness, understanding and knowledge of the self and the world by way of a series of encounters with appearances. These encounters take place in stages within the allegory and during this process, the prisoner relates to others, to things and to reality within a complex narrative of self-revelation which grows over time. Appearances are disclosed to her as she journeys towards genuine liberation and the direct perception of reality. She becomes self-aware and this self-awareness allows her the agency to investigate, to look around and to weigh the evidence for what she believes to be true. In *The Interpersonal World of the Infant*, Daniel Stern writes simply and powerfully on the sense of self, indicating that it is profound and has many facets which we do not hold constantly in our consciousness, but which exist outside our awareness like the involuntary act of breathing:

“There is the sense of self that is a single, distinct, integrated body; there is the agent of actions, the experiencer of feelings, the maker of intentions, the architect of plans, the transposer of experience into language, the communicator and sharer of personal knowledge. Most of these senses of self reside out of awareness, like breathing, but they can be brought to and held in consciousness. We instinctively process our experiences in such a way that they appear to belong to some kind of unique subjective organization that we commonly call the sense of self.”<sup>27</sup>

However, we do sometimes take conscious and deep breaths and, as we do, aspects of our ways of being are brought to the forefront of our consciousness. As these ways of being are called to consciousness, we become aware, however momentarily, of our complex nature before this awareness once again recedes into the underlying murmur of activity which sustains us. The conscious taking of a breath is not unlike the prisoner’s experience of being freed; it is grasped by the self and transformed into a constituent which sustains a life. In this moment of freeing she becomes suddenly consciously aware of her self and her vitality. It is revealed to her that the context for her experience is vast and that her perception of experience is mediated. Through

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27 Stern, D. N. (1985) *The Interpersonal World of the Infant*, Basic Books Inc., pp. 5-6

the experience of liberation, she has acquired new perspective on her situation, what it was and how it has changed. She can now concentrate her gaze in another direction. This awareness allows her to make a transition from passive believer of illusions to active agent, not only experiencing but participating in the making of her own experience and communicating about the world. Although the experience of liberation is an empowering one, at the same time, when the prisoner is freed and turns, she also experiences a sense of loss; with liberation she is no longer certain and secure in her beliefs.

### **Turning**

When the freed prisoner turns, the vastness of her context is suddenly revealed to her. The ratio of her experience<sup>28</sup> means that she is predisposed to accept appearance as reality. She has done so from birth and knows nothing else, it is her habit. When she is made aware of the nature of her situation and her beliefs are shown to her to have been illusory, she is confused. Her experience of comparisons and probabilities begins with the turn and, although it is limited, her understanding begins to grow from this traumatic moment of uncertainty. The memory of her experience as a believer of appearances as true contributes to her sense of judgement as to the reliability or authenticity of subsequent appearances, and serves to caution her approach. As she determines what she will take to be true, she is always aware of her past belief in illusion. With the immensity of the change represented by her liberation and her subsequent turning, she is made familiar with another kind of certainty, a certainty for which she must develop a way of coping, the certainty of change.

In *Time and Narrative Volume 1, Part 1: The Circle of Narrative and Temporality*, philosopher, phenomenologist, theologian and literary critic Paul Ricoeur writes: "To follow a story is to move forward in the midst of contingencies and peripeteia under

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28 By 'ratio of experience' I quite simply mean that, up to the moment when she turns, the prisoner has only the experience of accepting the shadows as reality, having had no reason, need or opportunity to question what might be behind their existence. Her experience of accepting the shadows as reality represents the greater part of her total experience.

the guidance of an expectation that finds its fulfillment in the 'conclusion' of a story."<sup>29</sup> The term *peripeteia* means crisis, reversal, or sudden change, and Ricoeur sees these concepts as constituents in the ways in which narratives develop. In phenomenological terms, we interpret events according to our experience. We tend to crave endings to stories; for example, we want to know how things turn out, what happens to the protagonist, does the antihero get his just deserts. However, herein lies an *aporia*, an internal contradiction. This *aporia*, and it is a necessary one, complicates the determination of reality and the telling of the truth. It takes asymptotic form (I will discuss this at length in Chapter 3) and, by acknowledging that we are 'in the midst of contingencies and *peripeteia*', it renders the concept of 'conclusion' problematic, even absurd, inconsistent with the claim that we are always in a process of becoming. The kind of conclusion which refers to reaching a point of understanding, having made a judgement as the result of discussion or debate, however, is something which is consistent with being in the midst of 'contingencies and *peripeteia*'. It is dependent on contingency and in this sense 'a process of becoming' which is finite. We are required to consider evidence as it emerges over time and to some extent therefore we are required to accept that conclusions will be provisional, as we are fully aware of the potential for new information being disclosed. The little stories are not isolated, but join together to produce larger narratives which illustrate the development of thought processes and concepts that are enabled through communication. Narratives do not exist in isolation, but flow into one another, interrelating and having bearing on each other. Were we to isolate them, we would risk leaving ourselves open to the omission of significant contextual information important to reaching a judgement of how things are or were. The beginning and the end of a story can be temporarily fixed whilst we try to come to conclusions as to what happened, but these boundary limits must be open to change to accommodate information which subsequently comes to light. Those who make decisions about the boundedness of any narrative have the power to shape, for good or ill, the story of what happened.

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<sup>29</sup> Ricoeur, P. (1990) *Time and Narrative Volume 1*, The University of Chicago Press, p. 66

**Returning**

In order to make experience intelligible the context within which conclusions are drawn has to be circumscribed. This leads inevitably to a return to the cave or at least a cave mentality as in order to create intelligible narratives the freed prisoner must at some point trust what she believes to be reality is indeed true. Within what appears to the freed prisoner to be a vast, perhaps infinite context, delimiting the context for understanding particular things, becomes problematic. Within any particular discourse, for example, we have to delimit context in order for terms and concepts to be understood. The freed prisoner might be incredibly reluctant to delimit context for fear of excluding relevant or significant information from the criteria upon which judgement can be based. Indeed this further discloses the potential for fear and insecurity which comes with both liberation and the turn, and yet it also makes alternatives possible. We, like the prisoner are faced with a world where we can never be entirely sure what is true, but we are always striving to come closer and closer to truth.

## Part 1 - Chained: The Situation of the Prisoner in the Underground Cave

“Behold! Human beings living in an underground den, which has a mouth open towards the light and reaching all along the den; here they have been from their childhood, and have their legs and necks chained so that they cannot move, and can only see before them, being prevented by the chains from turning round their heads. Above and behind them a fire is blazing at a distance, and between the fire and the prisoners there is a raised way; and you will see, if you look, a low wall built along the way, like the screen which marionette players have in front of them, over which they show puppets.”<sup>30</sup>

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<sup>30</sup> Jowett, B. “Plato, The Republic, Book VII, The Allegory of the Cave”, Available at:

[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

## Chapter 1 - Setting the Framework for the Discourse: How Terms are Understood

### **Terms and concepts**

In this chapter I will set out the key terms of the thesis and I will look at how our understanding of these terms affects our understanding of ourselves, each other, and the society within which we live. Within the overarching theme of accountability and 'audit culture', notions of transparency, truth, trust, freedom of information, justice and democracy all need to be analysed. These concepts are interdependent and entangled and not easily pulled apart for scrutiny, indeed, as we embark on a journey, considering each in turn and exploring the relationships between them, we find ourselves already moving back towards our entangled point of departure. The experience of this journey can shed light on how things are, or how things might be, as we encounter people, places and things, engaging with and experiencing the world. All concepts are caught in a hermeneutic process, where their meaning, as a matter of interpretation, can be context-dependent and ambiguous. This makes it possible, for those who would wish to do so, to misuse terms and suborn meaning.

As the discussion progresses, I will show how the character of the entanglement of these concepts stretches far beyond merely their linguistic definitions, as they might be understood within the context of accountability and 'audit culture', into the domain of the metalinguistic. Here understanding comes from our experience of the use of terms in various contexts and within and across complex realms of interpersonal relationships. These contexts and relationships are formed as we communicate with each other in the world; they are the building blocks which constitute our way of living and, for that reason, they are in continuous flux. For practical purposes, we come to understand concepts and the terms we use to describe them in order to create and maintain this way of living. It is necessary that, when we consider how we understand particular terms, we take into account not only the intra-contextual nuances of meaning which might apply to a particular term at a particular moment in a

particular domain, but also our everyday understanding of meaning which, although it transpires from shared interpretation, is also necessarily subject to the perspective of the individual. Our interpretation will impact on human communication within and across different domains. We must take into account who is involved in any given communication and their knowledge of the context in which that communication takes place. Each of us has a unique perspective and experience, leaving communication open to the possibility of asymmetry in contextual knowledge, and therefore understanding of terms. If all parties involved are not of equal understanding, then it is hard to see how effective communication, from the perspectives of all those involved, can take place. We must ask ourselves what the term 'effective communication' means, particularly in our globalized culture. The complexities of this question lie in determining the intentions behind an individual's communication, and acknowledging that understanding can vary widely amongst communicative participants as to what these intentions might be. The idea that meaning should reflect the intentions of any given communicator is a contested position. Postmodernism tells us that our situation, our context, influences our perspective on what is true and this contradicts the idea of univocity, the idea that anything can have one unambiguous meaning: "our perspectives on what is true are shaped largely by the communities, or cultures, we find ourselves in."<sup>31</sup> If our understanding depends on context and experience then there is always the possibility that we understand a different meaning to that which was intended in any given communication. As we understand meaning from our perspective, countless others understand meaning from theirs. This asymmetry of understanding opens up the possibility for further misunderstanding by facilitating the deliberate misuse of terms; indeed I would suggest that, in such circumstances, miscommunication might be more likely. This does not necessarily equate with ineffective communication; but this distinction is itself a matter of interpretation, and this is something I will come back to in Chapter 2 where I consider the practical uses of terms.

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31 Worldviews, "Postmodern Worldview", Available at: <http://www.allaboutworldview.org/postmodern-worldview.htm>

**Effective communication and the meaning of terms**

Integral to my inquiry is the concept of meaning. I am interested in how meaning is created, derived, interpreted and conveyed. We create, derive, interpret and convey meaning through our bodies in sense perception, thought, emotion, gesture and language, forming questions, ideas, opinions and relationships, and all the time accumulating experience. This experience influences our understanding of what is meant. Meaning is not an absolute but, whilst we are aware that each individual understands meaning from their own perspective, we still try to communicate our point of view to others.

In the course of everyday social living, human beings communicate with and understand each other through language and associated gestures. In language, we create and convey meaning using grammar and vocabulary. Grammar is the whole within which we relate parts of language to each other – giving content meaning through context. Grammatical principles and rules enable us to use the components of language to configure structured, contextualized and meaningful narratives. We might say that grammar is the framework within which language functions to describe meaningful relations. Parts of language are classified and given roles of, for example, representation to enable us to derive, interpret and convey what we understand; for example, nouns pick out or designate persons, animals, places and things, adjectives further qualify nouns, verbs denote actions, and so on. We create meaning by relating these roles of representation to each other and by locating these relations in time through verb tenses. Grammar synthesizes these parts into a representational performative, and using this synthesis we strive to communicate and to understand each other, deriving, interpreting and conveying meaning in the narratives we structure about ourselves and the world we live in.

Narratives develop within a variety of contexts and within and across these contexts meaning can change.<sup>32</sup> In *The Shape of Time: Remarks on the History of Things*, George Kubler remarks on the importance of the steady evolution of language and how the rate of change in language impacts on effective human communication: “The rate of change in language is regular because communication fails if the instrument itself varies erratically.”<sup>33</sup> The meaning of linguistic terms tends towards a general understanding of their use, including their use across different contexts or domains. This tendency facilitates synchronic effective human communication. Meaning changes, however, it is both problematic and diachronic which complicates effective communication (communicative exchange). It is dependent at any moment in time on both individual perspective and context; and perspective and context are themselves subject to change with the passage of time. Relative consistency of meaning is fundamental to our understanding. For example, the meaning of the statement ‘it’s cold’ changes in different contexts. It could mean that this ice-cream I am eating is cold which would be a good thing, or it could mean that the temperature is very cold wherever in the world I happen to be, but I may be standing indoors referring to the outdoor temperature and so, whilst I myself am warm indoors, the fact that it is cold outside is not a bad thing for me; it would however possibly be a bad thing for others who are outdoors with no home to go to.

### **Intentions and understanding**

Awareness that meaning changes is fundamental to effective human communication; this awareness allows us to move across different domains, maintaining understanding of meaning even as it is transformed by context. However, this awareness also opens up the potential for deliberate or mistaken misuse of terms or indeed deliberate or mistaken misunderstanding of terms. Misuse of terms can create ambiguity or a difference between intended meaning and inferred meaning, opening up an intelligibility gap. This gap has powerful potential to direct the course

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<sup>32</sup> *Stanford Encyclopedia of Philosophy*, “Pragmatics”. Available at: <http://plato.stanford.edu/entries/pragmatics/>. Pragmatics, the study of utterances, the specific acts and intentions of a speaker at a particular time and place, can shed some light on the significance which context brings to the meaning of terms.

<sup>33</sup> Kubler, G. (1962) *The Shape of Time: Remarks on the History of Things*, Yale University Press, p. 61

of events; if concealed and exploited rather than acknowledged and communicated, it opens up the possibility of manipulation and misinformation which can lead to the processes of accountability being undermined if not rendered completely futile as I will show.

Our understanding of the kind of society we live in depends on our understanding of the terms in which our society, and the debates which take place within it, are described and communicated. Our understanding of these terms is shaped by our experience of living and that experience is itself mediated. In *The Archival Sliver: Power, Memory, and Archive in South Africa*, archival practitioner and educator Verne Harris opens with the following: “One’s understanding of and feeling for a concept inevitably are shaped by the weighting of one’s experience. Experience, of course, is never unmediated. Discourse, ideas, language, all shape how living is turned into experience.”<sup>34</sup> Archival discourse offers itself as an appropriate domain within which to discuss our understanding of each other and the world we live in. There are two reasons for this. The first is that archives acknowledge the possibility that there are many, sometimes conflicting, narratives to be discovered and told; the second is that archives allow for open-endedness and change in narrative. The narratives yet to be discovered and yet to be told are not inconveniences, but part of the character of archives. We cannot know everything, and it is in the space where we experience not knowing, in this state of uncertainty and change, where we are prompted by curiosity into a mode of discovery and our inquisitive potential is released.

In our quest to discover meaning we might first research the meaning of terms by looking them up in a general language dictionary then perhaps following this up by looking to lexicons specific to particular domains such as sociology, law, medicine, art and so on. We can learn a great deal about the meaning of terms from the context in which we encounter them. Through our life experiences, in our communication with

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34 Harris, V. (2002) “The Archival Sliver: Power, Memory and Archives in South Africa”, *Archival Science* 2, pp. 63-86, p. 63, Available at: <http://www.springerlink.com/content/6360115881748380/fulltext.pdf>

family members, our friends and others, in the classroom, and in wider society, through the films we watch, the music we listen to and the literature we read, through our encounters with the things which go towards making up our environment, we learn about meaning. This learning is a continuous state, where terms can have multiple meanings and where meaning can change over time. Coming to understand the meaning of any particular concept or term requires time so that we can gain perspective by giving thought to our experiences across shifting contexts.

### **Accountability and Audit Culture**

In her introduction to *Audit Cultures*, Marilyn Strathern describes the everyday ubiquity and pervasiveness of accountability practices which have led to a cross-domain global audit culture. She draws out the frustrations which characterize academic opposition to the principle of audit as an instrument of accountability: “audit is almost impossible to criticize in principle – after all, it advances values that academics generally hold dear, such as responsibility, openness about outcomes and widening of access.”<sup>35</sup> Strathern stresses that only when we draw back, taking in the bigger picture can we see how banal processes of audit practice have had a global impact and they “take on the contours of a distinct cultural artefact.”<sup>36</sup>

Why do we need the conscious formal manifestation of accountability we call audit? The shift from the informal to the formal takes place either to fulfil responsibilities which accompany a position of trust in order to show that what was required to be done has been done honestly and according to any guidelines in place, for example showing through the record that the books balance. From this we might surmise that audit is not a trusting behaviour. However, as we will discover in Chapter 2, although audit stems from a desire to ensure our trust is not misplaced, implying a prior position of mistrust, the audit process is looped. This, of necessity involves us in a

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<sup>35</sup> Strathern, M. (ed.) (2000) *Audit Cultures: Anthropological studies in accountability, ethics and the academy*, Routledge, p. 3

<sup>36</sup> *Ibid.*, p. 2

constant return to the notion of trust as eventually even the audit process leads us back to placing trust on many fronts.

Formal accountability is called into play when trust is doubted and we begin to check the record. The audit process provides a system of checking whether trust has been honoured. In the performance of an audit trust must be placed on many fronts. The auditee and the information to be audited must be trusted by the auditor. The auditee must trust the auditor to carry out the audit according to audit principles/policy and the auditor and the audit outcome must be trusted by those who instigated the audit in the first place. In *The Audit Explosion*, Michael Power, an academic accountant, writes: "Audits are needed when accountability can no longer be sustained by informal relations of trust alone but must be formalised, made visible and subject to independent validation."<sup>37</sup>

Power cites doubt, conflict, mistrust and danger as situations of increased risk where we require the services of audit, explicitly checking what we believe to be true by referring to and verifying evidence for the sake of certainty.<sup>38</sup> Outside these situations of increased risk, we go about living our lives compelled to trust in a multitude of contexts:

"when the economic resources of one party are entrusted to another, human nature is assumed to be weak, untrustworthy and in need of some kind of check. In short, the need for principals to monitor agents gives rise to auditing. Because of the remoteness and complexity of the subject matter of auditing, principals are unable to do this monitoring themselves and require the services of an auditor."<sup>39</sup>

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<sup>37</sup> Power, M. (1994) *The Audit Explosion*, Demos, London, p. 11

<sup>38</sup> Power, M. (1999) *The Audit Society: Rituals of Verification*, Oxford University Press, Oxford, p. 1

<sup>39</sup> *Ibid.*, p. 16

Power comments on official definitions of audit practice suggesting, with a conditional statement, that our hopes for realizing the potential of audit are unachievable and idealistic:

“[P]roduction of official definitions of a practice like auditing, in legislation or promotional documents, is an idealized, normative projection of the hopes invested in the practice, a statement of potential rather than a description of actual operational capability. Defining auditing is largely an attempt to say what it *could* be.”<sup>40</sup>

### **A “shared frame of reference”<sup>41</sup>**

So, what does the term audit mean and how do the term’s use and the practice of audit measure up to its meaning? Does its meaning change when the practices of audit culture are discharged? Cris Shore, Senior Lecturer and Head of the Anthropology Department at Goldsmiths College, University of London, and Senior Lecturer at the Department of Cultural Studies and Sociology at the University of Birmingham, Susan Wright, examine the migration of the concept of audit from the financial accounting domain into new domains of professional life. In *Coercive accountability: the rise of audit culture in higher education*, they acknowledge that in this process audit has acquired a new set of meanings and functions<sup>42</sup>. The diachronic cross-domain contingency of meaning is illustrated with reference to the academic, novelist and critic, Raymond Williams’ *Keywords*:

“Following Williams [...], we call nouns that migrate in this way *keywords*. As Williams argued, over time, keywords acquire a range of contingent meanings, and as words are used in new contexts, either old meanings gain new prominence or existing meanings are stretched in novel and unpredictable directions. In the case of audit, as the word spread from its initial association with financial accounting and entered new areas of professional life, the meanings from among its original repertoire that have

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<sup>40</sup> *Ibid.*, p. 4

<sup>41</sup> This title is an echo of Brothman, B. (2002) “Afterglow, Conceptions of Record and Evidence in Archival Discourse”, *Archival Science* 2, pp. 311-342, p. 315

<sup>42</sup> Shore, C. & Wright, S. (2000) “Coercive Accountability: the rise of audit culture in higher education”, pp. 59-89, in Strathern (ed.) (2000) p. 59

risen to prominence are ‘public inspection’, ‘submission to scrutiny’, ‘rendering visible’ and ‘measures of performance’.”<sup>43</sup>

For the purposes of this thesis, the interesting aspect of Shore and Wright’s contribution is that they shine a light on the significance of meaning: “While many of the key concepts remain, there can be little doubt that their meanings have been distorted out of all recognition by the Orwellian Newspeak of New Managerialism.”<sup>44</sup> Shore and Wright recommend that universities re-appropriate: “key concepts such as ‘quality’, ‘accountability’ and ‘professionalism’ so that they come to reflect our meanings rather than those of accountants and managers.”<sup>45</sup> To re-appropriate such key concepts would be to begin a fresh debate on new terms, a debate involving the explication of terms in order to engage meaningfully from the perspectives of all parties. In *Afterglow*, by drawing on academic David Bloor’s sociology of science, archival thinker Brian Brothman refers to a “shared frame of reference”<sup>46</sup> for the archival community, and to the strong sense and weak sense theories in the conception of the term ‘record’. Strong sense theories refer to “highly limiting, exclusionary criteria”<sup>47</sup> which “tend to come on strong”<sup>48</sup>; and weak sense theories refer to:

“less rigidity, an open-mindedness to multiple constructions, to the possibility of contextually determined theories and methodologies, and truth. Weak-sense conceptions broaden the definition and display an openness to possibly multiple notions [...] that demur from the strong-claim’s tendency toward positivism and idealistic essentialism”.<sup>49</sup>

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43 *Ibid.*

44 *Ibid.*, p. 80

45 *Ibid.*

46 Brothman (2002) p. 315

47 *Ibid.*

48 *Ibid.*

49 *Ibid.*, p. 315-16

Brothman suggests that our understanding of terms can be limited by strong sense theories which might dominate any given domain, in this case understanding of the term ‘record’ within the archival community. He suggests that there is a tendency to limit our understanding of this term but that “there may be several, multiply interpretable concepts of record.”<sup>50</sup> I would suggest this can be extended to encompass our general understanding of terms which varies across individuals and is dependent on experience and context.

In *Role Transitions in Organizational Life: An Identity-Based Perspective*, academic Blake E. Ashforth echos this somewhat, as he considers what impact the individual and the situation have on behaviour, by considering how the individual understands strong and weak situations:

“[A] critical concept that emerged from the person versus situation debate is that of *strong versus weak situations*. According to Mischel (1977), a strong situation exists where: (a) everyone construes the situation in much the same way, (b) everyone has the same understanding of what behaviors are appropriate, (c) everyone is capable of performing those behaviors, and (d) those behaviors are reinforced. In short, there is strong consensus on the “right way” and the “wrong way” to behave. Conversely, a weak situation is less structured and more ambiguous such that it is unclear or may be construed in multiple ways. Under such conditions, there may be no consensus on what constitutes appropriate behavior. The concept of strong versus weak situations thus suggests that the stronger the situation, the less variance in behavior across individuals and the less the impact of individual attributes and dispositions on behavior.”<sup>51</sup>

It is useful to take Brothman and Ashforth together, in order to consider our understanding of both terms and situations or contexts and how these affect the way we behave. We can see here that strong sense theories tend towards one interpretation of meaning, excluding possible alternatives, and we find ourselves in

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<sup>50</sup> *Ibid*, p. 315

<sup>51</sup> Ashforth, B. E. (2001) *Role Transitions in Organizational Life: An Identity-Based Perspective*, Lawrence Erlbaum Associates, Inc., pp. 18-19

the cave. Weak sense theories tend towards allowing for multiple interpretations of the meaning, including possible alternative, and we find freedom of thought and communication, although a great care and effort is required to make our particular interpretations clear in any given context.

Shore and Wright see the necessary tasks ahead as firstly, to: “unmask the way key organizing concepts are being used”<sup>52</sup> and secondly, to: “reclaim those concepts by pointing out what they should stand for.”<sup>53</sup> In his essay, *Audited Accountability and the Imperative of Responsibility: Beyond the Primacy of the Political*, Ananta Giri, associate professor at the Madras Institute of Development Studies, considers the meaning of accountability:

“Accountability has multiple meanings, and I take it not merely as a question of procedural validation but as intimately linked to the calling of responsibility. It refers not only to being accountable for what one is expected to do or perform but to one’s responsibility beyond legal minimalism, to the growth of oneself and the other and thus contributing to the creation of dignified relationships in society.”<sup>54</sup>

With this statement, Giri raises questions, the significance of which cannot be overestimated in exploring the roles which concepts of accountability and audit play in the way we expect society to function. They are both practical and moral and provide us with a way in to disclosing the complexities of the concept of accountability. The ‘calling of responsibility’ can be a sense of duty, obligatory procedure, a feeling or desire to do something and with this calling the consequences for humanity are brought into view as we consider the potential effects of even our smallest actions. It is a matter of conscience whether we pick up that stray piece of litter we were about to walk by, a matter of conscience whether when we find a wallet we hand it in to a

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52 Shore, C. & Wright, S. (2000) p. 80

53 *Ibid.*

54 Giri, A. (2000) “Audited Accountability and the Imperative of Responsibility: Beyond the Primacy of the Political”, pp. 173-195, in Strathern (ed.) (2000) pp.

place of security. These little things can have profound effects on the lives of others. The ecological and the personal are implicit in our day-to-day actions. I agree with Giri, accountability does have multiple meanings and is not wholly encompassed by explicit formal and contracted responsibilities, but must include our responsibility to care for each other.

### **Acknowledging multiple meanings**

By acknowledging that accountability has multiple meanings, Giri opens the way for us to broach the questions of perspective and context. An exploration of these questions must include temporal, spatial and individual aspects, by looking at the use of the concept of accountability within and across different domains and over time. We must recognize the potential for rhetorical manipulation of misunderstanding, error and deliberate misinformation.

Taking accountability to be more than merely procedural validation, more than a formal process, Giri highlights an intimate link with responsibility. His use of “not merely” implies that Giri takes responsibility to be of greater significance than procedure in the meaning of accountability. This perhaps implies that the informal has greater influence on our understanding and expectations of accountability culture than the formal. Accountability is understood to be far more complex than merely the sum of its constituent procedural parts. This informal aspect to accountability is highlighted by Power as he sets the scene for his critique of ‘audit culture’ with the assertion that in our everyday lives we are involved in a constant, unconscious process of accountability:

“People are constantly checking up on each other, constantly monitoring the ongoing stream of communicative exchanges and accounts that make up daily life. Normally, this process is unconscious and we do not feel that

we are really doing it. But accountability and account giving are part of what it is to be a rational individual (Douglas, 1992a:132).<sup>55</sup>

Although Power is perhaps misusing the term unconscious here, processes of accountability would seem not unconscious, but certainly tacit in the “ongoing stream of communicative exchanges and accounts” to which he refers. This stream reveals itself in the somewhat mundane activities of social living. For example, when we board a bus we trust that the driver is qualified to operate the vehicle and that we will arrive at our destination safely and in good time - we do not ask to check the driver’s license. Neither do we ask to check credentials when we register with a General Practitioner; we trust that since the individual works as a GP, then they are qualified to do so and will provide us with the appropriate treatment and standard of care. In carrying out such mundane activities, we enter into informal relationships or tacit contracts based on trust. This trust depends on the mechanisms and regulations which are embedded in any given context; it is based on reason, experience and probability and enables societies to function.

Behind the way things work is a complex network of contracts, regulation and rules, for example, someone somewhere ensures that the buses run to the advertised timetables, are roadworthy, drivers are trained to the required standards and there are rules of the road. Within the ongoing stream of communication, each individual, in their actions, affects the lives of numerous others, and this is an entirely reciprocal process. We live, connected to one another in our activities and there is a minimum of trust which we place implicitly in order to simply go about the most mundane aspects of our lives. We place this trust believing that we are doing so with good reason. We find this reason by constantly checking and monitoring the context in which these activities take place in a process of continuous calibration. Somewhere during this process there is a moment when we weigh things up, drawing a practical conclusion about a given situation. In this moment, for practical purposes, we are

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55 Power (1999) p. 1

compelled either to trust or not to trust an individual, organization or equipment. We draw on our senses, sight, sound, touch, taste and smell to help us to judge whether we should trust and when we judge we are also compelled to trust in that judgement. When we make a judgement, we draw on our senses and not only sight, sound, touch, taste and smell, but our sense of justice and integrity amongst others. The tacit aspect of this checking and monitoring process might be said to constitute an informal process of accountability, but in the event of a glitch we still expect our informal expectations to be upheld and protected by the formal processes of accountability. What then are the formal processes of accountability and what effects do they have the power to produce? Has the idea of audit permeated so deeply into so many aspects of everyday living that we find ourselves living continuously and simultaneously as auditors and auditees? To an extent this is true. As Power rightly says we do indeed constantly monitor the stream of communicative exchanges.

### **Audit is illusory**

Power is not of the opinion that audit is illusion. He acknowledges that auditors are capable of detecting mis-statements in financial accounts. I would suggest, however, that because we have higher expectations of audit than it has the possibility to deliver, we are in danger of assuming that our expectations are fulfilled and this suggests to me that audit is for practical purposes at best illusory and at worst coercive. The concept of audit is ubiquitous and it is this ubiquity which, I would argue, allows for abuse of its meaning and application. I would concur with the view that the power of the concept of audit does lie in its ambiguity; with this ambiguity comes the potential for abuse of meaning and application. I venture that within this potential lies the greatest danger inherent in audit, its capacity to produce the illusion of accountability.

Accountability is understood to be a combination of the moral imperative of responsibility, which is variable and dependent on the perspective of the individual, and the procedural validation of facts. There is a reciprocal element to this. We expect, when something goes wrong in any transaction, that we will be able to hold

people and organizations to account for misdemeanours, inadequate performance or mistakes, and with this expectation another is implied. We should also expect that we will be held to account for our actions in the event that we make mistakes or our own performance proves inadequate.

Just what do we understand the term 'audit' to mean and does our understanding of its meaning match its true capabilities? We are told that we live in an 'audit culture'. We think ourselves familiar with the concept of audit and what it means, we feel quite at home with its character and certain of its uses and its power, but should we be taking more time to consider our understanding of what audit is and what it is really capable of achieving? In *The Audit Society: Rituals of Verification*, Power writes: "Auditing in one form or another has existed as long as commercial life itself; even the earliest forms of writing seem to have been accounting documents."<sup>56</sup>

We understand audit to be a technology of checks and balances, precise procedures and routines which provide us with a feeling that business is being conducted according to best practice. Such checks and balances make up the formal, explicit process which we are led to believe enables accountability by making transactions, exchanges and relationships of trust transparent or visible and subject to evaluation and independent validation or verification. In order to understand this formal, explicit process it is first necessary to acknowledge that it has foundation in the informal, implicit processes of accountability; in our everyday relationships of trust, in the dealings we have with each other which we do not necessarily record in written form using forms and files and so on. These are relationships which we take entirely on trust without checking, but which we are sometimes required to substantiate using whatever evidence is available when things go wrong. In exploring how these informal, implicit processes are made manifest I will consider what we understand accountability to mean in our everyday relationships with each other and whether our expectations of the meaning of accountability in this context correspond to the formal

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<sup>56</sup> *Ibid.*, p. 16

practice of accountability in the wider 'audit culture'. I will ask whether the formal processes of audit as a technology of accountability are capable of encompassing the complexities of the informal processes of accountability which we rely on in our everyday dealings and whether our understanding of audit is a misunderstanding which leaves our expectations incapable of being fulfilled. If our expectations of audit are indeed unfulfilable then we are being led to believe that our audit culture makes society accountable when it does not. If there is one understanding of accountability in the informal and another in the formal sense, even though we are led to believe that our understanding is an accurate reflection of the use of the term, then there is a double standard and formal accountability is not what it appears to be. It is in fact something else for which we should use another term.

In the blurry borderlands where the practice of audit culture and the metalinguistic meet, we encounter ambiguity of meaning. Indeed, Power acknowledges that the common expectations of audit practice and what it is intended to deliver, indeed what it is capable of delivering, may be very different: "What is stated in textbooks and commentaries by auditors themselves is one thing. What a society, or parts of it, may demand and expect from audit practice is another."<sup>57</sup>

Immediately called into question here is whether our understanding of the term audit and its use in practice coincide. If we understand the concept of accountability to be encompassed in the practice of audit, can we trust that we understand these terms as they are being used? If there is misunderstanding then it is reasonable to suppose that misunderstanding of such commonly used terms might be a generic problem. Power addresses this point when he also asserts: "The power of auditing is the vagueness of the idea and to comprehend the audit explosion it matters less what different audit practices 'really are', the endless agony of definitions, than how the

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<sup>57</sup> *Ibid.*, p. 23

idea of audit has assumed a central role in both public and private sector policy.”<sup>58</sup>

Shore writes:

“The audit revolution has similarly changed the definition of the terms ‘quality’ and ‘standards’. Despite the emphasis on these words, their meaning is invariably vague. Some universities looked to business for clarity, and have adopted the British Standards Institute definition of quality as ‘fitness for purpose’. But this simply leads to an even more circular and convoluted line of reasoning in which ‘quality’ means ‘fitness for purpose’, ‘fitness for purpose’ is measured in terms of ‘excellence’, and ‘excellence’ is defined in terms of ‘quality’, and so on.”<sup>59</sup>

### **Ambiguity of meaning**

Ambiguity of meaning allows for manipulation of concepts providing a useful way of disseminating misinformation about how things are. Audit is especially open to abuse in this sense, precisely because it is recognized as a concept of checking and as such when audits are carried out it is assumed that the auditee has been checked and has shown itself to stand up to this checking. I would also suggest that this vagueness encourages us to trust in our understanding of meaning, that it is what we believe it to be. In a sleight of hand, our attention is misdirected and we are tricked into seeing and believing in a picture of reality which conflates the ‘is’ and the ‘ought’, making the ‘is’ become the ‘ought’ and hence giving the impression that change is unnecessary. Although we might suspect, in any given instance that this is too good to be true, that we are not required to institute or accept change, we are prone to prefer the *status quo*, we resist change and we are often relieved when it is not required. Change means readjustment to new places, people and ways of doing things and all of this can take a great deal of effort. Instituting change also requires us to take responsibility for the consequences of this action and it is simply easier not to do so.

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<sup>58</sup> *Ibid.*, p. 7

<sup>59</sup> Shore, C. (2008) “Audit Culture and Illiberal Governance: Universities and the politics of accountability”, *Anthropological Theory*, Vol.8, No. 3, pp. 278-298, p. 289, Available at: <http://ant.sagepub.com/content/8/3/278.full.pdf+html>

Having said this, we do live in constant change and flux that contribute to our life experiences. We move around, travelling to different places, meeting people, working, studying, socializing, and growing older, having children, adjusting our lives as we go. Accommodating and cultivating change, stirring things up, moving, all allow relationships to develop. As Socrates professes in *Theaetetus*: “I might go on to point out to you the effect of such conditions as still weather on land and calm on the sea. I might show how these conditions rot and destroy things, while the opposite conditions make for preservation.”<sup>60</sup> Living itself is constant change. Even as we lie still, we are in the midst of change. If we neglect to acknowledge change in the way we describe our world, attempting to set things in stone, we limit the possibilities of finding things out as new emerging information comes to light and has bearing on what we once took to be the facts.

Our neglect to acknowledge change is somewhat reflected in the limitations of audit practice, as we try to impose a neat structure in an attempt to make a square peg fit into a round hole, where really there might be something to be gained in encompassing and reflecting an organization’s complexities in all its chaotic and tangled reality. Despite the ambiguity in the meaning of audit, the practice itself leaves little scope for reflecting ambiguities in life. Audit does not fit with social living but is imposed on it, describing reality in aggregate terms, flattening out the landscape to make it easier to traverse. Its terms of reference are predetermined and do not account for each organization’s eccentricities and quirks. Giri makes this very point: “One primary limitation of audit is that it is too much tied to the logic and language of *a priori* systems and lacks the ability to recognize emergent forms of creativity and accountability.”<sup>61</sup> Perhaps this is difficult to avoid, given the complexity of reality and the constraints of time which leave it impossible to exhaustively describe every detail of what happened. Then, if carrying out an audit leaves us with little or no new information, if audit lacks the possibility to come close to accurately representing how the audited organization develops over time, even during the audit

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60 Levett, M. J. (1928) *The Theaetetus of Plato*, Jackson, Wylie & Co., Glasgow, p. 24

61 Giri (2000) pp. 174

process, is there any point in the process in the first place? By not carrying out an audit, we would surely save time, not to mention money. Echoing Brothman's shared frame of reference, discussed earlier, Giri offers us a way forward in developing audit to encompass the changing character of organizations, he asserts: "there is a need for audit to recognize creativity, performance and practice beyond the formulated eye of the system. It must now learn a new language which, to begin with, is a language of shared understanding beyond its own 'specialized semantics'."<sup>62</sup>

Marilyn Strathern describes the practice of audit as a form of absolute with no room for ambiguity: "As a descriptive practice, audit cannot afford to tolerate loose ends, unpredictability or disconnections. It carves out its own domain of what is going to count as 'description'."<sup>63</sup> She writes that human behaviour is characterized and contextualized precisely by the complexity of loose ends, the unpredictable and the disconnections with which we live and cope: "What characterises people's behaviour in 'society' is precisely their capacity to tolerate loose ends, to deal with unpredictability and revel in the disconnections which mean that they live in multiple worlds, traverse different domains."<sup>64</sup> It is in the midst of these loose ends where we do our living, where we engage with one another and with the world, where we experience the mundane and the surprising, where we find ourselves being creative and being bored, where we understand the need for debate, cooperation and compromise and where we are sometimes uncompromising. It is in this buzz of activity, this movement where we do our living, where we change within a shifting context. As context shifts around us, we can observe change and, through the ever-renewing juxtapositions which result from this change, we can make comparisons and potentially achieve greater depth of understanding over time. As Giri asserts: "[I]n the processes of interactions which constitute the regime of accountability, there is no scope for real self-description."<sup>65</sup> He tells us that we must acknowledge change and find a way of encompassing it in our descriptions of the world: "[T]here is now a need

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<sup>62</sup> *Ibid.*, p. 175

<sup>63</sup> Strathern, M. (2000) "Abstraction and Decontextualisation: an anthropological comment or: e for ethnography"

<sup>64</sup> *Ibid.*

<sup>65</sup> Giri (2000) p. 178

to recognize the creative world of emergence for which the systemic 'self-observation' of the audit culture is a very poor resource."<sup>66</sup> These words, spoken by Socrates in Plato's *Theaetetus*, express this idea well: "being (what passes for such) and becoming are a product of motion, while not-being and passing-away result from a state of rest."<sup>67</sup> Our willingness to be open to change, to the ideas of others and to having our own views changed by them can enrich our lives, freeing us from the constraints which bind us when we consider only our own perspective on the world. Whereas, when we dismiss alternatives without question, we can find ourselves caught in the cave. The balance is difficult to strike, but through experience we can learn to determine when we must stand by our own world view and when we must open that view to challenge or compromise. Let us consider relativism and consensus as two sides of the same coin. Relativism the idea that everyone is entitled to their own view of how the world is in reality, and all views are equally valid; consensus, the idea that, through deliberation, together we can arrive at a view of how the world is in reality, one with which everyone can be satisfied. We find relativism unsatisfying as it tends to undermine the possibility of debate, but surprisingly consensus too is not without flaw and this mounts strong challenge to our attachment to democracy and we are prompted to ask whether it is a notion fit for purpose.

## Relativism

"If we say 'your truth is as true as mine' then you can say 'my truth is that your truth is not true', and round we go."<sup>68</sup>

What is relativism? Is there such a thing as knowable truth? There is a sense of truth that we all experience, and we do so particularly acutely when subject to injustice in even the smallest way. We can point to examples of knowable truth, things which are accepted as truth by a wide public because the evidence overwhelmingly suggests

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<sup>66</sup> *Ibid.*, p. 175

<sup>67</sup> Levett (1928) p. 23

<sup>68</sup> Benson & Stangroom (2006) p. 17

that they are true. For example it is widely considered to be true that Raoul Moat shot three people in July 2010; or that the Dunblane killings were carried out by Thomas Hamilton in March 1996 or that Jared Lee Loughner shot nineteen people including United States Congresswoman Gabrielle Giffords in January 2011. These are examples of collectively knowable truth, where all the evidence is weighted towards a particular version of events. But are these absolute truths? What do we mean by subjectivity and objectivity? Benson and Stangroom offer us a critique of postmodernist epistemic relativism, suggesting that it nurtures rhetoric and encourages a world where truth is lost to falsehood:

“Postmodernist epistemic relativism itself relies heavily on rhetoric, [...] and it enables rhetoric in others. So epistemic relativism makes possible a world where bad arguments and no evidence are helped to win public discussions over justified arguments and good evidence. This is emancipatory? Not in our view. It is not emancipatory because it helps emotive rhetoric to prevail over reason and evidence, which means it helps falsehood to prevail over truth. Being trapped in a world where lies can't be countered seems a strange idea of emancipation.”<sup>69</sup>

Daniel Stern writes about the truth in the clinical and the observed views of infancy:

“A clinical infancy is a very special construct. It is created to make sense of the whole early period of a patient's life story, a story that emerges in the course of its telling to someone else. This is what many therapists mean when they say that psychoanalytic therapeutics is a special form of story-making, a narrative (Spence 1976; Ricoeur 1977; Schafer 1981). The story is discovered, as well as altered, by both teller and listener in the course of the telling. Historical truth is established by what gets told, not by what actually happened. This view opens the door for the possibility that any narrative about one's life (especially one's early life) may be just as valid as the next.”<sup>70</sup>

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69 *Ibid.*, p. 172

70 Stern (1985) p. 15

So, do we simply capitulate to the idea that the story of what actually happened can never be established or can we find a way to come closer to understanding. Can the concept of consensus offer us some way forward.

### **Consensus**

Consensus comes from the Latin meaning agreement, accord, sympathy, common feeling. Debate, voice, individual, inclusion, equality, democracy, fairness, justice are all terms we associate with consensus, but how true is this vision of consensus? How does consensus work in practice; and what impact does scale have on the successful implementation of consensus? I would suggest that consensus cannot live up to the aforementioned ideal vision, but is complicated and frustrated by the systems we put in place as we attempt to rule out fraud. As we do this, we already begin from a default position of mistrust.

On a small scale, within a family for example, there might be the possibility of consensus. If there are four family members, there are four voices to be heard and it is possible for all four members to hear the voices of the other three. If we scale this up and take the population of a village, consensus may still be possible as assembly of the group and direct communication between individuals is not unrealistic. However, if we scale this up further to the population of a town, a city, a country, and taken to the  $n^{\text{th}}$  degree, the global community, then the possibility of direct communication between each individual in the group becomes increasingly less likely. Fishkin asks: “How can we adapt this ideal to the large-scale nation-state, to a population which cannot possibly gather together in the same room to take decisions?”<sup>71</sup>

Scaling up the concept of consensus in an attempt to reflect public opinion at national level is problematic. Indeed, the simple act of voicing an opinion on this scale can be

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71 Fishkin (1997) p. 5

problematic, as one's voice might be drowned out in a sea of other voices. On this scale, the possibility of an individual's opinion being both heard and taken into account in any process of decision making is problematic. Groups on such a large scale cannot converge in one place where all can be heard, they are too big. Even considering the convenience of communications technology, simulation of public gathering is not possible. In such circumstances we begin to rely on the ballot box for consensus and the ballot box is problematic. In order to prevent fraud like multiple voting or identity theft, we rely on systems of registration and these systems require that personal information is checked in order to verify that individuals are who they say they are. In a society where simple things like having a home are not afforded to everyone across all circumstances, the system excludes. With this exclusion the consensus which is possible is no consensus at all. People are disenfranchised, their voices are not heard and this puts understanding of public opinion at risk.

“[T]here are any number of *self*-selected groups that *seem* to speak for the people – from the voices on radio or television call-in shows, to the letters and faxes that pour into congressional offices, to the people who show up at campaign rallies or public meetings. Such groups may think they speak for everyone, but they are far more likely to speak merely for themselves. They offer contested and controversial representations of public opinion – representations that must be viewed through the prism of their interests in putting themselves forward.”<sup>72</sup>

Philosopher Onora O’Neill has written widely on political philosophy and ethics and in *Applied Ethics: Naturalism, Normativity and Public Policy*, an article for the Journal of Applied Philosophy, she writes: “consensus can be iniquitous, impractical or irrelevant” and that consensus or majority have “dubious authority.”<sup>73</sup> Fundamental to the endurance of any given structure and to the becoming of public belief, or accepted truth, is a fusing of multiple perspectives, tested and tempered by debate or conference. Whitehead writes that the many and the one are presupposed by each

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<sup>72</sup> *Ibid.*, p. 3

<sup>73</sup> O’Neill, O. (2009) “Applied Ethics: Naturalism, Normativity and Public Policy”, *Journal of Applied Philosophy*, Vol. 26, No. 3, pp. 219-230, p. 221, Available at: <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-5930.2009.00446.x/pdf>

other, that embodied in the term ‘conrescence’ is the notion of the “production of novel togetherness”<sup>74</sup> and that:

“The coherence, which the system seeks to preserve, is the discovery that the process, or conrescence, of any one actual entity involves the other actual entities among its components. In this way the obvious solidarity of the world receives its explanation.”<sup>75</sup>

Perspectives can conflict not only between individuals, organizations and in the public sphere, but within the individual, the organization and in the private sphere, when any belief is challenged by new observation or appearances. With each individual’s experience comes interpretation and understanding, and necessary to both of these is the perspective which comes with the passage of time. Truth is in a process of continuous becoming, emerging only with the passage of time. As we consider what happened by transposing event into narrative account of event, and we temper one subjective narrative account with others, we come to a current consensus which is always open to re-evaluation with further passage of time and emergence of further subjective narrative accounts – scientific method and peer review.

There is a fundamental dichotomy in the concept of consensus. The ideal and the practice of consensus can be very different; culture, authority and power can influence how consensus is reached. There are acts of consensus which uphold the spirit of democracy and those which undermine that spirit. For example, the act of conferring complicates the apparent ideal of consensus in that, although it is consensus, in some circumstances it is so in such a way as benefits one party on one side of a debate. Individual members of an organization can close ranks, in an opportunist abuse of consensus, bringing to bear an institutional consensus to protect and perpetuate that organization. This weighting of benefit in the way consensus is

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74 Whitehead (1985) p. 21

75 *Ibid.*, p. 7

practiced can have grave consequences. As those whom we trust implicitly appear to abuse trust by manipulating concepts the reciprocal nature of trust is lost. We find relativism unsatisfying as it tends to undermine the possibility of debate, but surprisingly consensus too is not without flaw and this idea mounts strong challenge to our attachment to democracy and prompts us to ask whether democracy is a notion fit for purpose. That is not possible to debate fully within the scope of this thesis. However, the idea that we might reach a deeper understanding of the world and each other through some concept other than relativism or consensus is challenging. I would suggest that we can begin from the point of accepting our own subjectivity as existing among other subjectivities. I suggest that our experiences and the process of sharing them can provide a way forward to deeper understanding. This involves a reciprocal communicative process which can open up the potential to at least try to see things from the another individual's point of view.

### **Reciprocal trust**

All of this requires an outward looking attention to the other as participant in a reciprocal communicative process. We rely on others to behave in a trustworthy fashion and this, in itself, should tell us that others too rely on us to behave in this way. In order to place trust in others we need to be reasonably sure that we can expect that promises and contracts will be fulfilled or that confidences will be kept. As we have seen when we go about the ordinary activities involved in everyday living, such as boarding a bus or registering with a GP, we necessarily and tacitly enter into multiple contracts of trust. O'Neill expresses this in simple terms: "We need [trust] because we have to be able to rely on others acting as they say that they will, and because we need others to accept that we will act as we say we will."<sup>76</sup>

Sometimes the contracts of trust into which we enter have a short duration and we are soon made aware of whether our trust has been placed well or has been

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76 O'Neill, O. (2002) "Lecture 1: Spreading Suspicion", *BBC Radio 4 Reith Lectures: A Question of Trust*, Available at: <http://www.bbc.co.uk/radio4/reith2002/lecture1.shtml>

misplaced and hence whether those in whom we have placed trust were and are in fact worthy of that trust. Sometimes these contracts are formed within a more long-term relationship of trust, where we expect to be involved over a greater period of time. It could be said that when we place trust in an individual or an organization for the first time, we are testing the water by creating an experience which has implications for future decisions. Our experience of particular instances where we place trust have implications both in terms of whether we place trust in any particular individual or organization and whether we place trust in others in general. We become predisposed to either trusting or mistrusting others through the experiences we accumulate in our relations with others.

Some relations of trust are immediate and short-lived where we require only one instance of trust and trustworthiness. Reciprocal trusting takes place in a number of different ways with varying outcomes and implications for future trust. Herein lies a problem. When we have the condition where we require others to rely on what we say to be true, we are required merely to be convincing and not necessarily truthful.

There are two other aspects to this, we require that others be willing to place trust in us and we must behave in a duly deserving and trustworthy manner. All of this depends on the nature of the relationship in which we are involved. In *Truth and Truthfulness*, philosopher Bernard Williams writes:

“A necessary condition of co-operative activity is trust, where this involves the willingness of one party to rely on another to act in certain ways. This implies that the first party has some expectations about the second party’s motives, but (in its most basic sense) it does not imply that those motives have to be of some specific kind. A may trust B to do something because A knows that B expects punishment if he fails to do it. In this case B’s motives for co-operating are crudely and immediately egoistic. They may be less crudely and immediately egoistic: B may have an interest in long-term co-operative activities with A and may believe that if he defaults on this occasion, A will not trust him again. [...]. It implies, of course, that A and B will meet again, and that A will be able to recognize him. Again, A

may have reason to believe that B is a trustworthy person, in the sense that in situations of trust he is generally disposed to do what he is expected to do just because he is expected to do it.”<sup>77</sup>

In *Hume on Trust* Matt Matravers, uses philosopher David Hume’s illustration of the problem of trust, which is useful here as a further illustration of its reciprocal nature, and highlights the mutual loss involved in being unable to trust that others will honour our trust:

“Your corn is ripe to-day; mine will be so tomorrow. ‘Tis profitable for us both, that I shou’d labour with you to-day, and that you shou’d aid me to-morrow. I have no kindness for you, and know you have as little for me. I will not, therefore, take any pains upon your account; and should I labour with you upon my own account, in expectation of a return, I know I shou’d be disappointed, and that I shou’d in vain depend upon your gratitude. Here then I leave you to labour alone: You treat me in the same manner. The seasons change; and both of us lose our harvests for want of mutual confidence and security.”<sup>78</sup>

Matravers goes on to present Hume’s solution to the problem of trust as he asks us to bear in mind that for Hume:

“[W]e have a natural ‘sympathy’ for others, and are kindly motivated towards those for whom we care (we are inclined to behave ‘partially’ to friends). However, Hume also recognized that these “unequal affections” contributed to the problems of justice and trust because, just as we are inclined to act in a kindly way towards our nearest and dearest, we are inclined to act less well towards strangers and enemies.”<sup>79</sup>

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<sup>77</sup> Williams, B. (2002) *Truth and Truthfulness*, Princeton University Press, p. 88

<sup>78</sup> Hume, D. (1969) *A Treatise on Human Nature*, book III, Part II, Section V, Pelican Classics, p. 573

<sup>79</sup> Matravers, M. “Hume on Trust”, p. 1, Available at: <http://www.open2.net/trust/downloads/docs/humeontrust.pdf>

There is more than a little of the autopoietic in this. Placing trust facilitates continuing trusting relationships, as our experience comes to tell us that we can rely on the others who have, in the past, honoured our trust. Giri does suggest that there might be a connection between audit culture and the autopoiesis of biological systems.<sup>80</sup> This is an astute and starkly relevant observation, and one to which I will return in Chapter 2.

In this chapter I have set out the key terms of the thesis. We have considered the interdependence of the notions of transparency, truth, trust, freedom of information, justice and democracy within the overarching theme of accountability and 'audit culture', and we have seen that we are involved in a hermeneutic process where our understanding of these terms affects our understanding of ourselves, each other, and the society we live in.

In Chapter 2, I will look at the practical uses of terms. I will consider how meaning can be contrary to our interpretations and terms can be misunderstood. I will examine the distinction between miscommunication and ineffective communication. We will discover that sometimes miscommunication is the intention and, rather than being ineffective, it is in fact effective communication, as the intentions of the communicator are fulfilled in the creation of a hidden misunderstanding, serving a particular agenda.

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80 Giri (2000) pp. 174-5

## Chapter 2 - Accountability is Not What it Appears to Be: How Terms are Used

### **Trust and the broadening context**

Set deep within our constitutions is a need to trust. The natural trust, which as newborns we are compelled to place in our parents to care for us and protect us from harm, is paramount to the social trust we develop as we become increasingly sentient individuals. As infants we are entirely vulnerable, we trust that our needs will be fulfilled by our parents and in so doing we also trust that our parents feel that we matter to them; this we do without intention and unconditionally, we are compelled to trust. This sense of mattering finds its roots not only in a familial genealogy, but in the common relationships of humanity. Infants matter to their parents not only because they are part of them and of others who preceded them, bound to a past humanity, but also because they represent the potential bond to future humanity. As infants our lives are in the hands of those around us and we unconsciously rely on them to take care of us. This is as close as we ever come to an absolute trust. With the maturing infant a more reciprocal bond of trust develops, and the roots of its character lie in the unconditional trust I have described above, the trust we place in our parents to care for us. In *Trust: How we lost it and how to get it back*, Anthony Seldon writes that at the heart of trust lies mutual benefit<sup>81</sup> and he acknowledges these natural origins of trust and their relationship to the social:

“Trust is both innate and nurtured. Human beings are hard-wired to be trusting of others. Whether this be a trait of human nature or a consequence of immediate necessity and survival, human babies are born in trust of and trusting their mothers. Trust is then embellished by good nurturing. The baby who discovers that their parents provide for their basic needs, above all food, clothing, warmth and love, has their trust confirmed at a deep level from the very earliest days. Such children will develop more readily into trusting adults.”<sup>82</sup>

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<sup>81</sup> Seldon, A. (2009) *Trust: How we lost it and how to get it back*, Biteback Publishing Ltd., p. 3

<sup>82</sup> *Ibid.*

Seldon builds a model of trust around five concentric circles where each circle represents a stage in the formation of trust in childhood. At the centre is nature, this is followed by parents and primary carers, siblings, early friends and finally schooling. As we move further from the centre circle, we are required to find reason for trusting and to maintain what we might call a more evolving relationship with trust itself. Through the experiences we accumulate in our relationships with others, we find ourselves constantly re-evaluating whether we can trust our trusting nature.

As good nurturing might embellish trust, so neglect might, though not necessarily, erode it; the relationships which we go on to experience in a broader social context, beyond the natural and the familial, also impact on how the character of our trusting nature develops into a greater or lesser capacity to trust. Trustworthiness implies trust. The level of trustworthiness of an individual is connected to the trust they show towards others; in order to be trusted, we must first be willing to trust. As Seldon tells us: "Trust is [...] a two-way process. We give trust to others, and we are thus said to be *trusting* (or not), and we ourselves are the recipients of the trust of others, and are said to be *trustworthy* (or not). They are connected."<sup>83</sup> As we grow and develop, gathering experience, we accumulate a history of interactions with others which we use to guide us through subsequent interactions. If our experience tells us that most individuals have proven trustworthy, we might, though not necessarily, tend more towards trusting behaviour. If our experience tells us otherwise we might, again not necessarily, tend more towards mistrust in order to protect ourselves against the negative effects of being let down by others. Our own trustworthiness is also determined by our interactions and the consequences we experience as a result. Trustworthiness is complex and we sometimes find ourselves caught in a network of relationships with conflicting loyalties. In this broad context we are sometimes required to break trust on one front in order to fulfil it on another as we strive to balance trust with our care for others. I will come back to this theme in Chapter 5 when I discuss the dilemma of the whistleblower.

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<sup>83</sup> *Ibid.*

Beyond the natural, when relationships of trust reach the social level, there is a sense that some form of accountability is required. However, this formalization depersonalizes trusting relationships, undermining them at the outset by implying an initial lack of trust which requires that there be proof of transaction in case of a breakdown. We see this kind of proof sought in prenuptial agreements and in many other types of contract. Paradoxically, such agreements may have a detrimental effect on the trust relationship, contributing to its breakdown and encouraging low expectations at least at the outset. Seldon highlights this: “Contracts, like all formalisation of relationships, are only created because of a lack of initial trust. A contract depersonalizes a relationship between two people or organizations and can be as likely to detract from trust as to add to it.”<sup>84</sup> The law of contract implies exchange and change on both sides.

Trust is always questionable, never guaranteed, and without the leap of faith which it represents we would be forever checking both the checkers and the checks in a culture of constant suspicion and inquiry. O’Neill rightly suggests that despite all attempts to formalize trusting relationships, there comes a point where we quite simply must be prepared to trust: “Elaborate measures to ensure that people keep agreements and do not betray trust must, in the end, be backed by – trust. At some point we just have to trust.”<sup>85</sup> Michael Power also expresses the inevitable necessity for trust and that checking and trust are in fact entangled; no matter how much checking we do: “In the end checking itself requires trust; the two concepts are not mutually exclusive.”<sup>86</sup>

Also, in her recent interview for BBC Radio 4’s *Analysis* programme, O’Neill speaks to broadcaster Edward Stourton about Trust.<sup>87</sup> When John Haldane, Professor of

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<sup>84</sup> *Ibid.*, p. 15

<sup>85</sup> O’Neill, O. (2002) “Lecture 1: Spreading Suspicion”

<sup>86</sup> Power (1999), p. 2

<sup>87</sup> BBC, (24 January 2011) *Analysis on Trust*, Transcript of a recorded interview with Professor the Baroness O’Neill of Bengarve, F.B.A., Available at: [http://news.bbc.co.uk/1/hi/shared/spl/hi/programmes/analysis/transcripts/24\\_01\\_112.txt](http://news.bbc.co.uk/1/hi/shared/spl/hi/programmes/analysis/transcripts/24_01_112.txt)

philosophy at St. Andrews University, advocates shrinking the state because some public bodies seem inherently untrustworthy, O'Neill counters this by suggesting that there is a "cultural assumption that suspicion is a better, more prudent attitude than credulity"<sup>88</sup> and she thinks this attitude indicates a "failure to think about the costs of suspicion."<sup>89</sup> O'Neill advocates neither blanket suspicion nor blanket credulity, she thinks the latter foolish and the former self-destructive. She says that shrinking the state is the wrong conclusion to arrive at, "the conclusion should be that we have no idea whether they're trustworthy or not"<sup>90</sup>, and we must adopt a default assumption when we have no evidence to go on. Although O'Neill does not clarify this any further, I understand this to mean that each case should be judged individually, on its own merits. She says: "If you can't make the judgement, it doesn't obviously follow that the rational thing is to mistrust"<sup>91</sup>. O'Neill argues for a renewal of intelligently placed trust or mistrust and not restoration of trust as such. This seems to me to be a quite pragmatic approach to a problem which might tend to elicit a simpler either idealistic or resigned one. It acknowledges the autonomy of both the individual and the group or organization, whilst also acknowledging each instance of interaction as unique, requiring a unique judgement on trustworthiness. There are consequences to both trust and mistrust, with each there are risks and we sometimes face a dilemma when we come to judge what it is we should do.

However, judge we must, and then we and/or others must face the consequences. Haldane takes us back to personal relationships as the "first and proper place of trust"<sup>92</sup> the child's trust in his parents, trust between friends and so on, and O'Neill makes a very important distinction between this kind of trust and the trust we have to consider in more remote relationships. She says: "The case of persons who live with one another or know one another well is in a way the easy case. That's the case where we get constant confirmation, understanding. It becomes totally intuitive. We

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88 *Ibid.*

89 *Ibid.*

90 *Ibid.*

91 *Ibid.*

92 *Ibid.*

all know that if a child doesn't feel it can trust anybody, even the person who looks after it, it will have very great difficulty in forming trusting relationships."<sup>93</sup>

The value of growing up in an environment where people can be trusted becomes clear if individuals grow to be trustworthy and trusting: "At best, generalized trust is 'the stance...of the child who has grown up in a benign environment in which virtually everyone has always been trustworthy'. Its value is the value of such a childhood, which encourages people to enter into relationships with others because they have little sense of being at risk from them."<sup>94</sup>

### **Transparency and context**

As when trusting relationships are formalized by contracts such as prenuptial agreements, a culture of transparency where everything is under scrutiny in a kind of surveillance culture, can be detrimental to openness. It can distort behaviour as individuals find ways around the mechanisms of surveillance, for example by holding informal discussions where once there would have been formal minuted meetings. Transparency culture can lead to a layer of informal and transient communications. Although we might imagine the culture of transparency to encompass our understanding of the concept as one which describes the passage of light, like a window, enabling us to see through it gaining insight, we must guard against assuming that our understanding of the term corresponds to the way in which it is used in this context. Verne Harris, the South African archival thinker, acknowledges that although a window does allow passage of light, it also distorts images: "[T]he window is not only a medium through which light travels; it also reflects light, transposing images from 'this side' and disturbing images from the 'other side'."<sup>95</sup> As the window reflects light, transposing and disturbing images, so surveillance disturbs the behaviour and activities of those subject to it. Behaviour is changed with the knowledge that oneself and one's behaviour are being observed. In a culture where it

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<sup>93</sup> *Ibid.*

<sup>94</sup> Kohn, M. (2009) *Trust: Self-Interest and the Common Good*, Oxford University Press, pp. 120-21

<sup>95</sup> Harris (2002) "The Archival Sliver: Power, Memory and Archives in South Africa", p. 65

is expected that we should be able to account for our actions, our day to day behaviours change in order to make this possible. We might be meticulous in keeping records or we might find ways of avoiding having to keep a record on everything, for example simply by not carrying out tasks in the first place. To be auditable, we must spend time on the processes of audit and this alters the activities of individuals within organizations and can even have substantial bearing on the activities of an organization itself, undermining the function or service it is intended to perform.

Michael Power makes the assertion that the audit process is not merely a solution to the problem of accountability but that it influences the nature of the organizational environment in which it is implemented, changing it: "Audits are not passive practices, but strongly influence the environments in which they operate. Instead of involving direct observation, audit is largely an indirect form of 'control of control' which acts on systems whose role is to provide observable traces. In a number of areas this results in a preoccupation with the auditable process rather than the substance of activities."<sup>96</sup>

Harris echoes this point when he describes the capacity of the record as both product and shaper of record-keeping process. Harris writes: "while it is self-evident that the record is a product of process, it must be acknowledged that process itself is shaped fundamentally by the act of recording."<sup>97</sup> So, we have here a reciprocal shaping where audit shapes the context for record-keeping and where that context shapes record-keeping process. For Harris the record is complicit in constructing narratives not only by its association with its creators but also by its association with those who come to manage it. Harris writes that archival records do not in themselves reflect reality, but they come, through the hands of many individuals and organizations who

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<sup>96</sup> Power (1994) p. 48

<sup>97</sup> Harris (2002) "The Archival Sliver: Power, Memory and Archives in South Africa", p. 65

have been involved in their creation, management, selection and preservation.

Harris asserts:

“[I]f archival records reflect reality, they do so complicitly, and in a deeply fractured and shifting way. They do not act by themselves. They act through many conduits – the people who created them, the functionaries who managed them, the archivists who selected them for preservation and make them available for use, and the researchers who use them in constructing accounts of the past. Far from enjoying an exteriority in relation to the record, all these conduits participate in the complex processes through which the record feeds into social memory.”<sup>98</sup>

That the record can be selected for preservation, made accessible by archivists, and subsequently used by researchers to construct accounts of our past, supports the idea that even the ‘historical’ record, its character and indeed its existence, is in itself a construct.

Not only does audit have the power to affect change in an organization’s function, it is also important that we acknowledge there are other potential behavioural consequences to the implementation of this transparency mechanism. Seldon writes: “Transparency [...] can encourage more devious forms of deception: it is not an intrinsic way of enhancing trust.”<sup>99</sup> Whether formal or informal accountability is applied depends on the perceived level of risk involved in any particular transaction or activity. Both are social however, and this aspect of accountability must be acknowledged as the weight of its influence bears heavily on organizational practices. Conscious awareness of the requirement to be auditable affects the activities of the organization being audited and Power draws our attention to this very phenomenon:

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98 Harris (2002) “The Archival Sliver: Power, Memory and Archives in South Africa”, p. 65

99 Seldon (2009) p. 202

“Audits are not simply answers to problems of accountability. They also shape the contexts in which they are demanded in important ways.”<sup>100</sup>

In her article for *Archival Science*, “What is Recorded is Never Simply ‘What Happened’: Record Keeping in Modern Organizational Culture”, academic Ciaran B. Trace points out that: “[R]ecords reflect practical organizational concerns and cannot be viewed simply as transparent reflections of organizational routines and decision-making processes.”<sup>101</sup>

Trace draws our attention to the concept of anticipation, addressing the significance of the underlying social factors which influence the creation of records. In particular, she refers to Sociology professor, Albert J. Meehan’s point that the expected use of a record can determine its form and content: “Meehan argues that ‘the projected organizational career and anticipated use of a record shapes its form and content in significant ways.’”<sup>102</sup>

This is not an insignificant point; the individual influences how the record of what happened is constructed and in turn what will, in time, be understood to have happened according to the record. I will return to this concept of anticipation later as I introduce a discussion of prolepsis (the anticipation of retrospection).

To extend Harris’s metaphor, although the window helps to realize transparency, it also frames it. This framing precludes the wider context, limiting the information to which we have access. Harris writes about this in terms of the archivist’s preservation of records: “I would argue that in any circumstances, in any country, the

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100 Power (1994) p. 47

101 Trace, C. B. (2002) “What is Recorded is Never Simply ‘What Happened’: Record Keeping in Modern Organizational Culture”, *Archival Science* 2, pp. 137-159, p. 151

102 *Ibid.*, p. 149

documentary record provides just a sliver of a window into the event. Even if archivists in a particular country were to preserve every record generated throughout the land, they would still have only a sliver of a window into that country's experience."<sup>103</sup> Records represent what it was decided should be recorded and in what particular ways. They do not represent the whole story; this expectation of recordkeeping is unrealistic. I suggest that by framing what is transparent, we lose sight of the bigger picture, the context beyond the frame we fix. As a painter fixes on a composition which works aesthetically, there is a danger that interpreting stories within a set frame might over-simplify our understanding of the world, reducing it to a series of isolated, unconnected narratives. This is not transparency but a qualified transparency, which I will call translucency, where accompanying the declaration of openness there is yet some opacity clouding the picture.

The ways terms are used to describe and communicate social interactions do not necessarily concur with our understanding of their meaning. There is a complexity and equivocation in their use which can be misleading and yield spurious conclusions. For example, we take 'accountability' to mean being liable for actions and answerable to some body, but then we encounter the opacity of 'liable in what particular respect?' and 'answerable to whom?' And accountability is muddled with other concepts such as transparency, trust, responsibility, truth and authority, which we take to be implicit in its meaning. We appeal to 'transparency', but, as we have seen in the metaphor of the window, transparency is never absolute, and how would we know if it were? To make all processes and all information transparent to everyone who needs to know, wants to know, or claims to have an interest, would be a stifling endeavour, and it is certainly arguable that little progress if any at all would be made. There are occasions when information or evidence must be withheld, fabricated or destroyed. Sometimes we must destroy evidence or maintain a strict observance of secrecy in order to serve the greater good. The intense secrecy surrounding the Colossus computer project<sup>104</sup> is illustrative. As eminent British judge,

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<sup>103</sup> Harris (2002) "The Archival Sliver: Power, Memory and Archives in South Africa", p. 64 -65

<sup>104</sup> *Wikipedia*, „Colossus computer“, Available at: [http://en.wikipedia.org/wiki/Colossus\\_computer](http://en.wikipedia.org/wiki/Colossus_computer)

Tom Bingham asserts in *The Rule of Law*, “There are [...] some proceedings in which justice can only be done if they are not conducted in public, as where a manufacturer sues to prevent a trade competitor unlawfully using a secret and technical manufacturing process.”<sup>105</sup> And, writing on the super-injunction debacle, journalist Polly Toynbee cites developments in the Stephen Lawrence case which help bolster the argument for keeping some information private, whilst we try to uphold the truth and serve justice: “The strict injunction against anything being said about the defendants in the Stephen Lawrence case is to stop the case collapsing.”<sup>106</sup> Toynbee makes the point that ‘rightwing media’ use fear of threats to our democracy as a way of making the political personal, perpetuating the illusion that privacy is somehow contrary to democracy. Privacy is an integral part of democracy but it is in the balance between privacy and disclosure where we can come to realize ‘democracy’; it is this balance which is so difficult to strike as it changes to reflect societal expectations.

Having the vision to see the long game, with justice in mind requires what might seem like a sacrifice initially. Sometimes, we have to sacrifice knowing now, with a view to ensuring that the balance between privacy and disclosure allows us to achieve justice. In addition, as the meaning of terms develops, the contexts in which they are used can also alter often dramatically, which serves to complicate effective communication.

### **Accountability, trust and the evolving narrative context**

If indeed accountability is not what it appears to be, we can immediately see the potential for a gap in understanding which opens up the potential for misuse of the term. It would appear that, implicit in the meaning of accountability are notions of transparency, trust, responsibility, truth and authority. These notions, when bound together constitute the performance of accountability. The performance of

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<sup>105</sup> Bingham, T. (2010) *The Rule of Law*, Allen Lane, p. 8

<sup>106</sup> Toynbee, P. (24 May 2011) “Superinjunctions: How the Rightwing Media makes the Political Personal”, *Guardian*, Available at: <http://www.guardian.co.uk/commentisfree/2011/may/24/rightwing-media-makes-political-personal>

accountability is characterized as the accountable individual being entrusted with responsibility to a higher authority which expects that accountable individual to render a full and accurate record of the facts. Facts are understood to be, not just truth apt but, with the assumption of accuracy, true, and so the accountable individual is assumed to be reliable, trustworthy and truthful. Facts are taken to correspond to how things are or were in the world at a particular point in time. However as I have argued the world changes and this has bearing on the understanding of how things were; and the possibility of loss of information or disclosure of relevant new information serves to render the facts open to revision in the future.

It is perhaps useful to illustrate this idea using the scientific method as an example. One generation takes it to be a fact that the sun orbits the earth, but another, following Copernicus, takes the truth of this fact to be reversible, and a new fact, that the earth orbits the sun in a massively complex universe, takes precedence. Scientific facts are empirically derived. Hypotheses are formed by observing the world around us. From these hypotheses we make predictions which are tested by asking questions and performing experiments. Test results may prove inconsistent with predictions; in which case we may discount an hypothesis or continue to test it against further questions and experiments, whilst including subsequent observation in our thinking. On the other hand test results may prove consistent with predictions, in which case we conclude the prediction to be fact and the hypothesis becomes part of the accepted theory. The practice of science is to draw conclusions from observable facts and not to seek out facts, tailoring them to support hypotheses. However, accounts of these facts will be influenced by the evidence available to support them and by the particular perspective of the perceiver.

The truth or falsity of an account will depend on how the narrative is presented. To mitigate the effects of this, experimental results must be subject to independent validation through the mechanism of peer review. Results must be reproducible in order for the wider scientific community to trust them as scientific fact. Scientific facts are overturned, perhaps not routinely but, with reasonable regularity; they represent a

cumulative currency of how things are and how they may have changed over time, and they are necessarily open to revision. Revision allows for the possibility that the same facts may no longer be, in any meaningful sense, available. The records may have been lost, purposely withheld or hidden, or new records may yet come to light that are either more pertinent than those that went before or render them invalid. Although conclusions are drawn out by experiment within a constrained narrative, metaphorically drawing a line around and temporarily fixing the context, this line must be flexible, the border porous in order to allow the potential to modify conclusions should additional facts subsequently come to light.

However, my interest lies not in these scientific facts, but in the ostensibly more mundane facts which accumulate through the experience of the simple everyday interaction and exchange of social living. For example, through experience, we might trust and expect that clean safe water will emerge when we turn on a tap, that the goods we buy will perform the function for which they are designed, or that buses will run to advertised timetables. Such mundane facts all encompass the same principle – through experience we come to believe, expect and trust that individuals and organizations will deliver what they promise. We expect them to be able to account for the facts in the course of doing so. Based on this principle, we come to rely on these facts as constants, building the routines of our lives around them. With the practice of these routines a way of living emerges and this becomes a social system. This social system becomes dependent on these routines and so they are monitored in order to protect and sustain it. Michael Power writes:

“It is through the giving and monitoring of accounts that we and others provide of ourselves, and of our actions, that the fabric of normal human exchange is sustained.”<sup>107</sup>

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<sup>107</sup> Power (1999), p. 1

Just as scientific facts are open to revision so, too, are these mundane facts, this “fabric of normal human exchange”<sup>108</sup>. With the expectation that what is routine today will be routine tomorrow, those facts which we rely on as constants recede in our perception; whilst they are constant they become almost invisible to us, a supporting armature to our way of living. We might see this receding quality as Power’s quality of the “unconscious” in the accountability process. We come to expect that these apparently constant facts will not fail. We notice their significance and our dependence on them when our way of living is interrupted by their failure; if no water emerges when we turn on a tap, washing and cooking become problematic and our health may be at risk. When what was once simple becomes complex or even impossible the necessity of being able to trust in such certainties is brought into sharp focus and we expect a full and accurate account of the reasons for failure. Not only this, but we expect assurance that everything possible will be done to rectify any problem and prevent future repetition of this failure. This assurance requires that organizational routines and procedures be monitored; and monitoring them demands formalising them by opening them up to scrutiny in a process of transparency. And we have little choice but to place trust in this process.

Something of an intersection between the scientific and the mundane is the process of trial by jury. In a process of peer review, judge and jury consider the evidence of witness accounts and the significance of any objects of evidence submitted to the court presented by representatives for defence and prosecution. Under British law, these accounts are given under oath, affirmation or promise claiming to be “the truth, the whole truth and nothing but the truth.” This claim implies that it is possible to give an account of *the* truth without interpretation or embellishment, and with full knowledge of context, although, as always, the truth-bearing quality of accounts is subjective, however hard we try. It is impossible for an individual to have full knowledge of context and there is no account without interpretation. Each witness account is an individual perspective on the facts and these accounts enter evidence

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<sup>108</sup> *Ibid.*

as fragments of the narrative, fragments of the *whole* truth. Gradually the interrelationships between these fragments may be revealed, particular fragments serving to corroborate others; yet even this may not amount to the whole truth. People can experience memories of actions and events which conflict with the memories of others. Memories of events can change as time passes and imagination plays. As Verne Harris writes in *Contesting remembering and forgetting: the archive of South Africa's Truth and Reconciliation Commission*: "Memory is never a faithful reflection of process, of 'reality'. It is shaped, reshaped, figured, configured, by the dance of imagination."<sup>109</sup>

Lies, misinterpretations and misinformation (although perhaps not always identifiable as such) are also part of *the* truth of how actions and events transpire, interrelate, and are understood in the ever increasing collective narrative. Witnesses may not deliver what they promised under oath, by perjuring themselves or by simple omission or forgetfulness; or there may be missing accounts in the form of unknown witnesses or accounts yet to come to light. Relating this to the archive, archival educator Richard J. Cox quotes American Cold War historian, J. L. Gaddis:

"Because not all sources survive, because not everything gets recorded in the sources in the first place, because the memories of participants can be unreliable, and because even if they were reliable no participant would have witnessed all of an event from all possible angles, we can never expect to get the full story of what happened."<sup>110</sup>

This assertion bears out the theory of the ever-evolving narrative context. There is always the possibility, indeed the likelihood, that witness to or evidence of 'all of an event from all possible angles' does not exist. If narrative context is *ever-increasing*, we only ever *potentially* come *closer and closer* to truth. Williams writes:

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<sup>109</sup> Harris, V. ( 2002) "Contesting remembering and forgetting: the archive of South Africa's Truth and Reconciliation Commission", *Innovation*, No. 24, pp. 1-8, p. 1 Available at: <http://www.ajol.info/index.php/innovation/article/viewFile/26439/4862>

<sup>110</sup> Cox, R. J. ( 2006) *Ethics, Accountability, and Recordkeeping in a Dangerous World*, Facet, p. 248

“Any story is a story, and positivism [...] implies the double falsehood that no interpretation is needed, and that it is not needed because the story which the positivist writer tells such as it is, is obvious. [...] and its being obvious only means that it is familiar.”<sup>111</sup>

Not only should we read, we should re-read the evidence, testing it; and we should acknowledge the disclosure of subsequent information which may impact on meaning, changing it, for example when new evidence forces re-trial. As in the scientific method, re-evaluation occurs with new observation, perhaps leading to revision of theory. The narrative is only ever delimited up to the current ‘now’ and always has the possibility to admit new information. Williams goes on to write:

“As Roland Barthes said, those who do not re-read condemn themselves to reading the same story everywhere: “they recognize what they already think and know.””<sup>112</sup>

So, in the process of trial by jury, each juror must base conclusions on what seem to be the most trustworthy available accounts in order to contribute to the consensus as to the provable facts and ultimately the truth as far as it can be determined – the plausible, probable truth. By participating in this process, each juror is making an interpretation of the evidence presented and a judgement as to the trustworthiness of that evidence, the witnesses, the legal representation and the legal system itself. The system can only work with an initial placing of trust in all of these things. A majority, unanimous or (in the case of Scots law) not proven verdict is then reached as to a defendant’s guilt in the eyes of the law. This verdict is open to revision with leeway for appeal should new evidence come to light subsequent to trial. And the legal process itself is open to revision as the rigour of current process is repeatedly tested

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<sup>111</sup> Williams (2002) p. 12

<sup>112</sup> *Ibid.*

in the courts. Power writes: “Whatever trust is, it is widely agreed that it is easier to destroy than to create”<sup>113</sup>

### **Loss of Trust**

Both Power and Seldon suggest that we require an active and critical trust, ensuring we encompass evidence and reason in our decisions on whether or not to place trust, and Bingham reminds us we must place trust in the transparency of legal process otherwise the ‘rule of law’ would be jeopardized. Once trust in the law is destroyed it is almost impossible to rebuild it. We find ourselves uncertain without an anchor and in the most extreme example with no recourse to justice, for example in apartheid South Africa or China.

Whilst Power advocates a willingness to trust, at the same time he acknowledges that it is not always a good idea to trust, indeed it is sometimes inadvisable and naïve to trust, especially in the face of evidence which suggests we should not:

“It is not always good or wise to trust. It can lead to nepotism or cronyism, and to the trusting of the incompetent or malevolent. One can be *naïvely trusting*, without any consideration or weighing up of risks, like a child, and one can continue to trust despite evidence that one should not. We call the latter *blind trust*.”<sup>114</sup>

A trust based on considering each situation case by case would seem to strike the balance between being willing and being unwilling to trust. Indeed Seldon tempers this naïve versus blind trust by advocating a decisive and critical active trust, where we choose who to trust by way of reason. I endorse his perspective. However, throughout I feel that Seldon’s own criticism of his proposals is valid. In chapter nine he makes what amounts to an apology:

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<sup>113</sup> Power (1999) p. 134

<sup>114</sup> Seldon (2009) p. 6

“[T]he ideas contained above may appear too far-fetched, or socially authoritarian, for some tastes. We speak with real conviction though when we say that the pendulum has swung too far towards self-obsessed individualism, and is beginning to swing back, to the great enrichment of us all.” (Seldon, 2009, p 191)

It is no coincidence that this statement comes in Seldon’s argument at the end of the chapter on communities, families and children, possibly the most sensitive of all the contexts he addresses. This is where we can begin to see how the role of government and its policies directly affects people and it brings home the reality which the consequences of policy represent for our nearest and dearest. The challenge facing all of us is whether we can learn to consider what reality might be like for others and not only ourselves and those with whom we have personal relationships.

Power highlights the impossibility of a society without trust:

“Could one imagine a society, or even a group of people, where *nothing* was trusted and where explicit checking and monitoring were more or less constant? [...] Nothing could be produced collectively, human relations would be intolerable, individuals would need personally to check the capital adequacy of their banks on a daily basis. If we start hiring a private detective to follow the private detective who is following a lover, when does the need for checking stop?”<sup>115</sup>

But, he goes on to assert that it is naïve to trust blindly or to trust in those who have disappointed us in the past: “[C]ould one imagine a society without any checking at all, a society of pure trust where all accounts are taken at face value? [...] Where expectations are disappointed is it not simply naïve to carry on as before?”<sup>116</sup>

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<sup>115</sup> Power (1999) p. 2

<sup>116</sup> *Ibid.*

Seldon asks us to consider whether trust is connected to the past and future: “[I]s trust mainly about the present, or also about a relationship with the past and future?”<sup>117</sup> and draws our attention to the significance our experience has on the ways in which our trusting relationships are founded and develop over time: “Trust takes time to build, and we tend more immediately to trust when a long-term reputation has been established”<sup>118</sup>

Nevertheless, in order to establish a long-term reputation, there must be trust in the first place. Whether trust is placed again, subsequent to it having been broken and with new awareness of the risk, that if it has happened once trust may be broken again, depends on the necessity of a particular relationship to the activities of an individual or organization. There are relationships which are trustworthy enough for practical purposes, such as first encounters with individuals and organizations as opposed to long-term relationships. Boulding makes a scaled-up observation of this kind:

“When nations cease to think of their security in absolute terms, when they begin to evaluate the effect of any increase in their own arms on the armaments of others, then we are more likely to develop processes of interaction which lead to mutual trust rather than to mutual suspicion.”<sup>119</sup>

When the state of normal human exchange becomes an expectation of failure and broken trust, how do we reconcile expectation with practice to any practical purpose with a view to change; and what implications does this have for the meaning of accountability?

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<sup>117</sup> Seldon (2009) p. 2

<sup>118</sup> *Ibid.*, p. 7

<sup>119</sup> Boulding (1961) p. 113

In sustaining “normal human exchange” we accept a certain amount of exploitation of ourselves and others. And, to some extent, we prefer not to know how difficult life can be for others. Should we necessarily be aiming to sustain *this* normality? If we think about how we live and how we feel about how we live we can also try to imagine how life is for others. We can try to imagine that for many, normality is not comfortable, not easy, and yet not even that is particularly sustainable, physically, psychologically or economically. The phrase ‘life as we know it’ is often thrown around in order to instill fear of any perceived threat to it, but we forget that for some life as they know it might be something they would be willing to risk anything to change, and often they do. We frequently hear stories of refugees fleeing their homes, taking immense risks as they journey in search of a better way of life. If there is no imagination of possible alternative ways of living, we risk running into the dilemma pointed out by Strathern (discussed in Chapter 1), collapsing the ‘is’ and the ‘ought’, avoiding the need and stifling the hope or desire for change to something better. If we define how things ought to be in terms of how things are, that is, if we conflate these two, we accept Socrates’ calm sea,<sup>120</sup> and allow rot and destruction to prevail. In doing so, we accept the constraint of our chains and leave ourselves caught in the cave with nowhere to go. We leave ourselves no hope. As we have discussed, Power suggests that a society without trust would be impossible. I suggest this is also true for a society without hope. Hope is bound to the concept of change. To help sustain hope, we must first face our fears. For this reason I would advocate attempting to turn away from collapsing the is and the ought, where we allow ourselves to be convinced that there is no need for change. We must turn to face another direction, where we can see that the world is not as it should be, where we can see that there is a need for change, and not just for ourselves as individuals. We need change which can help sustain both the individual and the collective. Firstly, we must begin to carefully consider the ‘other’ and wilfully accept and fight for the fact that all individuals matter. We can do this by moving away from aspirations to accumulate individual or national wealth and towards a global cooperative people-centred way of living. We can strive towards realizing a sustainable environment,

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120 Levett, M. J. (1928) *The Theaetetus of Plato*, Jackson, Wylie & Co., Glasgow, p. 24

where we can achieve justice, equality, and a healthy and fulfilling way of life for all. We must begin to take into account that things may not be as they appear. In Power's words:

“The question which must be brought back to the surface in every particular case is whether the tail may be wagging the dog and, in the process, whether audit provides deluded visions of control and transparency which satisfy the self-image of managers, regulators and politicians but which are neither as effective nor as neutral as commonly imagined.”<sup>121</sup>

According to Shore and Wright, audit itself has encouraged a displacement of autonomy and trust: “Audit encourages the displacement of a system based on autonomy and trust by one based on visibility and coercive accountability.”<sup>122</sup> So, could we in fact dispense with the elaborate measures synonymous with ‘audit culture’, excessive bureaucracy and constant account giving, and revert to a more autonomous way of trusting each other?

With the conscious awareness of the requirement to be auditable, the organization to be audited becomes the auditable environment, the audit process therefore creating, revealing and disclosing nothing but itself. Giri alludes to an autopoietic quality in audit culture:

“The audit culture could almost be drawing on the language of self-organization and autopoiesis of biological systems, but only to forget that if in the autopoiesis of the biological systems cognition plays an important role, then in the world of self-making (what ‘autopoiesis’ literally means), in the field of culture and society, both cognition and recognition play an important part.”<sup>123</sup>

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121 Power (1999) p. 143

122 Shore, C. & Wright, S. (2000) p. 77

123 Giri (2000) p. 174

Is audit a self-creating, self-perpetuating system, implemented merely to reproduce itself and the need for itself. Both the anthropologist Marilyn Strathern and Power discuss the efficacy of audit. In her article *Virtual Society, Get Real! Abstraction and decontextualisation: an anthropological comment or: e for ethnography* Strathern analyses the audit process asserting that audit measures do indeed “collapse the is and the ought”<sup>124</sup>. She suggests that audit works backwards from ‘what is’, an already ascertained end-point, in order to set criteria for ‘what ought to be’, resulting in consultable visible evidence to which these two conform. She suggests that audit culture produces the illusion of itself (accountability) by only demanding delivery of that which it is already known can be delivered. She writes that the audit process: “works backwards from the bottom line up, from the categories by which accountability (say) can be ascertained to the evidence for it”<sup>125</sup>

Power contributes something similar to the debate. He suggests that audit reports might in fact be designed to bring closure to inquiry, but not necessarily to inform us of how things are in the world. Rather than enabling us to make reasoned judgements about whether we need to change things and how we can do so for the better, audit might in fact be stifling the possibilities for change:

“Of particular importance is the style and use of the various forms of report which auditors provide. Do they enlighten, inform, influence, and enable criticism and substantive change? Or is the giving of an audit report intended to bring inquiry to an end?”<sup>126</sup>

If indeed the audit report is intended to “bring inquiry to an end”<sup>127</sup>, what use is it as a mechanism of accountability, what implications does this have for the realization of accountability? The formal process of audit has led to a disintegration of trust.

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124 Strathern (2000) “Abstraction and Decontextualisation: an anthropological comment or: e for ethnography”

125 *Ibid.*

126 Power (1999) p. 124

127 *Ibid.*

However, this could be interpreted as circular. Did the formal process of audit lead to a disintegration of trust or did disintegration of trust lead to the introduction of audit? The answer is – both. Giri paraphrases Power:

“audit is introduced largely when trust has broken down, and yet the ‘spread of audit actually creates the very distrust it is meant to address’, culminating in ‘a “regress of mistrust” in which the performances of auditors and inspectors are themselves subjected to audit.’”<sup>128</sup>

The audit process is looped not only in the requirement that it returns to information in performing the process of evaluation, verification and validation of that information, but in its constant return to the notion of trust in the performance of this process. As Power notes: “The audit society is only superficially a ‘distrusting society’. Indeed, auditing is a practice which must be trusted and which is also itself, of necessity, trusting.”<sup>129</sup>

Power reveals the complexity of how trust operates within the audit process and simultaneously he draws our attention to an aporia. We discover that although we turn to audit, as Power writes: “when accountability can no longer be sustained by informal relations of trust alone”<sup>130</sup>, this involves us in a constant return to the notion of trust (as intimated in Chapter 1), and we are compelled to place trust on many fronts. Power elaborates on this point, bringing out the aura around audit as one which appears to embody objectivity and accountability, whilst in reality it perhaps leads us to a dead end:

“Most audit reports [...] do not so much communicate as ‘give off’ information by virtue of a rhetoric of neutrality, objectivity, dispassion,

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128 Shore, C. & Wright, S. (2000) p. 77

129 Power (1999) p. 123

130, *Ibid.*, p. 11

expertise' [...]. This means that the audit process requires trust in experts and is not a basis for rational public deliberation. It is a dead end in the chain of accountability [...]. Although the audit explosion has occurred in the name of improved accountability, this is largely a form of 'downward' accountability which 'is invoked in order to resist upward accountability; giving an account is seen to be a way of avoiding an account' [...]. In short, more accounting and auditing does not necessarily mean more and better accountability."<sup>131</sup>

This brings us to the power of rhetoric in sustaining audit as a ubiquitous tool of accountability culture. The term accountability implies getting to the bottom of who is responsible, but in believing this to be the case are we allowing ourselves to be convinced by a powerful and seductive rhetorical manipulation, and merely taking comfort in an illusion of accountability masquerading as the real thing? Power seems to suggest this is the case: "Is the discourse of empowerment and choice which motivates programmatic demands for auditing really more than rhetoric?"<sup>132</sup> I will come back to rhetoric in Chapter 3 where I consider what is sought by the rhetorician and whether rhetoric need be grounded in truth. Our understanding of audit may be far from the reality, as the terms encompassed in the discourse of accountability are redefined without our knowledge, and we are duped by the language. Shore and Wright echo this perspective:

"Power also points out that 'effectiveness' itself has been redefined in the discourses of audit: it now focuses on whether systems of command and control work, rather than on the impact of higher education on society."<sup>133</sup>

Because audit demands the constant return to the notion of trust, the systems of audit cannot be held up to the same scrutiny which they apply to the auditable environment. Somewhere, the process must reach a conclusion from which we can move:

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<sup>131</sup> *Ibid.*, p. 127

<sup>132</sup> *Ibid.*, p. 123

<sup>133</sup> Shore, C. & Wright, S. (2000) p. 80

“[A]udit systems are themselves immune from public accountability and are rarely subject to the pseudo-market forces which their advocates claim are so essential in the sectors to be audited.”<sup>134</sup>

The function of audit culture is to instigate the keeping of records which, over time, will become accessible evidence to show that the benchmark of quality of performance in any auditable environment is met, according to audit criteria. ‘Audit culture’ does not function to ensure that any given public or private service meets any particular objective standard of quality. Shore and Wright express their concern that our expectations of audit do not match its capabilities: “[T]here is now growing evidence that audits are failing to deliver their claimed benefits of enhanced quality and effectiveness across the public sector.”<sup>135</sup>

We must be open about the limits of the audit process and if necessary find ways of enhancing audit to encompass the expectations which so far fall outside its remit. Audit practice can, at best and over time, only ever come closer and closer to the ideal of accountability, giving a true and fair view of an enterprise based on the evidence available for assessment. At worst, it is obfuscation and in fact leads us further and further away from that ideal, as it increasingly presents justification for the *status quo* as opposed to identifying the need for change. An interruption to the accepted flow of audit culture is required in order to expose its inadequacies, disclose its illusory qualities, and break this vicious circle. Power makes these observations:

“Over time, no doubt as the volume and complexity of transactions increased, audit practice co-evolved with the development of accounting records and statements which acquired evidential status as a supplement to oral traditions of proof. This reflects a more general shift in the idea of evidence and proof from testimony to documentation (Hacking, 1975).”<sup>136</sup>

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134 *Ibid.*, p. 81

135 *Ibid.*

136 Power (1999) p. 16

Both the contributions of Giri, and Shore and Wright to *Audit Cultures: Anthropological studies in accountability, ethics and the academy* pick out the following point which Power makes:

“[W]hat is being assured is the quality of control systems rather than the quality of first order operations. In such a context accountability is discharged by demonstrating the existence of such systems of control, not by demonstrating good teaching, caring, manufacturing or banking.”<sup>137</sup>

In August 2010, the Auditing Practices Board, issued a discussion paper entitled *Auditor Scepticism: Raising the Bar*<sup>138</sup>. Its focus on scepticism suggests a move towards a more scientific and objective methodology in audit practice and this is a positive development, opening up the possibility that we might come to face, accept and embrace change as a defining factor in living. A passage from Immanuel Kant’s *Critique of Pure Reason* helps to elucidate my point. If it is not to be illusory, audit must not collapse the is and the ought, making it appear that the world is as it should be, but its task should be to reveal opportunities for change:

“Nothing is more reprehensible than to derive the laws prescribing what *ought to be done* from what *is done*, or to impose upon them the limits by which the latter is circumscribed.”<sup>139</sup>

We must distinguish between the is and the ought so that we might see a way through in the search for change, a search full of possibilities, which themselves change with every moment as more and more individuals contribute to the world of

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137 Power (1994) p. 15

138 *The Auditing Practices Board*, Financial Reporting Council, “Auditor Scepticism: Raising the Bar”, Available at:

<http://www.frc.org.uk/images/uploaded/documents/Discussion%20paper%20Auditor%20Scepticism%20-%20raising%20the%20bar21.pdf>

139 Kant, I. (2007) *Critique of Pure Reason*, Palgrave MacMillan, p. 313

ideas. With these contributions, we might collectively arrive at ways to change things for the better.<sup>140</sup>

As we have seen in this chapter, we are compelled to trust from the first moments of life. As we grow and move beyond the confines of the familial and into a wider social world, gathering experience, we find ourselves in a constantly evolving relationship with trust. We find that in many instances we have no choice but to trust, even when we are not entirely sure whether our trust will be honoured by others, particularly when we place our trust in organizations which by extension requires us to place trust in a great number of individuals, any one of whom might betray our trust by behaving irresponsibly.

In *The Quest for Responsibility: Accountability and Citizenship in Complex Organisations*, legal philosopher Mark Bovens acknowledges that responsibility has many related forms, but that these “cannot be reduced to one essential meaning.”<sup>141</sup> In this text, Bovens is concerned with analysing the problem of organizational accountability. Given that organizations are comprised of many individuals, it is difficult to achieve accountability for organizational behaviour. He makes the distinction between two forms of responsibility. Passive forms of responsibility are where:

“[O]ne is called to account after the event and either held responsible or not. It is a question of who *bears* the responsibility for a given state of affairs. The central question is: ‘Why *did* you do it?’”<sup>142</sup>

Active forms of responsibility are where:

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<sup>140</sup> There is a *Wikipedia* entry entitled “Is-ought problem” which may be of use here in clarifying the difficulties with deriving what ought to be (the normative) from what is (the descriptive). Available at: [http://en.wikipedia.org/wiki/Is%E2%80%93ought\\_problem](http://en.wikipedia.org/wiki/Is%E2%80%93ought_problem)

<sup>141</sup> Bovens, M (1998) *The Quest for Responsibility: Accountability and Citizenship in Complex Organisations*, Cambridge University Press, p. 24

<sup>142</sup> *Ibid.*, p. 27

“[T]he emphasis lies much more on action in the present, on the prevention of unwanted situations and events. Above all, it is a question of responsible acting, of taking responsibility, of *behaving* responsibly. The central question here is: ‘what *is* to be done?’”<sup>143</sup>

Bovens shows us these two ways of holding individuals to account for their actions. The former looks for explanation, the latter for participation. This latter is a preventive responsibility in which we can see author and literary theorist Mark Currie’s anticipation of retrospection at work.<sup>144</sup> I will discuss this at greater length in Chapter 4. An individual whose character includes a sense of responsibility can see that she might be called to account for her actions, indeed she expects that she will and sees this expectation as a duty, and so she acts accordingly, with consideration of the consequences of her actions and care for those who might be affected by those consequences. She behaves responsibly and this is what Bovens refers to as “virtuous responsibility”:

“[S]omeone takes his tasks and duties seriously, acts only after due deliberation, and considers himself answerable to others for the consequences of his actions.”<sup>145</sup>

That is not to suggest that only the responsible expect that they might be called to account. Indeed, to expect this is to be prepared and those who would wish to behave irresponsibly and get away with it are advised to be prepared to deflect criticism by anticipating questions and formulating credible answers which are either verifiable in the record or which the record leaves open to question or interpretation. As Cox writes: “Records are messy and difficult to interpret.”<sup>146</sup>

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<sup>143</sup> *Ibid.*

<sup>144</sup> Currie, M ( 2006) *About Time: Narrative, Fiction and the Philosophy of Time*, Edinburgh University Press, 2007, p. 29

<sup>145</sup> Bovens (1998) p. 26

<sup>146</sup> Cox ( 2006) p. 182

In this chapter I have looked at the practical uses of terms, considering how meaning can be contrary to our interpretations and terms can be misunderstood. We have discovered that sometimes miscommunication is intended and, rather than being ineffective, it is in fact effective communication, as the intentions of the communicator are fulfilled in the creation of a hidden misunderstanding, serving a particular agenda. As we gather experience in the wider social world beyond the familial, our relationship with trust evolves and, as we will discover in the next chapter, time influences our perception of meaning. As we act, things are left behind and these things can come to have great significance as time passes. How we think things are and how things are can be very different.

## Part 2 - Freed: A Liberation of the Prisoner Within the Cave

“At first, when any of them is liberated and compelled suddenly to stand up and turn his neck round and walk and look towards the light, he will suffer sharp pains; the glare will distress him, and he will be unable to see the realities of which in his former state he had seen the shadows; and then conceive of some one saying to him, that what he saw before was an illusion, but that now, when he is approaching nearer to being and his eye is turned towards more real existence, he has clearer vision, - what will be his reply? And you may further imagine that his instructor is pointing to the objects as they pass and requiring him to name them, - will he not be perplexed? Will he not fancy that the shadows which he formerly saw are truer than the objects which are now shown to him?”<sup>147</sup>

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147 Jowett, B. "Plato, The Republic, Book VII, The Allegory of the Cave", Available at:  
[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

## Chapter 3 - Perception: How We Think Things Are

“The rainbow that you see is not the same one that a person standing near you sees. The reason is that only one ray of light is able to reach your eye from each drop. 'Your' rainbow moves with you when you move.”<sup>148</sup>

As discussed in the Introduction, Boulding tells us that we each have an image of the world through which we understand how the world is. And Plato’s Allegory of the Cave tells the powerful story of how we each understand the world from our own perspective. Taken together, we might use the implicit visual emphasis of these two and arrive at the idea of the world view, how we see the world and from what position.

Our world view is how we think things are in reality, it is our perception of meaning as we try to understand the world we live in and it is formed through experience. When we interpret, derive, create and convey meaning, we must keep in mind its diachronic and dynamic nature. Although, for practical purposes, in any given situation, we must delimit the context in order to make it possible for us to interpret meaning, we must at the same time acknowledge that meaning is open to revision as the context grows and changes around it, and for this reason delimiting context is problematic, as Wittgenstein writes in *On Certainty*: “Our talk gets its meaning from the rest of our proceedings.”<sup>149</sup> In the midst of change, living a life which at each given moment spans an ever-increasing, accumulating past, present and a future, we seek meaning, coming to conclusions by making judgements based on the information which appears to us to be relevant. Our world view influences both our judgements and our understanding and taken together these determine our conclusions. We create narratives using the information which is disclosed to us with the passage of time and most significantly we can only use information which is accessible to us (I will come back to accessibility and its potential to skew our interpretations and conclusions in

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<sup>148</sup> Royal Meteorological Society, “Rainbows”, Available at: <http://www.rmets.org/activities/schools/scisky2.php>

<sup>149</sup> Wittgenstein, L. (1979) *On Certainty*, Oxford Blackwell, 229, p. 30e

Chapter 4). In this sense, our understanding of how the world is depends on our being open to change which is revealed to us through the perspective of time, and which complicates the narratives we create and the conclusions we form about the world. As the past devours the future through the present, our understanding of the world must be continuously open to revision, making it difficult to intervene at any given point in time in order to delimit the context for the narrative we create.

### **Time and meaning**

As Paul Ricoeur writes:

“To follow a story is to move forward in the midst of contingencies and peripeteia under the guidance of an expectation that finds its fulfilment in the ‘conclusion’ of a story. This conclusion [...] gives the story an ‘end point’, which, in turn, furnishes the point of view from which the story can be perceived as forming a whole.”<sup>150</sup>

Ricoeur argues that human beings’ perception of meaning takes the form of a set of time relations – memory, direct perception and expectation. He explains: “The present of past things is the memory; the present of present things is direct perception [...]; and the present of future things is expectation.”<sup>151</sup> Although time passes, our experience is always in the present, but that present, in the form of our memories, our direct perceptions and our expectations, is ever- changing. If for a moment, and for the sake of simplicity, we think of each experience we have as isolated from the rest, we can reveal that experiences do not in fact exist in isolation but blur together and have bearing on one another, changing our feelings about our past experiences. This can lead us to greater understanding. Our present experience is connected to both our past and our future experience and this connection gives us continuity of experience. We can illustrate this with something as simple as learning language. When we hear a word used for the first time, we do

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<sup>150</sup> Ricoeur (1990) p. 66

<sup>151</sup> *Ibid.*, p. 11

not necessarily understand what it means, we search for understanding by considering the context in which it is used and we can come to understand its meaning. This experience might prompt us to research the word's meaning and so the next time we hear it we do understand. In this way, we accumulate understanding by building on our experience. Perhaps a useful way of looking at the significance which time has for our understanding is to consider the idea of residue, something left behind. In Stanley Kubrick's 1980 film adaptation of Stephen King's novel *The Shining*, hotel cook Dick Hallorann speaks to Danny of a lingering residue of the past, which can allow us, through its meaning, to recognize that something happened. In turn, this recognition can allow us to connect to, and understand, an event. In the movie, Hallorann tells Danny: "when something happens, it can leave a trace of itself behind. Say like, if someone burns toast."<sup>152</sup> This is a useful metaphor when beginning to think about the significance which time has to our understanding. The experience of smelling burnt toast has meaning for us, it connects the present, past and future, somehow encapsulating these by spanning event, record and evidence, in a gradually emerging, and then subsiding residue. However, this is true only if we have prior experience of such an event and understand what the evidence means. As with learning language, we accumulate understanding through experience. Because we have experienced it before, when we experience the smell of burnt toast, not in the first instance but in all subsequent instances, we are made aware of an event, one which is recognizable. It is in the present that we experience this awareness of what has happened; but our experience includes the fact that we expect the smell of burnt toast to linger into the future and we also expect it gradually to subside. In the case of the smell of burnt toast, the evidence of the event occupies the lapse between event and our awareness and understanding of what has happened, setting the event and our experience of it in the midst of a continuous present where change alerts us to experience. We observe movement or change against the relative still and we can understand that something happened.

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<sup>152</sup> Kubrick, S. Dir., (1980) *The Shining*, Warner Bros. Entertainment Inc. (distr.)

At any given moment, a person is a cumulative currency of experience as our understanding of the world is based on a collective and cumulative currency of reasoning with evidence. Fundamental to this idea is the location of the human being in time. We experience the world now, in the present. As time moves and passes, what appear to be countless presents, a succession of nows as we live in the moment, become configured into our accumulating whole experience and we consider them in that context. With each shifting, passing now we are changed as experience adds to experience in an ampliative process of reinvention. In much the same way as the individual images on film are run together to form a comprehensible and coherent moving, changing image, creating a story from a series of still images when we run the film through a projector, we are in a constant state of configuring whole experience from accumulating individual experiences. With each passing moment we and our world view change, even if that change is merely to have our world view re-affirmed. Observing movement, we observe change and from this we can try to understand what took place which has led us to our present position.

We understand that we exist in time and that there is both a vast history which precedes our existence and a possibly vast future which will follow it. As each individual's life is lived we are connected to time through our memories of the past, our experiences of the present, and our hopes for the future and, in the midst of these memories, experiences and hopes, we are connected to others in the relationships we build. Boulding writes:

“The human being, [...] is firmly located in a temporal process. He has an image of the past which extends back far beyond the limits of his own life and experience, and he likewise has an image of the future. Closely associated with the time structure of his image is the image of the structure of relationships. Because we are aware of time, we are also aware of cause and effect, of contiguity and succession, of cycles and repetition.”<sup>153</sup>

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153 Boulding (1956) p. 25

By reference to our awareness of 'cause and effect, of contiguity and succession, of cycles and repetition,' Boulding acknowledges the recursive quality to the concept of the individual's image. However, his use of the term 'image' is an oversimplification of our relationship with the past and the world and for my purposes I take it wholly as a metaphor, a useful starting point from where we can begin to examine and explore the complexities of that relationship. The term 'image' by itself implies a static quality and suggests an unchanging, fixed state of things. I do not mean to suggest that our relationship with the past has this fixed characteristic, quite the opposite. In reality, our relationship with the past is not static, but, as we have seen, in a constant state of flux. With every moment that passes, as we live through experience, the way we remember, the way we view and the way we feel about the past changes. We embody the past, in a number of different ways and this affects how we approach the future.

The body is shaped by the habits we develop over time, by the things which happen to us as we go about living, and by genetics and evolution. We hold a pencil in a particular way and this co-determines how our hand will be shaped in the future, but also how we can produce letters on a page. A callous might develop on the inside of the middle finger, more or less obviously, perhaps depending on how tightly we hold our pencil or how frequently we use it. Accidents and incidents happen and leave scars on our bodies in their wake and our ancestry determines much of what we look like, our mannerisms, how we speak and in which language, and where in the world we find ourselves, both geographically and economically. We are encultured, enlanguaged, and corporeally inhabited by the past; it determines what is possible for us and what is denied us. The past too is affected by our lived experience because we are affected by that experience and neither the past nor the individual's view of it are ever quite fixed. We are caught in a dance, perpetually moving from the past into the future affected on many fronts by the world around us, and now and then we turn, we look back and finding ourselves changed we are moved to perceive things afresh.

### **Senses, location and knowledge**

Boulding writes that human beings are located not only in space and time, but also in a field of personal relations, in the world of nature, in a world of how things operate, and in the midst of a world of subtle intimations and emotions.<sup>154</sup> However, we are also located in the midst of our sensations which are wholly our own and do not always correspond with the sensations of others, as Socrates observes in *Theaetetus*: “doesn’t it sometimes happen that when the same wind is blowing, one of us feels cold and the other not? Or that one of us feels *rather* cold and the other *very* cold?”<sup>155</sup>

Our sensations are the means by which our body enables us to experience the world in a kind of communication; they are the means by which our experience of the world is created and it is through our sensory experiences that we have a sense of what the world is, of what reality is. We feel we know the world through the sensations we experience. We might feel we know it is cold if we get goose-bumps or shiver involuntarily, even if no one else around us has a similar experience. So, perhaps the most we can ever say is that it is cold for us at that particular moment.

Boulding suggests that, because of the implications of credibility, validity or truth in the term ‘knowledge’, these senses of location are not knowledge of the world, but rather the individual’s image of it. They are his subjective knowledge, his world view, what he believes to be true, the world of appearances as Kant might say: “Kant conceived of a more mind-boggling possibility that our ‘a priori form of intuition,’ our way of perceiving things in space and time, may systematically distort our representation of what exists so that we can only know the world ‘as it appears’ to us, not ‘as it is in itself.’”<sup>156</sup> Boulding explains it in this way:

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<sup>154</sup> *Ibid.*, p. 5

<sup>155</sup> Levett (1928) p. 21

<sup>156</sup> Stevenson, L. & Haberman, D. (2008) *Ten Theories of Human Nature*, Oxford University Press, p. 148. For a fuller discussion see the introduction to *Transcendental Aesthetic in Kant*, I. (2007).

“What I have been talking about is knowledge. Knowledge, perhaps, is not a good word for this. Perhaps one would rather say my *Image* of the world. Knowledge has an implication of validity, of truth. What I am talking about is what I believe to be true; my subjective knowledge. It is this Image that largely governs my behavior.”<sup>157</sup>

Boulding discusses the growth of private and public images in individuals, organizations and society, and in this text, he sets out to discover what determines this image and how our image of the world determines our behaviour. Boulding offers an explanation of how the individual’s image of the world comes about; he says that this involves four things which can happen when a message hits an image. Firstly, he writes, the image may remain unaffected, secondly it may change in that it is simply added to, new information can be ampliative, thirdly the image may have its supporting structure undermined and may change radically, and fourthly the image may be clarified and made more certain or have doubt or uncertainty introduced into it. Boulding ventures that there is a correlation between the change in an image and the meaning of a message which hits it. He writes:

“The image is built up as a result of all past experience of the possessor of the image. Part of the image is the history of the image itself. At one stage the image, I suppose, consists of little else than an undifferentiated blur and movement. From the moment of birth if not before, there is a constant stream of messages entering the organism from the senses. At first, these may merely be undifferentiated lights and noises. As the child grows, however, they gradually become distinguished into people and objects. He begins to perceive himself as an object in the midst of a world of objects. The conscious image has begun. In infancy the world is a house and, perhaps a few streets or a park. As the child grows his image of the world expands. He sees himself in a town, a country, on a planet. He finds himself in an increasingly complex web of personal relationships. Every time a message reaches him his image is likely to be changed in some degree by it, and as his image is changed his behavior patterns will be changed likewise. We must distinguish carefully between the image and the messages that reach it. The messages consist of *information* in

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157 Boulding (1956) pp. 5-6

the sense that they are structured experiences. *The meaning of a message is the change which it produces in the image.*<sup>158</sup>

This is Boulding's image/message modification. The individual's image comes about with the impact of input on any current image, and this image is continuously open to revision, always in the process of being reinvented. All of the individual's past experience together with the history of how the image itself has changed constitutes a compound image. Boulding illustrates this concept further using the thermostat as a metaphor for his image/message modification showing that in the midst of constant change we are continuously recalibrating:

“The thermostat has an image of the outside world in the shape of the information regarding its temperature. It has also a value system in the sense of the ideal temperature at which it is set. Its behaviour is directed toward the receipt of information which will bring its image and its value system together. When its image of the outside world is “right,” that is, conforms to its value system, it ceases to act. As long as the image, as confirmed by the messages received, does not conform to its value system it acts in order to bring the two together.”<sup>159</sup>

Although, as with his use of the term ‘image’, Boulding's use of the thermostat metaphor oversimplifies the relationship we have with experience, it is another useful starting point from which we can begin to build our understanding of how experience comes to affect how we comport ourselves towards the world, towards others and towards both the past and the future. Taking Boulding's concept of ‘image’ and his use of the thermostat to illustrate what he means, I can say something about what I do not mean by world view. The images we have of our world are mediated relationships to the world. In using the thermostat to explain image, Boulding is missing this point. The thermostat has a direct relationship with the world in that the materials which constitute it react to conditions by their direct contact with their environment, as our senses react directly to a cold wind, for example. The image is

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<sup>158</sup> *Ibid.*, pp. 6-7

<sup>159</sup> *Ibid.*, p. 22

cumulatively current, a dynamic brought about by human experience and communication, encompassing all the changes which have taken place in and for an individual up to any given now. Individuals can potentially affect change in the images or beliefs of others through output messages. For the sake of simplicity, let us call these output messages transmissions. A transmission is sent by one individual (the transmitter) and received by another individual (the receiver). This transmission modifies the receiver's image. When the receiver then becomes transmitter, her transmissions are made subsequent and according to her modified image and these transmissions may in turn modify the images of other receivers and so it goes on. Change continuously affecting change. That it is possible to change an individual's image of the world by communicating messages would seem to open the way for those who would seek to convince us that their image of the world is the "right" one. We can begin to grasp the possible motivation for the misuse of terms. As discussed in Chapter 1, we must recognize that rhetoric can manipulate misunderstanding, error and deliberate misinformation. All of these things can influence belief, and belief can translate into mandate for action (I will discuss this aspect of rhetoric further in Chapter 6 in a discussion of how narratives develop). For now we are concerned with the ways in which individuals use rhetoric to change the world view of others. This way power lies. But, just like Plato's prisoner, although our perception is mediated, we sometimes collude in this, preferring this state of affairs to the thought of change.

### **Rhetoric**

The rhetorical use of language plays a powerful role in our understanding and misunderstanding, in what we believe, and how we are convinced that what we believe is true. The power to convince people of a particular point of view is the power to create a particular meaning relation between what is communicated about the world and how the world is. In Plato's *Phaedrus*, Socrates tells us about the art of rhetoric:

“[H]e who is to be a competent rhetorician need have nothing at all to do, they say, with truth in considering things which are just or good, or men who are so, whether by nature or by education. For in the courts, they say, [272e] nobody cares for truth about these matters, but for that which is convincing; and that is probability, so that he who is to be an artist in speech must fix his attention upon probability.”<sup>160</sup>

What is sought by the rhetorician is not truth, but to convince others of a particular point of view, to bring others around to a particular perspective on how things are. By no means does this imply reason or honesty as is quite plainly stated by Benson and Stangroom: “All rhetoric has to do to win is convince people, it doesn’t have to do it legitimately or reasonably or honestly.”<sup>161</sup>

Here there is another side to the idea of the world view. Not only do we form ideas and particular ways of understanding the world through our experience, I suggest that individuals can also decide to appear to adopt and then present a particular view of the world and that it is possible for some people to live by particular views even if they do not believe them in themselves, but believe that adopting a particular view will afford them some material gain or notoriety, helping them to make their way in life more easily.

When an individual makes a particular statement, whether he believes it to be true is neither here nor there. As long as enough of the key people he wishes to convince act as though they accept his statement as true, that statement can serve his purpose and effectively come to represent the world as it is. We could take for example, the now famous words spoken by founder, chairman and CEO of *News Corporation*, Rupert Murdoch. When in 2011 he was called to account in front of the House of Commons Culture Select Committee, for the phone hacking scandal at *News of the World*, referring to his appearance before them, he said: “this is the most humble day

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<sup>160</sup> Fowler, Harold N. (transl.), *Plato in twelve volumes*, Vol. 9, William Heinemann Ltd., 1925, Available at :

<http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A1999.01.0174%3Atext%3DPhaedrus%3Apage%3D272>

<sup>161</sup> Benson & Stangroom (2006) p. 172

of my life.”<sup>162</sup> Rhetoric is not always something others do to us; it is also something we do to ourselves. We sometimes deceive ourselves just to get through the experiences which life throws at us.

### **Context and belief**

As children we are taught that to tell the truth is good and to lie is bad. This is the image we have of the world. Our parents and the other responsible adults around us set boundaries which reinforce this image, we are reprimanded when we are caught lying and telling the truth is either rewarded or said to be its own reward. As we mature and our experience of the world grows within a broadening social context, we come to realize that good and bad, right and wrong, truth and lie are concepts with meanings and uses far more complex than we were led to believe. A lie is not always punished, and the truth is not always rewarded, there are in fact good lies and bad truths. Encompassing this realization is a child’s discovery that Santa Claus is a myth.

In embarking on the creation of their particular version of the myth of Santa Claus, adults draw on their own childhood memories and experiences, as well as the more universal popular cultural representations of the story in literature, cinema, television, and advertising. They create a narrative which preserves and perpetuates something of their past, along with the wider cultural traditions, whilst passing down to their children a sense of wonder and possibility in the memories and experiences which they may eventually draw on themselves. In creating a believable narrative, supporting evidence must be introduced into the picture. This evidence must make sense in itself and it must also fit logically into the story as a whole, standing up to reason. Although we take great delight in children’s capacity to believe in magical or supernatural beings and this might lead us to assume that children are credulous, to do so is to miss the reasoning which lies behind their belief. Children believe

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<sup>162</sup> Video and text of Rupert & James Murdoch’s appearance before the Culture Select Committee, *Guardian*, Available at: <http://www.guardian.co.uk/media/interactive/2011/jul/19/rupert-murdoch-hearing-interactive-presentation>

because we create all kinds of contextual detail and evidence, including physical evidence, which, taken together, creates a credible story.

In 2006, Jacqueline Woolley, Professor of Psychology at the University of Texas, and Jennifer Van Reet, Assistant Professor at Providence College Rhode Island, conducted a study into the effects of context on the ways in which children assign reality status to novel entities.<sup>163</sup> In *Do You Believe in Surnits?*, a 2006 article for the *New York Times*, Woolley, relates some of the results from the study and outlines the findings about this reasoning by telling the story of how we manage to create the context conducive to believing in Santa Claus. She gives an account of our own sense of wonder at how easily children appear to believe in the myth as we present it to them: “WE delight in our children’s belief in reindeer that can fly and a fat man who fits through chimneys and travels the whole world in a single night.”<sup>164</sup> However, Woolley goes on to develop an argument against the credulity of the child, demonstrating, through the findings of her research, that the complex narratives which adults build in order to reinforce the story of Santa Claus, provide children with good grounds to believe the myth:

“Many children believe fiercely not only in Santa Claus but also in other fantastical beings like the Easter Bunny and the Tooth Fairy from the time they are about 3 until they are 7 or 8. Their eager belief contributes to the common view, shared by psychologists and other scientists, that young children are credulous (and conversely, that adults are not). Children believe everything they are told, we assume, with little regard for logic, a sense of the real world or any of the other criteria adults use to debunk such fictions as the Loch Ness monster or Sasquatch. But are children really that different from us? A study that my colleagues and I conducted at the Children’s Research Laboratory at the University of Texas suggests

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163 Their findings were published in Woolley, J. & Van Reet, J. (2006) “Effects of Context on Judgments Concerning the Reality Status of Novel Entities”, *Child Development*, November/December, Vol. 77, No. 6, pp. 1778-1793: <http://www.psy.utexas.edu/psy/faculty/woolley/pdf/context.pdf>

164 Woolley, J. (23 December 2006) “Do You Believe in Surnits? ”, *New York Times*, Available at: [http://www.nytimes.com/2006/12/23/opinion/23woolley.html?\\_r=1&oref=slogin](http://www.nytimes.com/2006/12/23/opinion/23woolley.html?_r=1&oref=slogin)

not. We found that, in fact, children use many of the same cues adults use to distinguish fantasy from reality.”<sup>165</sup>

In other words, children are not credulous, but apply reason to the various fragments we give them, coming to believe, because the evidence fits with the story:

“Our experiment was designed to investigate how a young child, upon encountering a fantastical being like a unicorn in a storybook, decides whether it is real or imaginary. Adults often make the call based on context. If, for example, we encounter a weird and unfamiliar insect at a science museum, we are more likely to think it is something real than if we find it in a joke store. To see if children could also use context in this way, we described “surnits” and other made-up things to our study group. To some of the children, we put surnits in a fantastical context: “Ghosts try to catch surnits when they fly around at night.” To others, we characterized them in scientific terms: “Doctors use surnits to help them in the hospital.” The 4 to 6-year-olds who heard the medical description were much more likely to think surnits were real than children who were told they had something to do with ghosts. The children demonstrated that they do not indiscriminately believe everything they’re told, but use some pretty high-level tools to distinguish between fantasy and reality.”<sup>166</sup>

The key word here is context. It is the context within which the figure of Santa Claus is situated which allows a credibility to grow around him. When we try to convince others of the truth of any story, we use context to create credibility. We point out as much evidence as we can find, helping us to build a credible picture which is convincing to others as reality. In doing this, we must consider the importance of truth and whether it is always necessary to create a truthful picture of reality. Woolley goes on to explain quite simply why she thinks children believe in Santa Claus:

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<sup>165</sup> *Ibid.*

<sup>166</sup> *Ibid.*

“My view is that they are exhibiting their very rational and scientific cognitive abilities. The adults they count on to provide reliable information about the world introduce them to Santa. Then his existence is affirmed by friends, books, TV and movies. It is also validated by hard evidence: the half-eaten cookies and empty milk glasses by the tree on Christmas morning. In other words, children do a great job of scientifically evaluating Santa. And adults do a great job of duping them.”<sup>167</sup>

At work here is the act of reason. Through the act of reason the child infers what seems likely to be true by considering the available evidence. The conclusions drawn last until evidence to the contrary is discovered, so, though the child does not know it, his conclusions are temporary, transient and illusory. However, so that he might communicate effectively, he takes them to be true, finding in them common ground by which he can understand others through shared experience, for example, through the use of names to refer to things in the world.

It seems that paramount to a child’s belief that Santa Claus exists is the correlation between narrative and tangible evidence, the tangible evidence being “the half-eaten cookies and empty milk glasses”, the gifts under the tree, and so on. When a child discovers this evidence as he enters the room on Christmas morning, it appears to him that Santa Claus has really ‘been’ and has left a trace behind. The reading of this trace as evidence for a fictional being’s existence in reality is encouraged by the narratives we build around it. These narratives corroborate the evidence as evidence and the evidence corroborates the narratives as true; Santa must indeed have ‘been’ as he ate the food and drank the drink which was so lovingly left to sustain him on his travels. Seeing the evidence with his own eyes, the child’s expectation is fulfilled and he believes. Woolley goes on to consider children’s reaction to discovering the truth about Santa: “As we gradually withdraw our support for the myth, and children piece

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<sup>167</sup> *Ibid.*

together the truth, their view of Santa aligns with ours. Perhaps it is this kinship with the adult world that prevents children from feeling anger over having been misled.”<sup>168</sup>

Discovering the truth about Santa Claus is both a rite of passage and a crisis of faith. When we discover that Santa Claus is myth, an illusion, our belief, or in Boulding’s terms our image of the world, is shattered. Truth becomes lie and a new truth overwrites the old. In this process, perhaps in a moment, we see our world anew; we see a new side to our parents, to the adult world and the world in general. We might experience an accumulation of flashbacks, a catalogue of instances from time gone by, during which innumerable references to this mythical character, his magical world and supernatural feats are dispelled as lies. We have to recalibrate and to align ourselves with particular others in our world. With the disclosure of the myth, we are changed. Our understanding of meaning becomes more sophisticated as we develop the ability to distinguish fact from fiction. Where then, in light of all this, do we find reliable truth? Indeed, what is truth? Williams quotes Nietzsche:

“What then is truth? A movable host of metaphors, metonymies, and anthropomorphisms: in short, of human relations which have been poetically and rhetorically intensified, transferred, and embellished, and which, after long usage, seem to a people to be fixed, canonical, and binding. Truths are illusions which we have forgotten are illusions; they are metaphors that have become worn out and have been drained of sensuous force, coins which have lost their embossing and are now considered as metal and no longer as coins.”<sup>169</sup>

Truth is elusive and relative, though not relativistic. Although truth appears graspable in everyday applications, it has history and future and is not analytic or absolute, but contingent and in flux. Boulding writes: “[W]e may argue that what we mean by truth, or at least the progress toward truth, is an orderly development of the image,

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<sup>168</sup> *Ibid.*

<sup>169</sup> Williams (2002) p. 1

especially of the public and transcribed image through its confirmation by feedback messages.”<sup>170</sup> Key here is the phrase ‘progress toward truth’, which suggests that, rather than it being possible for us ever to reach the conclusive truth, we are continuously coming *closer and closer* to the truth, in an ever-renewing and changing cumulative currency of experience. Boulding writes: “Truth ever eludes our grasp, but we are always moving asymptotically toward it.”<sup>171</sup> This moving toward does of necessity require a lapse of time. We find that with the passage of time, we can become privy to information which changes our view of what happened and this can bring us closer to grasping the truth.

### **The time lapse**

In discussing the delimitation of context, it is helpful to consider the concepts of record and evidence and how these can throw light on the elusive nature of truth. In *Counterpoint: Archives, Life Cycles, and Death Wishes: A Helical Model of Record Formation*, Brien Brothman analyses the temporal aspects of the life cycle in archival practice and goes on to consider how archival thought on record formation has been both empowered and imprisoned by its attachment to the metaphor of life. Brothman asks how it is that we determine “completeness”<sup>172</sup> in records: “How are the beginning and end, the temporal threshold of a phenomenon, the appearance of an object or event – its context – demarcated, and by what (whose) principles?”<sup>173</sup> He introduces the helix as a development of life-cycle model for record formation as it enables us to: “depict record formation as unfolding simultaneously in a linear and non-linear fashion”<sup>174</sup> and that the helix can, for this reason, acknowledge temporal complexities by allowing the record to be depicted as: “moment-in-process, a boundary-lacking event, a becoming, an occasion, as *in formation*.”<sup>175</sup> So we are faced with the ongoing in-process of event. This challenges the idea of the conclusion of a narrative

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170 Boulding (1956) p. 169

171 *Ibid.*

172 Brothman, B. (2006) “Counterpoint Archives, Life Cycles and Death Wishes: A Helical Model of Record Formation”, *Archivaria* 61, pp. 236 – 269, p.

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173 *Ibid.*

174 *Ibid.*, p. 242

175 *Ibid.*, p. 243

as now perceivable as having been reached - exposing subjectivity. Ricoeur refers to: “the mediating operations between lived experience and discourse.”<sup>176</sup> That a conclusion is *the* conclusion, requires a definition of the limits of the narrative context, the performance of an intervention or mediation, through experience of event, memory of experience, interpretation of evidence and creation of narrative. To quote from Plato’s *Theaetetus*, Socrates says: “What is really true, is this: the things of which we naturally say that they ‘are’, are in a process of coming to be, as the result of spatial movement and motion in general, and by blending with one another. We are wrong when we say they ‘are’, since nothing ever is, but everything is coming to be.”<sup>177</sup> This coming to be points to a potential in things and this potential may be lost if these things are lost. As Power writes of research: “things can always be useful in surprising and unanticipated ways.”<sup>178</sup>

What concerns us here is the idea and possibility of the complete whole, and the perspective from which we consider information as evidence; entangled in this, as we have discussed are temporal, spatial and individual perspective. In his 2002 article *Afterglow: Conceptions of Record and Evidence*, Brothman sets out to examine concepts of record and evidence in archival discourse. He asserts that the differences between these two are temporal and that the record acquires *eventual status* as evidence *after* the passage of time – that evidence is *by definition* the result of a temporal lapse. He writes: “The discovery of evidence involves an inescapable delay between the creation and use of records. The identification of evidence signals the passage of time.”<sup>179</sup>

The time lapse is necessary to the disclosure and interpretation of information, as evidence. This interpretation involves a *moving towards* finding out, by *working backwards* from an ‘end point’; following a thread or trace from evidence, interpreting and deriving meaning from it, in its context, in order to construct narratives of events.

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176 Ricoeur (1990) p. 31

177 Levett (1928) p. 22

178 Power (1999) p. xiii

179 Brothman (2002) p. 313

As soon as we start to follow a trace from evidence, we are not only moving forwards towards understanding, we are also moving backwards through what we take to be all the evidence. There is also the possibility that new evidence may come to light which again is both a forwards and backwards activity, and it reveals the necessity for openness to change. Deriving meaning by delimiting narrative, this concept of the 'end point' or 'conclusion', is problematic and it is important that we remind ourselves that there are two points of delimitation in question here, by going back to Brothman's question, how both the beginning and end of context are demarcated. This 'beginning' excludes what is prior; this 'end' excludes what is subsequent. And perhaps, Ricoeur is acknowledging this by use of 'in the *midst* of contingencies and peripeteia' (crisis, reversal or sudden change), implying that this 'end point' may never be reached. There is always the possibility of the disclosure of new evidence from outwith the once demarcated beginning and end of context, shifting these, changing meaning. The devouring of the future by the past, through the present, would indicate this, or as Paul Ricoeur writes in *Time and Narrative Volume 1*, citing St. Augustine's *Confessions*: "man's attentive mind, which is present, is relegating [...] the future to the past."<sup>180</sup> This can be articulated as a continuously emerging, stretching narrative context, where the threshold between the past and future is the present and we are always in that present. However, far from appearing clearly it is blurred because we are too close to it, standing on the horizon towards which we must look from a distance to have perspective. Narratives once thought to be delimited and separable, can now be taken to blend into one another, having bearing on one another.

This announces a wider, more complex configuration of interconnecting narratives, acknowledging a potentially holistic view of the quality of narrative and what constitutes *one* narrative. This is nothing new in philosophical theory but I am suggesting that there is merit in raising public consciousness of the connections between what we might at first take to be separate and isolated narratives, and that it is worth looking across the boundaries we create around narratives. These

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<sup>180</sup> Ricoeur (1990) p. 19

boundaries might at first appear to be impermeable and opaque but on closer inspection can be revealed to be somewhat porous and translucent, allowing some light to pass through. As in a rainbow where red bleeds into orange in a transition composed of a multitude of hues, what we have in the narrative descriptions of our world is a collection of blurred boundaries in a permanent state of configuration. Now and then we find focus as we approach a conclusion from which we can launch our next inquiry. This quality could be described as the heterogeneous contributing to, and continuously synthesizing into, a whole which is in each moment momentarily configured and yet it is always accumulating and reconfiguring. Ricoeur calls this emplotment and writes: "A story [...] must be more than just an enumeration of events in serial order; it must organize them into an intelligible whole, of a sort such that we can always ask what is the 'thought' of this story. In short, emplotment is the operation that draws a configuration out of a simple succession."<sup>181</sup>

In Chapter 10 of *Truth and Truthfulness*, entitled *Making Sense*, Williams considers how we try to make sense of things that happen. The chapter is divided into four parts, and in the first of these Williams looks in particular at the ways in which we configure narratives by creating sequence from facts. He writes:

"When we try to make sense of a particular happening, we often tell a story about a sequence of events that led to it. If we do make sense of it (or explain it, or come to understand it), we must take the elements of the story to be true, but that of course is not enough: the sequence of events has to make sense to us, and make sense of the outcome. Such a story is one kind of narrative."<sup>182</sup>

The sequence of events at Christmas time is a good example of how we make logical sense, a whole story from little fragments configured into a narrative which rings true. Santa comes on Christmas Eve so we leave cookies for him and he leaves gifts for

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<sup>181</sup> *Ibid.*, p. 65

<sup>182</sup> Williams (2002) p. 233

us. In the morning we wake to discover the cookies eaten, we take this to be evidence, it fits and the whole story makes sense to us.

“Sense-making is inherently intertwined with action and observation as one tentatively enacts the role and then formulates theories to explain what has occurred and will occur.”<sup>183</sup>

Worth considering, when thinking about the blurring and blending of narrative into narrative in this process of sense making, is the colour spectrum: “the spectrum is continuous and therefore there are no clear boundaries between one color and the next.”<sup>184</sup> We might say that the meta-narrative, inclusive of all other narratives, is continuous and therefore there are no clear boundaries between one narrative and the next, until we come to a point where we must question conflicting narratives about specific events, and are required to draw out information which appears relevant for consideration. This activity we know to be subjective, relevance is open to interpretation. Subjectivity is complex and in attempting to acknowledge the validity of each individual’s world view we can find ourselves drawn into relativism and away from the important questions which can lead us to understanding what reality might be. Useful when we try to understand subjectivity is the colour spectrum. As children we are taught a taxonomy of colour to make it possible to communicate about it. But this is a sort of aggregate, and the number of instances in which people disagree about description of colour is testimony to the existence of innumerable in-betweens, the variety of interpretations from multiple perspectives. Some might describe a colour as blue, others purple, yet others reddish-blue or bluish-red, and so on. One person’s burnt toast, is another’s perfectly done. We can never *be* someone else, experiencing from his or her perspective, but through communication, we find out that others interpret differently to ourselves, and we can come to consensus or agree to disagree – this activity is part and parcel of sense making. In Plato’s *Theaetetus*, Socrates points out that as we are continuously structured and restructured, so too is meaning and it differs not only *between* individuals, but *within* the individual: “do you

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<sup>183</sup> Ashforth (2001) p. 66

<sup>184</sup> *Wikipedia*, “Visible Spectrum”, Available at: [http://en.wikipedia.org/wiki/Colour\\_spectrum](http://en.wikipedia.org/wiki/Colour_spectrum)

even feel sure that anything appears to another human being the same as it appears to you? Wouldn't you be much more disposed to hold that it doesn't always appear the same even to yourself because you never remain the same as yourself?"<sup>185</sup> Sometimes, even having accumulated a body of experience and having asked ourselves countless questions, even when we feel certain about the way things are in the world, having arrived at a view by way of great reflection over a lifetime, we find that view can yet change. We are always in the midst of Ricoeur's contingencies and peripeteia.

In this chapter we have looked at how we think things are, considering the influence of time on our perception of meaning and how the things which are left behind when we act can come to have great significance in our understanding of the past. By trying to understand ourselves and our world within both past and future we realize that change constitutes reality. In the next chapter I will consider how things are and we will see that sometimes we become aware that we have been in the cave and that reality can transpire to be very different from how we perceive it.

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<sup>185</sup> Levett (1928) p. 25

## Chapter 4 - Reality: How Things Are

According to Alfred North Whitehead's metaphysics, reality is a process. For processists: "change of every sort – physical, organic, psychological – is the pervasive and predominant feature of the real."<sup>186</sup> Reality in this case can be deemed mind-independent, that is, how things are regardless of how they appear to be to any particular individual.<sup>187</sup> This aspect of change defines reality. Although nothing is fixed and we are always in the midst of change, sometimes even sudden and unexpected change, we still strive to make sense of our world identifying repeating occurrences of events, the contiguous in relationships and subsequently by naming, categorizing and taxonomising.<sup>188</sup> It is in this way that we become involved in meaningful interaction with the people, places and things which constitute our world. This enables us to cope with and adapt to the changes and the difficulties we experience in everyday living. It indicates a need to understand just what it is that human beings are, the reason for our being and our ways of being, and why we construe the world as existing for us in a particular way. Everyday living necessarily involves us in social interaction of one kind or another, whether it be in the form of direct contact with other human beings, or nature, or with the social apparatuses and institutions which we have built into our world to convenience us or to preserve and prolong life.

In *Making the Social World: The Structure of Human Civilization*, philosophy professor, John Searle broaches the question: "How can we account for our social and mental existence in a realm of brute physical facts?"<sup>189</sup> Searle uses the term 'brute facts' to refer to those facts which exist independently of human institutions,<sup>190</sup>

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<sup>186</sup> *Stanford Encyclopedia of Philosophy*, "Process Philosophy", Available at: <http://plato.stanford.edu/entries/process-philosophy/>

<sup>187</sup> We take appearance and reality to be distinct. We recognise that this is in contradiction to most of physical science which believes it is uncovering, piece by piece, the real.

<sup>188</sup> In the first we simply identify an individual object and refer to it under a particular name. In the second we mass those objects referred to by that name and categorize them as belonging to this particular set of things. And, in the third we describe the relations between sets of things and individuals within sets.

<sup>189</sup> Searle, J. R. (2010) *Making the Social World: The Structure of Human Civilization*, Oxford University Press, p. ix

<sup>190</sup> *Ibid.*, p. 10

but we can also think of brute facts as those facts which exist independently of human experience. For example, the ontological shift in the combination of one oxygen and two hydrogen atoms is accompanied by a phenomenological shift which brings with it a fresh horizon of experiential possibilities. H<sub>2</sub>O has a utility which its constituent parts do not; the whole is greater than the sum of its parts, a concept championed by Gestalt theory.<sup>191</sup> We experience H<sub>2</sub>O as water, as wetness, as thirst quenching, cleansing and so on, we don't experience hydrogen and oxygen in this way but our experience of water emerges from our encounter with a particular combination of hydrogen and oxygen. Searle is presenting the case for the ways in which different aspects of human reality have come to be. His task, as he sees it, is "to give an account of how we live in exactly one world,"<sup>192</sup> and to offer an explanation for "how we reconcile a certain conception of the world as described by physics, chemistry, and the other basic sciences with what we know, or think we know, about ourselves as human beings."<sup>193</sup> His case is one of emergence and is conditional upon all social and mental parts of reality being derived from the structure of the universe. Taken together, the physical, mental and social parts of reality constitute the world and what interests Searle is how these develop and fit together in the world: "How do we get from electrons to elections and from protons to presidents?"<sup>194</sup> Indeed, the world is a complex tangle of the social, the mental and the physical and we incorporate all of these in our ways of living. Societies function, to some degree successfully, based on peoples' collective understanding of the meaning of the things.

The social and the mental world supervene on the physical world: "[H]umans have the capacity to impose functions on objects and people where the objects and the people cannot perform the functions solely in virtue of their physical structure."<sup>195</sup> Collectively recognized status functions which human beings have the capacity to impose on objects and people depend on collective intentionality; that is the collective acceptance or recognition that these objects or people have particular status which

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191 A more in depth account of the concept of Gestalt theory is Available at: [http://en.wikipedia.org/wiki/Gestalt\\_psychology](http://en.wikipedia.org/wiki/Gestalt_psychology)

192 Searle (2010) p. 3

193 *Ibid.*

194 *Ibid.*

195 *Ibid.*, p. 7

carries with it particular function(s). A good example of an object with collectively accepted or recognized status function is money. “It is not just a matter of my opinion, for example, that this piece of paper is a twenty-dollar bill; it is a matter of objective fact. But at the same time, these institutional facts exist only because of our subjective attitudes.”<sup>196</sup> Physically, a banknote is a synthesis of paper, ink, metal, design and industrial process which has a status function as currency of a particular value. It is only the fact that this value is agreed upon collectively which makes its value in any way socially real. Money is an institutional fact which exists only because an institution, a system of constitutive rules, exists. In a mind-independent reality this value does not exist. Status function carries what Searle calls deontic powers which can be, for example, positive, negative, conditional or disjunctive. Deontic powers are such things as rights, duties, obligations, requirements, permissions, authorizations, entitlements, and so on.<sup>197</sup> Paradoxically we are also part of reality independent of other minds and others are part of reality independent of our own mind. In *Phenomenology of Perception*, philosopher Maurice Merleau-Ponty situates the individual body among sense producing stimulus and tells us that we respond to the world in which we find ourselves:

“[M]y body is not only an object among other objects, a nexus of sensible qualities among others, but an object which is *sensitive* to all the rest, which reverberates to all sounds, vibrates to all colours, and provides words with their primordial significance through the way in which it receives them.”<sup>198</sup>

He also points out that we understand the world in terms of our body and, by doing this, we make the world familiar to us:

“[T]he body, in so far as it has ‘behaviour patterns’, is that strange object which uses its own parts as a general system of symbols for the world,

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<sup>196</sup> *Ibid.*, p. 17-18

<sup>197</sup> *Ibid.*, p. 8-9

<sup>198</sup> Merleau-Ponty, M. (2007) *Phenomenology of Perception*, Routledge, p. 275

and through which we can consequently 'be at home in' that world, 'understand' it and find significance in it."<sup>199</sup>

By making the world familiar to us in this way, we find it accessible and remove some of the feeling of uncertainty we might have should it be unfamiliar to us. It comes to matter to us and through this we perhaps feel a sense that we matter in the world. It is a two-way process, we make sense of the world through ourselves and ourselves through the world. But to maintain this, we must encompass the concept of change, where just as we change so do others, so does the world itself and so do the multitude of ideas we all have about how the world is in reality.

In Chapter 3, I considered the necessity of the conclusion as a place from where to view a story in the process of making sense. But, each conclusion is a judgement, a verdict, not an absolute end-point, but a point from where we can move on; and as we move on, each subsequent conclusion is also open to revision. In the story of how the world is in reality, change is a constituent part. This might prompt us to question whether there is any such thing as reality.

### **Access and Power**

In *The Archival Sliver: Power, Memory, and Archives in South Africa*, Verne Harris considers this very question. He chooses to debate the existence of a reality by arguing against the idea that archives reflect reality: "even if there is a 'reality', ultimately it is unknowable. The event, the process, the origin, in its *uniqueness*, is irrecoverable."<sup>200</sup> Although we cannot recover events, processes and origins, we do try to communicate about them by configuring narratives, making attempts at interpreting and describing reality. We create narratives from the information which is accessible to us. From available and interpretable surviving records we draw conclusions and verify accounts of events. Access and availability will always skew interpretations. We do not have access to reality, only appearances. However,

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<sup>199</sup> *Ibid.*

<sup>200</sup> Harris (2002) "The Archival Sliver: Power, Memory and Archives in South Africa", p. 65

without access to the record we can never hope to come to understand our history, our present or our future as this is the means we have to hand, and we do not always have everything to hand, indeed how would we know if we did?

Paramount in the possibility of access and survival of records is the issue of power. The survival of records which have the potential to be used as evidence depends heavily on who has the power to retain, preserve or destroy them. The significance of particular records may either not be apparent at the point where a judgement about their retention is made and so they are discarded, or their significance is all too apparent at the point where a judgement is made and so they are discarded. To paraphrase Brien Brothman, quoted in Chapter 3: whose principles define the boundaries of the context of an event?<sup>201</sup> These kinds of judgements are a primary responsibility not only of the creator of records, but the archivist, the records manager, the collector, and anyone who then uses records as evidence to create narrative. All must be aware that context is crucial to our understanding, and that we ourselves become part of that context when we become in any way involved with the record. Individuals play a role in how a narrative develops through their engagement with the record and in this sense we all have a vested interest in ensuring the narrative which is told is allowed to evolve as context itself evolves. In *Case Studies in Library and Information Science Ethics*, Professor, Elizabeth A. Buchanan and Librarian, Kathrine A. Henderson tell us:

“Oftentimes, it seems as if we as information professionals work privately, make decisions quietly. And our work *is* very public, with significant social impact. We mustn’t take this lightly. We must act autonomously while considering a greater good. We must continually remind ourselves how our work as information professionals actively shapes history.”<sup>202</sup>

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201 Brothman (2002) p. 240

202 Buchanan, E. A. & Henderson, K. A. (2009) *Case Studies in Library and Information Science Ethics*, McFarland & Company, Inc., pp. 159 - 160

### **The will to doubt**

In his essay *On the Value of Scepticism*, in the collection *Let the People Think*, Bertrand Russell cites the problem of what he calls 'heroic scepticism', a form of scepticism which has the potential to stop any judgement process in its tracks, whether it be legal, scientific or historical. Russell cites sceptic, Pyrrho (who lived from around 360 to 270 BC) who he claims: "maintained that we never know enough to be sure that one course of action is wiser than another".<sup>203</sup> Kierkegaard introduces the concept of a 'leap of faith' to overcome this very indecision [Concept of Anxiety 1844]. But, Russell tempers this with his own sceptical doctrine: "it is undesirable to believe a proposition when there is no ground whatever for supposing it true."<sup>204</sup> This would seem reasonable and in the practice of social living we act with the conviction that we generally have good grounds for our beliefs about the world. Hume makes this very point, the kinds of claims we make about our world in everyday communication are not analytically derived; they are derived through the practice of social living. They are phenomenological.

We experience from our own perspective alone and even though our experience is continuously accumulating and so our perspective changes, we always start from a position within our own interpretive context. We might call this belief. Consequently people sometimes, whether consciously or subconsciously, misrepresent events, according to a particular agenda or ideology – seeking out facts to support conclusions and not drawing conclusions from facts. Acknowledging this bias, Russell advocates consensus, necessitating questions which require provable answers. The burden of proof lies on anyone making a claim or proposition. We can see this idea captured in processes which operate within systems, for example, in the legal system, in the presumption of innocence or the phrase 'innocent until proven guilty'. In the essay *Free Thought and Official Propaganda*, Russell writes: "For my

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203 Russell, B. (2003) "On the Value of Scepticism", in *Let the People Think*, Spokesman, Nottingham, pp. 1-13, p. 1

204 *Ibid.*

part, I should wish to preach the ‘will to doubt’<sup>205</sup> and he cites the scientific method as a paradigm:

“None of our beliefs are quite true; all have at least a penumbra of vagueness and error. The methods of increasing the degree of truth in our beliefs are well known; they consist in hearing all sides, trying to ascertain all the relevant facts, controlling our own bias by discussion with people who have the opposite bias, and cultivating a readiness to discard any hypothesis which has proved inadequate. These methods are practiced in science, and have built up the body of scientific knowledge. Every man of science whose outlook is truly scientific is ready to admit that what passes for scientific knowledge at the moment is sure to require correction with the progress of discovery; nevertheless, it is near enough to the truth to serve for most practical purposes, though not all. In science, where alone something approximating to genuine knowledge is to be found, men’s attitude is tentative and full of doubt.”<sup>206</sup>

Is this ‘will to doubt’ as far from the subjective as it is possible to travel? Russell advocates that we temper our subjectivity through debate, ‘controlling our own bias by discussion with people who have the opposite bias.’ This encompasses everyone’s right to voice their belief as a hypothesis, their right to contribute to universal knowledge. Through such debate it is possible to change perceptions, as Russell writes, ‘increasing the degree of truth in our beliefs’ and it also, unlike heroic scepticism, makes delimiting narrative possible as we are continuously in a current observational context on the basis of which we are able to act, developing our current knowledge.

This idea of bias and belief recalls mention in Chapter 3 of the heterogeneous contributing to and synthesizing into an infinitely accumulating whole – the continuous modification of belief by consideration of multiple perspectives. To explore this further it may be useful to consider Merleau-Ponty’s use of the house Which he uses as an

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205 Russell, B. (2003) “Free Thought and Official Propaganda”, in *Let the People Think*, pp. 22-42, p. 27

206 *Ibid.*, p. 27

example of the way in which we approach objects, in order to illustrate the gaze and perspective:

“I see the next-door house from a certain angle, but it would be seen differently from the right bank of the Seine, or from the inside, or again from an aeroplane: the house *itself* is none of these appearances: it is [...] the geometrized projection of these perspectives and all possible perspectives, that is, the perspectiveless position from which all can be derived, the house seen from nowhere.”<sup>207</sup>

But, Merleau-Ponty then modifies this assertion, as it implies that, if “seen from nowhere”, the house is invisible; and for him, this cannot be the case as he sees it: “Is not to see always to see from somewhere?”<sup>208</sup> He shows us the significance of both spatial and temporal perspective in his discussion of how things appear to us.

“The house itself is not the house seen from nowhere, but the house seen from everywhere. The completed object is translucent, being shot through from all sides by an infinite number of present scrutinies which intersect in its depths leaving nothing hidden.”<sup>209</sup>

It is difficult for me to imagine a more moving, poetic and satisfying piece of writing on reality. Merleau-Ponty shows us a concept necessarily constituted from all perspectives, where each individual perspective is of equal value in its contribution to the overall picture and I whole heartedly agree with this sentiment. However, although it may be controversial, I take issue with his use of the term translucency here. To recall my own understanding of the term, articulated in Chapter 2, where there is translucency, there is yet some opacity clouding the picture. Because of the opacity which remains in that which is translucent, because I interpret translucency as a qualified transparency, what I take Merleau-Ponty to be referring to in the above passage is not the object as translucent but, in fact, the object as transparent, in the

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207 Merleau-Ponty (2002) p. 77

208 *Ibid.*

209 *Ibid.*, p. 79

ideal sense, as he expresses it “leaving nothing hidden.”<sup>210</sup> Despite my qualification of Merleau-Ponty’s use of terminology here, I do hold with his point that an object is completed, nothing of it is left hidden, it has reality through the intersection of “an infinite number of present scrutinies.” These scrutinies are the multiple instances of the momentary gaze which a multitude of individual’s may have set upon any given object. The object is equal to more than the sum of these, it is not merely a succession of instances of itself as observed by individuals, its reality also encompasses the changes it undergoes in the space and time between the moments when it is subject to the gaze.

### **Report: Experiencing the Continuous Present**

Our everyday experiences can disclose the profound effect which our relationship with spatial and temporal perspective can have on our understanding of our world. When we become conscious of a pervading sense that our experiences take place in the midst of a continuous present, we can come to a deeper understanding.

If I relate a personal experience, it may serve to further illustrate how the spatial and temporal perspectives work in tandem in a compounding effect, helping us to create our world as something sustained over time.

The experience I will relate took place in 2006 whilst I was participating in a placement project as part of a Masters Degree in information management and preservation. I was based at Glasgow City Archives in the Mitchell Library and the project involved box-listing and cataloguing the photographic collection of *Fairhurst - Consulting Structural and Civil Engineers*. A major part of this collection consists of images documenting Glasgow’s Kingston Bridge Project spanning the 1960s and 70s.

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<sup>210</sup> *Ibid.*

What made my experience such a powerful and prescient one, and key to the point I am making, is the fact that the Mitchell Library is located at the north end of the Kingston Bridge, right on the edge of the area of Glasgow where the construction and development work pictured in the Fairhurst photographs took place; indeed the exterior of the Mitchell Library itself features in a number of the photographs in the collection.

Over a period of two weeks I created a catalogue for the collection. I was doing this decades after the completion of the Kingston Bridge construction project and its surrounding road network, the very project recorded in the collection. In the mornings, I would cross the threshold of the archives and work with the records of the past, taking with me my memories of the geography around Glasgow's Kingston Bridge in 2006. In the evenings, I would cross back again into the relative future and the urban geography of my present, taking with me my memories of the images of the place as it had been, in a rapid state of flux during its construction in the 1960s and 70s.

The time lapse was both stretched across five decades, and contracted into hours. Outside became inside and inside became outside, I was turning back and forth, between the two and the memory of each served to blur the division between them, creating an experience of the transition. This highlighted the transitional character of living and I became much more acutely aware of the ground I was walking on, of the environment surrounding me being caught in a continuous process of change, in part due to the impact of human beings and our activities.

### **Association and meaning**

In his book *History and Memory*, Geoffrey Cubitt reflects on association in the chapter entitled *Memory and Transmission*. He writes that “objects offer an assistance in processes of individual remembering”<sup>211</sup>, and that this remembering:

“derives [...] from the mental associations that have been formed between particular objects and particular moments, people or places in the individual’s past experience. A souvenir from a childhood holiday may evoke memories both of place and of occasion, and of childhood more generally; a photograph album may help in ordering memories of people or phases in remembered existence. In these cases, the mnemonic effect is at least partially pre-intended, but memories can also be triggered by objects [...] that have no formally inbuilt memorializing or commemorative function, but that are simply capable, when encountered in certain circumstances, of activating certain recollections.”<sup>212</sup>

This can be easily shown in common experience. For example, particular things have meaning for particular people. They are kept in attics, cupboards, boxes, drawers, folders, files or envelopes; and they are noticed, occasionally even afforded more considered attention – they perform a mediative function by a mutual impact, an intersection, blurring the threshold between past experience and the present. Some things matter to us, and activate the process of remembering; and with this activation, we can almost re-experience past sensations of relation, almost re-placing us in another space and time. A particularly powerful example of such a thing is a photograph from childhood, of family or friends.

We encounter a family photograph returning *to*, and re-returning to it periodically over time, using it to remember, or being compelled to remember, not only what it was intended should be fixed in our memory, but also subsequent experiences of this object which transpire through repeated associations. Gradually, it might become

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211 Cubitt, G. (2007) *History and Memory*, Manchester University Press, p. 193

212 *Ibid.*

faded with exposure to light, or worn by the hands which have held it, appropriating their collective residue into its material, as they leave a trace behind, in finger prints for example. Associations with the moment are appended by associations with record of the moment, and an accumulation occurs. A cumulative currency of meaning occurs. This cumulative effect can lend new significance to experience and meaning deepens. We grasp or understand meaning of activities and events, and accounts of them, in an entanglement of temporal, spatial and individual perspective. As Information Management educator, Frank Upward asserts: “Reality is messy and complex and an understanding of it is not easily practiced.”<sup>213</sup>

In *About Time: Narrative, Fiction and the Philosophy of Time*, Mark Currie analyses the significance of prolepsis or anticipation of retrospection – “this temporal loop”<sup>214</sup>. Discussing the significance acquired by this concept in our world, Currie takes three meanings of the word prolepsis as a way of approaching his analysis - narratological prolepsis (flashforward), analysis (flashback) and rhetorical prolepsis (anticipation of an objection to an argument)<sup>215</sup>. He writes:

“The phrase anticipation of retrospection refers to a temporal structure which lies at the heart of the human experience of time [...] but also at the heart of narrative, both in its mode of fictional storytelling and as a more general mode of making sense of the world.”<sup>216</sup>

Prolepsis encompasses the idea of a cumulative depth of meaning as it reveals how, at different points in time, we find our understanding changes as particular aspects of a story come to have greater or lesser significance to our understanding. What we understand about any particular aspect of a story depends, in no small measure, on what else we know about or take to be relevant to that story. The relationships

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213 Upward, F. (2000) “Modelling the Continuum as Paradigm Shift in Recordkeeping and Archiving Processes, and Beyond – A Personal Reflection”, pp. 115-139, in *Records Management Journal*, Vol. 10. No. 3, p. 119

214 Currie (2007) p. 29

215 *Ibid.*

216 *Ibid.*

between all the various aspects of any story lead to our understanding it in a particular way, and these relationships are necessarily revealed to us over time, as narrative emerges. During the course of everyday activities and exchanges, the meaning and significance of particular actions and events may not be apparent. The measure of their significance emerges with the perspective acquired with the passage of time, be that the passing of moments or ages. Currie observes:

“To look back on an event is to give it a significance it did not possess at the time of its occurrence. If we think of a time line, we might say that the present is the most advanced, the latest, or the most modern existing point in that line. Though in life we might anticipate events which are posterior to the present, these anticipated events are not yet in existence, and involve the projection forward to an entirely imagined future.”<sup>217</sup>

Currie considers the temporality of narrative and, in particular, he is interested in the teleological retrospect – a looking back from an end-point. He writes that teleological retrospect gives an event significance which it did not have at the time it took place<sup>218</sup> and that we make sense of the world through narrative.<sup>219</sup> He sees the relationship between the present and the future as fundamental to how we perceive and interpret the past. He writes: “The present is the object of a future memory, and we live it as such, in anticipation of the story we will tell later, envisaging the present as past.”<sup>220</sup>

This ‘making sense of the world’ by way of the temporal structure of narrative, is also given some considerable thought by both Boulding and Merleau-Ponty. Again Merleau-Ponty’s example of the house is good illustration of how we experience an object. Recalling the translucency of the object “shot through from all sides”<sup>221</sup> might suggest Boulding’s open system, which he defines as: “a structure which maintains

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217 *Ibid.*, p. 33

218 *Ibid.*, p. 29

219 *Ibid.*

220 *Ibid.*, p. 5

221 Merleau-Ponty (2002) p. 79

itself and develops in the midst of a stream of ‘through-put.’ An open system is one which is continually taking in something from its environment and giving out something to its environment, all the while maintaining its structure in the middle of this flow.”<sup>222</sup> Merleau-Ponty’s house maintains its structure in the midst of a through-put of material - this “infinite number of present scrutinizes”<sup>223</sup>. The author gives the house reality by way of the horizon of temporal perspective, showing how the substance and reality of the object encompass how it changes over time:

“[I]t is true that I see it from a certain point in my ‘duration’, but it is the same house that I saw yesterday when it was a day younger: it is the same house that either an old man or a child might behold. It is true, moreover, that age and change effect it, but even if it should collapse tomorrow, it will remain forever true that it existed today: each moment of time calls all the others to witness; it shows by its advent ‘how things were meant to turn out’ and ‘how it will all finish’; each present underpins a point of time which calls for recognition from all the others, so that the object is seen at all times as it is seen from all directions and by the same means, namely the structure imposed by a horizon. The present still holds on to the immediate past without positing it as an object, and since the immediate past similarly holds its immediate predecessor, past time is wholly collected up and grasped in the present. The same is true of the imminent future which will also have its horizon of imminence. But with my immediate past I have also the horizon of futurity which surrounded it, and thus I have my actual present seen as the future of that past. With the imminent future, I have the horizon of past which will surround it, and therefore my actual present as the past of that future. Thus, through the double horizon of retention and protention, my present may cease to be a factual present quickly carried away and abolished by the flow of duration, and become a fixed and identifiable point in objective time.”<sup>224</sup>

This “past time [...] wholly collected up and grasped in the present”<sup>225</sup> makes the house real across time, as the cumulative effect of appended associations with the photograph deepens significance and meaning of experience, configuring the reality of that object, setting it in a continuous present. This setting makes it possible for us

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222 Boulding (1956) p. 33

223 Merleau-Ponty (2002) p. 79

224 *Ibid.*

225 *Ibid.*, p. 80

to interpret and understand the significance of an object or an event by acknowledging the context which surrounds it, allowing the formation of a continuously configuring reality. The combination of encounter with the particular meaningful thing, and recognition that it is meaningful through memory of association and re-association, never quite realizes a repetition of original experience, recalling Verne Harris's point: "The event, the process, the origin, in its *uniqueness*, is irrecoverable."<sup>226</sup> There is rather this accumulation of experience – approximation, both to past experience and to what is always coming closer and closer to whole experience. Moreover, in this sense, as with the ever-increasing narrative, and to paraphrase Boulding, we are always moving asymptotically towards the ever-elusive truth.

When we record a moment in a family photograph, we create an object to which we can return in order to feel close to experiencing a particular moment again. Not only does the object help make us feel close to the past, but it reinforces the relationships we have with others with whom we share that past. Whilst we are in the midst of experiencing the present, we anticipate our possible future need to return to the past and to feel close to it, already realizing that we may need a reference to reinforce our memory of it. We also anticipate the loss of the people closest to us, and our future need to remember them by reconnecting with shared objects of memory as well as with shared memories of experience. In taking a family photograph we are consciously creating a record of a moment as *aide mémoire*, but this activity not only records the moment, it gives rise to it. At social gatherings we organize ourselves, shuffling together into a huddle, arms around one another, smiling into the distance towards the camera, in order to capture an image of all those present who have come together for a very particular common reason. This behaviour is reminiscent of countless other huddles, choreographed so that we might remember. We go on to use these *aide mémoires* to recall not only the moment captured by them, but the moments surrounding them, giving them context in the stories we tell, appending to

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226 Harris (2002) "The Archival Sliver: Power, Memory and Archives in South Africa" p. 65

them new experiences to remember. In *Tacit Narratives: The Meanings of Archives*, archival educator, Eric Ketelaar writes:

“A photograph is not just a recording: it constitutes the event. [...] the photo of your family: it makes a record of that little group, but it also occasions it. The reality we record and the way in which we record, are induced by socio-cultural factors. Each influences the other.”<sup>227</sup>

Deliberately recording a moment by taking a photograph or by making a film can not only disclose reality but can also help to conceal it. Methods of recording images are now more easily available, and to a wider public than ever before, through digital devices such as mobile phones and cameras. The current generation is arguably the most photographed in history. Often we experience the recording of an event only minutes, even seconds after it has taken place, as we share our digital images with friends during a celebration. This sharing becomes part of the experience of celebration, as we compare digital perspectives of a birthday party, for example. We are almost no sooner experiencing an event than we are experiencing the record that has the potential to become a near instant souvenir or *aide mémoire*.

In *The Reality of the Mass Media*, sociologist and systems theorist Niklas Luhmann makes this very point: “The observation of events throughout society now occurs almost at the same time as the events themselves.”<sup>228</sup> However, although I mention Luhmann here, this is by no means a thesis which takes Luhmann as its guiding light. Luhmann’s concept of communication is one which excludes the power of human agency. For him, human beings do not communicate, only communication communicates. I take issue with this as, for me, it undermines, even discounts, the possibility that individual human beings have the power to affect change through exercising their democratic right to speak out against, and not just react to, their

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227 Ketelaar, E. (2001) “Tacit Narratives: The Meanings of Archives”, *Archival Science* 1, pp. 131-141, p. 134, Available at:

<http://www.springerlink.com/content/7t4500m23558i16v/fulltext.pdf>

228 Luhmann, N. (2000) *The Reality of the Mass Media*, Polity Press, p. 26

environment. Luhmann presents individuals as outside society, observing, not as I view them within society purposefully changing it.

However, although it is my view that individuals are caught firmly within society and, in fact constitute it and continuously change and are changed by it, Luhmann can point us towards ways in which individuals are able to step a little outside particular events, creating some distance. We can assume a role which allows us a view from outside an event, and, for example, by using a mediation device such as the camera, we are able to frame an event, choosing what to include in or exclude from the picture. As with Harris's window metaphor, discussed in Chapter 2, by fixing a frame we both reveal something and preclude the wider context. We show events from one perspective amongst many. When we do this we miss the wider context for the event, but not only this. As we have our attention trained on ensuring the successful function of a particular digital recording device, our desire to capture an event for posterity can sometimes lead us to miss-out on direct experience of the event itself. This perhaps serves as a good analogy for the ways in which audit culture encroaches on the auditable environment, encouraging us to focus not on the function of the organization (which might represent the event) but the function of audit processes (which might represent the capture of the event for posterity). We can become so tied-up with capturing a record that we neglect the function of the organization. This reinforces Power's point discussed in Chapter 2, which is worth restating here:

“[W]hat is being assured is the quality of control systems rather than the quality of first order operations. In such a context accountability is discharged by demonstrating the existence of such systems of control, not by demonstrating good teaching, caring, manufacturing or banking.”<sup>229</sup>

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229 Power (1994) p. 15

I have often found myself offering, on behalf of others, to undertake the recording of life events, which have particular significance to them, in order to afford them both direct and indirect experience of that event, where they have access to both the memory and the recording of event (as *aide mémoire*).

Although most of us take photographs in order to remember a person, an event or a thing we value or love, there is also an evidential aspect to recording in this way. For example, if we have cause to make a claim on an insurance policy, we might record damage to a building or an object in order to support the claim. However, such claims are not always made legitimately and records may appear to genuinely represent reality when they are in fact fabrication. Such things can be seen as deceitful, but the direct consequences although serious may only be so in material terms. It could be argued that an illegitimate claim won, leaves the potential for some legitimate claims to be lost or for insurance premiums to rise given the financial costs involved in paying out on claims. It is only when we find serious and direct consequences to the welfare of human beings that we see the potential for the most tragic form of deception which can be facilitated by the fabricated record. One particular case from recent years has remained with me as an example of how, through the use of images, parents can deceive us about the welfare of their children. I will now go on to discuss the case of baby Peter Connelly, a case in which the immense power of the image is revealed to us and we are reminded that, wherever possible, we must seek to understand the world, not by believing what we see before us, as though imprisoned in Plato's cave, but by turning to consider another perspective, hence realizing the existence of multiple perspectives.

### **Peter Connelly**

The case of baby Peter Connelly has been widely covered in the British media. The events surrounding the death of the seventeen-month old on 3 August 2007 are an example of how a child's trust in his mother and his carers, something we perhaps take to be the most natural of things bestowed and fulfilled in an unspoken and unchallenged rule, might be abused, how reality might be quite contrary to

appearances and how a child welfare system might come to fail those in greatest need. An episode of the BBC's *Panorama* entitled *Baby P: In his Mother's Words*<sup>230</sup> broadcast on 18 December 2010 is built around film footage of a social work training session where Peter's mother, Tracey Connelly, is interviewed about her home life with her son. Sue Gilmore, the social worker conducting the interview was the senior team manager responsible for Peter's case. During the interview, Gilmore uses a technique called solution focused practice, a process designed to help parents change their lives for the better, but one which is intended to be fundamentally rooted in a framework of risk assessment where concern for the safety of the child is paramount.<sup>231</sup>

In the course of the interview, Connelly gives an account of a happy family life, where she engages with her young son in play activities. Connelly also relates her concerns about being seen to be a bad mother and tells Gilmore of an incident where Peter banged his head on a table and recounts that the first thing she did after comforting him was take a photograph of the table in order to prove how he came by his injury.<sup>232</sup> This suggests that Connelly is acutely aware of appearances and the need to present others with a positive image of the reality of her family life. She anticipates that she might be asked to account for signs that Peter has suffered injury and that there will be a future need to present evidence that appears to prove she is not a bad mother. This is what is so significant about the mobile phone movie footage presented in the documentary. Connelly mentions a friend Steven whom she stresses is not a boyfriend, but Gilmore carries out no further probing into the nature of their relationship, or the extent of this individual's involvement in Peter's life. The footage, recorded by Connelly, shows Peter playing in the park with Steven in what appear to be safe, loving, very ordinary family circumstances. The programme's reporter,

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230 BBC, *Panorama* (December 2010) "Baby P: In His Mother's Words"

231 BBC, *Panorama* (December 2010) "Videotaped clues from baby P's mother were missed", Available at:

[http://news.bbc.co.uk/panorama/hi/front\\_page/newsid\\_9274000/9274025.stm](http://news.bbc.co.uk/panorama/hi/front_page/newsid_9274000/9274025.stm)

232 *Ibid.* For more information on the case of Peter Connelly, see Department for Education (26 October 2010) *Haringey Local Safeguarding Children Board:*

*Serious Case Review 'Child A'*, Available at:

<http://media.education.gov.uk/assets/files/pdf/s/second%20serious%20case%20overview%20report%20relating%20to%20peter%20connelly%20dated%20march%202009.pdf>

Alison Holt points out that this could be any family outing. Images of family life are familiar to us and quite powerful so we tend to believe them if the context in which we experience them appears plausible. A responsible and caring mother might record her son's life in the same way and these things taken together are perhaps what make Connelly's account convincing to Gilmore. However, appearances and reality proved to be very different in this case. If we consider the movie footage along with Connelly's reason for photographing the table, we might come to the conclusion that in taking this footage, Connelly is collecting evidence which suggests a happy and safe family life where there was not one. Connelly's awareness of appearances might indeed be what occasions the events in the footage, creating an event for the purpose of creating a record.

**Will to believe**

We want to believe that such recordings indicate the reality of a happy family life, because anything else is almost unthinkable. When it transpires that the appearance does not in fact reflect the reality, we are shocked and we see these images in a new light. We do this with the perspective which comes with the passage of time, but this option is only open to us if a deception is discovered. Given the presence of other indicators to suggest that this happy scene we see in the film footage may not be the whole story, the lack of will to doubt what appears to be reality is as shocking as the deceit itself. With this shock, we begin to question the methods of accountability in place and the chain of communication within systems designed to protect those who might be vulnerable. A number of failures were identified in the ways in which professionals approached Peter Connelly's case, all of which it could be said collectively contributed to his being failed by the system as a whole. The distressing story of Peter Connelly, a toddler who, like every other had so much potential and yet was so badly let down by the system that he was never able to fulfil that potential, is a sad reflection of the ways in which individual responsibility and care for others has taken a back seat to the unfortunate reality of constraints of time and the lack of will to doubt what appears to us to be reality.

Another example, this time from fiction, is illustrative of a similar deception and the significance of context to our understanding. A scene from Lee Louis Daniels' 2009 film *Precious: Based on the novel "Push" by Sapphire*<sup>233</sup>, makes clear the powerful influence which appearances can have on individuals' lives; this in turn makes clear the necessity to exert Russell's 'will to doubt', especially in situations where the lives and safety of human beings might be at stake. The location is a family home in Harlem. Teenage girl Clareece Precious Jones answers the door to the family's social worker, Miss Turner. Precious' grandmother is busying herself doing the dishes and her mother Mary is sitting on the sofa holding Precious' daughter, who is referred to by the family as Mongo (short for Mongoloid; the child has Down Syndrome), which is shocking in itself. The family greets Miss Turner and they exchange pleasantries. Then Miss Turner asks how the child is progressing and Mary says that she is "progressing really good."<sup>234</sup>

I have purposely left it until now to give an account of the context for this scene. The film tells the story of illiterate African American Harlem teenager Precious and her fight to escape life with her abusive mother, Mary. Made pregnant twice by her father, Precious is suspended from Junior High School when her second pregnancy is discovered. At this point, the course of Precious' life is changed by the intervention of her school principal who recommends she enroll at an alternative school, where she can learn to read and find support from both teachers and her peers, and try to change her life for the better. In spite of discouragement from her mother, Precious enrolls in the school anyway, in an attempt to take her future into her own hands and empower herself. Precious takes an immense risk because, if she does not, she must accept what others have mapped out as her life. She is a courageous, intelligent and driven young woman who in spite of the odds against her, takes charge and makes a better way of life happen for herself and her children.

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233 Daniels, L. L. (Dir.) (2009) *Precious: Based on the novel "Push" by Sapphire*, Lionsgate

234 *Ibid.*

And so it is, as we have discovered in this chapter, that these multiple temporal, spatial and individual perspectives, this “past time [...] wholly collected up and grasped in the present”<sup>235</sup>, are themselves continuously being collected up over time, and, in their accumulation, they are reality configuring. Although this configuring reality can never be wholly disclosed to a particular individual at any given time, I would argue that it is collectively disclosed to individuals during numerous moments and across time, in Merleau-Ponty’s words, “leaving nothing hidden.”<sup>236</sup> In this sense, the concept of leaving nothing hidden is an ideal, although it is one which is probably worth striving for. Yet, even if it were possible to fulfill this ideal, it would not be desirable. We are always striving to strike the balance between privacy and disclosure and there are times when the truth hurts so much that we prefer to deny it. In the next chapter, I will consider the plight of the whistleblower. As we reach a turning point and find out the truth, we begin to question our trust in power, and its control of information.

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235 Merleau-Ponty (2002) p. 80

236 *Ibid.*, p. 79

### Part 3 - The Genuine Liberation of Man to the Primordial Light

“And suppose once more, that he is reluctantly dragged up a steep and rugged ascent, and held fast until he is forced into the presence of the sun himself, is he not likely to be pained and irritated? When he approaches the light his eyes will be dazzled, and he will not be able to see anything at all of what are now called realities. [...] He will require to grow accustomed to the sight of the upper world. And first he will see the shadows best, next the reflections of men and other objects in the water, and then the objects themselves; then he will gaze upon the light of the moon and the stars and the spangled heaven; and he will see the sky and the stars by night better than the sun or the light of the sun by day? [...] Last of all he will be able to see the sun, and not mere reflections of him in the water, but he will see him in his own proper place, and not in another; and he will contemplate him as he is. [...] He will then proceed to argue that this is he who gives the season and the years, and is the guardian of all that is in the visible world, and in a certain way the cause of all things which he and his fellows have been accustomed to behold?”<sup>237</sup>

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237 Jowett, B. “Plato, The Republic, Book VII, The Allegory of the Cave”, Available at:  
[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

## Chapter 5 - Finding Out the Truth

As we have seen, our relationship to what we might believe to be true is complicated. As I have already argued in Chapter 2, we strive to find ways of balancing our need for the disclosure of truth with our need for privacy. This balance is integral to our goal of realizing 'democracy', and achieving a fair society, where justice is done, and seen to be done. However, our relationship with justice is complicated by our simultaneous desires to protect ourselves and our illusions, and others. Like Plato's prisoner, we sometimes resist possible alternatives to our beliefs. However, just as Plato's prisoner is freed and turns away from the wall of the cave and towards the light, there are times when alternatives are so compelling that we must consider them however painful this might be.

In this Chapter I will explore how finding out the truth is a turning point. When individuals seek justice by trying to tell truth, they and the rest of us are faced with serious questions about our trust in power and its control of information; this complicates our relationship with truth. I will explore the turning point, using the transition between childhood and adulthood as a metaphor for our changing understanding of truth and trust. We as individuals are, like truth, always in a process of becoming. Our understanding changes as new information is introduced into our view of the world. As our experience grows and acquires a wider context, what we believe to be true can become vulnerable to the seeds of doubt and we feel uncertain. I will show the significance of whistleblowing in our relationship to what we believe to be true. I will do this by referring to three high profile cases of blowing the whistle outside an organization. Dr. Jeffrey Wigand, Dr. David Kelly and Private Bradley Manning, in a high risk strategy to disclose truth, took on the might of power, Wigand within the corporate sphere, Kelly and Manning within the sphere of government and international politics. In doing so, they placed immense trust in the wider public community, to consider their evidence and to keep them safe. Each of these individuals suffered tragic and very public personal consequences as a result of

blowing the whistle. These consequences have had a profound effect on public perception of and trust in powerful organizations such as government, corporations, and the news media. Just as the child grows more self-aware and begins to encounter social relationships of trust, even when we are fully grown with a wealth of experience behind us, there are moments when we are again compelled to turn away from our beliefs as they are revealed to be illusions, and we turn towards a new current belief.

### **The turning point**

The transition between childhood and adulthood, this turning point in our lives that we have already encountered in Chapter 3, reveals to us the complexities of human interaction. We become aware that truth and trust are not simple concepts, they in fact depend on a great many factors, none of which are unchanging. We become aware that we cannot trust everyone implicitly and we cannot take truthfulness for granted. A more sceptical attitude towards the world and others begins to take hold and we realize that we must judge each case based on our growing experience of the world. To paraphrase O'Neill, we must be able intelligently to place trust or mistrust<sup>238</sup> in others. In order to do this, we need a pragmatic grasp of when people are being truthful with us. In *Trust: Money, Markets and Society*, author and educator Geoffrey Hosking acknowledges the transition from childhood to adulthood as a turning point in our lives, where we begin to venture beyond the familiar and try to make sense of a more complex world of trust:

“Growing up requires all of us to make sense of both the society and the natural world around us and to discover which ideas, which persons and which institutions one can trust once the relative simplicities of childhood are past. In order to survive, and if possible flourish, we need a process of selective cognition which will order the world for us in an understandable and reliable way.”<sup>239</sup>

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<sup>238</sup> BBC (24 January 2011) *Analysis on Trust*

<sup>239</sup> Hosking, G. (2010) *Trust: Money, Markets and Society*, Seagull Books, p. 23

We expect our everyday dealings with others to revolve around truthful exchange. This expectation is useful in practical ways and we live our lives through the activities it enables. In going about our everyday lives we have no choice but to place trust in many instances, in spite of the potential risks involved in doing so, indeed “[w]e constantly place active trust in many others.”<sup>240</sup> We must do this, not least because refusal to place trust anywhere would result in the collapse of human interaction and cooperation, and without our willingness to place trust in others, life might prove to be impossible. O’Neill makes precisely this point: “We may constantly express suspicion, but it is not at all clear to me that we have stopped placing our trust in others: indeed that may be an impossible form of life.”<sup>241</sup> We must somehow strike the balance between trust and scepticism. We take some things for granted, like the stability of the ground beneath our feet or that the sun will set tonight and rise again tomorrow. We do this whilst also ensuring that we continue to question those things that we perceive might carry greater risk should our trust be misplaced; for example, we might decide not to cross the road, even though the lights indicate it is safe, if we see a driver speeding towards the pedestrian crossing.

When we feel we have been deceived or manipulated, the truth covered up, and our trust betrayed we expect those responsible will be held to account as a matter of process. When this does not happen, we sometimes feel a strong sense of injustice and a desire to expose those responsible for the deception, in order to find, disclose and convey the truth, setting the record straight. On such occasions it seems essential to have our voice heard, to have people understand what really happened, not merely our perspective but the truth of the matter. We want others to accept the truth as we perceive it and present it, although we know that we sometimes prefer not to see the truth, and there are times when we do not even care about truth.

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240 O’Neill, O. (2002) “Lecture 1: Spreading Suspicion”

241 O’Neill, O. (2002) “Lecture 5: Licence to Deceive”, *BBC Radio 4 Reith Lectures: A Question of Trust*, Available at: <http://www.bbc.co.uk/radio4/reith2002/lecture5.shtml>

Of particular concern are instances where we discover we have been let down by individuals and institutions we tend to trust implicitly. We can see examples of this abuse of trust in a number of high profile cases, which I will go on to discuss, where public trust in individuals and organizations has been severely tested as the truth about them and their practices is disclosed. Williams tells us: “The value of truthfulness embraces the need to find out the truth, to hold on to it, and to tell it – in particular, to oneself.”<sup>242</sup> However, we have a love-hate relationship with truth. People do not like being lied to, it shakes their confidence. As Seldon points out, there is an intimate link between truthfulness and trust:

“Children hate it when they believe their parents have lied to them. Adults express a similar outrage when they believe politicians have lied to them, [...]. We all gain greatly from living in a world where the practice of truth-telling exists, and without that strong moral presumption against lying, we would not be able to trust anyone, and would all lose out significantly.”<sup>243</sup>

Yet, in spite of this presumption against lying, we do lie to each other and even to ourselves, sometimes with conscious awareness, not just unconscious self-deception. For example, we might reassure someone that everything will be fine, even if circumstances appear bleak, or we might keep someone’s confidence and this can involve lying to someone else. The value of telling the truth is questionable in such situations; a lie might sometimes serve our purpose better and can, in some instances, be a force for good. It is perhaps our intention towards others and the shaping of the future which is key to the value of truth. Williams discusses the value of truth:

“In a very strict sense, to speak of “the value of truth” is no doubt a category mistake: truth, as a property of propositions or sentences, is not the sort of thing that can have a value. The commonsense party will deny that there is a value of truth in this strict sense, and this is easily accepted.

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<sup>242</sup> Williams (2002) p. 13

<sup>243</sup> Seldon (2009) p. 9

The phrase “the value of truth” should be taken as shorthand for the value of various states and activities associated with truth. “virtues of truth,” [are] qualities of people that are displayed in wanting to know the truth, in finding it out, and in telling it to other people.”<sup>244</sup>

We do not always take kindly to those who wish to tell us the truth. Wanting to know, finding out and telling the truth can be inconvenient for others, we learn this as children, for example, when too many questions appear to frustrate and annoy the adults around us. This inconvenience can lead to those who tell the truth being vilified or ostracized, and knowledge that this can be the case presents those who would wish to tell us the truth with a question, what do I have to lose and is it worth it?

### **Telling the truth**

Telling the truth is somewhat tainted by the politics of the playground, with the act of telling tales, whether true or false. Even when it emerges that the tales told are true, such behaviour in children is not simply respected or rewarded by peers and adults. It has both negative and positive connotations, and is as likely to result in the individual being vilified, bullied or ostracized by their peer group as it is in that individual being hailed a champion of truth to be honoured and admired. In fact, such behaviour may be characterized, by both peers and adults, as disloyal or vengeful, as seeking popularity or favour, self-preservation or self-protection. When we tell the truth, others’ reactions can be confusing and sometimes we are faced with conflicting responses, positive from adults and negative from children, for example. As children, we already encounter *them and us* experiences and begin to understand that authority affects what we do. In spite of being taught the importance of the truth from an early age, we are thrown into the social world already bound to complex ethical dilemmas; we are aware of the personal risks involved in truth-telling and must weigh these against the risks which our silence might pose to ourselves and the wider community. All at once, we crave security, familiarity, and belonging, and freedom and justice. These desires battle with each other somewhat and sometimes this

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<sup>244</sup> Williams (2002) p. 6-7

battle preys on our mind, preoccupying us and we are prompted to grapple with the question of how to do 'the right thing.' We are prompted to pay heed to our conscience before we judge how it is we should act.

### **An act of conscience**

When wrong-doing comes to our attention, it is not simply the case that we tell the truth. Our circumstances can make it very difficult to tell the truth. We have to consider the security of our position and how we and others might be affected by our course of action. Our private personal interests can help us to decide, but the loyalty and responsibility we feel towards our peers and colleagues, our employer, the organization's future and the wider community also play a part and we can feel torn by the conflicting loyalties embodied in the different roles we perform.

During the course of a life we each perform multiple roles. Each individual might be many different things to many different people; I might be a daughter, a sister, a mother, a friend, a partner, a student, an employee, a patient, a customer, the list could go on. Bovens argues: "When we wish to answer the question whether or not someone has acted responsibly in a given situation, the office that that person holds, the function that he or she fulfils, or the social role that he or she occupies and the obligations that flow from it are very important."<sup>245</sup> As we go through life we accumulate the experience which comes with the roles we perform. These roles are a mix of the public and private, the personal and the professional, and as we move from one to another, we are required to enact various performances. We strive to maintain a balance between the roles we are expected to perform, at any given time endeavouring to fulfil the responsibilities of the currently salient role. Sometimes the balance between public and private comes easily, sometimes not. In each role, we have particular interests and responsibilities that might conflict between roles and, as we switch back and forth blurring the boundaries between these roles and between

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<sup>245</sup> Bovens (1998) p. 37

the public and the private, we risk compromising our personal beliefs, conscience and integrity as well as our professional position and our loyalties to and relationships with others.

The loyalty we feel towards individuals and organizations comes from feeling that we are connected to them with a sense that we share common values and ideals and we build relationships within a culture of accepted norms. These relationships give us a sense of security, familiarity and belonging, a sense of community which gives our life meaning (I will present a more in-depth discussion of our need to feel safe and secure in Chapter 6). When our ideals appear to drift away from the norms accepted within these relationships, when we believe we have encountered wrongdoing, a fracture can occur. Realizing our ideals differ from some individuals within our community might force us to question our conscience. We then have to decide whether to remain as part of the community or risk losing the security we derive from our association with it by telling the truth. We can feel intense shame in associating with those with whom we disagree so fundamentally and we feel our integrity compromised. As a matter of conscience we are prompted to act to restore our integrity, satisfying our sense of freedom and justice for the good of the wider community. However, the prospect of what we might feel to be betraying our community can also result in feelings of shame and this can be strong enough to keep us silent. Our decision is a complex one and cannot be taken lightly.

In spite of all this, sometimes it is so important to us that the truth be revealed and those responsible for any wrong-doing are held to account, that we risk everything. The gravity of this risk induces fear of what could be drastic change in our personal and professional relationships and our way of life. In the traumatic moment of uncertainty where Plato's freed prisoner turns and is made aware that her beliefs are illusory, she suffers confusion. As we are presented with a possible alternative to the truth which we once believed, we too find that our judgement is complicated by uncertainty. Fearing the potential negative consequences which might arise from

whatever action we choose to take, we are moved to question our interpretation of what we feel we know. We face a grave moral dilemma as we consider the evidence and the possible narratives to which it points. As Bovens asserts: “Responsible conduct implies seeking and weighing alternatives on the basis of a calculation of the consequences for the interests of all those involved. Attention to consequences can also sometimes cause people to feel obliged to contravene certain norms or forsake certain duties”<sup>246</sup>. The whistleblower personifies this dilemma in the extreme.

### **Whistleblowing**

When we find ourselves in a situation where we feel threatened, we tend to attempt to remove ourselves from the threat, and at least try to sound the alarm. This is instinctive. We might try to attract attention by waving our hands or shouting and screaming, or we might call the police. In some circumstances, we might take direct action, fighting back in an attempt to protect ourselves and the people and things we care about. When we do such things, we take it on trust that we will receive a timely and appropriate response which will see the threat or risk removed and our safety and security restored. We do this not only for ourselves and the people we know and care about, but sometimes for others when we see that they are in trouble. We bear witness and we trust that our accounts will be heard and acted upon.

Whistleblowing is the means by which an individual can tell society about some wrongdoing which poses a threat to others. In their introduction to *Whistleblowing Around the World: Law, Culture and Practice*, Richard Calland and Guy Dehn outline why whistleblowing matters to everyone:

“[W]hether you are a consumer, an employee who may believe something is going badly wrong or a manager or an employer who wants to run a proper organisation, whistleblowing matters. It helps us to understand

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<sup>246</sup> *Ibid.*, p. 35

how we can deal with such threats and wrongdoing and how we can counter the breakdown in communication that subverts accountability in the workplace. That this breakdown can undermine the public interest is clear when we remember that the most successful way the police deter, detect and clear up crimes is through information communicated to them by the public. Yet in workplaces across the world, law, culture and practice give a strong message that employees should turn a blind eye to wrongdoing and should not raise their concerns internally or externally.”<sup>247</sup>

Fundamentals of human behaviour and communication underpin the act of whistleblowing; they also underpin our tendency not to want to know the truth, as with this knowledge comes the responsibility to act. When we bear witness to what we think might be wrongdoing or injustice we have a decision to make. In making this decision, we think about our own security and that of our family and perhaps our friends and colleagues, and we think about the responsibility we have to these individuals. We also consider the wider community and our responsibility to ensure that we hold individuals and organizations to account, by opening them up to scrutiny and possible criticism. We want to make what we know count towards changing the way organizations do things. Calland and Dehn express it like this:

“[W]histleblowing is about basic issues which lie at the heart of human activity. It covers loyalty and the questioning of dubious practices. It concerns communication and silence. It is about practicing what one preaches and about leadership. It focuses on responsibility towards others and the accountability of those in charge. It is where public and private interests meet.”<sup>248</sup>

Calland and Dehn explore the complexities of discovering possible wrong-doing in the workplace opening up the thought processes which follow such a discovery. They write that when we discover what we believe to be wrong-doing, we must ask

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<sup>247</sup> Calland, R. & Dehn, G. (2004) *Whistleblowing Around the World: Law, Culture and Practice*, Open Democracy Advice Centre, Cape Town and Public Concern at Work, London, in partnership with the British Council: Southern Africa, p. 3

<sup>248</sup> *Ibid.*, p. 200

ourselves whether we can be certain that our interpretation is really how it is, that our suspicions are not mistaken; there could be a perfectly innocent explanation and we have to be sure that we trust our suspicions enough before we blow the whistle. If others share our suspicions and are not prepared to raise them, we might wonder why we should take responsibility and speak out without support, risking our position and possibly our home, relationships with family, friends and colleagues, and our personal and professional reputation. We might assume that senior members of the organization know and may be somehow implicated, giving us little confidence that in blowing the whistle internally we can expect our allegations to be taken seriously and acted upon by those in charge, in order to instigate change. The latter is especially true where there is no guidance available to those who want to blow the whistle, when the burden of proof lies with the whistleblower, not the organization: “Without any reassurance to the contrary, the employee will fear workplace reprisal – be it harassment, isolation or dismissal. Thus, without the guidance and reassurance on what to do, it is inevitable that most employees stay silent.”<sup>249</sup> The individual deciding whether to blow the whistle has to feel that rocking the boat, upsetting the *status quo* is worth the risk and they must weigh this risk against the risk of staying silent. Calland and Dehn consider four options which the individual has when they discover wrongdoing or threat to the public interest within their organization: silence, blowing the whistle internally, blowing the whistle outside, and anonymous leak of information.<sup>250</sup> For the reasons outlined above, they suggest: “Silence is the option of least risk for the individual employee who comes across wrongdoing in the workplace. It is the default option [...]”<sup>251</sup> Silence can however, be a damaging option as dubious activities which threaten the interests of all those concerned go unchecked and unchanged, breeding a culture of irresponsibility. The collective conscience should be troubled by this and make it possible, practical and safe for individuals who have concerns about wrongdoing in the workplace to raise them. This points us towards regulation:

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249 *Ibid.*, p. 4

250 *Ibid.*, pp. 3-4

251 *Ibid.*, p. 4

“[A]sserting the role of [...] an outside body (be it a regulator, parliament, shareholder or the wider public) makes real the principle of accountability by reminding everyone in the organisation who is accountable for what and to whom. This can engender a sense of self-discipline across the organisation as people know they can readily be expected to account for their conduct.”<sup>252</sup>

In his discussion with Calland, Journalist Chuck Lewis, former producer for America’s CBS news programme, *60 Minutes*, highlights the relationship between the media and whistleblowing, telling him that he sees the media as the only place of safety for whistleblowers “outside the powerful – almost terrifyingly so – instruments of government”<sup>253</sup>. However, Lewis goes on to express his reservations about the relations between media and whistleblowers suggesting that not all journalists and news organizations are particularly committed to investigative journalism, or sympathetic, receptive and equipped to cope with the plight of whistleblower. He stresses the importance of internal or external legal support to enable whistleblowers to act in the public interest: “Each country needs to have a regime in place to protect whistleblowers because what they are doing is so vitally important to any democracy.”<sup>254</sup>

Calland and Dehn advocate a style of self-regulation where employees are encouraged to raise issues of wrong-doing within the organization. They support this with a discussion on the recommendations of the *UK Committee on Standards in Public Life* which suggest that public and private organizations should make every effort to provide advice to employees on how to raise concerns about wrongdoing. They advocate that organizations should define wrongdoing and stress that any allegations will be taken seriously, observe confidentiality for those who wish to raise concerns providing guidelines on the proper way to do so outside the organization and allow the opportunity to do so where necessary. They also suggest that penalties

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<sup>252</sup> *Ibid.*, p. 7 - 8

<sup>253</sup> *Ibid.*, p. 22

<sup>254</sup> *Ibid.*

be issued for those who would wish to make false or malicious claims.<sup>255</sup>

Provision for internal whistleblowing can foster a culture of responsibility, trust and respect amongst individuals and make an organization strong and resilient. As they strive to enable individual accountability, they can hope to realize organizational accountability.

When there is no way of having allegations heard by blowing the whistle within an organization, individuals are often driven to take their allegations outside the organization. Here, they have some hope of disseminating truth, and they often do this by harnessing the power of media like the press and online networks, either directly or by anonymous leak, in order to facilitate the widest possible dissemination. Taking such action carries with it tremendous personal and professional risks, not only for the individual in question, but for their colleagues, friends and families. However, there comes a point where an individual finds it impossible to live with the knowledge of truth without telling it, even under threat of severe consequences for themselves and for others. Sometimes we feel that to withhold truth is more damaging than to tell it and we find ourselves compelled to dispel the illusions of others in order to hold the powerful to account. I will now go on to consider three high-profile cases of whistleblowing, Dr. Jeffrey Wigan, Dr. David Kelly and Bradley Manning. These three individuals took on the might of power in very public ways, taking truth to the press media and to an online network. All three suffered serious personal consequences which can ensue from a commitment to seek and tell truth by challenging the powerful. These whistleblowers, having stepped out of the cave, having faced the challenge to their illusions, took the next step by revealing the truth to others, asking that we face the challenge to our own illusions.

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<sup>255</sup> *Ibid.*, p. 5

### **Dr. Jeffrey Wigand**

In 1996, Dr. Jeffrey Wigand, a former Vice President for Research and Development at Brown and Williamson Tobacco Corporation (B&W), appeared in an interview with correspondent Mike Wallace on *60 Minutes*. During the interview Wigand claimed that B&W were guilty of misrepresentation of the facts and that they had approved adding ingredients to their product which they knew to be carcinogenic and addictive, in particular Coumarin, a known carcinogen.

Wigand had joined B&W in 1988 after a number of interviews which he said included “specific conversations [...] which dealt with the development of a safer cigarette.”<sup>256</sup> In his pretrial deposition given 29 November 1995 in relation to a Mississippi lawsuit seeking compensation for smoking related illnesses, Wigand strongly implied that he had expected that part of his role with B&W would involve the development of a safer cigarette: “There were numerous correspondence going back and forth. I don’t think I ever used the word “safer cigarette” in the correspondence, but I clearly understood that from these conversations [...]. And I also, at the same time in the interview process, also suggested that a formation of a medical scientific advisory committee could be part of that process of developing a safer cigarette.”<sup>257</sup> And in the *60 Minutes* interview with Wallace, Wigand states that B&W: “were looking to reduce the hazards within cigarettes, reduce the carcinogenic components or the list of the carcinogens that were within the tobacco products.”<sup>258</sup> Here was a man who thought he could make a difference to people’s lives by helping develop a safer form of smoking. He would soon have this aspiration crushed by corporate power and his opening up the secret workings of the tobacco industry to public scrutiny would have disastrous personal consequences.

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256 *JeffreyWigand.com*, “Dr. Wigand’s Pascagoula Testimony” (29 November 1995), Partial Transcript, Available at: <http://www.jeffreywigand.com/pascagoula.php>

257 *Ibid.*

258 “Jeffrey Wigand on 60 Minutes” (4 February 1996), Available at: <http://www.jeffreywigand.com/60minutes.php>

During the interview, *60 Minutes* showed footage of America's top seven tobacco company CEOs swearing testimony at the Waxman Hearings which took place in April 1994, where each was asked in turn to answer the question: "Do you believe nicotine is not addictive?"<sup>259</sup> Along with the other six, Thomas Sandefur, former President and CEO at B&W answered: "I believe that nicotine is not addictive."<sup>260</sup> Wigand stated that he believed Sandefur "perjured himself"<sup>261</sup> and that this representation "clearly misstated what they commonly knew as language within the company. That we're a nicotine delivery business."<sup>262</sup> Wigand alleged that B&W used impact boosting chemicals to enhance the effects of nicotine in cigarettes and secret scientific research documents appeared to back-up his claims, suggesting that: "Brown & Williamson's executives had had strong reason to believe all along that nicotine is addictive and that their tobacco products cause cancer and other diseases."<sup>263</sup> When he joined B&W Wigand was excited by the prospect of developing a safer cigarette and had asked whether nicotine studies had been carried out at the company and was explicitly told they had not. However, confidential files at B&W in fact revealed that they had indeed carried out studies of this nature. B&W Paralegal, Merrell Williams, concerned that the company was involved in covering up information on the health impact of nicotine, copied secret documents<sup>264</sup> and passed them into the hands of Dr. Stanton Glantz who, when interviewed by *60 Minutes*, told Mike Wallace that the documents revealed that: "thirty years ago, Brown & Williamson and British American Tobacco, its parent, knew nicotine was an addictive drug and they knew smoking caused cancer and other diseases."<sup>265</sup> Glantz also asserted that Brown & Williamson had: "developed very sophisticated legal strategies to keep this information away from the public, to keep this information away from public health authorities."<sup>266</sup> Glantz indicated, from his interpretation of the documents, that B&W indeed saw themselves as being in the nicotine delivery business, just as Wigand had

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259 "Testimony of the 7 CEOs of big tobacco" (14 April 1994), Available at: <http://www.jeffreywigand.com/7ceos.php>

260 "Jeffrey Wigand on 60 Minutes" (4 February 1996)

261 *Ibid.*

262 *Ibid.*

263 *Ibid.*

264 Helm, H. (25 May 1997), "BLOWING THE WHISTLE ON BIG TOBACCO, Wigand, Williams lifted secrecy's veil", *The Courier Journal*, Available at: <http://www.tobacco.org/News/970525helms.html>

265 "Jeffrey Wigand on 60 Minutes" (4 February 1996)

266 *Ibid.*

stated.<sup>267</sup> The record appeared to back Wigand's claims and its power is implicit in this.

Wigand was present at a number of scientific meetings about the development of safer cigarettes. During one such meeting, Wigand witnessed B&W lawyers preventing research scientists from writing up their notes concerning the development of a safer cigarette; one of the company's lawyers altered minutes, removing references to safer cigarettes: "According to B&W's own confidential files, any evidence, any documents that show any B&W tobacco products [...] might be unsafe, [...] would have to be produced in court as part of any lawsuit filed by a smoker or his surviving family."<sup>268</sup> Documents were being destroyed and Wigand began asking questions. His frustrations eventually led him to take his concerns to Sandefur who Wigand said responded thus: "We pursue a safer cigarette, it would put us under extreme exposure [...]. I don't want to hear about it anymore."<sup>269</sup> Although angry, Wigand initially went on with his job. It was only when he began to realize that B&W were introducing known carcinogens into their product that he decided to take up the fight and it was Coumarin, a compound which sweetens tobacco, which led Wigand, in his frustration to finally take up the challenge of his conscience and blow the whistle by talking to the media. Having written to Sandefur saying that his conscience would not allow him to continue using Coumarin he was fired on 24 March 1993, famously the reason given was "poor communication skills"<sup>270</sup>.

The *60 Minutes* interview had been delayed by six months due to fears at CBS that B&W would sue for "interfering with Wigand's confidentiality agreement."<sup>271</sup> The *Wall Street Journal* published excerpts of the Mississippi deposition on January 26 1996

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<sup>267</sup> *Ibid.*

<sup>268</sup> *Ibid.*

<sup>269</sup> *Ibid.*

<sup>270</sup> *Ibid.*

<sup>271</sup> *Ibid.*

prompting CBS to allow broadcast of the interview to go ahead; strength in numbers in action, Wigand's side of the story was well and truly out.

B&W's lawyers fought Wigand's claims by dismissing them as false. The company then embarked on a whole-sale attempt at character assassination, employing investigators to discredit Wigand by subjecting his past to close scrutiny in search of any signs of fraud or misdemeanour. B&W compiled a 500-page dossier of supposed misconduct titled "The Misconduct of Jeffrey S. Wigand Available in the Public Record" which they sent to the *Wall Street Journal* January 1996. The newspaper found most of the allegations to have little or no basis in truth and published an article on February 1 1996 which stated as much. The significance of this dossier was that B&W had been able to gather so much information about their former employee and, in a blatant disregard for truth, they sent that information out into the public domain through the media where such things can take on a life of their own: "Mr. Katz, a New York attorney representing B&W, acknowledges that a court may not admit all the company's evidence, but adds, "I can tell you this: All of it is admissible in the court of public opinion." He calls B&W's dossier "accurate in every material respect" and declares: "What it adds up to is that Jeffrey Wigand is a pathological liar. His entire life, as best we can tell, has been a tissue of lies."<sup>272</sup> I will touch on the concept of inadmissible evidence and discuss the idea of disregard for the truth in more detail in Chapter 6.

In *Jeffrey Wigand: The Whistleblower*, Chuck Salter's article for *Fast Company Magazine*, Wigand tells us how he feels about the term 'whistleblower'. His words bear out the resonance which playground politics have in the workplace and he shines a light on the issues of responsibility, loyalty and integrity:

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272 Hwang, S. L. & Geyelin, M. (1 February 1996) "Getting Personal: Brown & Williamson Has 500-page Dossier Attacking Chief Critic – Court Files, Private Letters, Even a Suspicious Flood Are Fodder for Sleuths – Ivana Trump's Private Eye", *Wall Street Journal*, Available at: <http://www.jeffreywigand.com/wallstreetjournal.php>

"The word *whistle-blower* suggests that you're a tattletale or that you're somehow disloyal," he says. "But I wasn't disloyal in the least bit. People were dying. I was loyal to a higher order of ethical responsibility."<sup>273</sup>

This 'higher order of ethical responsibility' to which Wigand refers, is a people-focused responsibility based on personal integrity and conscience. It puts people, the public, and the truth, before self, organization and profit. It calls into question what we value about ourselves. Sometimes, and quite surprisingly, it is more important for us to heed our conscience, keep our integrity intact and fight for the greater good, than it is for us to protect our professional position, our personal relationships and even the security of our family life. But it is not easy. Entangled with loyalty we feel towards people in general, are professional and personal loyalties and the pressure of economics, our fear of losing our home, our familiar way of life, our fear of poverty, also complicate the decision whether to blow the whistle. Wigand tells us how it feels to be a whistleblower and describes the conflict of loyalties facing those who take on the task of telling the truth in spite of the risks involved:

"You feel a very deep, inner conflict between your loyalties, your loyalty to your family, and supporting and protecting your family, the supposed loyalty that you're supposed to have through the corporation that's actually paying you to support your family."<sup>274</sup>

Together with conflicting loyalties, there is a simple economic argument that, should you risk your livelihood you also risk the possibility of failing to support yourself and your family, and the fear of this is possibly any individual's worst nightmare. The fear of poverty, the fear of losing those we love, can make us feel powerless, and this can drive us to silence and enforced tacit collusion in wrongdoing. Indeed only months

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273 Salter, C. (30 April 2002) "Jeffrey Wigand: The Whistleblower", *Fast Company Magazine*, Available at: <http://www.fastcompany.com/articles/2002/05/wigand.html#>

274 Gregory, D. (2 June 2005) "Inside the Mind of a Whistleblower: Tobacco whistle-blower Jeffrey Wigand on the risks and rewards of telling the truth", interview with Jeffrey Wigand, *NBC*, Available at: <http://www.msnbc.msn.com/id/8077025/>

after Wigand left B&W the company sued and cut off his severance pay and health benefits which were eventually reinstated after he signed a strict confidentiality agreement. The pressure of all this, according to Wigand's then wife Lucretia, almost ended in family breakup.<sup>275</sup>

The case drew the attention of a Democratic Congress and Food and Drug Administration investigation into the tobacco industry and Wigand spoke to their investigators having first contacted B&W. Soon after, he received anonymous phone calls threatening the lives of his children, realizing one of the worst fears of the whistleblower. Lucretia Wigand did eventually file for divorce and Wigand lost his family life as he knew it. As Salter writes:

“Wigand paid dearly for going public. Amid lawsuits, countersuits and an exhaustive smear campaign orchestrated by the company, Wigand lost his family, his privacy, and his reputation. His wife divorced him, and his two daughters went to live with her. Eventually, he left Louisville, Kentucky and moved to Charleston, South Carolina, hoping to start over.”<sup>276</sup>

Jeffrey Wigand now runs Smoke-Free Kids a not for profit organization which runs educational seminars for children and adults on the issues surrounding tobacco and the tobacco industry. The organization also contributes to government policy development and regulation of tobacco products. Having come through the experience of whistleblowing, he is now using that experience and his knowledge of the tobacco industry in a continuing fight to make people's lives better. I will give the final word to the man himself: “If you asked me if I would do it again or if [...] I think

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<sup>275</sup> “Jeffrey Wigand on 60 Minutes” (4 February 1996)

<sup>276</sup> Salter (2002)

it's worth it. Yeah. I think it's worth it. Uh, I think in the end people will see the truth."<sup>277</sup>

Those of us who have never experienced the dilemma of the whistleblower can never really understand how it feels. We can understand the importance of feeling safe, the importance of family and the life we build for ourselves and how it might feel to have this threatened. However, to be caught in a conflict of conscience, between telling the truth and the fear of what might happen should we do so, is somewhere only the most conscientious and compassionate of individuals find themselves. Some, like Dr. Jeffrey Wigand, decide to risk everything for the sake of truth and although they make huge sacrifices in the process, they emerge with new direction and take their experiences out into the world. For others there is no such opportunity and as their actions see them plunged into circumstances from which they see no way out they pay even more dearly. Dr. David Kelly is one such individual who, in his commitment to the significance of evidence was as Wigand was, "loyal to a higher order of ethical responsibility"<sup>278</sup> (Salter, 2002) and for this loyalty he paid with his life.

### **Dr. David Kelly**

On 18 July 2003, Thames Valley Police discovered a body in a field in Oxfordshire, later confirmed to be that of Dr. David Kelly, eminent scientist, weapons expert and former United Nations weapons inspector in Iraq. His family had contacted police late the previous night after he had gone for a walk and failed to return home. Amongst Dr. Kelly's professional responsibilities was liaising with the media, although usually spoke off the record and it was his relationship with the media which was to put Kelly at the centre of a political scandal surrounding British Government claims on intelligence about Iraq's threat to international security. What follows is the positively Shakespearean story of a man who knew the truth and it terrified him; a man who

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<sup>277</sup> "Jeffrey Wigand on 60 Minutes" (4 February 1996)

<sup>278</sup> Salter (2002)

was driven to take his own life strained by a crisis of conscience brought about as the pressure from a powerful establishment forced him into the glare of the media spotlight.

On 3 September 2002, Prime Minister Tony Blair announced to a press conference the imminent publication of a dossier on the international security threat posed by Iraq, telling journalists that he believed Saddam Hussein to be “a real and unique threat to the security of the region and the rest of the world.”<sup>279</sup> On 5 September, after seeing a draft of the dossier, Alistair Campbell (then Director of Communications and Strategy) advised revisions and *The 45 minute claim* made its first appearance in a draft of the dossier around 11 September.

The dossier, *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, was eventually published on 24 September 2002, and later became known as the *September Dossier*. This document, largely based on reports compiled by the *Joint Intelligence Committee* (JIC), contained large amounts of uncredited evidence concerning Iraq’s military capabilities. Prime Minister Tony Blair was clear about the reason for this in his forward to the report:

“Gathering intelligence inside Iraq is not easy. Saddam’s is one of the most secretive and dictatorial regimes in the world. So I believe people will understand why the Agencies cannot be specific about the sources, which have formed the judgements in this document, and why we cannot publish everything we know. [...] I and other Ministers have been briefed in detail on the intelligence and are satisfied as to its authority.”<sup>280</sup>

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279 Wintour, P. (4 September 2002) “Blair: Saddam has to go”, *Guardian*, Available at:

<http://www.guardian.co.uk/politics/2002/sep/04/uk.iraq1?INTCMP=SRCH>

280 *Iraq’s Weapons of Mass Destruction: The Assessment of the British Government*, (24 September 2003), The Stationery Office, p. 3, Available at:

<http://www.archive2.official-documents.co.uk/document/reps/iraq/iraqdossier.pdf>

We were asked to believe that the reason that uncredited information had been published in the dossier was to protect vulnerable sources. We were asked to trust that government ministers had made sound judgements on our behalf, based on credible intelligence, arriving at the conclusion that Saddam Hussein's programme to develop chemical, biological and nuclear weapons was continuing in contravention of United Nations Security Council resolutions. Blair was also explicit in articulating his belief that Saddam Hussein would "do his utmost to conceal his weapons from UN inspectors,"<sup>281</sup> that he represented a serious and current threat to international security and that he should be stopped. Blair suggested that to take no action would undermine UN authority and pose a risk to the lives and prosperity of the British people and that Iraq must therefore grant the return of UN Weapons Inspectors and must allow them to carry out their work unhampered or face action by the international community.<sup>282</sup>

Blair highlighted one claim in particular about Saddam Hussein's military capability: "[T]he document discloses that his military planning allows for some of the WMD to be ready within 45 minutes of an order to use them."<sup>283</sup> Quickly dubbed *The 45 minute claim*, the popular press ran with it in the headlines, *The Sun* leading with "He's got 'em...let's get him"<sup>284</sup> and "Brits 45 Mins from Doom,"<sup>285</sup> *The Star* going with "Mad Saddam Ready to Attack: 45 Minutes from a Chemical War."<sup>286</sup> The mass-dissemination of *The 45 minute claim* through these declarations helped make the case war in Iraq by creating widespread public fear that Iraq was a direct military threat to British citizens in Cyprus. We moved towards an atmosphere more conducive to supporting UK military intervention in Iraq. Indeed, Major General Mike

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281 *Ibid.*

282 *Ibid.*

283 *Ibid.*, p. 4

284 Kavanagh, T. (25 September 2002) "He's got 'em...let's get him", *The Sun*, Available at: <http://www.thesun.co.uk/sol/homepage/news/144721/Bonus-bingo-number.html>

285 Pascoe-Watson, G. (25 September 2002) "Brits 45mins from doom", *The Sun*, Available at: <http://www.thesun.co.uk/sol/homepage/news/145007/Brits-45mins-from-doom.html>

286 *Wikipedia*, "September Dossier", Available at: [http://en.wikipedia.org/wiki/September\\_Dossier](http://en.wikipedia.org/wiki/September_Dossier)

Laurie who had been involved in compiling the dossier, wrote to the *Iraq Inquiry* otherwise known as the *Chilcot Inquiry*<sup>287</sup> on 27 January 2010:

“I am writing to comment on the position taken by Alistair Campbell during his evidence to you on the 12<sup>th</sup> of January when he stated that the purpose of the Dossier was not to make a case for war; I and those involved in its production saw it exactly as that, and that was the direction we were given.”<sup>288</sup>

*The 45 minute claim* became a contentious issue and led to a major row between Downing Street and the BBC, when on 29 May 2003, in a report for BBC Radio 4’s Today programme, BBC Defence Correspondent Andrew Gilligan stated:

“[T]he main erm, case if you like against er, against Iraq and the main statement of the British government’s belief of what it thought Iraq was up to and what we’ve been told by one of the senior officials in charge of drawing up that dossier was that, actually the government probably erm knew that that 45-minute figure was wrong, even before it decided to put it in.”<sup>289</sup>

In his report, Gilligan mentions a source whom he says is: “one of the senior officials in charge of drawing up that dossier”<sup>290</sup> and that this source indicated the intelligence services were unhappy with the dossier in its final published form and in particular with *The 45 minute claim*. Prompted by Gilligan’s report, Susan Watts, another BBC journalist, telephoned Dr. Kelly asking him about quotes on *The 45 minute claim* mentioned in Gilligan’s report. Kelly told her that he understood that there were

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287 Further information on the remit of *The Iraq Inquiry* is Available at: <http://www.iraqinquiry.org.uk/>

288 Sir John Chilcott, *The Iraq Inquiry*, (2009) “Letter from Major General Mike Laurie” (27 January 2010), Available at: <http://www.iraqinquiry.org.uk/media/52051/Laurie-statement-FINAL.pdf>

289 Transcript of the Today programme (29 March, 2003) in Appendix 1, Rogers, S. (2004) *The Hutton Inquiry and its Impact*, Politico’s Publishing Ltd., pp. 370-71

290 *Ibid.*

concerns about the claim and that he himself “was uneasy with it”<sup>291</sup> and Kelly describes his view of the dossier’s content in general and No.10’s attitude to it:

“It was an interesting week before the dossier was put out because there were so many things in there that people were saying well...we’re not sure about that, or in fact they were happy with it being in but not expressed the way that it was... I don’t think they’re being willfully dishonest I think they just think that that’s the way the public will appreciate it best. I’m sure you have the same problem as a journalist don’t you? Sometimes you’ve got to put things into words that the public will understand.”<sup>292</sup>

Then came the accusation about who decided to include *The 45 minute claim* in the dossier. When Watts asked whether Kelly thought it was Alastair Campbell’s decision, his responded with: “All I can say is the No.10 press office. I’ve never met Alastair Campbell so I can’t. But...I think Alastair Campbell is synonymous with that press office because he’s responsible for it.”<sup>293</sup> And a can full of worms was released into the world.

In a letter to the MoD dated 30 June 2003, Kelly recounted his dealings with BBC Defense Correspondent, Andrew Gilligan. He recalled when the two first met and gave a short account of two subsequent meetings. During one of these meetings on 22 May, *The 45 minute claim* was discussed as Kelly wrote: “The issue of 45 minutes arose in terms of the threat (aerial versus land launch) and I stated that I did not know what it refers to (which I do not). He asked why it should be in the dossier and I replied probably for impact.”<sup>294</sup>

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291 Transcript of Susan Watts’s conversation with Dr. David Kelly (30 March 2003) in Appendix 2, Rogers (2004) pp. 372-373

292 *Ibid.*

293 *Ibid.*

294 Lord Hutton (2004) *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C. M. G.*, The Stationery Office, “Chapter 3: Dr Kelly’s letter of 30 June 2003 to the MoD and the MoD interview with Dr Kelly on 4 July 2003”, Available at: <http://www.the-hutton-inquiry.org.uk/content/report/chapter03.htm#a15>

Kelly wrote that he did not believe himself to be Gilligan's sole source and that if this is the case then: "Gilligan has considerably embellished my meeting with him; he has met with other individuals who truly were intimately associated with the dossier; or he has assembled comments from both multiple direct and indirect sources for his articles."<sup>295</sup>

On 8 July, No.10 released a MoD statement that one of their officials had indeed spoken to Andrew Gilligan. A press conference was held and the MoD decided to confirm Kelly as the source of Gilligan's report should any of the journalists guess his identity, effectively hanging him out to dry. On 10 July, the *Guardian*, *The Times* and the *Financial Times* went to print naming Kelly as Gilligan's source and he was called to appear before the parliamentary foreign affairs committee investigating the British government's decision to go to war in Iraq. Kelly's death followed only three days after this appearance. Prime Minister, Tony Blair's spokesman announced to journalists that there would be an independent judicial inquiry into the circumstances surrounding Dr. Kelly's death and Lord Hutton, a Law Lord and Former Lord Chief Justice of Northern Ireland, was appointed to head the inquiry. Two days after Kelly's body was discovered, on 20 July, the BBC confirmed Kelly as the source of Andrew Gilligan's and Susan Watts's reports on intelligence concerns about *The 45 minute claim* in the September dossier.<sup>296</sup>

Although conspiracy theories abound as to whether Kelly indeed took his own life, this is not what concerns us here. Forensic evidence would appear to confirm Lord Hutton's conclusion in his report. He begins with these words:

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<sup>295</sup> *Ibid.*

<sup>296</sup> Rogers (2004) p. xx

“At the outset I state [...] that I am satisfied that Dr Kelly took his own life [...]. I am further satisfied that there was no involvement by a third person in Dr Kelly’s death.”<sup>297</sup>

What concerns us is rather that if Kelly did take his own life, what was it that led him to judge this to be his best course of action? How did it come to this? A human being does not simply take their own life without reason; people are driven to this act. In an article for the *Guardian*, “David Kelly killed himself and Blair must share the blame”, David Hencke, Westminster correspondent for the Tribune writes:

“The real scandal is not the belief in a conspiracy to cover up a murder, but the fact that this suspicion has distracted everyone from the appalling behaviour of Tony Blair's administration in using every means possible to silence journalists and investigators from finding out the truth about the government's lies about Iraqi weapons of mass destruction and any threat they posed to Britain. No 10 effectively used the naming of Kelly to browbeat the BBC and blacken the reputation of Andrew Gilligan, a journalist trying to get to the bottom of the facts, and then were horrified when Kelly took his life.”<sup>298</sup>

We can imagine that Kelly felt this “deep, inner conflict between [...] loyalties”<sup>299</sup> expressed by Wigand and in his case perhaps feeling that his actions had not been enough to affect change, and that this conflict was irresolvable: “federal studies repeatedly have confirmed that the primary reason would-be whistleblowers remain silent is not fear of retaliation. It is that they will not make a difference”<sup>300</sup>. The possibility remains that Kelly took his own life in the firm belief that there would be an inquiry into his death and finally the truth would out, as Hencke points out: “The

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297 Lord Hutton (2004) paragraph 13, p. 3

298 Hencke, D. (22 October 2010) “David Kelly killed himself and Blair must share the blame”, *Guardian*, Available at: <http://www.guardian.co.uk/commentisfree/2010/oct/22/david-kelly-suicide>

299 Gregory (2 June 2005)

300 Calland & Dehn (2004) p. 100

Hutton inquiry, whatever one feels about its findings, was one of the most open and transparent investigations ever held [...].”<sup>301</sup>

Transparency was a buzzword in United States President Barak Obama’s 2008 presidential campaign and when he came to office in 2009, he notably said: “transparency and the rule of law will be the touchstones of this presidency”.<sup>302</sup> In March 2011 Obama received a transparency award from five organizations concerned with the practice of open government. In an open letter to the *Guardian* a group of whistleblowers and campaigning organizations wrote: “Ignoring his campaign promise to protect government whistleblowers, Obama’s presidency has amassed the worst record in US history for persecuting, prosecuting and jailing government whistleblowers and truth-tellers.”<sup>303</sup> The United States government, with its high profile inhumane yet sanctioned treatment of whistleblower Bradley Manning, has used a young soldier as an example to deter others who might wish to take the risk of blowing the whistle in order to open up government activities to the scrutiny of the people who elect them to govern.

### **Whistleblowing by anonymous leak of information - Bradley Manning**

In 2010, young United States soldier Bradley Manning was arrested in Iraq for allegedly leaking classified information to *Wikileaks*, the now infamous website which specializes in accepting anonymous submissions of sensitive information. His arrest followed a tip-off from computer hacker, Adrian Lamo, informing the Federal Bureau of Investigation (FBI) that Manning had downloaded classified information from the US government’s Secret Internet Protocol Router Network which he had sent to *Wikileaks*. Included in the leaked information was classified footage of two US military airstrikes, one in Baghdad, Iraq in 2007 and one in Granai, Afghanistan in

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301 Hencke (22 October 2010)

302 Burkeman, O. & Pilkington, E. (24 January 2009) “Obama – the first 100 hours”, *Guardian*, Available at:

<http://www.guardian.co.uk/world/2009/jan/24/barack-obama-inauguration?INTCMP=SRCH> Also of interest here is “Flashback: Obama: Transparency and the rule of law will be the touchstones of this presidency” (21 January 2009), Available at: <http://www.youtube.com/watch?v=lgTydr4gAaI>

303 Open letter (14 June 2011) “Rescind President Obama’s ‘Transparency Award’, now”, *Guardian*, Available at:

<http://www.guardian.co.uk/commentisfree/cifamerica/2011/jun/14/rescind-barack-obama-obama-transparency-award?INTCMP=SRCH>

2009. *Wikileaks* would later decrypt and broadcast these images across the globe, shocking the world. Manning has been in custody since July 2010 and was recently moved in response to criticism that he was being held in conditions which violated the United States constitution.<sup>304</sup> The charges against him include 'aiding the enemy' and, although prosecutors have so far said they will not seek it, this charge carries the death penalty. He is however facing the possibility of a maximum jail sentence of 150 years;<sup>305</sup> all this for caring enough about others to dare to tell the truth about the behaviour of US military troops.

Since his detention in Iraq there has been publicity and complaint about the way Manning has been treated in custody. Allegations that his treatment at Quantico Marine Base, Virginia, was tantamount to torture, have appeared in the media, indicating that the US administration's public attitude towards those who wish to disclose truth is quite different to the way it treats them in reality: "Manning appeared to have been treated in a way that "is not only shameful but unconstitutional""<sup>306</sup>. Bradley Manning's case highlights what appears to be a lack of compassion for other human beings at the highest levels of power where the importance of how we treat others is amply recognized and manipulated to great effect creating scapegoats, distractions and examples which discourage truth-telling and undermine the spirit of transparency, dashing our hopes for trustworthy, accountable and just government. Bradley Manning is a hero to some and a villain to others. It remains to be seen how the law will judge him.

Dr. Jeffrey Wigand, Dr. David Kelly, and Bradley Manning each suffered tragic and very public personal consequences as a result of blowing the whistle. Both their actions and the resulting reactions to them have had a profound effect on public

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304 *Wikipedia*, "Bradley Manning", Available at: [http://en.wikipedia.org/wiki/Bradley\\_manning](http://en.wikipedia.org/wiki/Bradley_manning)

305 Williams, M. (19 January, 2012) "Bradley Manning: second officer recommends court martial", *Guardian*, Available at: <http://www.guardian.co.uk/world/2012/jan/19/bradley-manning-officer-recommends-court-martial?INTCMP=SRCH>

306 Pilkington, E. (10 April 2011) "Bradley Manning: top US legal scholars voice outrage at 'torture'" *Guardian*, Available at: <http://www.guardian.co.uk/world/2011/apr/10/bradley-manning-legal-scholars-letter>

perception of and trust in the powerful organizations of government, corporations and the news media. Finding out the truth is complicated by our need to balance disclosure of truth with privacy. Sometimes, we find it necessary to show constraint by maintaining a level of secrecy whilst we have our eye on the long game, where eventually the truth will out as those wronged receive justice and those responsible for malfeasance are held to account. It is comforting to know that some individuals are willing to blow the whistle, risking everything to safeguard human health and wellbeing and to serve truth and justice, inviting the rest of us to test our metal by calling power to account. Not only is this comforting, it is fundamental to the accountability of organizations that individuals are aware of the possibility that they might be held to account in this manner, even if not in any other. Those in power are not above accountability but are also subject to it. In *Truth and Power*, Michel Foucault draws our attention to the entanglement of the two concepts of truth and power:

“The important thing here, I believe, is that truth isn’t outside power, or lacking in power: contrary to a myth whose history and functions would repay further study, truth isn’t the reward of free spirits, the child of protracted solitude, nor the privilege of those who have succeeded in liberating themselves. Truth is a thing of this world: it is produced by virtue of multiple forms of constraint. And it induces regular effects of power. Each society has its regime of truth, its ‘general politics’ of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true.”<sup>307</sup>

We do not always step up when called to witness and there are many reasons why this should be the case. Although we like to think we can trust in our expectation that help will arrive when we ask for it, we are not always confident of this. Communication can break down and help may be lacking when we need it most.

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307 Foucault, M. “Truth and Power”, in Lynch, M. P. (ed.) (2001) *The Nature of Truth*, MIT Press, p. 317

This can lead us to believe silence to be the option of least risk, especially if there is little or no threat to ourselves in maintaining it.

“Usually there is a witness to wrongdoing or negligence. Time and again across the world the story behind scandals and disasters [...] is that people who worked in the organization had seen the danger but had either been too scared to sound the alarm or had raised the alarm in the wrong way or with the wrong person. Some witnesses are known and some are not; some witnesses choose to stay silent and some choose to speak out. The real question is not whether there is a witness – a potential early warning system – but whether he or she will feel confident both that the climate is safe enough to come forward and that speaking up will achieve something.”<sup>308</sup>

The act of blowing the whistle is a desperate act of frustration, a last resort, but it is not an act taken without deliberation. Individuals blow the whistle only when it seems no alternative course of action will reveal truth and achieve accountability and justice and only when he feels that there is no recourse to justice within the organization of which he is part. Calland and Dehn write:

“The act of whistleblowing itself is not some magical answer [...]. It cannot operate constructively or effectively, if at all, without the basics of the rule of law and a free press. The rule of law is essential not only because it is a means to protect whistleblowers but, more importantly, because it is a means by which those who would damage others and abuse their position can be held responsible for their actions. A free media is essential, not because it is or should be the first port of call for whistleblowers, but because it is the means by which the conduct of those in positions of power can be scrutinised. Without these in place there is little reason to blow the whistle as there is little hope that anything will be achieved as a result.”<sup>309</sup>

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308 Calland & Dehn (2004) p. 199

309 *Ibid.*, pp. 204-205

Without whistleblowers we would remain in the dark, kept in the cave, living a life of illusions whilst terrible realities were allowed to continue. Whistleblowers help us achieve greater self-awareness by demonstrating that power can be held up to scrutiny, they allow us to build knowledge of how the world is, they enable us to take some control of our perception by undermining what we took to be truth. The whistleblower embodies the hierarchy of conscious self-awareness, knowledge and control in my interpretation of Plato's *Allegory of the Cave*. The whistleblower reveals to us that we are, at any given moment, caught in various situations, in a context that is constantly in flux. As context changes, our perception of the world changes, our illusions are challenged and we re-evaluate what we believe, arriving once again at our own perspective on the world, our current belief. Although re-evaluation can make us feel insecure at first, we can come to feel more secure if we feel our beliefs to be more grounded in truth. The whistleblower allows us this. Indeed Calland and Dehn tell us the whistleblower is important to all of us:

“Whistleblowing matters to all organisations and all people. This is because every business and public body faces the risk that something it does will go seriously wrong. [...] Whenever such a risk arises from the activities of an organisation, the first people to know about it will usually be those who work in or with the organisation. Yet while employees are the people best placed to raise the concern and so enable the risk to be removed or reduced, they are also the people who have the most to lose if they do.”<sup>310</sup>

In this chapter we have seen how finding out the truth can shake our confidence in the certainties that become our touch-stones. Trust is eroded and this can leave us with troubling insecurities. As we try to maintain the *status quo* where we know where we stand, we sometimes ignore or vilify those who try to convince us that things might be other than we believe them to be. The tragic consequences which some face as they raise their head above the parapet, standing up to be counted, can be engineered and allowed to happen as power comes down hard on those who dare

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<sup>310</sup> *Ibid.*, p. 2

to launch a challenge. We can be made to tacitly collude in this, backing away from the opportunity to reveal and face truth. When an individual blows the whistle or merely offers an alternative to accepted truth, others must decide whether to join them in taking a stand or, fearing the consequences which might await them if they do, turn away and succumb to the urge to retreat to the cave.

## Chapter 6 - The Urge to Retreat to the Cave

“And if he is compelled to look straight at the light, will he not have a pain in his eyes which will make him turn away to take refuge in the objects of vision which he can see, and which he will conceive to be in reality clearer than the things which are now being shown to him?”<sup>311</sup>

As I have shown in Chapter 5, there are sometimes tragic personal consequences to telling the truth, yet some individuals are willing to take great risks in order to do so. In this Chapter I will show how we seek safety and security in the familiarity of our illusions. As Plato’s prisoner is dazzled and pained by the glare of the light, so we are dazzled and pained when faced with a truth that is to our illusions as light is to darkness. Our pre-conceptions about how the world is can blind us to the possible alternatives which the available evidence, ushering in some light, might present to us. These alternatives can be painful and paradoxically, although we desire truth, we also fear it. This fear can lead us to deny truth and, in a retreat to the cave where we find our illusions intact, we can exhibit an appalling lack of concern for others and this can have disastrous consequences for trust and accountability.

By considering the ways in which we deny truth and by looking at three high profile fatalities, Harry Stanley, Jean Charles de Menezes, and Ian Tomlinson, who all died at the hands of British Metropolitan Police officers midst an atmosphere of public insecurity, I will show how fear and pre-conceptions can influence what we take to be true and that this has consequences for how we treat others. I will consider news reports and the *Independent Police Complaints Commission (IPCC)* reports and decisions on the deaths of these three men and some particular resulting recommendations which have repercussions for the ways in which we create

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311 Jowett, B. “Plato, The Republic, Book VII, The Allegory of the Cave”, Available at:  
[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

narratives of events. Included in the discussion will be some personal thoughts on my own memories of some of the news reports around the shooting of de Menezes.

### **Antinomies of truth**

Although we desire truth, we also fear it; the truth can be painful and difficult to accept. Indeed, sometimes we prefer not to see the truth, choosing to believe in something which makes us feel more comfortable.

Over time, we adapt to an enormous amount of change in our lives. As we grow from infancy, through childhood, into adulthood and old age, our physical appearance and capabilities and our intellectual capacity are transformed, and our accumulating experience of living in the world grows deep. We all come to expect these gradual changes in ourselves and our lives and we accept them. For example, it is no surprise when the face staring back at us from the mirror no longer appears as young as it used to, or when our physical health deteriorates somewhat as we get older. We generally cope well with the truth embodied in these changes, that is, that we are mortal.

We all live with this rather extreme truth, knowing that we are powerless to change it. Each life is a finite project, and we are aware of this finitude, and the uncertainty of its limit. We do sometimes experience those fleeting moments when we think about the inevitability of our own death and we must face the truth in “the bitter recurrence of awareness of our own certain mortality.”<sup>312</sup> In the knowledge of this truth we all must, and do, go on living towards our own future end. The finite character of each life informs the ways we live and the systems we live by. Although we may not go about our business as though each moment were our last, there is some sense of imperative to how we live our lives. We plan ahead, deciding when to study, work, travel, settle down, or have a family and we do these things in the knowledge that

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312 Benson & Stangroom (2006) p. 43

time is limited. This is sometimes difficult to accept and can make us feel vulnerable, but there is a sense that we defer complete acceptance, relegating this knowledge to the back of our mind. By not paying it too much attention, we keep at bay what might otherwise be a consuming, petrifying insecurity and fear, and to an extent we allow ourselves the illusion that we are immortal. Self-deception and delusion are nothing unusual. As each of us lives with the extreme truth of our own mortality, sometimes approaching life as though we have all the time in the world, we can similarly find it possible to live with other truths by denying them in favour of our illusions.

Whilst we hold truth in high esteem, there is a paradox in our feelings about it. Sometimes the truth makes us feel good and we desire it because of this; sometimes the truth makes us feel bad and we resent it. Our uneasiness with truth can provoke us to reject it out of hand, to lie or simply not to speak out. It can appear so difficult to cope with truth that we deny it so we can go on living as usual. Benson and Stangroom suggest:

“[...] we don't always love the truth. The truth is we often fear and hate it. There can be truths about our own health or that of people we love that we hate with a final ungainsayable loathing. There can be truths about our situation, whether financial or cosmic, that make us uneasy.”<sup>313</sup>

We allow ourselves to deny truth using a number of methods. In *Why Truth Matters*, authors Ophelia Benson and Jeremy Stangroom explore the antinomies of truth and list them as: mental reservation or internal denial, authority, obfuscation, evasion, alternative evidence, taboo, asking unanswerable questions, distortion and shooting the messenger.<sup>314</sup>

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<sup>313</sup> *Ibid.*, p. 1

<sup>314</sup> *Ibid.*, p. 3

Denying truth relieves us of the need to argue the alternatives, we need simply convince ourselves that we do not believe. We can do this internally in an appeal to ourselves or externally by appealing to authority, accepting not only that those in authority are privy to truth but their power to punish us should we kick against may provide us with reason enough “to believe and think, or at least [...] appear to believe and think”<sup>315</sup> what they tell us. I expect that many a potential whistleblower has been moved to silence in deference to this, not only by capitulating to power, but by freeing themselves of the responsibility of taking up the fight against power, thus helping restore comfort in the safety and security of the *status quo*. Benson and Stangroom recognize this paradox; authority can be both coercive and liberating.<sup>316</sup> Boulding underlines this connection between authority and truth and he points out that we use signs to demarcate those who possess authority and who therefore know the truth:

“[W]e may argue that truth is something which comes to us with authority. It is part of our image of society that there are some people who know things and some people who don’t. The problem of truth, therefore, is to find the people who know things and to listen to them. [...] There are many survivals of this point of view in our own society. Our very ceremonial trappings go back to it: the gown of the scholar, the robe of the judge, the uniform of the general, and the vestments of the priest clothe not only their wearers with pomp but the messages that flow from them with authority.”<sup>317</sup>

We might add to Boulding’s list the white coat of the scientist or medic or even simply the clinical context of the science laboratory; from these too, authority flows and out of a sense of inferiority or politeness we can mistrust those who adorn it. In any of these contexts aspects of people’s behaviour may lead to disillusionment.

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<sup>315</sup> *Ibid.*

<sup>316</sup> *Ibid.*

<sup>317</sup> Boulding (1956) pp. 170-71

## The Milgram Obedience Experiment

In *Small Acts of Resistance*, Steve Crawshaw and John Jackson tell the story of a study conducted at Yale University in the 1960s by social psychologist Stanley Milgram. The study provides a pertinent example of such unnerving behaviour. Milgram set out to “establish how readily ordinary people might inflict pain on or even kill a stranger, when ordered to do so.”<sup>318</sup> It was an experiment in obedience and involved a number of participants who were apparently randomly split into two groups, teacher and learner. Unbeknownst to the teacher group, the learner group was in fact composed of actors. The learner was taken to a room where they were strapped into a chair and had electrodes placed on them. The teacher was instructed to ask the learner questions and each time a wrong answer was given they were to administer an electric shock, which they were told would get progressively stronger with each wrong answer, although in reality the learner received no shocks:

“The lever administering the shocks had a labelled scale that ran from “Slight Shock” at 15 volts to “Moderate” to “Danger: Severe Shock” at 375 volts, and finally just “XXX” at 450. The study proceeded with the learner answering a few questions correctly, but also getting a few of them wrong. At the 150-volt mark, the actor-learner, following his instructions, begged for the experiment to end and reminded the teacher of his weak heart. If the teacher seemed ready to stop, a laboratory assistant was on hand to encourage him or her to continue. As the simulated shocks escalated, the learner-actor responded accordingly, screaming louder with each increase. In the face of hesitation, the assistant in the laboratory coat firmly requested that the teacher proceed. At the top end of the shock scale, the “learner” stopped screaming and acted as if he had lost consciousness. Even then, the assistant insisted that the teacher continue to administer shocks, claiming that a nonanswer should be counted as a wrong answer.”<sup>319</sup>

Even though some participants expressed reservations about continuing with the experiment when they thought they were causing pain to the learner, 65 per cent continued when they were told that the learner was fine and that they were not

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318 Crawshaw, S. & Jackson, J. (2010) *Small Acts of Resistance: How Courage, Tenacity, and Ingenuity Can Change the World*, Union Square Press, Sterling Publishing Company Inc., p. 71

319 *Ibid.*, p. 72

responsible for what happened next.<sup>320</sup> The 65 per cent included a woman who described herself as “a softy”<sup>321</sup> and yet she proved herself willing under orders to inflict pain and even death on another human being when she was sure that she would not be held responsible. In spite of this behaviour Crawshaw and Jackson relate how once she discovered the learner was not in fact harmed, she turned the attention back to the pain which she felt during the process of inflicting pain on someone else. Jan Rensaleer was one among only a few participants who took responsibility for his actions. Rensaleer refused to continue, in spite of being told he had no choice in the matter and that he must go ahead. All Rensaleer and his fellow refuseniks did was decide for themselves that they had a choice not to do as they were asked, that they could think for themselves, and they did this in spite of being told that this was not permissible. Although it is admirable that some participants chose not to follow orders in Milgram’s experiment, what is more shocking is that a large majority were prepared to do as they were told, in spite of there being no risk to themselves in refusing, and probably in the belief that they were causing severe pain to another human being. It would appear that relieving us of responsibility for our actions can also relieve us of our concept of right and wrong, allowing us to capitulate to orders and blame someone else whilst committing abhorrent acts of cruelty. Rensaleer, said no, momentarily breaking his chains, turning in defiance of what he was told was his only option, but he was in the minority. The majority followed orders retreating from the confrontation involved in saying no and denying the truth that what they do has consequences for others, that they are responsible for their actions and therefore should take responsibility for the choices they make in relation to them.

We can also allow ourselves to deny truth through obfuscation, if you like, blinding people with science:

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<sup>320</sup> *Ibid.*

<sup>321</sup> *Ibid.*, pp. 72-3

“Confusion and obfuscation are arguably the best way to go. Obfuscation is legal, it’s easy, there is always an abundant supply and it often does the trick. The more unclear it is exactly what one is arguing, the more trouble one’s opponents will have in refuting one’s claims.”<sup>322</sup>

Accountants at Enron Corporation (an American energy, commodities and services company) famously used this, in a combination with appeal to authority, in order to continue with dubious accounting techniques which very few individuals within the organization could really understand. As writer, consultant and former Vice-President of Enron, Sherron Watkins recounts in *The Emperor’s New Clothes: My Enron Story*:

“Certain hedging structures were employed [...] that have since been labelled fraudulent by accounting and securities experts. [...] the hedging transactions were incredibly complex and were shown to executives at Enron in hurried meetings with experts touting the brilliance of the accounting theories behind these clever structures. Cutting edge accounting was being invented at Enron; surely an executive would not want to ask questions and show his or her lack of intelligence. Intimidated by complex structures and by overbearing accounting and finance experts, many at the company fell victim of a group-think mentality, accepting accounting structures they didn’t understand.”<sup>323</sup>

Evasion allows us to deny truth by simply choosing not to allow any information into our lives which might expose our beliefs to the threat of change. We can do this by only reading particular newspapers, watching particular television programmes, and associating with particular people, all of which can help us maintain and even reinforce our beliefs as they are: “One can select all one’s sources of input carefully such that an alien upsetting suggestion will simply never be heard or read. One can, in short, simply use a very large and very fine-meshed filter”<sup>324</sup>. To deny truth by seeking evidence for an alternative truth is a flawed pursuit as it is unscientific: “The trouble is that an enquirer who starts with a claim she wants to find evidence for is

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322 Benson & Stangroom (2006) p. 9

323 Calland & Dehn (2004) pp. 62-63

324 Benson & Stangroom (2006) p. 8

extremely likely to overlook disconfirming evidence”<sup>325</sup>. Taboos are “a powerful way of shutting people up”<sup>326</sup> because they play on guilt and conscience. Asking unanswerable questions is a diversion tactic. Distortion skews evidence to fit our beliefs, and shooting the messenger we might understand to quite accurately describe the way in which B&W handled Wigand’s claims, firing and then trying to discredit him when he went to the media. The point is, when we deny truth, we do so in an attempt to create and maintain the conditions whereby we can continue to believe what we already believe and therefore can continue to feel safe and secure.

### **We need to feel safe and secure**

Feeling safe and secure is fundamentally important to us. If we feel safe and secure and are satisfied with our way of life, we take comfort in knowing that it is sustainable and that we are able to rely on this sustainability as a matter of routine. For example, we take comfort in having a secure home and job, in knowing that we can afford to pay our rent or mortgage, and our household bills, and that we are able to keep ourselves and our family safe from harm. When we feel confident in our security we feel we are part of a community, we go about living within the routines of this community and we feel our life has meaning. For example, we go to work, use public transport, spend time with our families in local parks and we use the streets to get from A to B whilst we participate in the sometimes mundane but fulfilling aspects of everyday life. Routine carries us through life and when we feel able to anticipate today’s routine will continue into tomorrow, we know where we stand. With this knowledge comes peace of mind. We know we can trust, we feel safe, we feel secure. With a feeling of security comes a decreased urgency in the process of living. Even though the pace of life can be very fast, we often bump along, performing our routines, without too much concern about the finitude of life; we sometimes procrastinate and take our lives, and our way of life, for granted, even wishing for tomorrow, next week or next year to arrive as we look forward to planned future events. Often it is only when routines are interrupted that we are prompted to

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<sup>325</sup> *Ibid.*, p. 10

<sup>326</sup> *Ibid.*, p. 5

doubt and we reflect on our lives and ourselves, perhaps questioning our beliefs and our illusions:

“Individuals are often swept along by the demands and routines of everyday life and may not actively reflect on their valued identities, goals, and life trajectories (Langer 1989). Thus, reflection is often prodded by events – from the momentous to the seemingly innocuous, from the expected to the unexpected, and from the highly negative to the highly positive – that interrupt the flow of life and prompt one to take stock (D. T. Hall, 1986; T. W. Lee & Mitchell, 1994). First doubts occur when one begins to question and possibly redefine previously taken-for-granted meanings.”<sup>327</sup>

In pursuit of the greatest possible feeling of security for ourselves, we are involved in both cooperation and competition with each other, on individual, family, community, organizational and national levels. In caring for ourselves, our families and our friends, in trying to change our lives for the better, we compare ourselves with others and we strive to make our lives not only better than they were, but also better than the lives of others. We are prone to put our own security above the security of others and regrettably this can cause us to become unconcerned for the lives of others. Kenneth Boulding uses the Arms Race to illustrate our perception of how secure or insecure we are. He does this within the idea of nation as personality:

“Cartoons and political speeches continually reinforce the image of roles of nations as “real” personalities – lions, bears, and eagles, loving, hating, embracing, rejecting, quarrelling, fighting. By these symbols, the web of conflict is visualized not as a shifting, evanescent, unstable network of fine individual threads but as a simple tug-of-war between large opposing elements. This symbolic image is one of the major causes of international warfare and is the principal threat to the survival of our present world.”<sup>328</sup>

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<sup>327</sup> Ashforth (2001) p. 112

<sup>328</sup> Boulding (1956) p. 111

“One important clue to the dynamics of international relations is the fact that the symbolic image of the nation has important dimensions of security and insecurity. It is this fact that leads, under certain circumstances to, the disastrous phenomenon of the arms race.”<sup>329</sup>

“The symbolic image of one’s own nation is tinged with ideas of security or insecurity depending on one’s image of other nations.”<sup>330</sup>

“A nation perceives itself as insecure and, hence, increases its armaments or maintains an aggressive posture. By doing so, it seeks to increase its image of its own security in the image of its opponent. The security of one is the insecurity of the other. We have then a vicious process [...]”<sup>331</sup>

The arms race relied on feelings of insecurity, vulnerability and fear to drive evermore powerful military deterrents and means of defending nations against attack. The knowledge that we are mortal leaves us open to a fear of harm, a fear which we try, at all costs, to avoid.

### **Fear of life’s contingencies**

However, together with the gradual changes which we all expect to experience and those particular changes and experiences which we ourselves seek or instigate, there are changes which can come suddenly and unexpectedly and through no deliberate action of our own. Some things appear to just happen to us. These can be both positive and negative. For example, we might fall ill, have an accident or suffer harm, or we might make a discovery which changes the way we and others view the world. Such things have led to human pursuits through which we try to understand and explain the world; and we try to improve the quality and extend the duration of human life, by finding solutions to some of the problems and threats we face. For example, by developing advanced engineering technology, we are able to construct buildings

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<sup>329</sup> *Ibid.*, p. 112

<sup>330</sup> *Ibid.*

<sup>331</sup> *Ibid.*

which keep us safe and secure, protecting us from those who might cause us harm and from the hostility of the elements; and in the fields of science and medicine, we have developed dietary recommendations, fitness regimes, and medical treatments and cures for some of the diseases and infections which have posed a threat to the quality or duration of human life. All of these things have grown from our curiosity about the world and our need to care for ourselves and each other. All of these things contribute to our feeling of security. Our antecedents and our descendents bind us to humanity, past and future; and we each contribute something of ourselves to that humanity by engaging with others in the world.

### **Too much reality: we prefer our illusions**

We seek connections with and understanding of others through shared experience. Finding out the truth about things which happen in the world can help us to achieve this. However, although our shared experience of living connects each of us to humankind as a whole, allowing us to empathize with others, our particular individual experiences of living can serve to make us self-centred, prioritising our own security and that of our nearest and dearest. To an extent, this is understandable, but there is a far-reaching and unfortunate problem here. Although we want to connect and understand, we do have a problem with knowing. As we strive towards protecting ourselves, as we endeavour to surround ourselves with people whom we know we can trust and who care for us, we can neglect others, and we can do this willingly. This is especially true of how we deal with exposure to information which, we might say, presents us with too much reality.

For example, we might look away from news footage of people, who we understand to be real, if they are portrayed in life-threatening situations. We want to protect ourselves from the horrors of the world. Our unease is as it should be, and indicates empathy and compassion. However, it can also indicate denial. Just as we tend not to think about mortality because we are powerless to change it, unfortunately we sometimes take a similar approach to other extreme truths which we could change if

we made an effort. If we disregard truth in this way, or if we ignore truth by looking in the other direction when we find it too hard to take, we exhibit a lack of care. If we disregard truth, we relieve ourselves of the responsibility which comes with knowing truth, the responsibility to move to change it.

### **Disregard for truth**

Also, in his fascinating essay *On Bullshit*, philosopher Harry G. Frankfurt calls on us to consider the structure of the concept of 'bullshit' and to ponder its meaning as a cultural phenomenon. Frankfurt suggests that 'bullshit' reveals that our decision making processes sometimes have no foundation in truth, but he advocates that we should at least choose whether to be guided by or defy the authority of truth, and not ignore it altogether:

“Someone who lies and someone who tells the truth are playing on opposite sides, so to speak, in the same game. Each responds to the facts as he understands them, although the response of the one is guided by the authority of the truth, while the response of the other defies that authority and refuses to meet its demands.”<sup>332</sup>

He asserts that, whilst both the liar and the truth-teller are responsive in some way to the facts as they understand them, the bullshitter ignores the demands of truth, he pays the truth no attention and, in this sense, “bullshit is a greater enemy of the truth than lies are.”<sup>333</sup>

Our need to feel safe and secure can drive us to disregard truth. We can be tempted by circumstances simply to believe whatever it suits us to believe at any particular moment. We can also be tempted to try to convince others that what we believe is true, and so they too should believe it. The power of information lies in its potential to

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332 Frankfurt, H. G. (2009) "On Bullshit", in *The Importance of What We Care About*, Cambridge University Press, p. 132

333 *Ibid.*

influence how people understand the world. Once information has been disseminated, once a narrative is out there and has been heard or read and interpreted, it is not possible to back-track as though it were never disclosed. For example, in courts of law a judge can forbid the jury to consider particular evidence already presented, if it is considered inadmissible, but the fact remains that the evidence has been heard by the jurors, and may have been presented by legal representatives not only with the knowledge of its inadmissibility, but also with the knowledge of its power to influence the outcome of proceedings. Information has the power to convince us should we be open to persuasion. Persuasive powers are aided and abetted by the use of rhetoric which can leave truth vulnerable and we are open to deception.

### **Doublethink**

In 1984, George Orwell's totalitarian state requires that truth be indisputable. By means of Doublethink, a constituent of Newspeak, mentioned in Chapter 1, the Party controls reality and truth is denied its history and its future. Only the current officially declared truth is the truth. Although today's truth may be different to yesterday's and to tomorrow's, entirely accepting it as the truth is to deny change, to deny memory of yesterday and anticipation of tomorrow as though today is always all there is, all there has ever been, all there will ever be. Doublethink requires that nothing is, was or will be accepted as true except what is said to be true now, we must forget the possibility of alternatives. To accept this truth is to deny the possibility of change. To accept this truth is to deny truth. To accept this truth is to embrace Doublethink:

“To know and not to know, to be conscious of complete truthfulness while telling carefully constructed lies, to hold simultaneously two opinions which cancelled out, knowing them to be contradictory and believing both of them, to use logic against logic, to repudiate morality while laying claim to it, to believe that democracy was impossible and that the Party was the guardian of democracy, to forget whatever it was necessary to forget, then draw it back into memory again at the moment it was needed, and then promptly to forget it again: and above all, to apply the same process to the process itself. That was the ultimate subtlety: consciously to induce

unconsciousness, and then, once again, to become unconscious of the act of hypnosis you had just performed. Even to understand the word 'doublethink' involved the use of doublethink."<sup>334</sup>

### **A narrative develops**

We have a sense that truth is out there awaiting discovery and yet when we pursue it we feel there are some things that we already know to be true. We make assumptions and this can lead us to trust implicitly. A narrative develops as accounts emerge into the public consciousness and are drawn together to reveal a picture, a network of how individuals, events and accounts relate to one another and to the truth. The picture, which we take to be a reliable narrative of the event, often depends on whose accounts we trust to be true. We judge the truthfulness of accounts, and we come to trust them based on whether we consider the account giver to be truthful, and we tend to trust accounts which we feel other individuals whom we trust take to be true. Figures and institutions of power and authority command trust, but the trust intrinsic to a particular role or institution can be open to abuse. Where else would an individual intent on abusing trust aim to find themselves, but in a position where power, authority and trust are intrinsic? For example, we assume we can trust that police personnel are bound to uphold the law and therefore by definition cannot break it and by extension cannot break trust. We are reminded of Boulding's remarks on the authoritative qualities of the "gown of the scholar, the robe of the judge, the uniform of the general, and the vestments of the priest clothe."<sup>335</sup> We know however that although these signs of authority may or may not be accompanied by knowledge, the power embodied by them, and by extension those who don them, may or may not be committed to telling truth or fulfilling the trust we expect from figures of power. Implicit trust takes a lot for granted, as Seldon writes:

"The public trust that dangerous criminals will be put in prison and be kept isolated, and they trust lawyers to counsel on the law in an honest and fair manner. These areas are not luxuries: a very high degree of competence,

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<sup>334</sup> Orwell, G. (2008) *1984*, Penguin, pp. 37-38

<sup>335</sup> Boulding (1956) pp. 170-171

honesty and integrity in the execution of these responsibilities is taken as a given."<sup>336</sup>

The power to convince others that a particular narrative is true can translate into the power to act. To have your position widely believed and supported can appear to be a mandate for action. If action is taken founded on this and the information on which it hinged later emerges as false we risk erosion of trust, this is especially true if we find that powerful individuals were aware of this falsity. Furthermore, multiple instances of this compound this erosion and we potentially move closer and closer to the total collapse of trust altogether.

However, we try to avoid this. Although we do place trust implicitly, this trust is not fixed but contingent. We base trust not only on signs of authority but also on experience. Somewhat paradoxically, implicit trust only remains implicit whilst our experience tells us that it should, if those whom we expect to be able to trust do not abuse that trust but continuously uphold it. We are resistant to the meteoric change heralded by unexpected abuse of trust and there are times when we are so appalled by it that we do not allow trust to collapse but we retreat, tempted to turn away and seek safety and security in our illusions. As Benson and Stangroom tell us, there are ways of denying truths which we would rather were not true.

Most of us read or hear news reports on a daily basis. Sometimes we take first reports of an incident to be true, especially if we then pay no particular attention to how matters develop. If our first impressions are all we have, we might go off thinking we 'know' what happened. The majority of news reports we forget, and we move on to the next and on with our lives. However, there are some stories which captivate us and we are drawn to pay them more attention. Some stories can stay with us over many years as we are moved to care. Often, this is because they have something to tell us about the state of society. They have something to tell us about ourselves.

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336 Seldon, (2009) p. 114

For me, the fatal shootings of Harry Stanley in 1999 and Jean Charles de Menezes in 2005 and the unlawful killing of Ian Tomlinson in 2009 are three such stories.

### **Harry Stanley**

On 22 September 1999, 46 year old Harry Stanley had just left an east London pub and was walking home when he was shot dead by police. He was carrying a plastic bag containing a table leg which his brother had mended for him earlier that day. Having mistaken his accent for an Irish one (Stanley was Scottish), two men made an emergency call to police informing them that an Irishman carrying a sawn-off shotgun had just left the pub. Chief Inspector Neil Sharman and Police Constable Kevin Fagan attended. The IPCC report describes what ensued: "They saw Harry Stanley with what appeared to them to be a sawn off shot gun wrapped in a blue plastic bag. They challenged him and each fired one shot."<sup>337</sup> Stanley was shot once in the hand and then killed by a shot which struck his head. In 2002, an inquest returned an open verdict prompting Stanley's family to call for a judicial review. In April 2003, the High court ordered a second inquest, which in October 2004, recorded a verdict of unlawful killing resulting in the officers' suspension.

The Crown Prosecution Service (CPS) reviewed the case requesting re-examination of some of the evidence which "led to the discovery in January 2005 of significant forensic evidence - two bullet holes to the top left shoulder of the jacket that Mr. Stanley was wearing when he was shot. This forensic evidence appeared to indicate that Mr. Stanley may have been shot as he began to turn towards the officers, in contradiction to the statements provided by them. On this basis, the officers were arrested by Surrey Police on suspicion of murder, gross negligence manslaughter, perjury and conspiracy to pervert the course of justice"<sup>338</sup> on 2 June 2005, the verdict

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337 Independent Police Complaints Commission (February 2006) "The Death of Harry Stanley – IPCC Decision", Available at:

<http://www.ipcc.gov.uk/search/Results.aspx?k=harry%20stanley>

338 Crown Prosecution Service (20 October 2005) "Decision in Henry (Harry) Stanley case", Available at:

[http://www.cps.gov.uk/news/press\\_releases/153\\_05/index.html](http://www.cps.gov.uk/news/press_releases/153_05/index.html)

of unlawful killing had in the meantime been quashed and the initial open verdict again stood.

After reviewing the case again, considering the forensic evidence, along with other expert forensic opinion gathered and submitted by the officers' defence team, in October 2005 the CPS concluded that there was no realistic prospect of convicting the officers of any of the charges brought against them, citing insufficient evidence. It was decided that no further action would be taken: "the evidence relating to the fatal shot could reasonably permit interpretations consistent with the officers' belief that they were acting in self defence."<sup>339</sup>

"In this case the officers say they acted in the honest belief that they were under imminent threat and that the force they used was proportionate to the threat they perceived. For a prosecution to have a realistic prospect of conviction, it would be necessary to establish beyond a reasonable doubt that they did not have such a belief or that the force used was excessive."<sup>340</sup>

This is a rather tricky state of affairs. That the officers believed that they were under imminent threat is unfalsifiable. We know that our understanding of events is always a matter of interpretation and that our perception leads us to believe that things are a particular way in the world. The rhetoric of belief is quite difficult to counter and, as discussed in Chapter 3, it is possible for individuals to adopt a particular world view if they imagine it will afford them gain or make life easier. If we are faced with a contradiction to what we believe, we might simply do as Boulding says we do when we argue against another individual's image of the world, and in favour of our own: "If

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<sup>339</sup> *Ibid.*

<sup>340</sup> *Ibid.*

I say that your image is not true, I may simply mean that it is not the same as mine.”<sup>341</sup>

### **Jean Charles de Menezes**

Jean Charles de Menezes, a 27-year-old Brazilian man, was shot dead by the British Metropolitan police on 22 July 2005, at London’s Stockwell underground station, on what later transpired to be a wholly false assumption that he was a dangerous man with bad intentions. At the time of the shooting, London was still reeling from the bombings of 7 and 21 July: “The police were on a high state of alert [...] and had been briefed that they may be called upon to carry out new tactics - shooting dead suspected suicide bombers in order to avoid another atrocity.”<sup>342</sup>

Early news reports of the incident included descriptions of the shot ‘suspect’. Reports that the ‘suspect’ had jumped over a turnstile, that he had been wearing an unusually heavy jacket for the time of year, and that he appeared to have been wearing a bomb belt with wires coming out of it, made some people quick to conclude that de Menezes was a suicide bomber and had boarded the underground train with the intention of detonating a bomb in order to kill civilians; this was, in the period immediately following the incident, seen as justification for the actions of police firearms officers.

Once again, we are asked to believe interpretation and must guard against simply taking appearances for reality, accepting early interpretations as truth without the time perspective to digest events and consider emerging evidence. We interpret information as it is made available to us and a narrative grows, is disseminated and reinterpreted by others. Sometimes emerging evidence suggests to us that we have

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<sup>341</sup> Boulding (1956) p. 169

<sup>342</sup> Cowan, R., Campbell, D., Dodd, V. (17 August 2005) “New claims emerge over Menezes death”, *Guardian*, Available at: <http://www.guardian.co.uk/uk/2005/aug/17/july7.menezes>

misplaced our trust and we are faced with having to admit this and modify our view of the world. There is nothing wrong with this as long as we do admit that our initial interpretation has transpired to be false. It is when we hide this that trust suffers and trust, once lost, is very difficult to regain as I will go on to discuss in Chapter 7.

If police had admitted the failings of that day's surveillance operation perhaps they could have handled it with more care showing some respect for de Menezes, for his family and for the public who, after all, trust that police are capable of doing a good job detecting, solving and preventing crime whilst at the same time keeping the community safe. Jean Charles de Menezes was not safe when he walked out of his home that morning and he never knew it: "Mr. de Menezes [...] was unaware he was being followed"<sup>343</sup> This could have been any one of us. Seldon summarizes his view on the repercussions of the de Menezes shooting and the police actions, post-incident:

"The high profile killing of Jean Charles de Menezes on 22 July 2005, fifteen days after the London 7/7 suicide bombings, saw police error followed by accusations of deceit. Operating at a time of acute suspicion of terrorists, police mistakenly killed the innocent Brazilian man in an Underground carriage, but then compounded matters by trying to cover their tracks."<sup>344</sup>

## Ian Tomlinson

"Ian Tomlinson, a member of the public, died following physical contact with the police, who initially claimed Tomlinson had collapsed and was being helped by police officers who were themselves under attack.[...] It was later suggested that Tomlinson had been attacked by a protestor 'dressed in police uniform'. However, the incident was caught on camera by members of the public and circulated on the internet for the world to see that the police claims were wrong. Further skirmishes between police

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<sup>343</sup> *Ibid.*

<sup>344</sup> Seldon (2009) p. 122

and the people were captured on the cameras and mobile phones of the public, with one officer filmed slapping and hitting a remonstrating protestor with his truncheon. The footage also showed that officers had obscured their badges to avoid identification.”<sup>345</sup>

The IPCC investigation into the death of Ian Tomlinson raised particular concerns about the conduct of PC Simon Harwood, the officer who it was alleged had struck Tomlinson causing him to fall, and that this fall contributed to his death. The officer denied that he had struck Tomlinson in spite of having been caught doing so in CCTV footage and in images captured and disseminated on the web by a number of demonstrators present at the time. In July 2010 in *Land of impunity*, writer and activist, George Monbiot asked:

“If not now, when? If the evidence against the officer who attacked Ian Tomlinson is not strong enough to support a prosecution, when will the police ever be held to account? What does a policeman have to do to fall foul of the laws which govern the lives of ordinary mortals?”<sup>346</sup>

The Crown Prosecution Service reviewed the decision not to prosecute Harwood after an inquest into Tomlinson’s death returned a verdict of unlawful killing. It was decided that based on new medical evidence raised at the inquest there was now a reasonable chance of securing a conviction. PC Simon Harwood will now face prosecution for manslaughter, a charge to which, on 17 October 2011 he entered a plea of not guilty. Anthony Seldon writes: “It is a matter of obvious concern that the police, whose job it is to ascertain the truth when law-breaching occurs, have such an apparently low reputation for being truthful themselves.”<sup>347</sup>

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<sup>345</sup> *Ibid.*, pp. 122-123

<sup>346</sup> Monbiot, G. ( 24 July 2010) “Land of Impunity”, Available at: <http://www.monbiot.com/archives/2010/07/24/land-of-impunity/>

<sup>347</sup> Seldon (2009) p. 115

### **Police officer conferring and altering notes**

As I have argued, a narrative takes time to develop. Taking accounts from multiple perspectives, we can piece together fragments and come to a point of understanding. This works, only if fragments are independent and not in themselves contaminated by other fragments. We must consider fragments as integral and alongside one another, comparing them with each other in a process of verification and corroboration.

After her husband's shooting, Harry Stanley's wife Irene made two complaints to the IPCC, the first concerned "police use of force on her husband, which resulted in his death"<sup>348</sup>, the second concerned the post-incident actions of the officers involved, "she alleges that they falsified their accounts of the shooting."<sup>349</sup> It is this second complaint which concerns me more. When an incident takes place and it appears to the public that officers may have lied or concocted a story, this has disastrous consequences for trust.

The practice of police officer conferring when writing up notes on an incident has strong bearing on the reliability of what passes into record as accepted truth. Why, if it is not appropriate for civilian witnesses to confer, is it permissible for police witnesses to do so? Should it not be the case that all witnesses, civilian and police, give their accounts in the same manner? The record otherwise becomes subject to an Orwellian twist: "And if all others accepted the lie which the Party imposed, if all records told the same tale, then the lie passed into history and became truth."<sup>350</sup>

The IPCC investigation into the death of Ian Tomlinson highlighted concerns about trust in police officers' accounts. Their decision on the death of Harry Stanley, given on 9 February 2006, emphasized the significance of the process of police account-

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<sup>348</sup> Independent Police Complaints Commission (February 2006)

<sup>349</sup> *Ibid.*

<sup>350</sup> Orwell (2008) p. 37

giving to the credibility of police evidence in the case. Pointing to a flaw in standard police process, where officers are permitted to confer when making notes following an incident,<sup>351</sup> their decision on Stanley's death included a call for an end to this practice, which is referred to in the report as "officers pooling their recollections."<sup>352</sup> The report reads:

"The police cannot have it both ways. The IPCC has already made it clear that our investigators will not treat officers who fire fatal shots on duty as suspects unless there is evidence to suggest that a criminal offence may have been committed. If that is the case, it is difficult to see why they should not be treated immediately like any other significant witness, who are not given access to legal advice and permitted to pool their recollections before giving an account. Video recordings of incident debriefs, which could later be shown if necessary alongside expert advice about the effect of perceptual distortion on the accounts, would provide a credibility with the public that is lacking in the present system."<sup>353</sup>

The IPCC, whilst they acknowledged that this process follows standard national procedure, recommended that the police service consider whether the practice of pooling recollections really serves the interests of either the public or the officers concerned. They stress that the practice made for suspicion around police process pointing to it as a reason for allegations that police personnel fabricated evidence:

"In our view the process adopted to obtain the accounts, in particular allowing the pooling of recollections, has given rise to the allegation that they were fabricated after the event and in creating such doubt about their version may well have done the officers a disservice."<sup>354</sup>

This concern over the practice of police officer conferring had also been raised in 2007 in the IPCC *Stockwell One* Report into the death Jean Charles de Menezes. In

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<sup>351</sup> Independent Police Complaints Commission (February 2006)

<sup>352</sup> *Ibid.*

<sup>353</sup> *Ibid.*

<sup>354</sup> *Ibid.*

this report, the IPCC advised that conferring makes accounts less credible and they called for a review into the efficacy of post-incident management policy, guidance and practice, to ensure that an appropriate balance is struck between officers being held to account for actions and officers' rights.<sup>355</sup> The report pointed in particular to a need for transparency, suggesting that officers' individual accounts should be obtained for the record and conferring brought to an end, whilst it also highlighted the difference in treatment of police and civilian witnesses as unacceptable and unjustifiable.

Rather than a confluence of multiple perspectives, the act of conferring whilst writing up notes following an incident creates an a priori fabricated conclusion by cross-contamination of accounts. Once conferring has taken place, it is impossible to know whether accounts represent the operational reality or a concocted version which fits the needs of an organization or an individual, perpetuating a publicly perceived image. When this happens we are lost because a balance is no longer achievable through the possibility of conflicting accounts or variance of selectivity and priority of information; we are left with an aggregate and we can no longer come to conclusions by considering multiple perspectives.

Boulding tells us that the image of a subculture can prompt us to take ideas which run contrary to that image as untrue: "[W]e may perhaps argue that when we say an image is not true, we mean that it is not the same as the public image of our subculture."<sup>356</sup> Membership of a subculture, for example the police, can make us defensive and prone to safeguard what we believe it represents. Having assimilated a particular image of our subculture, in order to prolong its existence and status within a community, we can sometimes feel pressured to make bad judgements. Boulding suggests:

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<sup>355</sup> Independent Police Complaints Commission (November 2007) *Stockwell One: Investigation into the shooting of Jean Charles de Menezes at Stockwell underground station on 22 July 2005*, Available at: [http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/08\\_11\\_07\\_stockwell1.pdf](http://news.bbc.co.uk/1/shared/bsp/hi/pdfs/08_11_07_stockwell1.pdf)  
<sup>356</sup> Boulding (1956) p. 169

“[I]t can be argued that what we mean by the truth of an image is its survival value. [...] We can argue that the truth of an image is measured by the stability, that is the survival of the image itself, or we can argue that the truth of the image is measured by the ability which it confers for survival on the organism possessing it. However, it can be argued with alarming cogency that lies are frequently more stable and have a better survival value than the truth.”<sup>357</sup>

### **Owen’s note**

Owen is the codename given to a Metropolitan police surveillance officer, who was deputy surveillance coordinator on the day of De Menezes’ death and was “in Scotland Yard’s control room running the hunt for terrorists who had tried to bomb London the previous day.”<sup>358</sup> Owen admitted that he had “changed a note on his computer before giving evidence at the inquest of Jean Charles de Menezes.”<sup>359</sup> The note had read:

“Management discussion CD [Cressida Dick, Deputy Assistant Commissioner at the time] can run onto tube as not carrying anything. Persuaded otherwise by UI [unidentified] male amongst management.”<sup>360</sup>

According to the IPCC investigation, the concern here was that ‘Owen’ had “sought to conceal vital evidence from the enquiry [into the death of Jean Charles de Menezes], or was being pressured to do so.”<sup>361</sup>

Owen told the investigation that he had altered the note because he did not think it was relevant: “I have removed a line I believed was wrong and gave a totally false

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<sup>357</sup> *Ibid.*, p. 168

<sup>358</sup> Dodd, V. (13 October 2008) “Met officer altered key De Menezes evidence”, *Guardian*, Available at: <http://www.guardian.co.uk/uk/2008/oct/13/jean-charles-menezes-inquest-evidence>

<sup>359</sup> Independent Police Complaints Commission (February 2006) “Investigation into officer changing note ahead of Stockwell inquest”, Available at: <http://www.ipcc.gov.uk/news/Pages/pr26052009.aspx>

<sup>360</sup> *Ibid.*

<sup>361</sup> *Ibid.*

impression."<sup>362</sup> He was considering his notes in terms of how they would appear in the future, perhaps within the context of a future investigation, as Mark Currie would express it, experiencing the present as the object of a future memory, in anticipation of retrospection.<sup>363</sup>

The IPCC investigation concluded that Owen had acted naively but that there was no evidence to suggest deliberate deception. He himself had admitted to his actions bringing it to the attention of the authorities. However, this episode raised further concerns over the truthfulness and trustworthiness of the police at a time when their actions during and after the de Menezes shooting were already being held subject to question. Seldon tells us:

“The police do a difficult job very well much of the time, and it is galling for them that it is the occasions when things go wrong which stick in public memory. But there are legitimate concerns about the tendency to close ranks in the face of external criticism. Had the police been candid and displayed the kind of leadership praised by Cicero and Confucius in probing the occasions in which errors were made, they would have won the public’s sympathy, not its ire.”<sup>364</sup>

It may be true “that it is the occasions when things go wrong which stick in public memory”<sup>365</sup> but as Monbiot points out in *Justice is Impossible If We Cannot Trust Police Forces to Tell the Truth*: “The problem appears systemic and widespread: we can’t trust the police to tell the truth.”<sup>366</sup> This appearance in itself does trust no favour. When consequences are so serious, resulting in the death of innocent individuals, we must pay attention. The deaths of Harry Stanley, Jean Charles de Menezes and Ian Tomlinson should not be in vain. We must not forget or we lose all

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<sup>362</sup> Dodd (13 October 2008)

<sup>363</sup> Currie (2007) p. 41

<sup>364</sup> Seldon (2009) p. 123

<sup>365</sup> *Ibid.*

<sup>366</sup> Monbiot, G. (24 July 2010) “Justice is Impossible if We Cannot Trust Police Forces to Tell the Truth” *Guardian*, Available at:

<http://www.guardian.co.uk/commentisfree/2011/apr/12/police-truth-blair-peach-tomlinson>

hope of learning from misdemeanours, mistakes and mishandling of events, and it would be no wonder if trust were diminished, only a wonder that is not eroded beyond repair.

In his foreword to *Case Studies in Library and Information Science Ethics* by Buchanan and Henderson, retired professor and founding editor of the *Journal of Information Ethics*, Robert Hauptman, begins by saying “Nothing is more important than the way we treat each other.”<sup>367</sup> Although this statement may seem simply altruistic, implicit in its meaning is not merely that we ought to treat each other well, with respect, understanding and care, but that how we treat each other, whether that be well or badly, can alter the course of events and this has consequences for all, both ourselves and others.

In *The Tea Party Movement: deluded and inspired by billionaires*, an article for the Guardian on 25 October 2010, Monbiot ends with the words: “Nothing is real anymore. Nothing is as it seems.”<sup>368</sup> This could be a mantra for our age, something we should recite to ourselves whenever we find ourselves quick to judge based on belief in what we read in a newspaper or a book, or hear on television, radio or the grapevine, or even when we trust someone spontaneously. Being quick to judge can become a habit, and it is possible to lose sight of our potential to question and to consider information more carefully over time, forgetting that we can reach more reliable conclusions as developing narrative reveals a broader context for understanding.

In this Chapter I have shown how our need to feel safe and secure can lead us to retreat into our illusions and this can have appalling and disastrous consequences for

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<sup>367</sup> Buchanan & Henderson (2009) p. 1

<sup>368</sup> Monbiot, G. (25 October 2010) “The Tea Party Movement: Deluded and inspired by billionaires”, *Guardian*, Available at: <http://www.guardian.co.uk/commentisfree/cifamerica/2010/oct/25/tea-party-koch-brothers>

others. The pain we feel when we are faced with a truth which is very different to that which we believe can lead us to show a lack of concern for others and to treat them badly. This can result in an erosion of trust across many parts of society and this complicates our lives. In the next chapter I will show that although trust is difficult to restore once it has been diminished, we are compelled to trust and we find ways of ensuring that this is possible, we find ways of returning to the security of the cave.

## Part 4 - Returning: The Freed Prisoner's Return to the Cave

“Imagine once more, I said, such a one coming suddenly out of the sun to be replaced in his old situation; would he not be certain to have his eyes full of darkness? [...] And if there were a contest, and he had to compete in measuring the shadows with the prisoners who had never moved out of the den, while his sight was still weak, and before his eyes had become steady (and the time which would be needed to acquire this new habit of sight might be very considerable), would he not be ridiculous? Men would say of him that up he went and down he came without his eyes; and that it was better not even to think of ascending; and if any one tried to loose another and lead him up to the light, let them only catch the offender, and they would put him to death.”<sup>369</sup>

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<sup>369</sup> Jowett, B. “Plato, The Republic, Book VII, The Allegory of the Cave”, Available at: [http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

## Chapter 7 - The Need to Restore Trust

“[C]oming suddenly out of the sun to be replaced in his old situation; would he not be certain to have his eyes full of darkness?”<sup>370</sup>

In this Chapter, I will consider our need to restore trust. The thrust of my argument is that, once lost, trust is very difficult to re-establish. My intention is to echo O’Neill’s point: “Trust [...] is hard earned and easily dissipated.”<sup>371</sup> Yet, paradoxically, even when we discover the fragility of trust, we are drawn to trust again.

As I have shown, the urge to retreat to the cave marks our desire to retreat into the security, safety and familiarity of our illusions. As Plato’s freed prisoner comes suddenly out of the sun, her eyes full of darkness, she is once again thrown into a situation to which she is unaccustomed. It takes time for her eyes to adjust to the cave environment, but she does so with the experience of having been in the light and, aware of her past illusions, she can sometimes identify subsequent others. She appears to the cave-dwellers to have been blinded by her time in the light. She is ridiculed as an outsider and for having ventured out of the cave in the first place. The possibility that others might also be encouraged to make the journey out of the cave is met with threats of death, directed towards anyone who would try to release another from among them.

### **Trusting: engaging with the world and with other individuals**

We are each caught in a life which necessitates that we engage with the world and with other individuals. For the purposes of engagement, we must persistently hope to find that what appears to us to be true is indeed true. Sometimes our beliefs are strong enough to exclude the possibility of alternatives. Most of the time we assume

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370 Jowett, B. “Plato, The Republic, Book VII, The Allegory of the Cave”, Available at:

[http://www.pc.maricopa.edu/ss/phi101/II/II\\_B\\_Plato\\_the\\_Cave\\_Jowett.htm](http://www.pc.maricopa.edu/ss/phi101/II/II_B_Plato_the_Cave_Jowett.htm)

371 O’Neill, O. (2002) “Lecture 1: Spreading Suspicion”

that we can trust our beliefs to be a true reflection of reality and we act based on these assumptions. We must do so because to stop to check that every piece of information we encounter is trustworthy would be too time-consuming and labour-intensive, and we would never be finished checking. Even the simplest act like getting out of bed in the morning requires that we trust our feet will meet solid ground, that when we stand up our head will not hit the ceiling, that we will not fall over, and so on. If we were to find ourselves unable to trust these and the multitude of other pragmatic facts which every day we believe to be the case, we would find ourselves in a perpetual state of frantic indecision, insecurity and panic. So we have no choice, we must trust in order to act; living necessitates trust.

### **Misplaced trust and mistrust**

When we are made aware of our illusions, when we find our trust to have been misplaced, when we experience an abuse of trust and our beliefs prove to be far from how things are, it is painful. The plight of the whistleblower shows us that this pain is felt by those who discover the facts of a matter and endeavour to disclose them, and then by the wider community who perhaps would prefer to remain in the cave holding on to the security of their illusions. However, having experienced this pain, we must still go on with living and this prompts us to search for ways of restoring trust and easing the pain. Not only this, we must, at the same time, continuously strive to restore our confidence that when we place our trust it will be well placed. Having accumulated both positive and negative experience of relationships of trust, we can begin to place trust equipped with a new level of conscious awareness that we should not simply take appearances to be reality. We become increasingly aware that we must develop a critical and inquiring approach to trusting individuals and organizations, and the information we encounter about our world, and we endeavour to question appearances, not simply taking them to be reality. We must learn from our experience to both trust and mistrust, to place our trust, as O'Neill suggests, intelligently.

### **Our trust is up for grabs**

Individuals and organizations want us to at least appear to trust them. From government to police and corporations to institutions, the medical and legal professions, academia and the media, all grapple to win our trust in order to have us believe them and show our support. Those intent on persuading and convincing people to believe a particular narrative must cast a wide net, ensuring that their narrative is disseminated through the broadest possible means in order to haul great numbers of us towards their way of thinking. In creating narratives there is a necessary process of selection. Selection is prone to bias. In Orwell's dystopian tale, *1984*, the Ministry of Truth creates and disseminates what is to be taken as truth whilst also destroying the evidence of alternatives. Doublethink summons individuals to a perpetual state of certainty by compulsory and inexorable forgetting. In our society the mass media, and in particular the news media, disseminates information to an ever-wider public and in doing so they must, whilst selecting the stories to be told, also select the stories which will remain untold. The mass media effectively decides what will count as important, what will count as relevant, what will count as truth. Luhmann tells us: "Whatever we know about our society, or indeed about the world in which we live, we know through the mass media."<sup>372</sup> This statement is most certainly false; we gain knowledge of the world through our senses and through the people in our lives. However, Luhmann's point is interesting as it indicates our tendency to rely on the mass media to give us information which is truth apt.

People often assume that the news media will do its best to present truthful accounts of events and that they will expressly report opinions or allegations as such. They also expect that when errors are made the media will issue corrections. In her essay *Accuracy, Independence, and Trust*, included in *Hutton and Butler: Lifting the Lid on the Workings of Power*, O'Neill points this out: "The media are taken to report the news, and where they report an unsubstantiated opinion or an allegation, a

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372 Luhmann (2000) p. 1

commitment to accuracy demands that they make this wholly explicit.”<sup>373</sup> We advocate freedom of the press and we feel that through this our voice can be heard. However, O’Neill tells us that the individual’s right to freedom of expression and freedom of the press are two very different concepts. The former allows an individual to “express false or unwarranted beliefs”<sup>374</sup>, but she suggests that if this is taken as a model for press or media freedom we are left with a situation where “They would be as free to misinform as to inform citizens, to subvert as to support public debate and democracy.”<sup>375</sup> Were this the model for press freedom, we would be sanctioning a dangerous and widespread promotion of relativism or ideology, a media culture where journalists tell the story to suit themselves, and a blatant disregard for the truth can thrive. In order to relate this disregard for truth to relationships of trust, it is useful to set disregard for truth amidst O’Neill’s argument that in the pursuit of a convincing story, commitment to accuracy can be a casualty and this can damage trust. She sets this argument within the context of the Hutton Inquiry’s exposure of the workings of government, as she looks at accuracy, persuasion and spin in what appears to be tacit, if not express, government management of the news media in order to serve their agenda or make the case for war in Iraq:

“Commitments to accuracy can stand in the way of a good story, of persuading others to view things in a certain way, of ‘news management’ and of spin. A culture of public relations and spin, of hype and exaggeration, lurks in the interstices of the events into which Lord Hutton inquired. These are all of them ways of marginalizing or reducing commitments to accuracy, and each damages the prospect of placing or refusing trust intelligently.”<sup>376</sup>

Good stories sell newspapers and in the pursuit of profit, trust might suffer as competitive news organizations fight for our cash.

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373 O’Neill, O. (2005) “Accuracy, Independence, and Trust”, pp. 89-114, in Runciman, W. G. (2005) *Hutton and Butler: Lifting the Lid on the Workings of Power*, Oxford University Press, p. 98

374 *Ibid.*, p. 103

375 *Ibid.*, p. 105

376 *Ibid.*, p. 106

**Confirmation bias**

The brand choices we make can be the result of a variety of factors. For example, we do or do not wear certain clothes, eat and drink certain things, and vote in particular ways, we make particular life-style choices all based on how we view ourselves and how we want others to view us, and we do the same with newspapers. We might buy a newspaper because it is the one our parents always bought, our peer group buys it, or because society views it as representative of a particular political camp to which we feel we belong. But brand loyalty, or belief in familiar information fed to us by familiar means, can make us less likely to question and we become, effectively, blind to the ways in which we are being influenced and manipulated.

Loyal consumers generally have faith in a brand even when problems occur. Even though we accept change as inevitable in our lives, we are prone to resist it where we can. Continuity and consistency help us feel safe and secure and something as ordinary as the newspaper we read can help maintain this feeling, by giving us a sense of empowerment through what we come to view as a surrogate voice. It would appear reasonable to say that we would expect a popular newspaper to, broadly speaking, represent a large section of the community. However, although we might think that some media speak for us, reflecting our world view and championing our causes, it is important that we maintain, if not a cynical, certainly a critical view of the narratives presented to us through the popular news media. Why is this important? We are all vulnerable to confirmation bias, often believing only what we want to hear and choosing to ignore anything which makes us feel we must question long-held or tenacious beliefs. We are all capable of knee-jerk reaction to things we find alien or distasteful, and we are all prone to errors of judgement, especially under pressure. This is especially important when we come to consider how people who are or who feel disenfranchised might choose and view their daily newspaper. The belief that our title of choice represents us imbues it with the status function of voice and with the appearance of facilitating a form of democratic representation. Such representation, if it were possible, would be a marvellous thing. However, with any claim to representation, the diversity of voices in any group makes it difficult to avoid exclusion

of views and a form of tyranny can grow where a majority opinion is taken to be representative of the group as a whole. This can result in an unfortunate split in the community, which undermines democracy and the people's power and will to change things. Often we do not see this. We are cave-dwellers, we have a need to trust and as with consumers loyal to a brand, we can continue to appear to do so by our actions, even when problems occur to undermine that trust.

When we vote with our cash, we have to accept that using this power can work against us, tightening our chains. When we purchase a newspaper, if the agenda of that newspaper's owner or editor is one which seeks to keep us in chains in the cave, by reflecting our illusions, we are ultimately paying and helping to maintain that situation. However, this is to oversimplify matters. Although we do collude in the proliferation of particular views when we buy a newspaper or watch a television channel, the media into which we buy is simultaneously manipulating us by purporting to represent the complexity of our views. Luhmann notes the manipulative potential of the mass media and it is indeed a powerful player in creating public opinion:

“The mass media are ‘manipulating’ public opinion. They are pursuing an interest that is not being communicated. They are producing ‘bias’. It may be that everything they write or broadcast is relevant, but that does not answer the question: what for? Their concern may be to achieve commercial success, or to promote ideological options, to support political tendencies, to maintain the social *status quo* (this in particular by providing a drug-like distraction towards ever new items of news)[...]. The mass media seem simultaneously to nurture and to undermine their own credibility. They ‘deconstruct’ themselves since they reproduce the constant contradiction of their constative and their performative textual components with their own operations.”<sup>377</sup>

However, some journalists believe, and I would concur, that their role is not to create public opinion but to hold power to account on behalf of the public, and in so doing empowering them, opening the space where multiple voices can be heard, furthering

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<sup>377</sup> Luhmann (2000) p. 39

the cause of participatory democracy. In his article, *This media is corrupt – we need a Hippocratic oath for journalists*, Monbiot outlines what he sees as the journalist's *raison d'être*: "Our job is to hold power to account. Instead, most of the profession simply ventriloquises the concerns of the elite."<sup>378</sup> For newspapers to sell and generate profits, for news broadcasters to draw viewers and justify their existence, they must at least appear to be representing the views of the people. Monbiot puts it in these terms:

"The papers cannot announce that their purpose is to ventriloquise the concerns of multimillionaires; they must present themselves as the voice of the people. The Sun, the Mail and the Express claim to represent the interests of the working man and woman. These interests turn out to be identical to those of the men who own the papers. So the rightwing papers run endless exposures of benefit cheats, yet say scarcely a word about the corporate tax cheats. They savage the trade unions and excoriate the BBC. They lambast the regulations that restrain corporate power. They school us in the extrinsic values – the worship of power, money, image and fame – which advertisers love but which make this a shallower, more selfish country. Most of them deceive their readers about the causes of climate change. These are not the obsessions of working people. They are the obsessions thrust upon them by the multimillionaires who own these papers."<sup>379</sup>

In this way the news media is involved in an autopoietic process where it generates the need for itself by generating the need for the next story. Luhmann tells us: "[I]nformative communications are autopoietic elements which serve the reproduction of just such elements."<sup>380</sup> There is a paradox surrounding accuracy here. For information to be information it has to somehow add to what we already know or think we know. Sometimes this involves a direct contradiction of previous information. This autopoietic character, which Luhmann expresses, endangers a commitment to

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378 Monbiot, G. (11 July 2011) "This media is corrupt – we need a Hippocratic oath for journalists", *Guardian*, Available at: <http://www.guardian.co.uk/commentisfree/2011/jul/11/media-corrupt-hippocratic-oath-journalists>

379 *Ibid.*

380 Luhmann (2000) p. 83

accuracy because it often leads to the fabrication of stories that need a subsequent contradiction, apology, retraction, or large cash settlement.

### **More haste, less accuracy**

Independent media have a duty to check their information for accuracy in order to provide reports which at least have some basis in evidence. For example, the BBC editorial guidelines state: "The BBC is committed to achieving due accuracy"<sup>381</sup> and "Accuracy is not simply a matter of getting facts right. If an issue is controversial, relevant opinions as well as facts may need to be considered. When necessary, all the relevant facts and information should also be weighed to get at the truth."<sup>382</sup> Their policy does recognize the difference between various forms of output, for example, between factual and entertainment broadcasting, and that news and current affairs requires different treatment to entertainment. The BBC guidelines also highlight the particular significance of time to the emergence of an accurate narrative in news and current affairs: "In news and current affairs content, achieving due accuracy is more important than speed."<sup>383</sup> We are reminded of the initial media reports of the De Menezes shooting incident in which claims were made about De Menezes' behaviour and appearance which later transpired to be false. We must allow the necessary time for facts to emerge; we must allow time to think.

If we were simply to believe everything we read in the press, bullshit, in Harry Frankfurt's terms, would prevail. A good example of people-power taking simple and effective action against the mass media emerged after the Hillsborough disaster of 15 April 1989, where 96 Liverpool football fans lost their lives and many hundreds were injured in a horrific crush at Sheffield Wednesday's stadium. In the aftermath of the disaster, *The Sun* ran a headline which would lead to a more than 75 per cent drop in the daily sales figures within the city of Liverpool. The then editor Kelvin MacKenzie published the headline: ""THE TRUTH", with three sub-headlines: "Some fans picked

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<sup>381</sup> BBC Editorial Guidelines, "Section 3: Accuracy", Available at: <http://www.bbc.co.uk/guidelines/editorialguidelines/page/guidelines-accuracy-introduction/>

<sup>382</sup> *Ibid.*

<sup>383</sup> *Ibid.*

pockets of victims", "Some fans urinated on the brave cops" and "Some fans beat up PC giving kiss of life."<sup>384</sup> The television cameras were there on the day and no footage has ever come to light to corroborate the paper's claims. *The Sun* lost the trust of its readers in Liverpool; the people voted with their cash and, to this day, in Liverpool, readership has not recovered. It has been reported that even free copies are refused. The *Press Complaints Commission* (PCC) now upholds press self-regulation and the concept of accuracy appears first in its Editors' Code of Practice. Moreover, the entry on Accuracy takes as its first point: "The press must take care not to publish inaccurate, misleading or distorted information, including photographs."<sup>385</sup> This idea of care as a constituent part of the commitment to accuracy is an important one. Sometimes, care appears to be overlooked, in the pursuit of a convincing story, as O'Neill might express it. But care puts the consequences for individual human beings back at the centre of the decisions we make and how we behave, and we see a promise of this in other media policy, for example at the BBC. We come to expect that media integrity will facilitate individuals' commitment to upholding policy, but this is not always the case.

### **Gilligan's notes: a missed opportunity**

BBC policy sets out its commitment to accuracy. However, during the *Hutton Inquiry*, the BBC's failure to check evidence was brought out using documentary evidence internal to the BBC itself. The corporation was so quickly on the defensive, concentrating the argument on its own sense that its independence was under threat from government opposition; it was distracted and lost sight of its responsibility to ensure the accuracy of its reporting. The BBC's responsibility was not to assume Gilligan's account of his meeting with Dr. Kelly to be true, but to check its accuracy using the evidence available. This then became the case in point for Lord Hutton's inquiry and he found the BBC to have been at fault on a number of issues. In Hutton's verdict, in relation to Andrew Gilligan's report on Radio 4's Today programme, the BBC was found to have a defective editorial system, having not seen

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<sup>384</sup> *Wikipedia*, "Hillsborough disaster", Available at: [http://en.wikipedia.org/wiki/Hillsborough\\_disaster](http://en.wikipedia.org/wiki/Hillsborough_disaster)

<sup>385</sup> *The Press Complaints Commission Editors' Code of Practice*, Available at: <http://www.pcc.org.uk/cop/practice.html>

a script prior to broadcast, therefore having given no consideration to the wording of the report. BBC Management were also found at fault; having not examined Gilligan's notes, they had "failed to draw attention of the governors to the discrepancies between them and his early morning broadcast."<sup>386</sup>

O'Neill cites an alternative approach which could have strengthened the BBC's position as a trusted and independent public news broadcaster, and which also could have potentially thrust the BBC into a role as champion for the cause of accountability and media independence, whilst at the same time setting an example of how highly we ought to value truth, by admitting to and correcting false reports in a timely fashion, as soon as error or misjudgement comes to light. Had the management and governors of the BBC admitted responsibility and shown a commitment to setting the record straight it would have demonstrated, to government and to the wider public, a strong and ethical leadership with trustworthiness, accountability and responsibility at its heart. Alongside the ethical considerations here, with the perspective of time, it is easy to see that this may have been a missed opportunity to build on the public's confidence and trust in one of its stalwart institutions. Instead, a series of resignations resulted from the need for sudden and drastic damage limitation. O'Neill writes:

"Seen with hindsight, there was an alternative approach whereby the complaint was promptly investigated and any aspects of the report for which no reasonable evidence could be found in Andrew Gilligan's notes (and other sources) were identified and corrected by the BBC. That would not have been much of a 'climb down', it would have given evidence of serious commitment to accuracy, and it would not have compromised independence. Resignations would have been unnecessary. Public trust would have been respected rather than damaged."<sup>387</sup>

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<sup>386</sup> Rogers (2004) p. 326

<sup>387</sup> O'Neill, O. (2005) p. 102

**Our need to restore trust**

What concerns us here is the world of human relations, where individuals perceive and conceive of their world, and, within the widest conception of 'world', perceive and conceive of their particular individual positions and reputation in a variety of domains within that world. We would be deluding ourselves if we believed we could trust everyone always to act in the best interests of all concerned and never to make errors of judgement or act wilfully against others or in self-interest alone. For this reason, we must trust and rely on systems of inquiry to reveal the narratives through which we come to understand the world we inhabit.

When our trust has been misplaced we sometimes react by denying that we've been let down and pretend things are as they should be, we sometimes ask questions to find out how and why trust was broken and by whom, in an attempt to learn from the experience and prevent recurrence. When things go horribly wrong leading events to take a tragic turn, when people in high places, particularly in the world of politics, are implicated, we are prompted to ask questions and this, as we have seen, so often takes the form of an official inquiry.

**Returning to events through inquiry**

We return to events through inquiry. We might expect to be enlightened by the process of inquiry, that it will lead us to find out, describe and understand what happened, who did what, when, and why. We expect this to involve the consideration of evidence, the verification of accounts of events within a wide context, and the creation of a credible, trustworthy and truthful narrative which reveals something new. We also expect that the conclusions of an inquiry will attribute responsibility to the perpetrators and make them account for their actions in order that we can achieve some form of justice for those who have been caused harm. It might be thought that these expectations are set too high, that they are unrealistic.

We conduct informal inquiries in everyday living. The child with chocolate all over his face and hands most probably did eat the chocolate cake, even if, shaking his head, he says he did not. We trust what appears to be evidence, it is written all over his face. We also contextualize the evidence; if the child was the only one in the room it is even more likely that he is responsible for the disappearance of the cake. However, not all evidence is this apparent and clear-cut and we cannot always make a quick decision.

The pragmatics of inquiries also affects their potential. Inquiries cost money and therefore time limits must be set and this necessarily finite nature of inquiries demands that their scope and remit be clearly defined and set out from the beginning. Proceedings can only be exhaustive in relation to what is brought to them as evidence. As we search out individuals and documents which we believe might serve to enlighten us, we are compelled to be selective according to what we think is relevant to the defined remit. We place trust in individuals to tell us the truth about what took place and we know that we can misplace trust and make bad judgements. We can only arrive at conclusions based on the facts we have to hand; we interpret these facts in order to tell a story, this story is a representation of reality and not reality as it actually happened. This potentially denies the possibility of bringing justice by excluding information or disallowing particular lines of questioning. "Public inquiries play an important role in public life. They are most useful in clarifying issues and determining facts, but we should not expect too much of them in respect of attributing political, professional, or legal responsibility."<sup>388</sup> Using a simple analogy, Luhmann describes very clearly the problems of the relationship between reality as it actually happened, which he refers to as operational reality, and reality as we try to tell it, represented reality: "Just as maps cannot correspond to the territory they depict in terms of size and details [...] so also it is not possible to have a point-for-point correspondence between information and facts, between operational and represented reality."<sup>389</sup> However, although I accept the hermeneutic aspect to the stories we tell

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388 Twining, W. (2005) "The Hutton Inquiry: Some Wider Legal Aspects", pp. 31-50, in Runciman (2005) p. 50

389 Luhmann (2000) p. 27

and that truth is difficult to get to, indeed it is impossible to get to reality as Harris tells us, I do not take this as reason to give up striving to find and tell truth. And, although we must not expect too much of public inquiries, we should at the very least expect it to be their function to get as close to the truth as possible and to reveal the flaws, failings and inadequacies which they discover in our organizations' conduct and recordkeeping systems and what we can learn from both the outcomes of inquiries and how they are conducted. Two high profile inquiries, *The Butler Review* and *The Hutton Inquiry* are good examples of how different individuals can take different approaches to the process of inquiry and this influences possible outcomes in terms of accountability. The will to hold individuals and organizations to account for their actions can go some way towards restoring trust where it has been undermined.

### **Butler and Hutton**

“Robin Butler and his colleagues worked [...] like contemporary historians reconstructing reality as best they could from documents and oral evidence, recreating mood and context – if not motivation – as they went.”<sup>390</sup>

*The Butler Review* was set up to make inquiry into the intelligence on Iraq's weapons of mass destruction in the lead up to the 2003 Iraq War and concluded that the intelligence which led to military action was unreliable. In his report Lord Butler “recommends unequivocally that in future a clear line should be drawn between advocacy documents and intelligence assessments. Intelligence assessments should be ‘owned’ by the intelligence community; advocacy documents should be ‘owned’ by the politicians.”<sup>391</sup> Twining writes that “in these respects the Butler Report has superseded the Hutton Report.”<sup>392</sup> Lord Butler outlines his terms of reference in the following statement in his report:

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390 Hennessy, P. (2005) “The Lightning Flash on the Road to Baghdad: Issues of Evidence”, pp. 63-86, in Runciman (2005) p. 64

391 Twining (2005) p. 47

392 *Ibid.*

“To investigate the intelligence coverage available in respect of WMD programmes in countries of concern and on the global trade in WMD, taking into account what is now known about these programmes; as part of this work, to investigate the accuracy of intelligence on Iraqi WMD up to March 2003, and to examine any discrepancies between the intelligence gathered, evaluated and used by the Government before the conflict, and between that intelligence and what has been discovered by the Iraq survey group since the end of the conflict; and to make recommendations to the Prime Minister for the future on the gathering, evaluation and use of intelligence on WMD, in the light of the difficulties of operating in countries of concern.”<sup>393</sup>

Whereas, Lord Butler took a historian’s analytical approach to his review into the intelligence on Iraq’s weapons of mass destruction, Lord Hutton took a more judicial approach: “Lord Hutton worked as judges do by assessing the evidence in terms of charges made, leading to ‘acquittals’, ‘convictions’, and [...] ‘non-proven’”<sup>394</sup>

The *Hutton Inquiry* was set up in response to the death of Dr. David Kelly. Lord Hutton sets out his interpretation of his remit from the start, stating his terms of reference as: “urgently to conduct an investigation into the circumstances surrounding the death of Dr. Kelly.”<sup>395</sup> This seems to me to be a suitably vague way of wording the remit of an inquiry possibly instigated in the hope that it would be seen to be done, but would reveal little or nothing new. We are left wondering what is meant by ‘circumstances surrounding’, what exactly is to be included as relevant to the death of Dr. Kelly and what is not; the particular scope of the inquiry is left open to Lord Hutton’s interpretation. Whilst this could be seen as a freedom afforded him by government, instilling confidence in the independence of Hutton’s investigation, it could also indicate that his final report has no teeth. The term ‘urgently’ is also of concern. The need to conduct an inquiry necessitates that it be conducted in a timely fashion, but it also necessitates that it be conducted with care and attention to detail,

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<sup>393</sup> Lord Butler (14 July 2004) *The Review of Intelligence on Weapons of Mass Destruction*, The Stationery Office, p. 1, Available at: <http://image.guardian.co.uk/sys-files/Politics/documents/2004/07/14/butler.pdf>

<sup>394</sup> Hennessy (2005) p. 64

<sup>395</sup> Lord Hutton (2004) paragraph 9, p. 2

which can take time. A balance must be struck, ensuring that the scope of the inquiry is not itself limited by arbitrarily set time limits. Delimiting context requires us to sever not only aspects of narrative, but periods of time, from the remit of an inquiry. Cutting out information from a particular time period or cutting time spent on an inquiry can influence the conclusions which might be drawn from evidence or the lack of it. By excluding or discounting information the narrative can be made to read in any way desired. We must bear in mind that, although some facts appear to be indisputable, it is possible that the narrative configured using these facts, although coherent and plausible, might seem less so if interpreted differently, or should other facts come to light. An argument can be valid even when it is based on premises which are untrue. It is fundamentally important that we maintain the possibility of discovering new facts over time. The wilful refusal to give more time to the weapons inspectors in Iraq, who having come up with no evidence to support the hypothesis that Saddam Hussein possessed Weapons of Mass Destruction (WMDs), were made to cut their investigations short with no proof of possession, but neither having completed an exhaustive investigation into the question – allowed for the possibility of saying that it was believed that Saddam Hussein did indeed possess WMDs.

Michael Beloff QC discusses an essay *The Hutton Inquiry: Some Wider Legal Aspects* by Research Professor of Law at University College London, William Twining. Beloff asserts that Lord Hutton's inquiry changed virtually nothing: "The issues assigned to his consideration were more political than legal and were ones on which judgements were generally formed before his inquiry and consequently unchanged by it."<sup>396</sup> This is a disturbing enactment of Strathern's collapse of the 'is' and the 'ought' where, having embarked on what we expect will be a process of discovery we find, instead, that we have conducted an elaborate and expensive box-ticking exercise, and merely arrived again at the conclusions we had already reached beforehand. It feels like the dropping of a portcullis or a gavel, sending a clear message that this is the official end of the story.

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396 Beloff, M. (2005) *Discussion*, pp. 51-60, in Runciman (2005) p. 53

The most fascinating aspect of these inquiries is that they gave the public a chance to see powerful individuals called to account for their actions. The publication of the reports signalled a chance for the public to scrutinize the evidence given by high profile public figures in relation to Iraq's WMDs, the case for war and the death of Dr. David Kelly, all of which had tested and strained the credulity of the public.

The evidence was primarily oral evidence with nothing in the way of record to verify or deny oral accounts of events. It was a bare trail we were tracing, the trail was in fact created during the inquiry and not before it. The inquiry itself created both the operational and represented reality. Evidence was given, a story told, this representation of reality was conflated with the operational reality. And, with nothing else to go on, we believe it as truth; and we are back in the cave, much like Plato's chained prisoner, without an audit trail, we have nothing with which to compare what appears to us to be reality.

*BusinessDirectory.com* gives a simple and accessible definition of an audit trail:

“Paper or ‘electronic’ trail that gives a step by step documented history of a transaction. It enables an examiner to trace the financial data from general ledger to the source document (invoice, receipt, voucher, etc.). The presence of a reliable and easy to follow audit trail is an indicator of good internal controls instituted by a firm, and forms the basis of objectivity.”<sup>397</sup>

If the presence of an audit trail is an indicator of good internal controls, then it follows that the absence of an audit trail can be construed as an indicator of bad internal controls. Crucially, Hutton had no audit trail to discover which would disclose a clear narrative of events, therefore it was possible for the participant witnesses to prepare a story which was acceptable for their purposes. We have a situation where boxes can

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<sup>397</sup> Business Directory, definition of an audit trail, Available at: <http://www.businessdictionary.com/definition/audit-trail.html>

be ticked and accountability can be seen to be carried out just by the fact that the inquiry took place, nothing to do with any findings. The remits of particular inquiries are carefully defined and frustration arises when the scope of inquiry appears to deny the possibility of bringing justice. The constructs of society, which divide contexts up into arenas of meaning and potentially put up walls against justice and transparency, sometimes appear to be called into play in order to bring an end to questions by making it appear as though they have been answered. Although, in his report, Lord Hutton does attribute some responsibility, our expectations of the *Hutton Inquiry*, with hindsight, were possibly far too high.

The question being, did individuals confer beforehand, was the giving of evidence a simple exercise in telling their side of the story, or was there a story agreed in advance, just to be corroborated by the very fact that all agreed upon the facts of the matter. Runciman highlights what we really learned from Butler and Hutton:

“not whether this was a just or an unjust war, so much as whether it was publicly justified for reasons which dissolve under scrutiny; not whether Lords Hutton and Butler ought or ought not to have agreed to the terms of reference given to them, so much as what were the implications of their having done so; and not whether journalists or politicians are entitled to present to the public as facts things which they cannot be certain are true, so much as what consequences follow from their seeing it as their right, or even duty, to do so.”<sup>398</sup>

Although particular inquiries delimit the context and remit of their investigations, laying out an agreed remit from the start, it is possible, by looking at the conclusions drawn by previous and subsequent inquiries, to re-contextualize our conclusions within a bigger picture. By doing this we can perhaps draw out the complexities of how narratives interrelate. These interrelations are manifold and not predictable in their entirety.

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398 Runciman (2005) p. 3

The unpredictability of the possible ways in which information and narratives might interrelate has lent weight to a non-disclosure-enabling aspect of Freedom of Information culture, known as *The Mosaic Theory*.

*The Mosaic Theory* is a means by which one can go about gathering information from a variety of different sources with the aim of revealing information significant beyond the sum of its parts. In *The Mosaic Theory, National Security, and the Freedom of Information Act*, David E. Pozen writes specifically on *The Mosaic Theory* within the context of the United States and particularly in relation to the U.S. Freedom of Information Act. He describes it as follows:

“The “mosaic theory” describes a basic precept of intelligence gathering: Disparate items of information, though individually of limited or no utility to their possessor, can take on added significance when combined with other items of information. Combining the items illuminates their interrelationships and breeds analytic synergies, so that the resulting mosaic of information is worth more than the sum of its parts.”<sup>399</sup>

The theory has been used as argument against disclosure of information based merely on the possibility that it might be used to build a picture, alongside other already disclosed information, which might cause threat to national security. For example, lots of pieces of unclassified information could in theory add up to one piece of classified information. Worryingly, in order to win the argument for non-disclosure based on *The Mosaic Theory*, it is not necessary to be specific about exactly what kind of threat the information could present. However, the Mosaic Theory can also enable us to re-contextualize information and craft reliable narratives which grow within a wider and wider narrative context. We can do this by piecing together fragments already available in the public domain and this can help us to come to a deeper understanding and may go some way towards restoring trust.

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399 Pozen, D. E. (December 2005) “The Mosaic Theory, National Security and the Freedom of Information Act”, *The Yale Law Journal*, Vol. 115, No. 3, pp. 628-679, p. 630, Available at: <http://www.yalelawjournal.org/images/pdfs/358.pdf>

### **How do we restore trust?**

Let me start by making two explicit moral claims. The world is not as it should be. The world need not be this way. Now let me say what I mean. Our world is one in which there is a preponderance of greed, manipulation and mistrust; many people wish it could be different. I think it can, but that that will depend on our understanding and use of crucial terms in the discourse of social justice.

As stated in the introduction to this thesis, we expect to be able to hold people and organizations to account for their misdemeanours, inadequate performance or mistakes and we should also expect that we will be held to account for our actions. Our expectations of inquiries may be unrealistic, but we can through taking a more pragmatic approach to how we construct the narratives of events, come to accept the human frailties which go along with everyday living. We can come to accept that our accounts are not always accurate, reliable and true and once we accept this, we enable ourselves to commit to accuracy by putting in place mechanisms which can mitigate the effects of inaccuracy should it occur.

O'Neill is pragmatic about the prospect of absolute accuracy and, incidentally, so too is the Press Complaints Commission.<sup>400</sup> A commitment to accuracy does not preclude misdemeanour, inadequate performance or mistake, human beings are not infallible and we are certainly not perfect. However, such a commitment does demonstrate our willingness to accept the possibility of making mistakes and the will to take action should they be suspected to have happened. O'Neill states her position thus: "Clearly a commitment to accuracy cannot demand exceptionless success. Neither Government nor the media, nor any of us, are going to achieve that. The only way to ensure total accuracy would be to avoid all communication."<sup>401</sup> And, to avoid all communication would be, to reiterate O'Neill's point on trust, "an

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<sup>400</sup> In its code of practice, The Press Complaints Commission outlines its mechanism for press self-regulation and the means for correction, which must be followed should inaccuracies make their way to publication. More information is Available at: <http://www.pcc.org.uk/cop/intro.html>

<sup>401</sup> O'Neill, O. (2005) p. 93

impossible form of life.”<sup>402</sup> Because apology and correction are not always sufficient in putting things right for those affected by the dissemination of inaccurate information, those individuals working in government, the news media and in other organizations charged with disseminating information, should make every effort to check and ensure the accuracy of reports before going public, going to press or broadcast, and they should indicate explicitly where any aspect of a report cannot be substantiated. We should be aiming at instilling a culture of responsible behaviour and quick action in the event of misdemeanour. Geoffrey Hosking states as one of his Seven Principles for Restoring Trust: “When things do go wrong within any collectivity of human beings, we need to be able to identify what exactly has happened and to have some kind of redress. Without that, distrust will grow and fester.”<sup>403</sup> Seldon writes on how we are to regain trust in religious authorities and his solution could equally apply to authority in other domains like government, the media and the police: “Where scandals occur, as they are bound to do, religious authorities have to be scrupulous in doing everything they can to investigate the problem, and communicate the truth to the public.”<sup>404</sup>

However, we must also mitigate against the possibility that correction or retraction mechanisms might be used as a way of allowing information to be made public with the anticipation of issuing an apology later, this might allow a culture of deliberate misinformation to grow and thrive merely to maintain the *status quo* for as long as possible. There must be clear disciplinary consequences set out and carried out where misdemeanours occur. As Seldon points out, knowing the truth is one thing but choosing to cover it up indicates a deeper corruption: “the deeper corruption is that the powerful people in authority hid the truth because they were worried about their own reputations and that of their institutions.”<sup>405</sup>

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402 O'Neill, O. (2002) "Lecture 5: Licence to Deceive"

403 Hosking's Seven Principles for Restoring Trust can be found in Hosking (2010) pp. 78- 79

404 Seldon (2009) p. 172

405 *Ibid.*

Monbiot suggests a remedy to the problem of what appears to be systemic untrustworthiness in the police which could be an obvious yet effective remedy across a range of domains:

“Justice is impossible if we cannot trust police forces to tell the truth. The remedy I'm about to propose should not be difficult for any government to adopt. It offers, I think, the only chance we have of addressing what seems to be an endemic problem: anyone who works for the police and is found to have made false statements – to the prosecution, the defense, the courts, parliament, public inquiries or the media – should be sacked. No excuses, no mitigation, no delays. It sounds harsh; it's not nearly as harsh as a system in which the police malign both the living and the dead, and use the law against innocent people in order to protect themselves.”<sup>406</sup>

Why should the potential whistleblower who seeks to tell truth be terrified into silence by fear of dismissal? This could prove a far more effective tactic against those who would wish to behave irresponsibly, undermining accountability. A serious policy of accountability understood across all levels of any organization could stave off irresponsible behaviour and remove the need for individuals to risk everything for the truth. If the norm was to tell truth and to stand up for those who do, accountability could become an autonomous yet collective responsibility. There is power in the collective ideal of accountability and we are seeing this in action as new technologies become available to us.

### ***The Mosaic Theory and re-contextualizing***

We can harness the manipulative capacity of the mass media, turning it to our collective advantage. This is core to my argument. *The 45 minute claim* was transformed from evidence used to convince us that the decision to go to war was sound into a powerful cue to question the same. We can use it as a vehicle for the dissemination of the multiple witness accounts which we are increasingly able to

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406 Monbiot (24 July 2010) Available at: <http://www.guardian.co.uk/commentisfree/2011/apr/12/police-truth-blair-peach-tomlinson>

gather as a public through mobile technology devices gathering a mosaic of perspectives to help us create a picture, a narrative which brings us closer to the facts of the matter, possibly even the truth. In this way, *The Mosaic Theory* can be activated as a positive force for change. It is possible that this multiple perspective account could amount to the madness of the mob, however it is Fishkin's view that we can counter this by exercising our democratic right to protest when we feel the majority to be wrong. I will go on to discuss this further in Chapter 8.

When we come to believe and trust an account of what happened we both trust evidence and evidence trust. When we try to determine how events unfolded, what happened and when, who was involved and what might have motivated them, we evaluate the trustworthiness of particular individuals and their accounts and we decide whether the evidence available to support them is genuine and represents an event or state of affairs accurately. Events are not isolated without connection to other events. Information connects to other information and the significance and meaning of information can change depending on how things are connected in any interpretation. Appreciating the significance of context and multiple perspectives allows us to interpret information more accurately. In this way, we hope to come closer to a trustworthy and truthful understanding of the world through the collation of multiple perspectives which serve to corroborate each other, just as the geometrized projection of multiple perspectives and all possible perspectives<sup>407</sup> corroborate or make the house real for Merleau-Ponty.

### **Ubiquitous evidencing technology and the network as witness**

Now more than ever before we can compile a record of the most ordinary and mundane aspects of everyday life. At one time, we might have recalled and recounted events using our memories and only a few printed still photographs to help us along. Many of us are now able, through the use of mobile technology such as mobile telephones and digital cameras, to record, collate, keep and share vast

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407 Merleau-Ponty (2002) p. 77

numbers of still and moving images of people, places, occasions and events. These images are most often related to family and friends and everyday activities. However, sometimes we participate in larger scale collective activities such as a political demonstration, where many people gather in one place creating an event and being witness to that event. When events take an extraordinary turn, we can find ourselves, through the ubiquity of mobile technology, participating in the search for truth and justice. As we share our collective multiple perspectives by disseminating them in an instant through social networking websites, these perspectives converge and the event is “shot-through from all sides”<sup>408</sup> to reveal a picture of what happened. Because mobile technology has the potential both to capture and distribute information within a short time period, it exposes all organizations to the potential loss of trust. Our mundane and ordinary records can become evidence which can then be collectively called to witness. This is what happened in the Ian Tomlinson case.

In his article *Ian Tomlinson verdict: the people defer no more*, written for *The Guardian* in May 2011, freelance writer Duncan Campbell points out that mobile technology has had significant effects on the ways in which people can be presented with information in court. Events and actions can now be presented from multiple perspectives enabling us to make judgements based on more than just oral testimony. This kind of evidence carries a large-scale collective credibility, corroborating independent witness accounts by synthesizing them into one account. Campbell writes:

“It was footage shot on a mobile phone by a member of the public and released to the Guardian that prompted this whole investigation and led to the jury’s verdict. Once it did not matter how many demonstrators had witnessed an unprovoked attack – their evidence could routinely be denied by a police officer in the witness box, and he or she tended to be given the benefit of the doubt by a jury.”<sup>409</sup>

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408 *Ibid.*, p. 79

409 Campbell, D. (11 May 2011) “Ian Tomlinson verdict: the people defer no more”, *Guardian*, Available at: <http://www.guardian.co.uk/commentisfree/2011/may/03/ina-tomlinson-jury-defer-police>

This multi-perspective account, this collective voice, has power, especially in pursuit of accountability. This power emerges through harnessing the potential for mobile technology to create a virtual gathering, where individual accounts can be compiled, compared and interpreted, bringing us to an evidenced conclusion as to what took place.

### **Face-to-face democracy**

The face-to-face democratic<sup>410</sup> aspect of this should not go without mention. There is a post-event deliberative and democratic quality to the coming-together of this kind of multi-perspective evidence from dispersed individuals in one picture, one story. After the convergence of many individuals in one place, in peaceful protest for example, we come to see the records of some of the points of view of some of those who gathered, also converging in one place, creating a narrative of events from fragments which had not necessarily been anticipated as being of evidential value. We can bring the fragments together with a view to greater understanding. Reminiscent of Whitehead's concrescence, the notion of the "production of novel togetherness"<sup>411</sup> introduced in Chapter 1, and Merleau-Ponty's sense of translucency introduced in Chapter 2: "The completed object is translucent, being shot through from all sides by an infinite number of present scrutinies which intersect in its depths leaving nothing hidden."<sup>412</sup> This narrative concrescence, this convergent translucency comes close to the democratic ideal of transparency,<sup>413</sup> and even accountability, and it seems reasonable to trust that such a collective narrative holds within its corroborating multiple perspectives, something which brings us closer to truth and "the obvious solidarity of the world receives its explanation."<sup>414</sup>

When taken together with multiple perspectives captured in mobile phone, CCTV and news footage, the status of civilian testimony can be elevated to equal that of police

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410 For a more in-depth explanation of face-to-face democracy see Fishkin (1997) pp. 4-5

411 Whitehead (1985) p. 21

412 Merleau-Ponty (2002) p. 79

413 As I argued in Chapter 4, I take Merleau-Ponty's use of the term translucency to mean transparency.

414 Whitehead (1985) p. 7

testimony, mitigating the skewing effects of the trustworthiness we implicitly attach to those who perform particular roles in social life. When individuals come together and don the authoritative cloak of the collective, they can be a force for change. We see in this activity the equalizing of the value of accounts from individuals with varying levels of authority.

### **The But-ton Mosaic**<sup>415</sup>

We can re-contextualize the conclusions reached by Lord Hutton in relation to the subsequent Butler Review. Professor of Contemporary British History, Peter Hennessy, puts it quite simply when he refers to the “combined beams of Lords Hutton and Butler”<sup>416</sup> as a “lightning flash”<sup>417</sup> which shed light on the processes of government; the stimuli for this lightning flash were “two unforeseen events: the suicide of a weapons expert in July 2003; and President George W. Bush’s decision in January 2004 to commission an inquiry into Iraq-related intelligence on weapons of mass destruction.”<sup>418</sup> He observes that the Blair government did not rush into an exercise in open government, but that the call for a public inquiry went up only when events took this high profile and tragic turn.

Runciman makes the following point about the Hutton and Butler Reports: “the questions most interestingly posed by the disclosures in the two reports are not who behaved well and who badly, so much as who, by their behaviour, made how much difference to what did and didn’t happen”.<sup>419</sup> Twining credits the Hutton and Butler Reports as, together, providing a “vivid picture of the workings of government”<sup>420</sup> and here we are afforded an opportunity. Watching the evidence-giving unfold, it was as though we had been given permission to shine a light into the dark and dusty corners

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415 The term *But-ton Mosaic* is merely a splicing together of the names (Lord) Butler and (Lord) Hutton in order to show how a narrative might be changed through admitting other narratives.

416 Hennessy (2005) p. 63

417 *Ibid.*

418 *Ibid.*, p. 64

419 Runciman (2005) p. 3

420 Twining (2005) p. 32

of government, exposing relationships between individual egos and their ways of dealing with each other; to watch these dark corners light up was akin to seeing extras become superstars in a drama played out in the open air with an audience flitting in and out as their time afforded. Using an implementation of *The Mosaic Theory*, we can make a more careful analysis of the issues surrounding the 2003 Iraq war by trying to understand the information in each report within the context of the other.

As we attempt to understand events, by re-contextualizing records, perhaps making new connections between them, we are drawn to notice that each one is vital to making possible the process of comparison, relation, verification and corroboration. The full complexity of the ways in which people and events relate to each other can only be revealed as time passes. We need the perspective afforded to us by the passage of time in order for the context to emerge, enabling us to interpret and understand. Meaning is drawn out in the lapse between, in Luhmann's terms, operational and represented reality, and this lapse, however frustrating it might be, is paradoxically both necessary for and the bugbear of accountability. We need time to pass in order for a coherent narrative to become apparent. Acknowledging that the lapse is necessary to realizing accountability is what separates the naïve notion of accountability, in which we might think that all processes and all information should be made transparent to everyone who needs to know, wants to know or claims to have an interest in knowing, and that this should happen in the here and now, from the notion that accountability should ultimately lead to a goal of greater import, namely justice. If we are to make sound judgements on anything, there are some things which have to remain undisclosed in order for this greater goal to be achieved. Sometimes we have to be patient in order to hold individuals to account. If we do not apply rules to disclosure of information when disclosure might jeopardize the right to a fair trial, then we risk, for example, stifling the possibility of achieving justice. Ostensibly, this is the complicating factor in the matter of accountability; the question of what information should or should not be disclosed at any given point in an investigation, is a matter for interpretation. This remains true, whether the decision to

disclose is in the hands of those officially charged with conducting that investigation or of those interested not in achieving justice, but in selling gossip and scandal, for example the tabloid press. Making it appear that official investigations are failing to uncover the necessary evidence on which to base conclusions, makes the public hungry for information and it also makes them eager to place blame. This rush to blame can jeopardize justice and all we are left with is a waste of public money and a profit-making exercise for the tabloid press.

### **Accountability in bureaucracy**

When we are occasionally afforded a glimpse into the workings of government, the practice of accountability can be opened up to scrutiny. Sometimes this challenges our understanding of the meaning of accountability. In an interview for the BBC in 2007 Ken Clarke, then leader of the Conservative Party's Democracy Taskforce, called for the conservatives to put an end to Tony Blair's sofa-style government<sup>421</sup>, where a handful of elite individuals made decisions behind closed doors, with no obligation to record how those decisions were reached. This is a fair comment as we expect government to conduct its business in such ways as it can be held accountable for its actions through keeping an accurate record of the business it conducts. However, in his article *Deputy PM's Office Ineffective, report on coalition government finds*, the Guardian's political editor, Patrick Wintour suggests that this indictment of the Blair administration can be extended. Citing a study by the Constitution Unit, *Inside Story: How Coalition Government Works*<sup>422</sup>, he suggests that similarly elitist decision-making processes are at work in the current Conservative-Liberal Democrat coalition: "many policy decisions are made in regular evening phone calls between Nick Clegg and David Cameron"<sup>423</sup> and "most decisions were reached through informal channels as opposed to the formal coalition machinery set up by the government when it began."<sup>424</sup> This way of doing things sets a very poor example of

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421 BBC (27 March 2007) "Clarke targets sofa-style Blair", Available at: [http://news.bbc.co.uk/1/hi/uk\\_politics/6497751.stm](http://news.bbc.co.uk/1/hi/uk_politics/6497751.stm)

422 Hazell, Prof. R. & Yong, Dr. B. (3 June 2011) "Inside story: how coalition government works", UCL Constitution Unit, Available at: <http://www.ucl.ac.uk/constitution-unit/research/coalition-government/interim-report2.pdf>

423 Wintour, P. (3 June 2011) "Deputy PM's office ineffective, report on coalition government finds", *Guardian*, Available at: <http://www.guardian.co.uk/politics/2011/jun/03/deputy-prime-ministers-office-coalition-report>

424 *Ibid.*

accountability and it is unsurprising that it can lead to an irrevocable breakdown in trusting relations. Such comments allow us to begin to develop some understanding of matters of the workings of government. Our heightened awareness can move us towards more accountable government, where formal record-keeping processes such as standard minute-taking are reintroduced as mandatory practice; we can begin to open up to scrutiny how and why decisions are made and how and why things change. In *Bureaucracy: an idea whose time has come (again)?* Paul du Gay suggests that it is bureaucratic processes which constitute institutions like government: “[C]ertain ‘conventional’ practices in the machinery of government provide political and politico-administrative life with particular required ‘constituting’ qualities.”<sup>425</sup>

“For the Blair government, [...] formal meetings and minute taking were seen as anachronistic practices, out of step with what was regarded as best management practice – a more informal, all on one team approach, infused by a performance oriented culture, rather than framed by ‘static’ rules and procedures.”<sup>426</sup>

du Gay goes on to stress that bureaucracy has an important role to play in showing how the state and changes within it are managed:

“[B]ureaucratic practices in governmental administration, can be seen to provide some useful illustrations of the ‘conservation standards’ appropriate to the political management of the state, including the management of ‘change’ within the state.”<sup>427</sup>

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425 Du Gay, P. (2010) “Bureaucracy: an idea whose time has come (again)?”, p. 10, Available at:

<http://www.egpa2009.com/documents/psq6/Byrkjeflotdu%20&%20du%20Gay.pdf>

426 *Ibid.*, p. 12

427 *Ibid.*, p. 2

### **The law must apply to all**

We must not forget the importance of the rule of law in all of this. A comprehensive definition of the Rule of Law does not exist but Bingham presents what he suggests is the core of the principle: “that all persons and authorities within the state, whether public or private, should be bound by and entitled to the benefit of laws publicly made, taking effect (generally) in the future and publicly administered in the courts”<sup>428</sup>. We find here the ultimate declaration of accountability, in equality before the law. Individuals, including those involved in the running of governments and other public institutions, should be aware that they are equally accountable, and under the law, not above it. Bingham sees “equality before the law as a cornerstone of our society. There should not be one law for the rich and another for the poor.”<sup>429</sup> Although he acknowledges that there are differences which warrant differential treatment, he stresses that “any departure from the general rule of equal treatment should be scrutinized to ensure that the differential treatment is based on real differences.”<sup>430</sup>

Bingham questioned the legality of the 2003 invasion of Iraq by the US, the UK and others, stating that any decision to invade and occupy a foreign sovereign state must be made collectively by the UN Security Council and if the invasion was not authorized by the Security Council then this meant there had been a “serious violation of international law and of the rule of law.”<sup>431</sup> Bingham made a powerful example of this behaviour as institutional hypocrisy, really declaring there to be an arrogant and dangerous elephant in the room. It appeared clear at the time that governments were manoeuvring towards war with or without the backing of the UN, but that anyone with the power to change this either did not wish to do so or was not prepared to stand up and be counted. Such arrogant conduct undoubtedly undermines the authority of the UN whilst also raising questions as to the trustworthiness of high profile public figures. We are set to wondering whether they take seriously their responsibilities to act in the interests of national and international security, as undermining international law sets a

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428 Bingham (2010) p. 8

429 *Ibid.*, p. 55

430 *Ibid.*, p. 56

431 *Ibid.*, p. 124

dangerous precedent, potentially leading to accusations of lawlessness or double standards which can, in themselves, have grave consequences for national security: “The moment that a state treats the rules of international law as binding on others but not on itself, the compact on which the law rests is broken.”<sup>432</sup> When we act in the name, not of standards but double standards, credibility and trust are greatly diminished. Decisions of international importance and serious human consequence place an extraordinary burden of trust on the people. When military intervention is the option being mooted we both understand the gravity of the situation, as we know that human casualties will more than likely result, and yet we at the same, unless we have had the misfortune to be directly involved in military conflict, have no idea of the real consequences for individuals whose lives are thrown suddenly into disarray by the onset and daily experience of war. Decisions of life and death turn on the hermeneutic, the interpretation of accounts, and this produces a distance which mediates between ourselves and reality and by which we shield ourselves from the reality of such events as war. This diverse hermeneutic is what concerns me here and it is also what concerns Bingham.

Bingham’s case for concluding the 2003 invasion of Iraq was illegal, is a strong one, hewn from analysis of the explicit points stated in UN resolutions 678, 687 and 1441 and how these interrelate. His analysis suggests that the case to go to war was not in fact built on what was stated explicitly in resolution 1441 but on what was not stated. Initially, British Attorney General, Lord Goldsmith QC, concluded that on the basis of these three resolutions “the safest legal course would be to secure the adoption of a further resolution to authorize the use of force.”<sup>433</sup> Bingham highlights the credibility of this view by telling us that although the British government went ahead with military action, its activities suggest that there had been doubt as to whether existing resolutions authorized it to do so: “The inescapable truth is that the British government wished and tried to obtain a further Security Council resolution authorizing the use of force, but was unable to do so in the face of international

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<sup>432</sup> *Ibid.*

<sup>433</sup> *Ibid.*, p. 123

opposition and went ahead without.”<sup>434</sup> Not being afforded a new resolution which may have clearly authorized the use of force, the British government went to work creating a narrative, using interpretations of ambiguous statements in the existing resolutions, which would allow it to go ahead with an invasion. In simple human terms, when we are seriously considering using military force which will inevitably result in both military and civilian casualties, not to mention extensive damage to infrastructure, we should endeavour to come to an international and rational agreement for doing so. The British government did not make the time available to do this, and their subsequent course of action violated public trust in government decision-making. However, even when government ministers take decisions which we find it hard to justify and forgive, we are unfortunately still in no position to withdraw our trust completely. We are stuck in the cave, where withdrawal of trust is not an option because government has a mandate to act in ways which they see fit, on our behalf, until that mandate is renewed or transferred by the electorate.

When trust is diminished we must find ways of restoring it but we must ensure that we do not simply retreat into the safety and security of our illusions, pretending nothing has happened. Restoring trust requires more effort and more commitment and we must attempt to build an intelligent trust, based on what we can learn from our experience of trust both well placed and misplaced.

The real crisis of trust is perhaps that, although we are compelled to rely on individuals and organizations, we are at the same time aware that we cannot necessarily be sure that they are trustworthy. Reluctantly we accept this as part of everyday living and we are not surprised when the bond of trust is broken. We are dissatisfied with this state of affairs but we feel powerless, as individuals, to change the situation. However, if we were to gather our independent dissatisfaction into collective action we may find it to have an implicit power which could be harnessed as

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<sup>434</sup> *Ibid.*, p. 126

a force for change, moving us toward realizing trust. Williams quotes British writer, critic and literary theorist, Gabriel Josipovici: "Trust will only come by unmasking suspicion, not by closing our eyes to it."<sup>435</sup> We can lose sight of the fact that, if we believed everything we read and heard, then we could be certain of nothing. The multivarious perspectives on events cannot all be true, but if we consider them together, if we take them to be connected, then truth can be revealed to us in the ways in which these many perspectives relate to each other. Considering multiple perspectives takes time, all perspectives do not necessarily emerge immediately or simultaneously. We must be prepared to wait and to think. If we can use our awareness of the manipulative capacity of the mass media to prompt us to be sceptical about the stories we hear and read, if we allow at least a little time to pass in order for further contextual information to emerge, we make it possible to consider that the first story we hear is not necessarily the whole story or the true one. It may be inaccurate, misleading, open to misunderstanding, or we may have only seen one interpretation, forgetting to consider possible alternatives or having none available. Although we can never escape the cave, by acknowledging that we are caught, only able to see from our own individual perspective, we can turn this to our collective advantage. If we do this we not only think of ourselves, we think of others. We are moved to accept that they too have their own perspective on the world. By recognising that this is a shared experience, that we are, in this sense, equal, we make understanding possible.

We look back at our lives not in isolation from the world around us, but as part of that world, contextualized by it, we participate in forming the world and, we are ourselves, characterized by that participation. The uniqueness of life as it is in the living is not describable in narrative, it is too complex and detailed, and there are too many perspectives. As one inquiry's remit is defined, so too, in its negation are the remits of others and it is our ongoing task, through combining the revelations and conclusions of inquiries as a collective form of evidence-gathering, to tease out how

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<sup>435</sup> Williams (2002) p. 12

information interrelates within the growing and developing narrative of history. As the context of our experience grows, we interpret and re-interpret the meaning of our experience in light of this growth. Meaning is not the same for everyone. We each interpret information from our own perspective and within the limits of our own experience. This is a continuous process of revision where we are constantly re-evaluating our understanding of how things are in the world. Ashforth points out: “persons affect situations and situations affect persons such that the unfolding of time produces continuous changes in both the person and the situation.”<sup>436</sup> We find meaning in our relationships with people, and to things and we define and redefine ourselves, and our roles, within the context which is formed by them, creating narratives. When content is given context it has meaning for us. Collectively, and continuously, we are configuring a wider and wider narrative context through which to find meaning, synthesizing parts into a performance of presentation and re-presentation; this is bringing us asymptotically closer and closer to whole experience, but as it is an asymptote the whole experience, or God’s-eye view, will never be available. We cannot rewind as though some events have not happened, rewriting the past and realizing Orwell’s Doublethink; neither can we rewind and re-experience the past as present. We always see the past through our memories of it and through the memories others share with us and, although we may be unaware of it, sometimes those memories are inaccurate and sometimes just false, and we may never be in a position to determine completely the veracity of our memories. Taking a ‘that’s the end of that’ approach to inquiry, regulation can terminate it without a satisfactory end. We should remain open to the possibility that new information will emerge and provide vital evidence for taking the inquiry a step further forward towards a disclosure of more relevant facts.

Plato’s freed prisoner is dazzled by light on leaving the cave and has eyes full of darkness when she is made to return to it. Our own experience of living in the world,

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436 Ashforth (2001) p. 20

more or less enlightened as it may be, always influences our beliefs about how the world is and about the others with whom we share it.

As we have seen in this chapter, although, once lost, trust is very difficult to regain, we must, in any event, place trust in order to act, in order to go on living. By ensuring that the record is created in the first place and by preserving it, by accepting the existence of suspicion as part of what it is to place trust intelligently, we make it possible to continuously re-interpret information by returning to it over time. We lay open the possibility of restoring trust and we accept the nature of truth and belief, as always open to change within the context of new emerging facts. In the next chapter I will look at how we might overcome our anxiety about change in order to build a safer and more just world for all. I will consider how even when trust is abused, we are drawn once again to rely on, even to trust, that which has misled us, and with this we realize we can never escape the cave.

## Chapter 8 - We Can Never Escape the Cave

“[H]e had suddenly seen what the world was like, how there are many lies and no truths, well, there must be some out there, but they are continually changing, and not only does a possible truth give us insufficient time to consider its merits, we also have to check first that this possible truth is not, in fact, a probable lie.”<sup>437</sup>

In this chapter I will consider why we are more comfortable swimming with the tide, believing our illusions, but how we might, if we can overcome our anxiety and embrace opportunities for change when they come our way, build a safer and more just world.

### **The shattered cave**

As we have seen, the cave provides us with a stable set of circumstances and a limited epistemology. We develop routines and expectations, which depend on our life experiences, establishing a set of beliefs about the way things are in the world. What we have come to rely on today, we expect to be able to rely on tomorrow. We trust and find comfort in this expectation, as we go about the ordinary activities of our everyday lives.

When the cave shatters and our beliefs are revealed to be mere illusion, we are made to feel uneasy and so we often do everything we can to deny it. As discussed in Chapter 5, when whistleblowers such as Dr. Jeffrey Wigand, Dr. David Kelly and Bradley Manning alert us to wrongdoing or when credible evidence contradicts official accounts showing us an alternative interpretation of events, our beliefs about the world are challenged. As we are ejected from our world of comfort and security, life becomes difficult, trust diminished, and we feel much less secure than we once did. So that we can go on with everyday living, we try to pick up the pieces and restore

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<sup>437</sup> Saramago (2003) p. 73

some semblance of order and security. In the moment between shattered illusion and the restoration of order, we come to “a fork in the path”<sup>438</sup> where we have difficult choices. At this juncture we might ask how do we cope with the challenges to our beliefs and how do we treat those who have broken the Cave’s spell?

### **How we cope with challenges to our beliefs**

The ways in which we cope with challenges to our beliefs depend on the options we feel are open to us. As Calland and Dehn tell us, when an individual discovers what he thinks is wrongdoing, he faces the dilemma of whether to blow the whistle, he must decide by weighing his own interests with those of the wider community. In light of what he thinks he knows, he must feel his chosen course of action is a viable one, based on his judgement of its potential to affect an outcome of positive change. The voice of the whistleblower can make the rest of us uneasy, it can present us with unpalatable information and we might feel unable to cope with this and turn away in denial and towards the comfort of the cave. It can also reassure us, setting courage as an example, and reminding us that there are individuals who feel responsibility to the public interest and who will take the risks and stand up to power should they discover malfeasance. However, when wrongdoing is revealed to them, individuals in the wider community also face a dilemma, they too must cope with the alternative truth, which the whistleblower brings them, and they must judge whether to believe this new truth or remain with their illusions. Their judgement will be influenced by whether they feel they can cope with how a change in belief might affect their way of life.

### **How we treat those who have broken the Cave’s spell**

We have seen examples of how corporations, governments and the media have treated whistleblowers. Dr. Jeffrey Wigand lost his career and his family life, and was vilified by B&W for speaking out against the company’s practice of chemically enhancing the addictive effects of nicotine in their products. Dr. David Kelly was

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438 Benson & Stangroom (2006) p. 16

placed under immense pressure by government and the media when he was named as the source of BBC reports on the dubious nature of *The 45 minute claim* in the UK government's *September Dossier*. He paid, what many might consider, the highest price by taking his own life. Arrested in 2010 and held in solitary confinement, Bradley Manning is facing court martial over his alleged leak of classified documents to *Wikileaks*. The US government claims the information in these leaked documents poses a threat to national security. The high profile and very public way in which they have each suffered, vilified by the institution they have served, can only function as a deterrent to others to come forward. The reason for their public denigration affirms the mentality of the cave by portraying the public disclosure of malfeasance as a crime itself, and that such crimes should be punished as much, or perhaps more than, those who perpetrate wrongdoing in the first place. With a dread of suffering such consequences ourselves, we are discouraged from speaking up for the whistleblower or speaking out should we ourselves come across malfeasant practice.

However, there is another crucial consideration here. We must ask ourselves whether we believe it is right for powerful organizations to induce fear through their abuse of individuals who have sought to reveal a wrong, to put it right, and to bring about change. We must ask whether these actions, made by or on behalf of the organizations concerned, contravene the 'rule of law', for 'the rule of law' is that which we as citizens of democratic societies, claim to be the guardian of our civil liberties. If this is the case, it is a serious matter exposing double standards and hypocrisy at the highest levels of power. Tom Bingham had no doubt that the declaration of war on Iraq was illegal, which cast doubt on the supposed 'moral' purpose of the conflict. We know that the executive can never be above the law, no matter how great the emergency is perceived to be.

When President Obama declared that transparency and the rule of law would be the touchstones of his administration, a glimmer of hope appeared on the horizon, and there was a sense that we were emerging from the cave into a new era which was to

embrace accountability. This has in some ways been proved an ill-founded expectation. The alleged torture of Bradley Manning whilst he was detained at Quantico Marine Base (mentioned in Chapter 5), is a case in point. It is hypocritical on the one hand to make a claim of commitment to the rule of law, and on the other not to ensure the protection of individuals' human rights whilst they are in the custody of the State. In such instances, the rule of law is seriously undermined by those who profess to live by it. This risks losing the metanarrative it provides as a framework for how law is to be meted out and we could eventually find ourselves with no recourse to justice.

### **The rule of law**

As Bingham has told us, there is no one definition of the rule of law. It may be an elusive concept. However, it provides us with a metanarrative as a guide for how the law of a given state ought to function and be applied. For him, at its heart is the principle that all individuals should benefit from and be subject to the law. Implicit in this are universal notions of equality, protection and penalty. Bingham favours what he refers to as a 'thick definition' of the rule of law which encompasses the protection of human rights. Bingham offers us a list of eight constituent principles that he uses to "try and identify what the rule of law really means to us, here and now"<sup>439</sup>, and he outlines their significance:

- The law must be accessible and, so far as possible, intelligible, clear and predictable

This must be the case, so we know our responsibilities under the law and can determine lawful and unlawful conduct. We need to know "what it is we must or must not do on pain of criminal penalty"<sup>440</sup> and also "what our rights or obligations are"<sup>441</sup> in order to make informed decisions as to whether we wish to act in accordance with

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<sup>439</sup> Bingham (2010) p. 37

<sup>440</sup> *Ibid.*

<sup>441</sup> *Ibid.*, p. 38

them. Bingham stretches this point beyond the individual and into the organizational world of business, trade and investment, pointing out that for the “successful conduct of trade, investment and business”<sup>442</sup> we must be aware of our “commercial rights and obligations”<sup>443</sup>.

- Questions of legal right and liability should ordinarily be resolved by application of the law and not the exercise of discretion

Bingham does not advocate that officials have no discretion, only that discretion should not be arbitrary but based on criteria: “No discretion may be legally unfettered.”<sup>444</sup> He also stresses that special cases arise where discretion is appropriate on compassionate grounds. He cites immigration as an example:

“judges have frequently and gratefully invited the Secretary of State to exercise his discretion to grant leave to enter the country or remain here to applicants who do not meet the tests for entry laid down in the immigration rules but whose personal history or circumstances demand sympathetic consideration. In a case crying out for compassionate treatment, we would not wish the Secretary of State to be obliged to wring his hands and plead inability to intervene.”<sup>445</sup>

- The laws of the land should apply equally to all, save to the extent that objective differences justify differentiation

Provision is made in the rule of law for individuals whose positions are genuinely different from the average adult in society. Bingham asserts: “Most British people today would, I think, rightly regard equality before the law as a cornerstone of our society. [...] But we would also accept that some categories of people should be

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<sup>442</sup> *Ibid.*

<sup>443</sup> *Ibid.*

<sup>444</sup> *Ibid.*, p. 54

<sup>445</sup> *Ibid.*, pp. 50-51

treated differently because their position is in some important respect different.”<sup>446</sup> He takes children, the mentally ill, prisoners and those who have no right of abode in the UK, as examples and gives reasons why these groups in particular are treated differently to other citizens. Children are less mature and so are not treated as normal adults, “they are not liable to be prosecuted for crime below a certain age [...]; if convicted of crime, they should not be punished as a normal adult would be punished [...].”<sup>447</sup> The mentally ill “may have to be confined if they present a danger to themselves or others.”<sup>448</sup> Prisoners “are treated differently [...], since the very object of imprisonment is to curtail rights (notably, personal liberty) which are enjoyed by the rest of the population.”<sup>449</sup> Those who have no right of abode “are necessarily treated differently for immigration purposes from citizens who have a right of abode, since those without the right need leave to enter or remain in the country, which citizens do not.”<sup>450</sup> Bingham stresses that scrutiny must be applied to any differential treatment in order to ensure it is not arbitrary and that the principle of equality is in no way compromised.

- Ministers and public officers at all levels must exercise powers conferred on them in good faith, fairly, for the purpose for which the powers were conferred, without exceeding the limits of such powers and not unreasonably

“[A]lthough the citizens of a democracy empower their representative institutions to make laws which, duly made, bind all to whom they apply, and it falls to the executive, the government of the day and its servants, to carry these laws into effect, nothing ordinarily authorizes the executive to act otherwise than in strict accordance with those laws.”<sup>451</sup> All citizens must be able to assume that the executive will exercise powers honestly and without personal prejudice.

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<sup>446</sup> *Ibid.*, p. 55

<sup>447</sup> *Ibid.*

<sup>448</sup> *Ibid.*, p. 56

<sup>449</sup> *Ibid.*

<sup>450</sup> *Ibid.*

<sup>451</sup> *Ibid.*, p. 60

- The law must afford adequate protection of fundamental human rights

Bingham raises this as a necessary yet problematic aspect of the rule of law, as “there is no universal consensus on the rights and freedoms which are fundamental [...]”<sup>452</sup>. He uses the European Convention on Human Rights brought into effect in the UK by the Human Rights Act 1998, as a guide to what he sees as “‘fundamental’, in the sense that they are guarantees which no one living in a free democratic society such as the UK should be required to forgo [...]”<sup>453</sup>. These rights are listed as follows: the right to life; the prohibition of torture; prohibition of slavery and forced labour; right to liberty and security; right to a fair trial; no punishment without law; right to respect for private and family life; freedom of thought, conscience and religion; freedom of expression; freedom of assembly and association; right to marry; and that the enjoyment of these aforementioned rights will be secured without discrimination.<sup>454</sup>

- Means must be provided for resolving, without prohibitive cost or inordinate delay, bona fide civil disputes which the parties themselves are unable to resolve

This provides that when people become involved in disputes and cannot come to a resolution through mediation, conciliation or arbitration, they have ways of reaching a conclusive resolution through the courts.

- Adjudicative procedures provided by the state should be fair

The right to a fair trial is perhaps the most universally well-known aspect of the rule of law and its spirit raises the difficulty we sometimes have with justice. Although we all expect that justice should be ours, we do not always concede that it should also belong to everyone else. For example, when difficult cases arise, when we feel a dreadful crime has been committed, and the accused individual appears to be

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<sup>452</sup> *Ibid.*, p. 68

<sup>453</sup> *Ibid.*

<sup>454</sup> *Ibid.*, p. 69-83

indisputably guilty, it is not always the most popular position to insist that he is entitled to a fair trial under the law. Equality seems of little importance, for example, to the crowd baying for blood or the return of capital punishment.

- The rule of law requires compliance by the state with its obligations in international law as in national law<sup>455</sup>

Bingham describes international law as: “a body of law complementary to the national laws of individual states, and in no way antagonistic to them; it is not a thing apart; it rests on similar principles and pursues similar ends; and observance of the rule of law is quite as important on the international plane as on the national, perhaps even more so. Consistent with this, the current Ministerial Code, binding on British ministers, requires them as an overarching duty to ‘comply with the law including international law and treaty obligations’.”<sup>456</sup> International law embraces the domestic sense of the rule of law and stretches it across the international community.

### **No one can be above the law**

For the rule of law to operate effectively, no one can be above it. The rule of law must protect human rights however complicated the case and uneasy the circumstances. It cannot vacillate under the pressure of fear, insecurity or emergency. Any disregard for the rule of law undermines its credibility and the credibility of those charged with its application. Should the credibility of the rule of law be compromised the state, and its citizens, would themselves, be left with little recourse to justice. This would open the floodgates to accusations of hypocrisy and double standards and foster a culture of mistrust and uncertainty, where no individual could feel that their rights had been safeguarded or that their obligations would remain as they had become. We do know that rules can shift depending on who holds the power to apply them and that we must be proactive in not allowing this to happen. When it does happen, recovery can be a very difficult and long process. We

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<sup>455</sup> *Ibid.*, p. 37-129

<sup>456</sup> *Ibid.*, p. 110

need only remember the horrifying images of acts of abuse and torture committed by US Military and government agency personnel at Iraq's Abu Ghraib prison<sup>457</sup> which, to this day, still weigh heavy on the world's conscience and make us wary of trusting that under extremes of pressure commitment to the rule of law will hold steady.

### **Abu Ghraib prison**

In 2004, reports and photographic evidence of the abuse and torture of prisoners by US Military Police personnel and Government agencies, at Iraq's Abu Ghraib prison, filtered through the media and into the public consciousness. Arguably, the most famous of the photographs depicts a man standing, hooded and cloaked, on a box, with electrodes attached to his body. Another shows Charles Graner, a specialist with the US army reservists, stooping and gesturing with a thumbs-up, next to the body of Iraqi prisoner Manadel al-Jamadi, who had died whilst in detention at Abu Ghraib.<sup>458</sup> In 2005, Graner was one among eleven low-level US military personnel who were court-martialed. He was found guilty on charges of assault, maltreatment and conspiracy<sup>459</sup> and was sentenced to 10 years in prison; he was paroled in 2011. Comments have been made about the failure to hold higher-level individuals to account for what took place at Abu Ghraib. In "Guard convicted in the First Trial from Abu Ghraib", an article for *The Washington Post*, T. R. Reid writes:

"The defense maintained that Graner, who was a corporal and has since been demoted, and the other low-ranking enlisted soldiers indicted in the case were scapegoats set up by the Army to deflect blame from senior offices in charge of the prison."<sup>460</sup>

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<sup>457</sup> *Wikipedia*, "Abu Ghraib torture and prisoner abuse ", Available at: [http://en.wikipedia.org/wiki/Abu\\_Ghraib\\_torture\\_and\\_prisoner\\_abuse](http://en.wikipedia.org/wiki/Abu_Ghraib_torture_and_prisoner_abuse)

<sup>458</sup> *Wikipedia*, "AbuGhraibScandalGraner55.jpg", Available at: <http://en.wikipedia.org/wiki/File:AbuGhraibScandalGraner55.jpg>

<sup>459</sup> Reid, T. R. (15 January 2005) "Guard convicted In the First Trial from Abu Ghraib", *The Washington Post*, Available at:

<http://www.washingtonpost.com/wp-dyn/content/article/2005/01/15/AR2005040210436.html>

<sup>460</sup> *Ibid.*

The images from Abu Ghraib shocked the world. The fact that these atrocities were committed by western democratic military forces, in a military campaign which purported to be intent on spreading democracy appeared to expose double standards and hypocrisy. In 2002, President George W. Bush had proclaimed that: “America will always stand firm for the non-negotiable demands of human dignity; the rule of law; limits on the power of the state; respect for women; private property; free speech; equal justice; and religious tolerance.”<sup>461</sup> What was discovered to have taken place at Abu Ghraib undermined claims of commitment to the rule of law and endangered national security by undermining trust in the US government, both domestically and internationally.

What happened at Abu Ghraib prison exemplifies unfettered discretion and is illustrative of the need for all citizens to be aware that we must apply the rule of law universally, no matter who we are, where we are in the world or how grave the circumstances. The extraordinary circumstances and violence of military conflict exposes many individuals, on all sides, to traumatic experiences which may cause them to fear for their lives. Such extreme fear can lead individuals to commit horrendous and inhumane acts of violence against others, whose lives might appear to be worth less merely by virtue of their being assigned the role of ‘enemy’. We find that extraordinary situations can lead to extraordinary acts.

However, it is not only in extraordinary situations of grave danger where behaviour can appear extraordinary. Within closed cultures, like those which operate within organizations, we can see how the pressure to conform can induce people to behave in ways which might appear extraordinary, even questionable, but are considered ‘normal’ within particular contexts.

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461 Bingham (2010) p. 135

### **Normalizing the questionable**

Ashforth tells us that, within organizations, there are certain behaviours which come to be sanctioned and encouraged as a 'normal' part of everyday goings-on, even though those outside that culture might consider them inappropriate. When we move into an organization, we take up a role and others expect particular behaviours of us as a part of our performance of that role:

“role transitions are partly about *normalization* or *normalizing* (Ashforth & Kreiner, 2000); about rendering the new, the unexpected, the strange, and the frightening more or less ordinary. The potential leveling power of normalization is demonstrated by the fact that it is usually only outsiders who are surprised by the very ordinariness – the taken-for-granted routinization – of the seemingly extraordinary.”<sup>462</sup>

We can find ourselves normalizing behaviour which, in any other context, in any other circumstances, we might find, at best, questionable, at worst, abhorrent. Where then do we find integrity and trust? The Stanford Prison Experiment is illustrative here.

### **The Stanford Prison Experiment**

In 1971, Philip Zimbardo, psychologist and Professor Emeritus at Stanford University, conducted a study known as the Stanford Prison Experiment. The experiment involved a group of twenty-four college students who were randomly assigned the roles of either prisoner or guard, and for six days acted out these roles within a mock prison environment at the university. During the study, the participants' behaviour was observed to change as what was, initially, seen as something of a game, turned into a serious demonstration of power relations between authority and the individual.<sup>463</sup> In an introduction to a talk by Zimbardo, “You Can't be a Sweet Cucumber in a Vinegar Barrel”<sup>464</sup>, which appeared in *Edge* in 2005, John Brockman,

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<sup>462</sup> Ashforth (2001) p. 18

<sup>463</sup> *Wikipedia*, “Philip Zimbardo”, Available at: [http://en.wikipedia.org/wiki/Philip\\_Zimbardo](http://en.wikipedia.org/wiki/Philip_Zimbardo)

<sup>464</sup> Brockman, J. & Zimbardo, P. (2005) “You can't be a Sweet Cucumber in a Vinegar Barrel”, *Edge*, Available at: [http://edge.org/3rd\\_culture/zimbardo05/zimbardo05\\_index.html](http://edge.org/3rd_culture/zimbardo05/zimbardo05_index.html)

editor of the online 'conversation', picks out a quotation which demonstrates Zimbardo's feeling that both context and the behaviour of the majority affect the ways in which individuals behave:

"[M]ore often than not, somebody doesn't have to tell you to do something. You're just in a setting where you look around and everyone else is doing it. Say you're a guard and you don't want to harm the prisoners – because at some level you know they're just college students – but the two other guards on your shift are doing terrible things. They provide social models for you to follow if you are going to be a team player."

Within the culture of an organization, practices can grow despite the official rules, particularly when individuals feel under pressure to conform to behavioural norms adopted and condoned by the majority. This can allow individuals to neglect the responsibilities which come with the roles they perform. Individuals are somewhat dispensible within organizations, but roles are not so easily discarded, especially within hierarchical structures. Becoming embedded in an organizational culture, where we perhaps define ourselves by what it stands for, assimilating its image, and believing that if we do not conform we do not belong, we can become too ready to adopt behaviour which we would in any other circumstances reject, just so we can remain part of that culture. The pressure to do this is great, especially if we fear our livelihood might be threatened should we resist.

### **Pressures of dynamic structures**

The social organization preserves itself by using role structure which incorporates dynamics into its process and allows individuals to move between roles. For example, an individual might gain promotion, rising through the ranks of an organization; this might involve the individual constantly appropriating and assimilating the image of that organization and doing so with a feeling of trust and certainty. Conversely, as a necessary consequence of an individual's failure to appropriate or assimilate the organization's image, an individual might be demoted or excluded (through dismissal or resignation). This can undermine our trust that we are

valued for ourselves and for the contributions we each can make to an organization. Boulding acknowledges the complexities which arise from the fact that individuals perform multiple roles. He writes that each human being “is able to participate in many organizations in different roles and in different parts of his time and activity”<sup>465</sup> and that “behaviour of the organization [...] must be interpreted as a result of the image of the executive, directed by his value system.”<sup>466</sup> There is potential for conflict between an individual and an organization if that individual’s image fails to concur or conform to the organizational image. There is also potential for internal conflict for the individual in performing multiple roles of both a personal and organizational nature. Individual responsibility, accountability, conscience, integrity and reputation all have to be reconciled in fulfilling the expectations of each assigned role. In addition, these aspects must be reconciled with the relative power of the individual within the organization and the public profile and responsibilities of that organization. What concerns us here is how these multiple public and private roles fit together within and between individuals and organizations, and how this affects behaviour within organizational cultures. Ashforth considers this and he tells us:

“[B]ecause roles are institutionalized, they can be learned and enacted by a range of individuals. The role occupants are to some extent substitutable and perhaps even interchangeable. The role perseveres, but the occupants do not. This strengthens the resilience of the organization and its structure but potentially constrains the expression of individuality – the very stuff that fosters interpersonal liking and relationships.”<sup>467</sup>

For some individuals, personal ideals force a battle with conscience, as David Kelly and Jeffrey Wigand seemed to exhibit. Some might ask themselves whether, just because ‘everyone is doing it’, we can necessarily take particular behaviour to be

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<sup>465</sup> Boulding (1956) p. 27

<sup>466</sup> *Ibid.*

<sup>467</sup> Ashforth (2001) p. 2

right. Fishkin tells us that to question the outcomes of the views of the majority is to uphold democracy and to avoid the madness of the mob. The majority can be wrong:

“Tyranny of the majority deligitimates the voice of the people. It takes away the moral claim of that voice to our allegiance. It invites resistance and protest rather than acceptance. We shall find that the moral energy that periodically reforges American democracy comes from this [...]. The voice of the people is energized to correct tyranny.”<sup>468</sup>

We are reminded of Boulding’s description of the open system: “a structure which maintains itself and develops in the midst of a stream of ‘through-put’”<sup>469</sup> introduced in Chapter 4. However clumsy his choice of vocabulary, the term ‘through-put’ does not appear to be the most eloquent turn of phrase, Boulding’s attempt at describing the open system is a useful one. His apparent lack of eloquence, the sharpness of the term ‘through-put’, for me in fact draws attention to a rather unseemly parasitic aspect of how an organization endeavours to sustain itself over time, by consuming the labour of individual after individual.

This “stream of through-put”<sup>470</sup> in a social organization consists of individuals who perform roles. Boulding compares the role and the organization with the cell and the biological organism:

“The social organization maintains its role structure amid a flow of constantly changing individual persons occupying these roles. Men are continually hired, fired, promoted, and demoted. They join and resign. They are born and they die. The organizations potentially, at least, go on forever. Organizations like organisms exhibit division of labor,

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468 Fishkin (1997) p. 50

469 Boulding (1956) p. 33

470 *Ibid.*

specialization of the role, and a hierarchical structure of communication and authority.”<sup>471</sup>

Organizations’ personnel change but the organizations themselves continue to function in themselves. Different personnel bring different ideas and ideals to a role and, in an organization like government, this has direct effect on the population as the state develops and changes its responsibilities to its citizens with every change in leadership.

Bingham quotes Madeleine Albright, then US Secretary of State under President Bill Clinton, as saying in April 2000:

“One of the most dangerous temptations for a government facing violent threats is to respond in heavy-handed ways that violate the rights of innocent citizens. Terrorism is a criminal act and should be treated accordingly – that means applying the law fairly and consistently.”<sup>472</sup>

Less than two years later, the attacks on the United States on 11 September 2001 (9/11) brought the fear of terrorism to a new global high. Horrific events, such as those which took place in New York, Virginia and Pennsylvania, prompt us to act in order to bring those responsible to justice and to try to prevent a recurrence. It is understandable for us to desire and seek justice and the restoration of security. However, fear can lead us to react to a perceived threat too quickly. Without allowing adequate time to consider and debate the issues, we can produce legislation which is poorly thought through and which undermines the rule of law: “hard cases make bad law.”<sup>473</sup> Legislation enacted both in the USA and the UK after the 9/11 attacks, included what Bingham describes as deliberate discrimination against non-citizens.

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<sup>471</sup> *Ibid.*, p. 27

<sup>472</sup> Bingham (2010) p. 133

<sup>473</sup> *Wikipedia*, “Hard cases make bad law”, Available at: [http://en.wikipedia.org/wiki/Hard\\_cases\\_make\\_bad\\_law](http://en.wikipedia.org/wiki/Hard_cases_make_bad_law)

The *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act 2001 (USA Patriot Act)* was signed into law by President George W. Bush in October 2001. Bingham notes that the act was “rushed through both Houses of Congress with little debate, very limited public hearings, and without a conference or committee report.”<sup>474</sup> Bingham also tells us that, in the act, the definition of terrorism for domestic purposes differs from that for immigration purposes. The UK Anti-terrorism, Crime and Security Act 2001 came into force in December 2001. The act “provided for the indefinite detention without charge or trial of foreign nationals suspected of involvement in terrorism, but not of UK citizens who might (and in fact were) similarly suspected of involvement in terrorism.”<sup>475</sup> Both pieces of legislation weave double standards and prejudice into the legal system, working against Bingham’s ideal of the rule of law, with its provisions for equality, non-discrimination and non-arbitrary differentiation based on scrutiny. Moreover, discrimination undermines security by diverting our attention towards particular individuals potentially causing us to lose sight of the wider context.

If we work to ensure a fair and consistent application of the law, we can demonstrate our willingness to preserve justice and mitigate against the possibility of having to “look back with a sense of shame and regret”<sup>476</sup> having overreacted to what we perceived as a threat. The apology issued by the then Metropolitan Police Chief, Sir Ian Blair, after the shooting of Jean Charles de Menezes is illustrative of this: ““This is a tragedy. The Metropolitan Police accepts full responsibility. To the family I can only express my deep regrets.””<sup>477</sup> By catching ourselves before we act in haste, mitigating the problem of overreaction, we can help to maintain trust before it has been undermined. The Rule of Law can help us do this. But, when it is too late, when we have overreacted, we must pull ourselves back and attempt to re-establish trust by turning to the Rule of Law as our guide. Justice is the right of all individuals,

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474 Bingham (2010) p. 143

475 *Ibid.*, p. 145

476 *Ibid.*, p. 133

477 BBC (24 July 2005) “Police chief ‘sorry’ over death”, Available at: <http://news.bbc.co.uk/1/hi/uk/4712061.stm>

and we must endeavour to seek, find and tell the truth, we must endeavour to put things right.

Bingham concludes *The Rule of Law* with these words, which both challenge and inspire us to strive to uphold the unifying concept of the rule of law in the interest of both good government and the preservation of peace:

“[I]n a world divided by differences of nationality, race, colour, religion and wealth it is one of the greatest unifying factors, perhaps the greatest, the nearest we are likely to approach to a universal secular religion. It remains an ideal, but an ideal worth striving for, in the interests of good government and peace, at home and in the world at large.”<sup>478</sup>

### **The public interest**

A great many actions are carried out in the name of, and justified as being in, the public interest, but the concept of ‘public interest’ is, like so many others, rather slippery. The UK Information Commissioner’s Office (ICO) acknowledges the ambiguity as a difficulty. At the same time the ICO suggests that, although there is no definition of ‘the public interest’ in the Freedom of Information Act (FOIA), within the idea of the public interest test, it is interpretable as follows: “In effect something “in the public interest” is simply something which serves the interests of the public. When applying the test, the public authority is simply deciding whether in any particular case it serves the interests of the public better to withhold or to disclose information.”<sup>479</sup>

The public interest concerns the general welfare of the public irrespective of creed, colour, political allegiance and social status, yet it can frustrate the law. Bingham

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<sup>478</sup> Bingham (2010) p. 174

<sup>479</sup> Information Commissioner’s Office, *Freedom of Information Act Awareness Guide no. 3*, Available at:

[http://www.ico.gov.uk/upload/documents/library/freedom\\_of\\_information/detailed\\_specialist\\_guides/awareness\\_guidance\\_3\\_public\\_interest\\_test.pdf](http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/awareness_guidance_3_public_interest_test.pdf)

cites a particular instance which shows how difficult it is to strike a balance between the public interest and the rule of law:

“[W]hen the prosecution hold material which is helpful to the defendant, and therefore ought to be disclosed to him, but which the prosecution are unwilling to disclose to him because they consider it would be seriously damaging to the public interest to do so. It may, for instance, reveal the name of an informer, who would be at personal risk if his identity were known, or may reveal details of secret police operations, or secrets relating to defence. [...] The difficulty is obvious: the defendant’s right to a fair trial may be compromised if the material is not disclosed to him, the public interest is jeopardized if it is.”<sup>480</sup>

Working in ways such as this, regulation can work against the public interest and can constrain which facts are brought out and, therefore, the facts to which we have access. This influences what we come to believe about the world. But interpretation of terms becomes fundamental to how regulation operates when terms are left ill-defined or vague and this can lead to abuse of power and diminished trust.

### **Straw’s veto**

In December 2006, Dr Christopher Lamb, freedom of information campaigner, requested the release of British cabinet minutes concerning discussions on the Attorney General Lord Goldsmith’s legal advice on taking military action in Iraq. The cabinet office refused to release the minutes. After he had requested an internal review, which resulted in the cabinet office standing by its decision not to release the documents, Dr. Lamb lodged a complaint with the information commissioner, Richard Thomas. Having viewed the withheld information, Thomas ruled that Lamb’s request had not been dealt with in accordance with the Freedom of Information Act and he ordered that the documents be disclosed within the statutory 35 calendar days.<sup>481</sup> The cabinet lodged and lost an appeal against this decision. However, in a

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<sup>480</sup> Bingham (2010) p. 98

<sup>481</sup> Summers, D. (24 February 2009) “Timeline: Events leading up to Jack Straw’s decision to withhold minutes”, Guardian, Available at: <http://www.guardian.co.uk/politics/2009/feb/24/jack-straw-cabinet-minutes-veto-timeline>

Commons statement on 24 February 2009 then Secretary of State for Justice, Jack Straw, announced his decision to use his power of veto to prevent the release of the minutes. He invoked the public interest, citing Section 53 of the Freedom of Information Act. In his statement he told us: "The conclusion I have reached rests on the assessment of the public interest in disclosure and non-disclosure"<sup>482</sup> declaring his decision was necessary "to protect the public interest in effective cabinet government."<sup>483</sup>

The public interest is entangled with trust. We trust those who hold positions of power to make sound judgements on what might be the best course of action to take, in the public interest. When we feel that individuals who work within our public institutions to have made dubious decisions, this leaves their subsequent decisions open to suspicion, and trust is diminished.

### **Challenging the norms**

We must stop the culture of acceptance around illegal and corrupt practices and ensure that each individual is aware that, no matter what their role or working environment, they are not above the law. We can change the world by each becoming involved in a continuous process of scrutiny, challenging the current norms.

On 5 June 1989, after the Chinese People's Liberation Army had, on the previous day, massacred and forcibly removed pro-democracy protesters from Tiananmen Square, a lone protestor positioned himself in front of a line of approaching tanks.<sup>484</sup> The incident was caught on film and disseminated across the world; it is one of the most powerful examples of how much some individuals are willing to risk in the fight for change and in order to have their voice and the voices of others heard. Dogged individual acts of defiance can draw the attention and support of others, helping us

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<sup>482</sup> Parliamentary Business (24 February 2009) Available at: <http://www.publications.parliament.uk/pa/ld200809/ldhansrd/text/90224-0005.htm>

<sup>483</sup> *Ibid.*

<sup>484</sup> *Wikipedia*, "Tank Man", Available at: [http://en.wikipedia.org/wiki/Tank\\_man](http://en.wikipedia.org/wiki/Tank_man)

turn towards possible alternatives to the *status quo*, alternatives which can only be brought about by mass collective action. Such acts can be the result of individuals' sheer commitment to a cause over long periods of time. People tend to either dismiss those who keep repeating a claim as obsessed or annoying, or they begin to wonder, given that someone has sustained a vocal and determined position, whether there might be some truth to the claims being made. Not only did Tank man, as he became known, risk physical harm and even death during the protest itself, but the consequences beyond the protest were also potentially grave. Indeed a number of narratives have grown up around the possible fate of Tank Man but no single story has emerged as truth.

For some people, the *status quo* is an awful state of affairs where life is desperately difficult. Sometimes individuals are pushed to a point where enough is enough, where, for the sake of change and a better life for themselves and for others, their own safety, security, and even life itself are worth risking. Tank Man took such a risk, but not all of us would be prepared, as he was, to put ourselves in the line of fire for the mere possibility of a society with greater individual freedoms. Indeed some prefer the cave and resent those who interfere with the *status quo* by daring to express a desire for change. This can be for a number of reasons. They might enjoy a good life under the *status quo* and may have no interest in the lives of others, they might fear uncertainty and change no matter how unbearable life is, they might not believe that alternatives are possible. All of these are to some extent understandable.

Dr. Jeffrey Wigand's loyalty "to a higher order of ethical responsibility"<sup>485</sup> and, indeed, the plight of the whistle blower in general, help point us towards new norms. We must challenge the *status quo* when it undermines the spirit of the rule of law and holds us back from realizing accountability. By normalizing acts such as whistleblowing, through which individuals mount challenges to the *status quo*, we can

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485 Salter (2002)

bring an end to tacit acceptance of double standards and hypocrisy. Strathern's comment on the 'is and ought' was never more relevant. How the world is and how it ought to be can be very different and there are many different interpretations of each. To mistake the is for the ought by conflating the two, fosters and reinforces our illusions, and denies both the need and the possibility for change. Instead of resorting to maintaining the illusion of accountability by looking for scapegoats, we must see that we have a choice. The point at which we reach a fork in the path allows us to decide to take a different approach. The easy way is to find someone on whom we can pin the blame and continue with business as usual; the challenge is to hold both individuals and organizations to account according to the rule of law, and to consider how we can learn from wrongdoing in order to change the way that we do things into the future. If we can grasp this challenge positively, we afford ourselves the possibility of radical change.

In this chapter we have seen that we are more comfortable swimming with the tide, believing our illusions. We often feel uneasy when our illusions are challenged and take steps to try to discredit or silence those who would wish to do the challenging. Although our understanding of our rights and our responsibilities towards one another maintains a general stability in everyday living, we have seen that this is a fragile state of affairs which can change when we find abuse and neglect. And so it should, but not through knee-jerk reaction and vilification of those who wish to show us alternatives. The change we should embrace is that of holding to account those responsible for malfeasance and not capitulating to the loudest most powerful of voices. If we claim to embrace the rule of law, if we claim to care about the public interest, indeed, if we claim to care about others, we must act accordingly where we find abuse and neglect. It is imperative that we ensure no one can be above the law, that every individual is both subject to it and protected by it. And in situations like those revealed at Abu Ghraib prison, we must not falter, or we allow tyranny to prevail. We must keep the rule of law in our sights and by doing this, we pre-empt and mitigate the potential effects which double standards and hypocrisy can have on our treatment of others and how we ourselves can expect to be treated. The

constraints of the rule of law are the price we must pay for the freedoms it affords us. Bingham draws out the point that we must accept the constraints of the rule of law, or we cannot hope to expect others to do so:

“However much any of us as individuals might relish the opportunity to live our lives free of all the legal constraints – whether to pay taxes, observe the Highway Code, obtain planning permission, discharge our debts or refrain from assaulting our next-door neighbour – we know quite well that acceptance of these constraints is the necessary price to be paid for their observance by others and that a society in which no one was subject to such constraints would not be a very congenial one. Then there may indeed be no such thing as society.”<sup>486</sup>

As I draw this thesis to a close, I suggest that, although the rule of law is no perfect solution to living together (as it presupposes abuses), for now, it appears to be the best available solution affording us some way of formalising a will to realise equality. We must demonstrate this to authority and its power, showing that it is time to respect human beings’ trusting nature, a nature which is growing increasingly consciously aware, intelligent and critical. We can become more considerate of others through not simply preaching the rule of law, but practicing it and by making it clear that we expect everyone to do so. To paraphrase Bingham, the rule of law makes the difference between good and bad government.<sup>487</sup> We must acknowledge others’ perspectives through inclusive debate, reserving judgement until we feel certain enough of our conclusions to place trust intelligently. The process must be recursive to be effective, it requires constant care and attention and constant development in the light of change through communication, and this we must remember. Caring must be at the heart of living. Ultimately, to eradicate inequality is the challenge. To do this would be a radical change indeed

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<sup>486</sup> Bingham (2010) p. 112

<sup>487</sup> *Ibid.*, p. 174

## Conclusions - “Troubling the Prevailing Relations of Power”<sup>488</sup>

The central argument of this thesis is that accountability is an illusion. Taking an essentially phenomenological approach, I have used Plato’s *Allegory of the Cave* as a structure around which to build a story of a journey, a journey where Plato’s prisoner moves, through experience, towards self-awareness and the understanding that our knowledge is always open to revision.

Although we take accountability to mean being liable for actions and answerable to some body, we have seen that accountability is muddled with the notions of transparency, truth, trust, freedom of information, justice and democracy; our understanding of these concepts is a matter of interpretation and their meaning can vary, it can be context-dependent and ambiguous, making it possible for individuals to misuse terms and suborn meaning. As we live a life, we gather experience which influences our understanding of ourselves, each other, and the society we live in. Over time, as this experience accumulates, within a wider and wider context, it influences our understanding and our interpretation of events can change. I developed this by I looking at how the meaning of terms can be contrary to our interpretations and how this can lead to further misunderstanding. Misunderstanding does not necessarily result in ineffective communication; where it is intended by the communicator it can be effective in serving their agenda. This can have tragic consequences for individuals and for society as a whole.

### **Vulnerability, time and belief**

We remain perpetually in the cave, subject to others’ interpretations and agenda, and none of us leads a blameless life. We are all vulnerable to confirmation bias, believing only what we want to hear and disregarding the rest; we are all capable of knee-jerk reactions to things we find alien or distasteful, and we are all prone to errors of judgement, especially under pressure. I have considered the influence of time on

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<sup>488</sup> This title is an echo of Harris (2002) “The Archival Sliver: Power, Memory and Archives in South Africa”

our perception of meaning, how our understanding can change when we become aware that we have been in the cave and we discover that reality is other than we believed it to be. The things which are left behind when we act can acquire great significance and our diachronic situation of ourselves enables us to understand that change constitutes reality. To acknowledge that this is the case is part of what it means to be involved in an attempt at truthful communication. By admitting our flaws and failures, we accommodate change in a pragmatic acceptance of how we come to understand others and the world we live in, and we allow ourselves the possibility of putting things right, setting the record straight, and restoring and maintaining trusting relationships.

We value truth very highly and make great efforts to search for and find the truth in a variety of human pursuits. Philosophy, science, mathematics, logic, politics, law, religion, journalism, gossip, and market forces all function around the application of theories and concepts of truth as we strive to understand ourselves and the world we live in. Yet, somehow truth and *the* truth remain elusive. Our search for truth is an on-going inquiry and what we take to be true now is open to the change that new information can bring. As we act in the world, engaging in the many situations and experiences which constitute a life, we do so as an agent of a cumulatively current perspective which is not created purely by us, but arises as a product of mediated experience. We must perpetually return to interpretation, reconfiguring information as new facts feed into the picture so far, and our understanding changes. This is inescapable. We process information which is always potentially flawed and subject to bias or ideology; this information influences our beliefs and these beliefs emerge as output in the form of our ideas and opinions and the actions we take in accordance with them. These ideas, opinions and actions have an influence of their own and the process continues. Verne Harris's point is worth repeating here: "One's understanding of and feeling for a concept inevitably are shaped by the weighting of one's experience. Experience, of course, is never unmediated. Discourse, ideas,

language, all shape how living is turned into experience.”<sup>489</sup> It is not only our understanding of concepts, but our understanding in general which is shaped by our experience. Our perspective is the starting point from which we begin to try to make sense of, and understand the world; it is cumulatively current and always open to revision. Our engagement with the world makes and modifies us and we live each moment as a renewed self, greater than the sum of our experiences and our interpretations of them. As we have discovered, multiple temporal, spatial and individual perspectives are continually accumulated – consciously and unconsciously - over time in a perpetual configuring and reconfiguring of our reality. With every moment we are made to re-evaluate all the others and we always have the potential to change through subsequent experiences and interpretations. Philosopher Susan Stuart writes, “The term ‘self’ is just shorthand for a set of relations between the senses, actions and objects; it is nothing more than an artefact of engagement with the world.”<sup>490</sup>

Boulding makes the key point that as we interact in the world we gather information, but there is a reciprocal quality to this and each individual involved in an interaction is changed by it:

“The through-put of information in an organization involves a “teaching” or structuring process which does not follow any strict law of conservation even though there may be limitations imposed on it. When a teacher instructs a class, at the end of the hour presumably the students know more and the teacher does not know any less. In this sense the teaching process is utterly unlike the process of exchange which is at the basis of the law of conservation. In exchange, what one gives up another acquires; what one gains another loses. In teaching this is not so. What a student gains the teacher does not lose. Indeed, in the teaching process, as every teacher knows, the teacher gains as well as the student.”<sup>491</sup>

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489 Harris (2002) "The Archival Sliver: Power, Memory and Archives in South Africa", p. 63

490 Stuart, S., (2006) "Extended Body, Extended Mind: The Self as Prosthesis", pp. 163-180, in Pepperell, R. & Punt, M. (2006) *Screen Consciousness: Cinema, Mind and World*, Rodopi, p. 164

491 Boulding (1956) p. 35

It is especially important that those who think themselves free of illusions remember that none of us can escape the Cave. As Plato's freed prisoner returns to the cave she might think herself disabused of her illusions, but her experience should tell her that we must each be open to the challenge of the views of others, weighing the evidence carefully before coming to conclusions and judgments; no-one is free of illusions. In our quest for truth we are bound to commit ourselves to finding ever more effective ways of holding individuals to account. We must continually remind those who think pursuing the ideal of accountability futile, those who might use mechanisms of accountability to facilitate cover-up or to mislead us, and those who might feel beaten by a sense of powerlessness, that accountability is an ideal for which it is worth striving.

### **Perception, narrative and belief**

However, as we have seen, finding out the truth can shake our confidence in the certainties that become our touch-stones, and erosion of trust can leave us with troubling insecurities. When we find our trust to have been misplaced and truth to be other than we believed, we reach a turning point where, with new-found freedom, we can begin to question our trust in power, its control of information, and our relationship with truth. We can grasp this as an opportunity to empower ourselves. For example, public perception of how governments and corporations operate can be very different to the reality. Relationships of trust established and nurtured over years, perhaps generations, can be shaken when we discover that trust has been abused at the highest levels of power, an abuse which can have tragic consequences for individuals and for society as a whole. The vilification of Dr. Jeffrey Wigand, the questionable legality of the 2003 Iraq war, the death of Dr. David Kelly, and the detention of Bradley Manning, all serve to highlight the seriousness of what can be at stake when we take a stand against powerful individuals and organizations. When we see the consequences faced by the whistleblower we are made aware of their risks and we might question whether we could do the same. We wonder how we would decide what to do, if we were ever in the position where we discovered

malfeasance, and we know that we would need to consider our private interests and those of our family before taking action.<sup>492</sup> We might feel that indeed it is better not to know and better not to tell, better to maintain the *status quo*. Boulding describes how perhaps we are sometimes better off siding with our illusions, ignorance can be bliss:

“If there is a tiger in the room [...] the man who doesn’t see it is just as well off as the man who does. Indeed, it may well be that the man who doesn’t see the tiger has the best chance of survival. He will not be paralyzed with fear, he will not attract the tiger’s attention, and by going about his own business quietly, he may escape the destruction which his more knowing fellow invites by the very effects of his knowledge. We cannot rule out the possibility that under some circumstances, ignorance is bliss, and knowledge leads to disaster.”<sup>493</sup>

However, by giving in to the urge to retreat to the cave, we can be made to tacitly collude in the vilification of those who try to convince us that things might be other than we believe them to be. Even though we tend not to want to rock the boat, taking the easy option of believing and seeking sanctuary in self-deception, some of us still admire those who do take time to check things, sometimes on our behalf, taking the risks by finding and presenting alternatives which show us that reality might be other than we have been led to believe. Burmese pro-democracy leader, Aung San Suu Kyi, speaks eloquently on freedom in her 2011 BBC Reith Lectures:

“[O]ur passion is liberty. Passion translates as suffering and I would contend that in the political context, as in the religious one, it implies suffering by choice: a deliberate decision to grasp the cup that we would rather let pass. It is not a decision made lightly - we do not enjoy suffering; we are not masochists. It is because of the high value we put on the

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492 Calland & Dehn (2004) p. 4

493 Boulding (1956) p. 168-169

object of our passion that we are able, sometimes in spite of ourselves, to choose suffering."<sup>494</sup>

We should strive towards freedom and truth. This is not a pain-free process. Aung San Suu Kyi's statement describes the point at which particular individuals make that leap of faith in very direct and often hazardous ways, allowing short-term self-interest to recede, opting to take the long view where we invest our hopes that, eventually, truth will out and accountability, justice and democracy prevail. This too is the position of the whistleblower.

The whistleblower personifies the risks involved in standing up for truth, as do the pro-democracy leader, the champion of freedom and justice and the countless individuals who in very small ways take a stand where they could have just stood by. There are individuals who challenge and inspire us to question our beliefs and to question how those in positions of power handle information. We may tend to especially admire those who challenge the *status quo* if we agree with their conclusions which then serve to make us feel secure in our beliefs, however sometimes we find our beliefs changed and we are freed at least momentarily from some of our illusions.

There are times when the truth does not correspond to our other human needs, when it does not result in positive emotions for us or the people we care about, and so we reject it in favour of illusion. We consider some lies appropriate, even necessary, and we balance our need for truth with our need to care for and protect both ourselves and others and the way of life which is familiar to us. Uneasiness can prompt us to unwittingly believe, or even choose to believe, lies allowing them to influence our world view. With this we are continuously renewing an image of reality which conforms to how we want to see the world. Although we have a need for truth, we

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494 Suu Kyi, A. S. (2011) "Lecture one: Liberty ", *BBC Radio 4 Reith Lectures: Securing Freedom*, Transcript Available at: [http://downloads.bbc.co.uk/rmhttp/radio4/transcripts/2011\\_reith1.pdf](http://downloads.bbc.co.uk/rmhttp/radio4/transcripts/2011_reith1.pdf), p. 4

are reassured when our illusions are reinforced, whether through truth or lie. As Benson and Stangroom remind us: “It’s a human impulse to try to understand and investigate, but it’s also a human impulse to try to protect our illusions [...]”<sup>495</sup> If we pay attention only to feeling reassured, having our illusions continuously reinforced, we may not consider the distinction between truth and lie. Throughout our lives, even throughout our day, there are a multitude of moments at which we must make decisions, and those decisions require an (often implicit) analysis of the evidence we require to judge something as true. This analysis is often clouded by our other, occasionally conflicting, intentional states:

“This is the crux of the dispute. This is where the two sides always peel apart. Should rational enquiry, sound evidence, norms of accuracy, logical inference trump human needs, desires, fears, hopes? Or should our wishes and beliefs, politics and morality, dreams and visions be allowed to shape our decisions about what constitutes good evidence, what criteria determine whether an explanation is supported by evidence or not, what is admissible and what isn’t? This crux is never finally settled; it’s always with us. It’s a fork in the path we find ourselves at many times a day, like a recurring landscape in a dream. That’s inevitable, because what is important to us is important to us. The truth is important to us, but so are our needs and desires and hopes and fears. [...] We want truth but we also want to care – wanting the truth is indeed inseparable from caring. We want it, we care about it, it matters, and so do various other things we want and care about, some of which are threatened by the truth. So we’re stuck, and keep arriving back at the fork in the path again.”<sup>496</sup>

In order to interpret and configure narratives within the widest context, we need the perspective, the distance, afforded us by passage of time. The present, this threshold between the past and the future, appears to have greater significance and intensity than the other two because we are close to it, living it as the context for our being. This is a distortion and paradoxically, the meaning of the present is blurred by our closeness to it. We need to contextualize the present, within the past and the future which surrounds it, in a continuous present, where we acknowledge that our

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<sup>495</sup> Benson & Stangroom (2006) p. 162

<sup>496</sup> *Ibid.*, p. 16

understanding can change. By allowing the past and future to merge with the present we can draw meaning from context. In *The Shape of Time: Remarks on the History of Things*, George Kubler tells us that the passage of time is necessary to identifying and interpreting evidence:

“[W]e cannot clearly descry the contours of the great currents of our own time: we are too much inside the streams of contemporary happening to chart their flow and volume.”<sup>497</sup>

Brothman tells us there is an “inescapable delay,”<sup>498</sup> a lapse only after which records are interpretable as evidence.

### **Returning to Plato’s Allegory of the Cave**

In Plato’s Cave, there are those who have power and influence and those who are subject to power and influence. The latter accept the illusions, presented to them by the powerful, as truth. Whilst Plato’s prisoner is in chains, her beliefs about the world are certain, there are no known alternatives with which to compare them, she simply looks on as what she takes to be the truth is paraded before her eyes, and she believes. Once the freeing up process is in full flow, she becomes aware that she had been living in chains and that her beliefs are illusion. Now that her views of the world are destabilized she must face challenges to her beliefs; she must continuously find footholds in the evidence with which to steady herself. As what was once spectator sport becomes active and critical participation, she is required to constantly weigh and question the evidence, before trusting that it points to a reliable conclusion, and she can continue her climb towards truth. This critical approach to information is not necessarily easy but if we value the freedom to search out truth, we must be willing to take both the necessary risks and precautions as we move towards it. Indeed some individuals take the greatest of risks in the name of truth, and the rest of us are at times required, by their actions, to weigh up what appear to be the most

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497 Kubler (1962) p. 30

498 Brothman (2002) p. 335

shocking and unlikely of accusations, which could be easily dismissed should we not have the inclination to consider and investigate them further in pursuit of truth.

Even as our conscious self-awareness grows we are always chained to our own perspective on the world as we deal with information which challenges our views and arrive again at conclusions we feel we can trust. We must continually turn and return to our experience if we are to maintain the possibility of placing trust and mistrust intelligently.

In Plato's *Allegory of the Cave* we are shown prisoners who, like ourselves, are chained to their own perspective. Even when the prisoner is freed and turns from her long-trusted view of the world, she cannot escape her perspective on how the world appears to be. Sometimes she feels the urge to discover and disclose truth, and sometimes she feels an overwhelming urge to retreat to the cave where her illusions can remain unchallenged by conflicting possibilities. Even as her understanding changes with her unceasing experience, from chained to freed, to turning and moving out into the world, as she lives through the four stages in the allegory, she must face the vast context for her world (the Umwelt), that is the world (Umgebung); she must always return to her ever-changing, ever-renewing self.

**We can never escape the cave but we can try to understand**

We can never escape the cave. Just as Plato's prisoner is shackled, only able to see the shadows on the wall, we are each shackled to our individual perspective. We must carry our experiences with us through life. To describe the character of human nature is an exercise in hermeneutics. Any account that anyone provides in any domain will, of necessity, be subject to their particular historical, social and cultural perspective and how they perceive, conceive and reconceive their world to be; all of this we know to be a matter of interpretation. Nothing is free from interpretation, nothing is objective; so we are trapped in the world of appearances, involved in an

ever-renewing interpretive exercise, never able to reach any absolute truth. We are forever separated from reality by a veil of appearances which obscures truth, allowing us two possible courses of action; we may fight to try to discover truth or we may settle for accepting appearances as reality; we are capable of doing these two things both consciously and unwittingly. Although we are occasionally disabused of our illusions, we can never be entirely free of them.

Each of us is a subject changing throughout a lifetime. With growing experience, we re-evaluate our understanding of how things are, in a process where we must continually revise our world view. Without this change, we would never learn anything, hold beliefs or have ideas. We must, for practical purposes, trust what appears to us to be true and trust in the potential for accountability of those responsible to us. In any other case we would be incapable of acting and in a perpetual state of indecision, insecurity, and status. The prospect of full and honest accountability, where it is our common project to seek truth, may be practically unrealistic, but it is still something for which we must strive.

Over time, as we discover, what appear to be more reliable truths, many of our beliefs will undergo revision, but the one that remains unchanging is that we must trust in the potential for accountability of those with responsibility to the rest of us. However, we must move away from a ritual accountability, which is illusory, embedded in the cave and signifies nothing, and towards a real accountability. The pressure is to join the faithful in the cave, to go with the crowd. Swimming against the tide is hard work and, should we attempt it, we risk being swept away by powerful currents which act against us. Even if it were possible to finally reach reality, we would still resist it because it demands too much in terms of our commitment to seeking the truth and acting in accordance with it. Human beings do not generally like to rock the boat, we prefer the easy comfortable option, and self-deception allows us this sanctuary. To reach and disclose aspects of the truth requires us to take risks, and the rarity with which this happens is apparent in the surprise we sometimes experience when

individuals blow the whistle. Individuals like Tank Man, Jeffrey Wigand, David Kelly and Bradley Manning remind us of our responsibilities as individuals towards others, and we are not always comfortable with this. Like Plato's prisoner, we can be dazzled by our illusions and pained when they are dispelled. We prefer the comfort of the cave, where it is easier to yield to the pressure to maintain our illusions than to resist pressure and confront change. In the cave, we feel safe and secure in our beliefs about the world; we feel we know the rules, and that, if we live by them, our safety and security will remain intact as the *status quo* prevails.

However, if, when we are asked to acknowledge possible alternatives to our illusions, any of us fails to do so, then we leave those who do stand up for others open to the risks which accompany whistleblowing and the disclosure of uncomfortable facts. At the very least, we would lose the expectation that, should we need their support, others would stand with us. If a human being can stand alone in the path of a military tank as it rolls towards him, then we as a collective can do anything.

We must move away from the rituals of accountability, the box ticking of audit culture which, by preserving the *status quo*, allows us to believe that things are as they should be, and where, even when things do go wrong, we, like Plato's prisoners, prefer to believe those in authority rather than to rock the boat by seeking the truth. We must begin to see the potential in our own collective power to change things for the better. When we reach a point caring is at the heart of living, where we routinely demonstrate care towards others and acknowledge other perspectives, and where we have come to expect others to demonstrate care towards us, the hope is that, although we can never escape the cave, we might at least come closer to a deeper understanding of each other and the world.

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