

WISCONSIN FILM FESTIVAL

Secrecy at the 2008 Wisconsin Film Festival

Bill Lueders on Monday 04/07/2008 3:30 pm , (8) Recommendations

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In late 2005, some monkeys were killed at the UW-Madison. A technician accidentally left them in a cage washed with scalding water. The U.S. Department of Agriculture, which oversees the Animal Welfare Act, fined the university a hefty sum.

When I heard of this fine, in July 2006, I made requests for the records, from both the UW-Madison and the U.S.D.A. The UW complied within hours. This January, after 18 months, I got a letter from the U.S.D.A. It said my request was still pending and would be dismissed, unless I renewed it.

This story, which I've told audiences in my capacity as president of the Wisconsin Freedom of Information Council, underscores the relative openness that exists here compared to the culture of contempt for the public's right to know that pervades Washington.

That culture is the subject of the documentary *Secrecy*, which Meg Hamel, director of the Wisconsin Film Festival, personally introduced "I hope we can bring this film back to the city," she said.

Secrecy is not a long film (less than 90 minutes), but it's such a vast topic that you sense the filmmakers bit off more than they could chew. It deals primarily with the pursuit of secrecy in the service of national security, beginning with the Manhattan Project. This will to concealment relaxed in the 1990s, only to get a fresh jolt of adrenalin from the events of 9/11.

One recurring story line, which could have been a documentary in itself, concerns a U.S. military plane that crashed in 1948, while on a "secret" mission. Nine men were killed. When the military refused to release the accident report, some of their widows sued. The case, the United States v. Reynolds, went to the U.S. Supreme Court, which not only bought the government's argument that releasing this record would jeopardize national security but held that merely asserting such a claim was enough to block access.

The case, which created a State Secrets Privilege, has been cited in hundred of subsequent rulings. But when the accident report was declassified in 2000, it was found to contain no sensitive national security information; rather, it showed that the military made a series of serious airplane-maintenance errors that resulted in the crash.

Beyond this slice of history, Secrecy goes back and forth between talking heads who argue that national security demands keeping secrets and those who say excessive secrecy makes the nation less safe. One source opines that media leaks have led directly to hundreds of deaths -- a claim that is neither substantiated nor refuted.

Another source, one more favorably inclined toward openness, points to a line in the 9/11 Commission Report which speculates that the attacks may have been postponed if the media had reported on the arrest of Zacarias Moussaoui, the so-called 20th hijacker. This, too, seems untrustworthy.

The critics of secrecy outnumber the proponents, and the point gets clearly made that secrecy is subject to abuse. The Bush administration is exposed for its opportunistic use of national security claims, to avoid oversight and extend executive power. And Lt. Commander Charles D. Swift of the U.S. Navy, who fought the administration on detainees rights, calls for the courage to stick to one's principles, "even when you're scared to death."

But what's missing from the film is any sense of the depth and pervasiveness of official secrecy, how much of it serves no arguable purpose at all. It's just a way for people in power to snub their nose at the people who pay their salaries.

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