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ALEXANDER COCKBURN AND JEFFREY ST. CLAIR

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“Medvedev vs. Putin” and other Burlesques Russian Politics after Libya

By Israel Shamir

The Arab rebellions have polarized Russia: some dream that the spirit of Tahrir will visit Moscow, even as others hope for a NATO crusade to spread Western values all the way to the Volga; yet a third lot prays fervently that nothing will change, now or ever. The recent Russian abstention in the U.N. Security Council has split the elites and made the growing rift visible at last.

President Dmitry Medvedev has declared Qaddafi *persona non grata*. He supported the proposal to transfer Libya's case to the International Criminal Court; he then ordered his ambassador in the Security Council to abstain. A few days later, Prime Minister Vladimir Putin roundly criticised Medvedev's compliance; he called the Western intervention “a new crusade,” and suggested that the Western leaders should “pray for their souls and ask the Lord's forgiveness” for the bloodshed. Medvedev shot back with a meaningless “don't you dare to speak of crusades” comment, and the pundits made a lot of mileage from this exchange, eager to see daylight between the twain. Before this, the president and the PM had behaved like Siamese twins. Now, it seems they begin to pull apart.

We cannot know what Dmitry Medvedev's actual political views are, but in recent months he has been promoted (by a clique of his advisers) as a pro-Western and pro-liberal alternative to Putin. Such a vision fits the traditional Russian duality of pro-Western vs. Native thinking epitomised by Turgenev and Dostoyevsky; to wit, Russia has always been part of Europe, and yet Russia has always set itself apart. While this might drive a lesser species schizophrenic, the

SHAMIR CONTINUED ON PAGE 2

Flat Out Wrong

How the Guardian Stitched Up Julian Assange

By Guy Rundle

It was the week before Christmas 2010... and the attention of the world was, once again, on Julian Assange, the endlessly fascinating founder of Wikileaks. Following the explosive revelations in the Afghan, Iraq and Cablegate releases, Assange was now in the spotlight for a different reason. The Swedish prosecution service had issued an arrest warrant to call him back to the country for further questioning on four accusations of sex crimes (two of sexual assault, two of misdemeanor “annoyance”), this had become an Interpol red notice, and the U.K. Crown Prosecution Service were now acting on it, serving an extradition process. On December 7, Assange was denied bail. This was granted after two more hearings, with Assange electronically tagged and ordered to reside at the Norfolk mansion of Vaughan Smith, founder of the war correspondents' Frontline Club.

The initial hearing had rocketed the sex crime allegations against Assange back into the public consciousness after a lull since they were initially made in early August, 2010, then partly dropped, then reinstated at the end of August. Debate about the matter still relied on scraps of disconnected information and hearsay, much of it aired on the Swedish libertarian site Flashback.org. Debate around the matter became subject to the Rashomon effect, of multiple accounts: Assange had torn a condom during sex, he had committed sex by surprise, he hadn't called someone back, one of the accusers was a CIA plant, and around and around it went.

Then, on December 17, the day after Assange was finally bailed, all that

changed with the publication of “10 Days in Sweden,” an account by *Guardian* journalist Nick Davies of the events that led to the accusations. Davies had been the first *Guardian* journalist to contact Assange, “who had had sporadic contact with the paper” about the huge tranche of material that would generate the three separate logs. He had also subsequently fallen out with Assange and ceased working with him, after accusing him of breaking deals on exclusivity with the paper. But it was Davies who received the next Assange/Wikileaks bombshell: a copy of the long-form police report compiling interview write-ups and transcripts with Assange, the two women whose report generated the accusations, and a number of “witnesses” – people who were around Assange and the two women over the week of August 13-20, 2010, when the events on which the allegations are based occurred.

Davies was the first non-Swedish journalist to get a hold of the report, copies of which had been circulating among various Stockholm insiders for a few weeks. Two different versions – one with 12 interviews and forensics, another with 11 interviews and no forensics – were circulating; Davies apparently obtained a copy of the latter version. The 28,000-word document then became the basis for a 2,000-word story – which itself became the basis for much of the discussion of the case in the English-speaking world. The *Guardian* was happy to go along with Wikileaks' idea of “scientific journalism,” whereby an article is linked to the document on which it is based; in this case they went old school, and there was no opportunity to check Davies' work.

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Russians have memorialised this health-giving tension in the two-headed eagle of their coat of arms. There is the native head that identifies itself with the non-European world and is strictly against the Libyan war, and then there is the pro-Western head that wants to collaborate with European powers and shares the European system of values, including those that have resulted in the bombardment of Libya.

It is very possible that election time will see Putin challenge Medvedev for the presidency. Will it be a choice between an independent, sovereign Russia going its own way and Russia as a massive oil pipeline guarded by yes-men? So say Putin's followers. Medvedev's clique declares that the choice is between Russia as a legitimate member of the civilised world, and a rogue Russia lost in the wilderness, like Qaddafi's Libya.

So far so good, at the very least it sounds like a real choice; but there is a catch: the double eagle is not a real beast. It is only a dream. Putin is not really pro-native, and Medvedev has not really sold his soul to the West. Both pretend to be what they hardly are. If Putin were a real supporter of Russian independence, Russia would not keep its money invested in U.S. shares and securities. If Putin really cared about the future of Russia,

the profits from the sale of Russian oil would go to repair the country's infrastructure, not simply enrich a few oligarchs. The storybook Putin would never allow Russia's new-found wealth to drain away into the pockets of Londoners like Mr. Abramovich and his Chelsea football team. On the other hand, if Medvedev were a real supporter of Western values, his police would not break up every demonstration, and his electoral commissions would not block opposition parties from entering the fray.

Never forget that Medvedev is Putin's creation, and the former's ability to stand alone is as yet unproven. That is why so many Russians doubt the sincerity of their low-key, high-profile confrontation. The substitution of orchestrated media events in place of real, competitive elections has condemned Russians to democracy: meaning only the phony, "demo" version. Despite having an unrestrained freedom of speech and a near total absence of repression, Russians are unable to elect their rulers according to their own desires. They are free to speak, but their speeches cannot be translated into effective political action.

The man at the helm in the Kremlin isn't elected by the general populace but is selected by insiders, as it was in Brezhnev's days. The rule over post-Soviet Russia passes from leader to leader by some elite arrangement, rubber-stamped by a visibly fake popular vote. Yeltsin came to power by a coup d'état and then used tanks against the elected parliament after being impeached. In 1996, he falsified the elections beyond anything in Russia's history. After that, Yeltsin passed the power to Putin, and Putin has more or less transferred it to Medvedev. The only question left to the pundits in Moscow is whether Putin will allow Medvedev to run again or whether he has decided to take the steering wheel back. Pro-Western liberals would love to see Medvedev lock Putin up and run alone. They are afraid of Putin, but they are even more afraid of free elections with their unpredictable results. They prefer succession.

The people who arrange succession are called political technologists, and they are a breed apart. Russian political technologists were described for a Western audience by the British columnist A.N. Wilson, when he wrote, "Post-Soviet political technologists see themselves as political meta-programmers, system de-

signers, decision-makers and controllers all in one, applying whatever technology they can to the construction of politics as a whole." The Bulgarian political scientist, Ivan Krastev, explained, "A political consultant works for one of the parties in an election and does his best to help that party win; the political technologist is not interested in the victory of his party but in the victory of 'the system.' In other words, political technologists are those in charge of maintaining the illusion of competitiveness in Russian politics."

The use of political technology in the place of real politics has begun to make Russians extremely cynical and fatalistic: *whatever move we make, they have already planned for it and it will be only they who will enjoy the fruits.* Russians have begun to believe that political technologists are practically omnipotent, and this belief has made them very powerful indeed. For this reason, the *éminence grise* of Russia is neither priest nor oligarch, but a political technologist named Vladislav Surkov, a gifted writer and a poet of Russian-Jewish-Chechen stock. Some observers consider him to be the real power behind the cardboard figures of Putin the strongman and Medvedev the liberal. This is the view presented in the bestselling novel *Virtuoso*, by Alexander Prochanov, a man with some first-hand knowledge of Surkov – a rarity, since the great man is media shy. There is a description of Surkov in Wikileaks cable 10MOSCOW184. *

A stage production based on Surkov's novel *Okolonolya* ("About Zero") is now enjoying an extremely successful run in the best Moscow theatres, and is directed by one of the best Russian directors (Kirill Serebrennikov). At \$100 per seat, it is sold out for months in advance. I have seen it – and it is scary, in the Tarantino and Hostel style, but Tarantino never meddled in American politics. In the novel, and in the play, Surkov contrasts the omnipotence of some people with the total impotence of the rest of us. Dmitry Bykov tipped his hat to the writer in his new play *The Bear*, when he says to the protagonist, "I can do with you whatever I wish."

This perfect wave of political technologists, oligarchs, and former security officials has derailed every attempt to bring real democracy into Russian politics. This is a very common complaint of Russian "democrats" (as liberal Westerners are called here). However, they rarely admit

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that there is one reason behind all these political technologies, one reason why the Russians are not allowed to practice political freedoms as they wish and deserve: without all these tricks, the Communists and other indigenous forces would regain a foothold in Russia.

The Communist leader Gennady Zyuganov already said he will run for president in 2012, and a popular Youtube (utilising 2012, the disaster movie trailer) called this vote “an alternative to the catastrophe.” The Communists are still the biggest opposition party, but people doubt they have enough oomph. The Party is too timid, has made too many painful compromises. In 1996 the Communists won the elections, but the same Zyuganov surrendered to Yeltsin’s threats of civil war. People fear he may submit again.

The winning mixture would probably include Nationalists and Christians, beside the Communists, i.e., forces that value Russia’s uniqueness, Russia’s Orthodox Christianity, its native solidarity and strong social compassion. In fact, the mixture could include nearly everyone except the extreme Westernizers. “Le gouvernement est encore le seul Européen de la Russie,” as Alexander Pushkin wrote (in French) to his pro-Western friend Chaadaev almost two hundred years ago, and this saying – “The government is still the only European in Russia” – is still frequently quoted here.

The pro-Western opposition of Khodorkovsky fans, *Novaya Gazeta* readers, and the *Echo Moskwy* listeners is loud and omnipresent, but, in fact, they represent a tiny minority. They front for a plethora of small right-wing parties and groups calling for yet more neoliberalism, though God knows Russia has seen too much of that. They are united by their loathing for the old Soviet system, by their hatred of Putin, by Western grants, and by other financial arrangements with the oligarchs. They speak of human rights, but what they really mean is their own rights. They supported Israel’s bombing of Gaza, and now they support the Western bombing of Libya.

Russia’s pro-native opposition is numerically huge but is in disarray. The regime has successfully broken it up and divided it against itself. The last time it made a strong showing, it was under the charismatic personality of Dmitry Rogozin. In 2005, his very suc-

cess caused his undoing: “Forgetting that he was on a leash, Rogozin began to stray too far and ultimately crossed Kremlin redlines, to the anger of Putin,” in the words of the U.S. ambassador. A secret Wikileaks cable from Moscow (06MOSCOW10227*) explains “Rogozin’s real sin: he stopped playing at being an opposition politician and started acting like one.” Rogozin was the only man capable of scaring Putin: he out-Putined Putin. Soon after, Putin stopped playing democracy and Rogozin’s party was disbanded. After spending some time drifting through the political wilderness, Dmitry Rogozin was eventually exiled to Brussels as the Russian ambassador to NATO, where he was described in another secret Wikileaks cable as “one of Russia’s most charismatic, clever, and potentially dangerous politicians.”

It is just possible that by undoing Putin and trying to achieve a great liberal victory, the right-wing pro-Western forces will rub the lamp of freedom one too many times and free the indigenous genie.

Indeed, only Putin stands between the people’s anger and the fat cats of Moscow. Much as they hate him, would they dare feed him to the wolves even as he protects them? Perhaps they would, hoping to finesse into place a leader they prefer, like Medvedev or Chubais. That would be a very risky play indeed.

On the other hand, procrastination is usually safe, but you never know when Russians will tire of the games and demand the real thing. It could happen. The Navalny phenomenon is an indication of the latent power of the Russian people. Navalny is a blogger and small-time political activist who became famous for attacking the corrupt practices of the ruling party. Political technologists accused him of being a U.S. orange agent aiming to undermine Russian sovereignty and sell out Russia to NATO. These accusations caused him zero harm. In his TV encounter with a leading member of the ruling party, he won hands down: 99 per cent of responding viewers supported him, with just one per cent accepting the story about the bad Western wolf trying to swallow the innocent flock. These Russians, frustrated by the ballot box, voted with their pocketbooks – thousands of Russians contributed a few roubles each to his struggle against the ruling party until they had built up a multimillion-dollar war chest.

It’s not that Russians don’t believe in

Western wolves embodied in NATO and Wall Street, but they have come to the conclusion that their rulers are also wolves – dressed in sheep’s clothing. Russians know that the oligarchs and top Kremlin figures are perfectly integrated into the Western capitalist scheme: they keep their money in the Bahamas, they send their children to Oxford, they own houses on the Riviera and in Hampstead, they own shares in transnational companies. And together with their Western chums, they fleece Russians.

So, Russia is ripe for change. But which way will it go? Will it be another “managed revolution”? Will the regime promote another pro-Western party while blocking the Left, the Orthodox and the nationalists? Or will the pro-native opposition finally sort through its problems, rescue Rogozin from his Brussels retreat, and seriously try to win Russia? We shall see. *CP Edited by Paul Bennett*

*The Wikileaks cables are available to subscribers as an attachment to the current emailed issue. For a printed copy, call 1(800) 840-3683 or email beckyg@asis.com or write to the address below.

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This was a blow to the Assange camp, because “10 Days in Sweden” painted a somewhat darker picture of events than that of simple insistence on condomless sex, or oafishness. The Assange of “10 days in Sweden” was a more physically forceful character, who had torn clothes, and pushed forward sexually in (separate) encounters with two women who had decided not to resist. With no competition, the “10 Days” version raced around the world and became the baseline account of the events.

But that changed in February 2011, as Assange’s extradition hearing proper loomed. A week beforehand, a number of journalists and writers around the world received a tip-off that directed them to the Flashback website, where someone had uploaded the full report. It disappeared mere hours later, but not before it had been multiply downloaded (a full translation into English is now available on the Rixstep website). The opportunity to compare the full report and Davies’ version made one thing clear: even allowing for the necessary contraction of a 90-100-page police report to a 2,000-word article, “10 Days in Sweden” represented a misreporting of the file to such a degree that Davies had distorted the public record of the events in question. Given the intersections of state power, and criminal law in the case, and also the degree to which it has become a focus for debates about sex, law and feminism, it seems pretty vital to re-open the matter.

The accusations against Assange focused on two key encounters: one, on August 13, with the first complainant, Anna Ardin, the organizer of a lecture Assange was giving in Sweden on August 14. Assange was staying at her studio flat while she was away. By the account of both Ardin and Assange in the police report, they then went for a meal and agreed that Assange should continue to stay in the flat while she was there. Returning back there, Davies (based on Ardin’s account) renders the encounter thus: “Her account to police, which Assange disputes, stated that he began stroking her leg as they drank tea, before he pulled off her clothes and snapped a necklace that she was wearing.” According to her statement, she “tried to put on some articles of clothing as it was going too quickly and uncomfortably, but Assange ripped them off again.” Miss A. told police that she didn’t want to go any further “but that it was too late to stop

Assange as she had gone along with it so far,” and so she allowed him to undress her.

This passage was vital, for it formed the basis of one of the two non-misdemeanor accusations against Assange: that of a particularly Swedish charge of “sexual coercion” (somewhere between U.S./U.K. charges of “indecent exposure” and “sexual assault”). In the initial set of accusations, this had not been included – the event had generated only a misdemeanor accusation of *ofredande* (*o-freda*, unfreedom, best translated as infringement or annoyance, usually mistranslated as molestation), based on an allegation that Assange had deliberately torn the condom that he was eventually persuaded to wear. The “sexual coercion” accusations had been added only after the prosecutor had dropped the only felony accusation against Assange – that of “minor rape” (*valdtakt*, better translated as “sexual assault”), leaving only two misdemeanor accusations open against him. To move the event from “annoyance” to

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“sexual coercion” thus required evidence of non-consensual force.

A rough advance there certainly was. But was it consented to, or something other? Davies report omits two key phrases on which that question may hinge. In his version: Miss A. told police that she didn’t want to go any further “but that it was too late to stop Assange as she had gone along with it so far.” However, the report reads: Miss A. told police that *she thought* she didn’t want to go any further “but that it was too late to say ‘stop’ to Assange as she had gone along with it *so far*. (My italics for words omitted by Davies.) Davies’ article has missed out these two clauses in these key sentences. This is clearly vital, because the police report – a write-up of Ardin’s own evidence – is emphasizing that Ardin had felt it was too late to make a decision to discontinue the encounter, not that it was too late to (physically) stop Assange. The consent, by Ardin’s account, was clearly grudging and a way of getting a crappy encounter over with, but consent it nevertheless was.

A second part of the accusation was that Assange had tried to begin full sex without a condom. As Davies has it: “According to the statement, Miss A. then realized he was trying to have unprotected sex with her. She told police that she had tried a number of times to reach for a condom, but Assange had stopped her by holding her arms and pinning her legs. The statement records Miss A. describing how Assange then released her arms and agreed to use a condom...” However, the police report further down reads: “Assange asked after a while what Anna was doing and why she was squeezing her legs together. Anna then told him she wanted him to put on a condom before he entered her. Assange released her arms and put on the condom Anna got for him.” Once again, the omission in Davies’ report is crucial, for the evidence, by Anna herself, that Assange asked why she was squirming and, when told, immediately applied a condom, gives reasonable grounds to believe that he genuinely did not know why Anna was moving about under him – and there was, therefore, no *mens rea*, guilty intent, in his actions. To omit this would be to imply that there is no doubt that Assange knew why she was moving about so, and only put the condom on when full sex could not be forced – an interpretation the police report contradicts.

The second “felony accusation” encounter was with Sofia Wilen, a student/part-time curator who had attended the lecture Assange gave on August 14. Afterward, she had managed to get invited to a lunch for Assange, and they then both spent the afternoon together, with a minor sexual encounter ensuing. On Monday, August 16, Assange went with Sofia to her flat in Enköping, a small town 80km outside of Stockholm. They had a long night of various types of sexual encounter, during which, Sofia would allege in her testimony, Assange was resistant to wearing a condom but finally complied. The next morning, as Davies reports it: “She had awoken to find him having sex with her, she said, but when she asked whether he was wearing a condom he said no.” According to her statement, she said, “You better not have HIV,” and he answered, “Of course not,” but “she couldn’t be bothered to tell him one more time because she had been going on about the condom all night. She had never had unprotected sex before.” Unlike the Ardin encounter, this is

an accurate record of what is included. However, two things are left out. The first is what happened afterward: “She told him what happens if she gets pregnant. He replied that Sweden was a good country for raising children. She told him jokingly that if she got pregnant, then he’d have to pay her student loans. On the train to Enköping he’d told her he’d slept in Anna Ardin’s bed after the crayfish party. She asked if he’d had sex with Anna, but he said Anna liked girls, she was lesbian. But now she knows he did the same thing with Anna. She asked him how many times he’d had sex, but he said he hadn’t counted. He also said he’d had an HIV test three months earlier and he’d had sex with a girl afterward and that girl had also taken an HIV test and wasn’t infected. She said sarcastic things to him in a joking tone. She thinks she got the idea of taking the drama out of what had happened; he, in turn, didn’t seem to care. When he found out how big her student loan was, he said if he paid her so much money she’d have to give birth to the baby. They joked that they’d name the baby Afghanistan. He also said that he should always carry abortion pills that actually were sugar pills.

Several hours after this, and after speaking with friends, Wilen would come to the conclusion that she had been raped. To have post-sexual banter (even the rather strange one described here), and then later decide that the encounter was something else, is not, of course, illegitimate. However, to leave out that event, as Davies did, gives the impression that Wilen was never in any doubt that the encounter was a non-consensual one.

The police interviews with Sofia’s friends rendered this more complex. Davies notes that a friend of Wilen’s (dubbed witness D in the Rixstep translation) had told her that she was only “half-asleep” at the time of the encounter – a state which would remove any possibility of non-consent being alleged. He also notes that police had questioned another friend (witness I) about remarks between Sofia and herself about going to the papers and making money from giving interviews about the events, which witness I claims was “joking.” However, Davies omits this piece of testimony from his record: “When Sofia was at the hospital and went to the police, things didn’t turn out as Sofia wanted. She only wanted Julian to test himself. She felt she’d been

overrun by the police and others around her.”

And Davies’ report, “the full story,” as the *Guardian* describes it, omits the conclusion of Sofia’s own testimony, as reported in the “Interrogator’s Comments”, in which the interrogator writes, “Sofia and I were notified during the interrogation that Julian Assange had been arrested in absentia. Sofia had difficulty concentrating after that news, whereby I made the judgment it was best to terminate the interrogation. But Sofia had time anyway to explain that Assange was angry with her. I didn’t have time to get any further details about why he was angry with her, or how this manifested itself. And we didn’t have time to get into what else happened afterward. The interrogation was neither read back to Sofia nor reviewed for approval by her, but Sofia was told she had the opportunity to do this later.”

Sofia being upset about an arrest warrant being issued suggests multiple interpretations, but it is surely significant when combined with witness I’s remarks above. Especially the fact that Sofia has not yet signed off on the interview record, which leaves its evidentiary status uncertain (the police record was compiled on November 23, 2010; the copy in circulation was shuttled between Assange’s Swedish and English lawyers in mid-January). Therefore, “10 Days in Sweden” failed to make clear the ambiguous nature at the heart of the allegations themselves – instead conveying a narrative with all contradiction removed. It was an approach, which continued in the way in which Davies dealt with the eight witness statements contained in his version of the report. The eight witnesses were two female friends of Anna’s, one Wikileaks associate, three friends/colleagues of Sofia’s, Sofia’s brother, and also her ex-boyfriend.

Representing 60 pages of witness testimony in a small report still requires that one give an accurate reflection of

the character of the report. In this case, what comes across is that of conflicting testimony, multiple states of mind, and revised opinions. In his recent reports on the U.K. “phone hacking” scandal, Davies does this well, bringing the full complexity to the surface. However, several examples demonstrate that it’s something he failed to do in “10 Days in Sweden.” For example, on Saturday afternoon, August 14, the afternoon following the lecture (the day after the allegedly coercive sexual encounter had taken place), Ardin had organized an evening “crayfish party” in Assange’s honor, at her apartment. Two of Anna’s friends attended (witnesses A and C). Their testimonies gave an account of Anna’s remarks to them and the situation open to multiple interpretations. They told the police that Anna had initially denied having sex with Assange, had then confirmed she had but that it was bad; she told one she didn’t fear Assange but also that the sex had been violent (*valdtakt*). She said she did not feel “sure of herself”/“safe” around Assange (the Swedish word is *trygg*; Davies’ report renders this as “safe,” which ignores its ambiguity), but she also said that her friend (witness C) could, sexually speaking, “have Assange if she wanted” (the witness records that Assange tried to go home with her that evening but was rebuffed). One of these witnesses noted that Assange and Anna looked like a natural couple, but also that she later felt she had not picked up on how negatively Anna was portraying the sexual encounter when she described it.

The statements, thus, present multiple ambiguities and contradictions. None of this contradiction and complexity makes it to Davies record, which simply notes, “That evening, Miss A. held a party at her flat. One of her friends, “Monica,” later told police that during the party Miss A. had told her about the ripped condom and unprotected sex. Another friend told police that during the evening Miss A. told her she had had “the worst sex ever” with Assange: ‘Not only had it been the world’s worst screw, it had also been violent.’”

Davies’ report is equally one-dimensional in recording the testimony of a witness whom Davies calls “Harold,” and who is witness F in the Rixstep translation. He is a Swedish journalist who has had some involvement with Wikileaks and Assange in Sweden for a couple of years. His testimony is one of only three

in the full police record that is a transcript rather than a prose summary by police. F's long testimony ranges over the whole of Assange's visit in Sweden, and his relationship to the Swedish left network, of which F and Ardin were a part. Davies conveyed him as granting credence to Anna's account of the first encounter: "Harold'/F told police Miss A. called him and for the first time gave him a full account of her complaints about Assange. Harold told police he regarded her as 'very, very credible' and he confronted Assange, who said he was completely shocked by the claims and denied all of them."

This is a complete distortion of F's account. Witness F made clear that the dilemma he was facing was that he was receiving multiple and different accounts of a single event, from two people he trusted, as this long passage demonstrates: "WF: 'Uh, but then I think that, that I think she's [Anna] credible. And a bit like this, a woman who is in trouble you want to believe, in some way like that OK, it's like..' MG: 'Hmmm.' WF: 'Uh, yeah, so that was my feel, direct feeling.' MG: 'Hmmm.' WF: 'And yeah, but at the same time when, have, I got this thought, how could they have sex, consensual as she described it, so then something happens which she says is an assault, how could she gleefully arrange crayfish parties, let him go on living there, share her bed with him, and so forth. So I felt that here, here is something here that doesn't add up. So, I had both the feeling of her as a credible person, but that something nevertheless didn't add up in her story.'"

There is a great deal more in witness F's statement to make clear that he had doubts about Anna's story, and also about her changing accounts of whether Assange had committed a crime against her (he is also bemused by Assange's handling of the situation). None of this makes it into the *Guardian* record.

It is all the more questionable when you examine how responsibly Davies treats legal complexity and ambiguity in other matters that he reports on, such as the U.K. News Ltd "phone hacking" case, involving the *News of the World* which he has been covering for a very long time now. Selecting any of his hundreds of stories on the affair reveals a desire to show how contested and multivocal the matter is. A recent long series of articles on the evidence of senior police officer John Yates to the U.K. Parliament on the mat-

ter is a welter of complexity and multiple accounts, all put on the page. It's a standard that wasn't applied in the Assange case. Lingering over the minute details of several sexual encounters half a year ago verges on the squalid, yet it matters for two reasons. Firstly, Davies' account became the "account of record" for many English-speaking readers, and its misconstructions and omissions rendered a far more negative portrait of Assange than the actual police file describes, inevitably suggesting to many that he had far more of a case to answer than he did. But it also showed that much of the speculation about the case – CIA involvement, police tampering, etc. – was less pertinent than the core question as to whether there was even a case to answer. Though the *Guardian* included comments by Julian Assange's legal team regarding the material, these were for the most part pro-forma comments recording non-agreement with the account that had been drawn from the complainants' statements.

By the time that a police file fell into Davies' hands, the *Guardian* and Wikileaks had long since fallen out, with each side advancing a different argument about exclusivity arrangements. As part of that schism, Davies and Assange had also fallen out personally. By Davies' own estimation, it was the only time he had broken off relations with a source in four decades of journalism.

To avoid the charge that the *Guardian* was of a disposition to do a hit job on the beleaguered Assange [a charge that could certainly be leveled against the story on Assange written by the *New York Times*' editor, Bill Keller, who cites corroborative support from the *Guardian* as he prepared his onslaught. AC/JSC], it is reasonable to suggest that Davies should have recused himself, and that the report on the Swedish police file be written up by a journalist wholly uninvolved in the paper's relationship with Assange in the preceding months. As things stand, the *Guardian*, to whom Assange and Wikileaks had given huge and profitable scoops, repaid him by misreporting a Swedish police file, to his very substantial subsequent detriment. CP

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"The traditional left and right parties are largely discredited"

The Rise of Marine Le Pen

By Larry Portis

The French political party Front National (FN) is garnering results that confirm polls giving its new leader, 42-year-old Marine Le Pen, and the party generally an impressive surge in voter support. This is the message from the two rounds of cantonal elections (the cantons are administrative districts within each of the 80 French departments) held on successive Sundays – March 20 and 27. Although it can be said that the FN benefited from a record low in voter turnout (45 per cent of registered voters) and that it still trailed behind the two major parties – 11.73 per cent compared to 35.75 per cent for the Socialist Party and 20.24 for the ruling Union pour un Mouvement Populaire (UMP), the fact remains that the FN has clearly emerged as a force to reckon with during the year before the two rounds of the presidential elections in 2012 (April 22 and May 6). Moreover, these figures are deceptive in that the FN was not represented in 300 of the 1,566 cantons.

The gains made by the Front National in France under the new leadership of Marine Le Pen can be explained in different ways. The most evident is the failure of the traditional French Right, now incarnated by the UMP, to navigate between a nationalistic rhetoric with racist overtones and the claim it represents the whole population.

Much of the problem stems from Nicolas Sarkozy. This president has not been able to dissimulate his insatiable appetite for recognition and power and his allegiance to the wealthy and powerful, often expressed by a cynical appraisal of people in general, including members of his political clan and even the oligarchs whom he serves.

Secondly, Marine Le Pen – as president of the Front National, has eliminated factional tensions and, thus, strengthened her party. By pushing the old guards to the sidelines – including her father, Jean-Marie Le Pen, the former

president of the FN party – she has been able to give the Front National a more moderate and, thus, respectable image that has quickly erased, in the minds of many people, any fundamental difference between the FN and the UMP. In addition, Marine Le Pen has mastered the art of televised interviews: she is serene and reasonable, which is in great contrast to Sarkozy's permanent state of arrogance supplemented by nervous tics. Moreover, Marine Le Pen is now advised by people from diverse political tendencies, apparently attracted by her party's new popularity. These people have impressive university and administrative credentials and do not differ from those in the other parties.

Nevertheless, the question remains whether the French Front National is now or will be a fascist party. Given its lineage, it can be argued that the FN, with its origins in the Poujadist movement of the 1950s – a national populism similar to or even a continuation of such movements of the 1930s – is a variant of a proto-fascist party organization. However, the FN has always been careful not to approach a neo-Nazi orientation, although its relations with those who do profess such ideas have always been close. Still, Jean-Marie Le Pen, president of the FN since its creation in 1972 and until his daughter's election to the same post in January 2011, was notorious for his apology of Nazi crimes. For him, the use of gas chambers during World War II in the destruction of the Jews was a mere "historical detail," and the Nazi occupation of France was "not particularly inhumane."

At the present time, the FN is taking great pains to present young and "fresh" candidates – to good effect, although the *Canard enchaîné* (March 30, 2011) investigated some of these candidates and found that some are linked to neo-Nazi, anti-Semitic groups – one of these same candidates was described simply in *Le Monde* (March 24, 2011) as "a blond with a fetching smile."

The FN has consistently focused its program on what the party considers the noxious presence of foreigners – meaning Arabs – who have taken jobs from French workers. Twenty years ago, the FN used a poster stating, "3 million unemployed – 3 million foreign workers. What is the solution?" – which was a copy of a slogan used by the Nazis before their rise to power. The term "fascist" is,

of course, avoided, but, despite rhetorical differences congruent with a greatly changed political and economic context, the FN has tread lightly but consistently in the footsteps of those who innovated what Hannah Arendt called the "New Right" of the interwar period – fascism.

Since Marine Le Pen has assumed leadership of the party, there has been a significant change: she has apparently renounced the "neoliberal" ideology of the past and calls for more aggressive state intervention in social and economic relations. Moreover, she calls for "social" programs in order to protect the popula-

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tion against the negative effects of global capitalism and its dysfunction. During the recent elections, Marine Le Pen's support for the demonstrations against the regressive reform of the retirement system and her criticism of the social consequences of the European Union were worked by FN candidates to good effect. To cite one of many examples, as reported in *Liberation* on April 1, Guillaume Vouzellaud, the 42-year-old general secretary of the FN in the department of the Hérault and candidate in the elections, explained that his party was running on the following themes: "Social justice, defense of accessible public services, and the protection of salaries against unregulated capitalism."

What Marine Le Pen has done is to present the FN as more Gaullist than the UMP, thus attracting dissidents from the strictly neoliberal orientation of Sarkozy's UMP. The present nostalgia for Charles De Gaulle, and even for Jacques Chirac, makes this ploy profitable, and Sarkozy cannot use it. A significant indication of Le Pen's Gaullist orientation is her opposition to military intervention in Libya and Afghanistan, just as Jean-Marie Le Pen opposed the war against Iraq. Mainstream analysts are now start-

ing to wonder whether the FN will supplant the UMP as the largest right-wing political party in France.

This thought was borne out almost immediately as members of the UMP began to openly criticize Sarkozy's leadership. "We have to stop running after the Front National," said one. The formulation is inaccurate but significant, because Sarkozy's policy was never to run after the FN, but rather to undercut it by stealing its stock in trade: raising the red flag of out-of-control immigration and its deleterious consequences for the French economy and French identity. There is absolutely nothing innovative in this ploy: both the Socialist Party and the traditional right parties – the UMP and its predecessor, the Rassemblement pour la République (RPR) – have been doing it in one way or another for 30 years.

But thirty years of devious manipulations is perhaps bound to have, ultimately, perverse effects. The present situation, carefully if stupidly orchestrated by Sarkozy, is entirely beneficial for Le Pen and the Front National. What Sarkozy and his gang have done is to legitimize the xenophobia of the fascistic right, while the Socialists continue to flounder in the morass of opportunistic consensualism that has been their strategy ever since the break with the "anti-capitalist" line that had ushered François Mitterrand into office in May 1981, and that he jettisoned definitively two years later.

In effect, the French Socialist Party became another right-wing party in its dedication to free-market ideology, acquiescence to the cynical machinations of "The Florentine" (Mitterrand) and its "realistic" cant that cut the party off from meaningful contact with any popular base. Inclusion of members of the Communist Party in Mitterrand's first ministerial cabinet had the effect of equally disillusioning the working-class constituency of the French Communist Party. It was in the 1980s that working-class voters began to desert the French Communist Party and support the Front National.

It was at this point that Mitterrand threw off the Communist Party in favor of weakening the RPR. He introduced "proportional representation" in elections for the National Assembly, thus allowing members of the Front National to enter in greater numbers. This tactic was calculated to weaken the traditional Right by dividing it and, thereby, to strengthen the Socialist Party. By 1986,

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a successful book titled *La Deuxième droite* (The Second Right,) by Jean-Pierre Garnier and Louis Janover, announced that the Socialist Party should not be considered a Left party at all.

And so the story continued. Like New Labour in Britain and its assiduous champion Tony Blair, and the DLC-led (Democratic Leadership Council) right turn of the Democratic Party in the U.S.A., under the triangulating Bill Clinton, the French Socialist Party tried to outdo the Right as flunkey to the take-back program of the moneyed classes. The Socialists outdid themselves and the Right in privatizing the nationally owed and managed industries, banks and services.

At the present time, and this is also an element in the process, Marine Le Pen refuses to describe the FN as right wing, calling it “neither Right nor Left.” Here she is in conformity with fascist organizations in the past. A fascist party and movement cannot accept the labels “right” and “left” because its vocation is to appeal to the popular classes while serving the interests of the capitalist oligarchy.

Added to all this is the fact that the major labor unions in France have been largely integrated into the structure of state power and no longer present any coherent political, anti-capitalist vision. That members of the FN have infiltrated the Confédération Générale de Travail (CGT), Force Ouvrière (FO) and other labor unions should not be a surprise. And now is the time for them to declare there is no contradiction if members of the FN are in labor unions. In fact, it will be logical that the FN assumes a more radical position than the leaders of the labor unions. In part, this is the logical culmination of the FN’s long-standing celebration of the memory of Joan of Arc on the First of May, also the workers’ holiday. On March 28, Fabien Engelmann, 31-year old secretary of the CGT section of public employees in the town of Nilvange (Moselle) and candidate for the FN in the recent cantonal elections, was suspended as union representative. Engelmann, former member of the left parties Lutte Ouvrière (Workers’ Struggle) and Nouveau Parti Anticapitaliste (NPA), explains: “the Left has betrayed workers,” and “in a week or

two dozens of union members like me are going to ‘come out’ because they have realized that the FN is not the devil and that Marine Le Pen defends social programs better than Olivier Besancenot [leader of the NPA].”

In this situation, the FN is now in a very advantageous position. Although it, too, has no solutions, like fascist parties in the past, it can claim to represent an alternative to working and middle-class people who are the most threatened by rising unemployment, declining living standards, and the privatization of state services and destruction of social programs. If the economy continues to weaken, the FN can pose as a providential savior. If and when this happens, an alliance between the FN and capitalist oligarchs could result in an even more dangerous restructuring of social relations and political institutions. **CP**

Larry Portis is the author of *Qu’est-ce que le fascisme?: Un phénomène social hier et aujourd’hui* (What is Fascism? A Social Phenomenon Yesterday and Today,) 2010, and has just published *American Dreaming: A Novel*. He can be reached at larry.portis@orange.fr