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This Transparency

> *A fear haunted the latter half of the eighteenth century: the fear of darkened spaces, of the pall of gloom which prevents the full visibility of things, men and truths. It sought to break up the patches of darkness that blocked the light, eliminate the shadowy areas of society, demolish the unlit chambers where arbitrary political acts, monarchical caprice, religious superstitions, tyrannical and priestly plots, epidemics and the illusions of ignorance were fomented.*
> —Michel Foucault, "The Eye of Power"

Each era gets the transparency it deserves. If a particular set of fears, concerns, and political-philosophical desires mobilized metaphors and material practices of *enlightening* in the seventeenth and eighteenth centuries, today's dominant transparency is decidedly post-Enlightenment. Such a framing is only useful if we understand the prefix "post-," as with terms such as *post*modernism or *post*humanism, to indicate a "working through" rather than a linear temporality or rupture. We are still working through what was and is at stake politically and socially in the values and ideals we designate as the "Enlightenment project." Indeed, transparency's ascendance today tells us that we are still caught in the Enlightenment's clutches—thinkers are still assessing which elements are worth taking forward and which are too sullied by an association with a notion of the subject bound by a metaphysics of presence; a liberal humanism that threatens to essentialize and constrain; or a dogma that privileges rationality and reason over ethics, with devastating consequences. Grappling with such questions, performing this "working through," a new, necessarily interdisciplinary field of academic study, with its own publications, courses, and conferences, has grown around the concept and practice of transparency today.

Despite the pressing concerns raised by the historical record, philosophical enquiry, and scholarly critique, the fervor for light that we can identify at the heart of the Enlightenment animates still. So pervasive is the commitment to transparency in public life that even the Freemasons have recently declared a commitment to "open and

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transparent" discussion in anticipation of their tercentenary in 2017.[1] In the arena of public administration, transparency is championed as a means to foster communication between different state actors *and* between state actors and citizens. The rationale for the former is greater efficiency; for the latter, greater accountability. The appeal of transparency resides in the fact that it is a seemingly simple, often technological solution to complex social and political problems. Hence, Barack Obama's first move as president was a commitment to being the most open and transparent administration in history.[2]

Despite Obama's claim on transparency, the desire for and belief in the transformative properties of light belongs to neither Left nor Right. Transparency is, in this sense, pan-ideological.[3] In the US and other liberal democracies, for example, government transparency is supported by a libertarian strand of the Right because it can be used to make a case for smaller government and appears to redistribute agency from government towards citizens. The liberal Left also supports transparency because they see it as a tool to expose inequality, facilitate regulation, and promote freedom of information. Even if it is not particularly mobilized by transparency, the political center cannot afford to be "against" it because of the message this would send. All mainstream political parties in liberal democracies recognize that transparency has become synonymous with democracy, used to uphold accountability and instill trust.

While transparency is pan-ideological in the sense that no mainstream political party owns transparency or can afford to ignore transparency with regards to its own actions, the dominant form of transparency today *is* shaped by a recognizable discursive assemblage that we could call ideological. The promise that light will dissipate ignorance, irrationality, abuses of power, inequality, and crisis has been predominantly co-opted and repurposed in the twenty-first century by framings that seek to rationalize and optimize commerce and labor; promote free market flows of capital; normalize forms of governmentality that outsource oversight to citizens while subjecting them to mass surveillance; confuse the social and economic value of open data; and prioritize confessional popular culture and social media that offer empty empowerment over real agency. Let us take a closer look at these discursive contexts.

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Taming Transparency

First, we can turn to the way transparency is mobilized as a corporate organizational strategy and brand. Popular managerial literature, such as *The Naked Corporation*, recommends that businesses take a proactive rather than reactive role in the new era of transparency.[4] The authors, Don Tapscott and David Ticoll, argue that controlled transparency is by far preferable to falling victim to enforced transparency in which the company loses control of the information and messages disseminated. In this guise, then, transparency is an attitude towards internal and external information management adopted not only because other models underestimate the vulnerability of information in the digital age, but also because "being transparent" might be more attractive to stakeholders. The idea is to harness and control transparency, but in doing so, also accrue public and investor approval (or what I call "transparency capital") for transparent operations, in much the same way as companies accrue credit for Corporate Social Responsibility, Fair Trade, or equality and diversity programs. Transparency becomes a signifier of forward-thinking, technologically savvy, innovative businesses that take their investors, employees, and critics seriously.

From inside organizations, transparency measures, of course, can feel very different. While in theory they can empower from the bottom up, they can also be experienced as disciplinary tools. Inventories legitimized through the project of transparency might rationalize labor in ways that marginalize those factors that are harder to quantify. An audit culture in hospitals, for example, could privilege waiting times over other experience-enhancing factors such as the well-being of, or good working conditions for, doctors and nurses; in school league tables, it could mean focusing on exam results over community work, music programs, or counseling services. Transparency regarding performance in one area that is seen to be key might divert money away from less visible, but equally important, aspects of a business or service. As public-private partnerships become commonplace, the imperative for profit no longer pertains only to the private sector, and so processes of rationalization in many different organizations prioritize market share over other markers of success. Audits, then, are carried out using criteria that have been determined by less-than-transparent, ideologically informed agendas.

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The second discourse I want to turn to is a geo-economic variety that situates fiscal transparency as a necessary condition for the stability of free market economics. To this end, intergovernmental organizations like the International Monetary Fund, World Trade Organization, and World Bank require adherence to information disclosure from participating states. Writing for the IMF, Kopits and Craig discuss transparency as

> *openness toward the public at large about government structure and functions, fiscal policy intentions, public sector accounts, and projections. It involves ready access to reliable, comprehensive, timely, understandable, and internationally comparable information on government activities so that the electorate and financial markets can accurately assess the government's financial position and the true costs and benefits of government activities, including their present and future economic and social implications.*[5]

Trade agreements and financial aid become dependent upon the timely publication of fiscal reporting with the intention of making the world hospitable to liberalized, stable transnational flows of capital. In so doing, a certain normative economic framework is created.[6] Advocated by advanced economies, fiscal transparency is positioned as a universally acknowledged norm, when in practice, norms are always applied inequitably.[7] The risk here, of course, is that openness might only make structurally inequitable systems work more efficiently.[8] A third element of this contemporary transparency assemblage is a structuring contradiction at the heart of much statecraft today. In the "developed world," governmentality seems to be in thrall to technologies of both open government and covert surveillance—to open data initiatives and covert data capture and mining. This means that governments are encouraging citizens to become "data subjects" by making an unprecedented amount of data easily accessible through digital technologies. One minute after President Obama came into office on January 20, 2009, for example, a new website, data.gov, came to life. A memorandum released soon after expressed a commitment to transparent government and promised to develop recommendations concerning transparency, forming the Open Government Directive eventually issued on December 8, 2009. The directive required government departments to publish more information online, improve the quality of that information, and "institutionalize a culture of open government."[9]

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Data.gov is intended, as the website claims, to "increase public access to high value, machine readable datasets generated by the Executive Branch of the Federal Government."[10] The site currently contains over 450,000 raw and geospatial datasets, over one thousand data tools, and involves 171 agencies and subagencies. Datasets include those pertaining to agriculture, finance, climate, manufacturing, science, and research and business. It is a trend that has spread around the globe. The Open Government Partnership now has sixty-five participating countries, and, according to data.gov, forty-six countries now have open data portals.[11]

The securitized state's reliance upon "dataveillance" means that at the same time we are given agency to monitor government, we are also imagined as data *objects*. The programs revealed by former NSA security contractor Edward Snowden produce an understanding of the citizen not as a political agent, but as contributing to an evolutionary algorithm designed to identify any minority anomalies. While the deleterious effects on privacy form the focus of protests, the offense here is perhaps less the intrusion into personal space and more the configuration of individual political agents into flat data to which the state is indifferent except in rare cases. It's not that we are being spied on that is of most concern, in this view, but that unless our actions are flagged up as extreme outliers, we are not considered fully formed political subjects worthy of anything more than bolstering an algorithm for data analysis.

When we read the vigilant data "subject" alongside this surveilled data "object," we can begin to see that despite the apparent contradiction, they share a demarcated sense of agency. It is easy to recognize that agency is curtailed by mass dataveillance, but how so with open government data? At the most obvious level, open government data portals outsource auditing and monitoring to committed netizens. If the data on offer is meaningful in terms of government accountability, it "responsibilizes" us, making it our fault if anomalies or malfeasance are not spotted. But aside from offering responsibility without power, open government data demarcates agency in other, more complex ways.

While Gilles Deleuze's essay "Postscript on the Societies of Control" predates the transparency assemblage I am concerned with here by several decades, it can help us to understand the

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way in which forms of emancipation can become configured as control.

This short essay revisits Foucault's disciplinary societies in order to show the changing nature of capture. The control implicit in environments of enclosure (like the prison, the hospital, and the school) has now, according to Deleuze, become dispersed and free-floating. Think of the offender electronically tagged; telephone and online health services such as the UK's (now defunct) NHS Direct; or long-distance e-learning. All point to very different encounters with control. In terms of government transparency in the form of open data, we can see how in opening up government, making its boundaries porous through open data, outsourcing, and responsibilization, data-driven transparency ensures that the business of governance (and citizenship) is without boundaries or end. The state might become "smaller" inasmuch as it outsources much of its work to the market, but at the same time, open data and the apps created from it create a ubiquitous presence for government. Deleuze writes about the corporation, which has replaced the factory, becoming "a spirit, a gas."[12] Can we say the same for contemporary forms of transparent government? Rather than less governmentality and control, such forces operate in different ways—managing the conditions of our access rather than just confinement. The emancipatory qualities of open government data initiatives involve control because of the continuous "vigilance without power" required of citizens, as well as a submission to market logic, which is necessary, I will argue below, to complete the democratic contract.

Though open government data portals call upon vigilant armchair auditors to complete the circle of democratic accountability, they are really aimed at "datapreneurs." In its rhetoric, the state might imagine an ideal active data subject, but in practice it acknowledges that expertise is needed to make data user-friendly. This is why open government data (data that is usable by both humans and machines) is configured as a resource ripe for fuelling commercial applications and visualizations. Accompanying the identification of data as an endlessly renewable resource in the newly christened "data economy" is an ebullience heightened by post-crash hopes for recovery. Transparency is a key part of this economy, as it is the moniker under which open data streams are made available. Much has been made of existing and potential revenues from such

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data. For example, with respect to the European Union economy alone, the direct impact of open data was estimated in 2010 at €32 billion.[13] This is why 2014 saw the EU commit €14.4m to open data initiatives modeled on the UK's Open Data Institute. In terms of the US market, McKinsey estimates that "Open data can help unlock $3–5 trillion in economic value annually across seven sectors,"[14] including education, health, transportation, and consumer products. Transparency's social/civic value is trumped by its economic value. When Obama appointed his US Presidential Innovation Fellows to "unleash data from the vaults of the government as fuel for innovation"[15]; when governments run "datapaloozas" or "app jams"; when the UK Cabinet Office declares that one intention from the data released as part of its Transparency Agenda is to support the development of "social entrepreneurs"[16]; or when the fifth principle of the G8's Open Data Charter is "Releasing Data for Innovation,"[17] transparency is positioned as an economic rather than just a social "good."

When open government data is turned into commercial products—user apps and interfaces—the rationality of the market extends to the democratic contract between representatives and the represented. We become reliant upon the market to close the circle of democratic representation and the accountability upon which it is based. We need private enterprise to translate the state's statistics into meaningful coordinates on a map we *want*, and in most cases *need*, to navigate. We want to know the crime statistics in an area we are thinking of moving to; the risk of an MRSA outbreak in a particular hospital before being admitted; pollution levels in the ocean before we swim. These are all datasets that easily find their way into commercial applications because they pertain to our everyday lives in obvious ways. Apart from a few developed by single-issue lobbying groups, charities, and NGOs, we are less likely to find digital applications concerning issues such as child poverty, party funding, homelessness, tax evasion, social security, or the global arms trade, to name a few. Such datasets are not immediately *useful*, but they are deeply political and necessary if we want to hold politicians to account and challenge inequality. Conditions of profitability therefore decide what data will become available to all in meaningful forms and determine the scope of politics.

Lastly, at the level of popular culture, we find various messages encouraging personal transparency and openness in ways that

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collapse the externalized record of a life and our interior experience of it. Take, for example, the confessional subjects on *Oprah*—celebrities from Lance Armstrong to Rihanna—talking about wrongdoing or personal pain. Such confessions are conducted according to a narrative of "moving on" and "healing," and a moral logic that positions secrets as a corrupting force. These messages are reinforced by social media, like Twitter and Facebook, that are in need of constant, often personal content. The error here is in generalizing the highly controlled space of psychoanalysis in which "talking" can only be said to "cure" inasmuch as it provides the medium through which transference and countertransference can be revealed and worked with. That is to say, the "talking cure" doesn't work because it consists of talk per se, but because in the frame of the confidential relationship between an analyst and analysand, the silence, affect, and emotion that *accompanies*, perhaps even *interrupts*, talking, provides access to unconscious wishes and fears. The current, careless imperative to reveal everything and anything, the assumption that communication is always healthy, decontextualizes expression, removing it from the realm of relationality between self and other so key to therapeutic forms of "confessing."

In a different cultural era Theodor W. Adorno expressed revulsion at a watered-down version of psychotherapy to be found in American popular culture and life. He bemoaned the tendency to transform "the painful secrets of individual history ... into commonplace conventions." A culture invested in sharing and analyzing the self in this way could only, he warned, produce "ready-made enlightenment."[18] Today we understand, reveal, and encounter selfhood through multiple popular forms: reality television, which is television's dominant genre; social media sites that encourage us to share; and self-quantification applications that enable us to amass data about our habits and health with an imperative to capture the big picture. Perhaps the reason why the recent NSA revelations caused relatively little protest in the US (at least given the scale of the surveillance revealed) is that many of us already understand ourselves as thoroughly surveilled subjects (by ourselves and others). In fact, many of us, through exposure to and engagement with the different interpolating messages and technologies outlined above, consume, enjoy, and take pleasure in the revealing and surveilled self. We are taught to like being watched, to aspire to the status of celebrity. Personal transparency, in this way, is a form of popular culture that balances Foucauldian

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Stealth Reconstruction: An Untold Story of Racial Politics in Recent Southern History

May 22, 2012, by Glen Browder

subjectivation (how the subject self-forms) and subjection (how the subject is formed).

Not one term can be used to describe the political formation that this assemblage of discursive and material practices gives rise to. When transparency is critiqued, it is often done so for being conducive to the tenets of neoliberalism. While transparency does indeed, as I've shown, facilitate free market economics, rely upon the market to make the data offered through transparency meaningful, and place the responsibility upon citizens to monitor, navigate, and access the state in certain cases, "neoliberalism" cannot quite encompass the range of messages on offer in the disparate practices identified. For that, Deleuze's "control society" is of more use, for it can help us to think of these various elements as modulations of control and capture determining experiences of politics and subjectivity.

Transparency Bites Back

We might, as I suggested at the beginning, *deserve* this transparency assemblage, but do we *want* it? Answering this question in the negative means having to envisage a form of transparency that would give rise to, or at least support, a different social and political settlement. Such a task requires us to be open about the concept and practice of openness in order to think through what a radical transparency would look like.

In business schools, "radical transparency" refers to an organization that implements total openness at all levels of operation —something not far from that organization imagined by Tapscott and Ticoll. I want to appropriate the term as one that can point to a shift in politics rather than scale. In doing so, I want radical transparency to have an effect beyond the prescribed role that revelations usually have within the public sphere. The mediated nature of revelations and how they are subsumed by communicative capitalism mean that the political system and dominant ideology are left undamaged (and even sometimes renewed through the suggestion that bad elements have been expunged). In contrast, a more radical revelation "has to go beyond the mere telling of secrets and become real acts of what we might call ... 'publication,' or 'publicity,'" which involves the politicization of an event or issue—making them objects of debate, discussion, and intervention.[19] Without this, revelations

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can always be used to bolster the system, and we risk structural repetitions under the sign of difference.

Could WikiLeaks provide a model for such a "radical transparency"? WikiLeaks trades in instances of forced rather than voluntary acts of transparency—leaks that place in the public domain data and information that alters the political stakes, reconfigures the parameters of the known and unknown in ways that have the potential to prompt change. However, WikiLeaks has continuously been framed, and I would argue *contained*, by Julian Assange's own insistence (albeit for legal and strategic reasons) that WikiLeaks is a media outlet. When Assange makes statements such as, "The swirling storm around WikiLeaks today reinforces the need to defend the right of all media to reveal the truth," the singularity of WikiLeaks is underplayed in order to seek the legal protection offered to more traditional print media.[20]

What might be most radical about WikiLeaks is that it reminds us that there are other versions of transparency in which we can invest. Rather than describing what WikiLeaks *is*, "radical transparency" might instead be a term for something yet to arrive. "Radical transparency" would have to challenge the ways in which we are positioned and how we understand ourselves to be surveilled data objects. It would have to perform a mode of revelation not aligned with cultural, economic, and political forms of neoliberalism. It would need to politicize data, transparency, and openness in general—to ask what role revelation should play in democratic representation.

In terms of technology, "radical transparency" might give rise to platforms and programs that can provide more context for open data—stating explicitly the value of open data (to whom or what), or the conditions under which it was collated. It might involve communications technologies that enable large-scale sociality to ensure that transparency is horizontal rather than top-down.[21] A radical transparency would have its eye on the structural inequalities behind the digital divide and technological literacy, rather than assuming that making data available, or transparency in general, is political in and of itself.

There is, however, another way of approaching this question of the radically transparent, for being truly open about openness might lead us in the opposite direction—towards secrecy rather than

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transparency. Like transparency, of course, secrecy has particular meanings in contemporary society. The concept today carries with it the negative values it has accrued from the Enlightenment logic with which I began: it signifies malfeasance and is assumed to be undemocratic. As a political practice, the state legitimizes only its own uses of secrecy—justifying it in terms of national security. Indeed, we talk of having a right to privacy, but what would it mean to imagine a right to secrecy?

The Martiniquan philosopher Édouard Glissant has done just this. A "right to opacity" is, for him, the right to resist stepping forth into and being rendered transparent by a gaze that "constructs the Other as an *object* of knowledge."[22] It means not being available to being understood according to a universalist, dominant, Western filial-based logic. While many progressive steps have been made under the sign of "difference," it too can delimit and "contrive to reduce things to the transparent."[23] Glissant instead advocates a model of relationality that does not rest on the false promise of total understanding and absolute truths. "The opaque is not the obscure ... It is that which cannot be reduced, which is the most perennial guarantee of participation and confluence."[24] Glissant's secret is an ethical singularity—capable of derailing the impetus behind an identity politics that seems progressive but that in actuality delimits the conditions of relationality. Opacity positioned in this way could be a useful starting point for rethinking the politics of secrecy (and, therefore, transparency).

Other notable calls for a secrecy of the Left include the aesthetic and political vision of two collectives from the twentieth century: Acéphale (1936–39) and Tiqqun (1999–2001). Georges Bataille imagined using "secrecy as a weapon rather than a retreat" through a revolutionary secret society he called Acéphale ("Headless").[25] As Bataille saw it, this secret society would avoid the corrupting power of politics and instigate a society based on expenditure, risk, and loss. Tiqqun, much influenced by Bataille as they were, likewise thought of secrecy as a radical tactic. They position "interference," "haze," or "fog" as the "prime vector of revolt."[26] They believed that the political project of cybernetics and "the tyranny of transparency which control imposes" can only be resisted through a tactical opacity.

The suggestion to become fog-like is one that is certainly heeded by politically engaged techno-radicals. Assisting them is an increasing

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range of infrastructure and applications that resist the internet's surveillant protocols. Encrypted e-mail and instant messaging is now widely available. By distributing transactions over several places on the internet, TOR makes it difficult to identify their source or destination. Search engines like DuckDuckGo and StartPage allow for online searching without being tracked or profiled, while TrackMeNot is a browser extension that floods engines with random search terms to make algorithms ineffective. And we now have access to decentralized servers and clouds such as the personal server from FreedomBox or the cooperative storage cloud offered by Symform.

Such technological affordances will not be enough to dislodge the dominant transparency assemblage outline above. The same goes for any philosophical recalibration of the politics of transparency and secrecy. Nevertheless, such experiments are important if a different role is ever to emerge for revelation, openness, and data—one that would work *for* rather than against social justice and collective political agency. "Radical," in this sense, would indicate not more (of the same) transparency, but transparency rethought beyond the Enlightenment in a society not of control, but of the commons. I, for one, am looking forward to a time in which *this* transparency turns into *that* other (and Otherness-respecting) transparency.

Notes

1 See Nigel Brown's comments in relation to the release of a report written by the Social Issues Research Centre entitled "The Future of Freemasonry." Of the report, he says, "This is just one step in our ongoing efforts to demonstrate our openness and transparency, and to inform people about the role we play in society." See Anon, "'The Future Of Freemasonry' Report Is Published," *Freemasonry Today*, March 8, 2012.

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3 Michael Triplett, "Transparency group taking government openness to the people," *Mediaite*, March, 2010.

4 Don Tapscott & David Ticoll, *The Naked Corporation: How the Age of Transparency Will Revolutionize Business* (New York: The Free Press, 2003).

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6 See Asif Qureshi, "Some Lessons from Developing Countries. Trade Policy Reviews in the GATT Framework: An Enforcement Perspective," *World Economy*, vol. 18, no. 3 (1995), 489–503.

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8 See Henri Lefebvre, *The Production of Space*, trans. Donald Nicholson-Smith (Oxford: Blackwell, 1974), 28–29.

9 The White House, "Memorandum for the Heads of Executive Departments and Agencies: Open Government Directive," (December 8, 2009), 4. Available at whitehouse.gov.

10 See data.gov/about.

11 See data.gov/open-gov.

12 Gilles Deleuze, "Postscript on the Societies of Control," October 59 (1992), 4.

13 See Graham Vickery, "Review of Recent Studies on PSI Re-use and Related Market Developments," European Commission Directorate General Information Society (2010). Available at ec.europa.eu. See also Dinand Tinolt, *The Open Data Economy* (Capgemini Consulting: 2013). Available at capgeminiconsulting.com.

14 McKinsey Global Institute, "Open Data: Unlocking Innovation and Performance with Liquid Information," October 2013. Available at mckinsey.com.

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17 UK Cabinet Office, "Open Data Charter," G8 (June 18, 2013). Available at www.gov.uk.

18 Theodor W. Adorno, "37: This Side of the Pleasure Principal," *Minima Moralia: Reflections from Damaged Life*, trans. E.F.N. Jephcott (London, Verso: 2010).

19 Jeremy Gilbert, "Public Secrets: 'Being-with' in an Era of Perpetual Disclosure," *Cultural Studies*, vol. 21, No. 1 (2007), 38.

20 Julian Assange, "Don't Shoot the Messenger for Revealing Uncomfortable Truths," *The Australian*, December 8, 2010.

21 See Felix Stalder, "The Fight Over Transparency," *Open* 22 (2011), 22.

22 Celia Britton, *Édouard Glissant and Postcolonial Theory: Strategies of Language and Resistance* (Charlottesville: University of Virginia Press, 1999), 19.

23 Édouard Glissant, *Poetics of Relation*, trans. Betsy Wing (Ann Arbor: University of Michigan Press,1997) 189.

24 Ibid., 191.

25 Sven Lütticken, *Secret Publicity: Essays on Contemporary Art* (Rotterdam: NAi Publishers, 2006), 32.

26 Tiqqun, *The Cybernetic Hypothesis*, trans. Anon (2001/2009). Available at cybernet.jottit.com.

TRANSPARENCY BITES BACK

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