

# WikiLeaks' lawyers sharply criticize Laura Poitras' documentary *Risk*

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Four lawyers for the anti-secrecy organization WikiLeaks issued a joint statement May 17 strongly censuring Laura Poitras' *Risk*, the documentary about Julian Assange and WikiLeaks, which opened May 5 in the US. We have already commented on this very poor, politically disturbing work. The new statement raises serious questions about Poitras' methods and activities.

The lawyers—Margaret Ratner Kunstler (widow of radical lawyer William Kunstler), Deborah Hrbek, Renata Avila and Melinda Taylor—explain they are speaking out because they believe *Risk* “places our clients in legal jeopardy.” Poitras' documentary, they argue, “serves to undermine WikiLeaks just as the Trump administration has announced that it intends to prosecute its journalists, editors and associates.”

Their first issue with *Risk* is the fact that the film was edited in New York, “where the raw footage can more easily be seized by the U.S. government.” By shifting her editing location, “Poitras has endangered our clients and reneged on written agreements with WikiLeaks that explicitly forbid her from editing the footage in the United States.”

The four lawyers note that the current “menacing atmosphere” has been underscored by CIA Director Michael Pompeo's speech in April in which he asserted that Assange and WikiLeaks had “no First Amendment freedoms ... It ends now.”

The May 17 statement also takes issue with Poitras for failing to live up her “unambiguous promise” to allow the subjects of the film an opportunity to review the film in advance and request changes, leaving open the possibility they could decline to appear in the documentary, “if they or their lawyers felt that the movie put them at risk.”

The lawyers continue: “Had the filmmaker not agreed to these express conditions, WikiLeaks' staff would not have allowed themselves to be filmed in the first place. Despite repeated requests, neither the subjects of the film nor their attorneys were granted a prior viewing of the film that Poitras intended to release in the U.S.”

The version that opened in theaters two weeks ago, they note with dismay, “is a different version, not only from that which premiered at Cannes the year before [2016], but also from the version screened for Julian Assange and his UK counsel at the

Ecuadorian Embassy in London.”

The version of *Risk* screened for Assange did not include Poitras' narration, “and omitted numerous new scenes, significantly changing its tenor.” This, Kunstler, Hrbek, Avila and Taylor argue, prevented Assange “from exercising his contractual rights.”

Moreover, prior to the documentary's release, seven participants submitted non-consent forms to its producers, advising the filmmaker and her team they did not want to appear in the film. “Regardless, Poitras went ahead and released it.”

The lawyers make clear they are not seeking to censor Poitras. They explain: “This is about safety. It is about protecting journalistic sources. It is about personal and professional integrity, and honoring contractual obligations.”

The second significant issue the four raise in their statement concerns the shift in focus in *Risk*, “from a broadly sympathetic portrayal of WikiLeaks' work and the attacks against its staff by the U.S. government to an ill-defined indictment of the ‘culture of sexism’ online.”

After the four lawyers note they are all feminists, they criticize the manner in which Poitras' film “foregrounds this issue [sexism] to the exclusion of others, thereby undermining WikiLeaks' popular and political support at the very moment that it faces serious aggression from the Trump administration.”

The May 17 comment complains that, in fact, Poitras “has marginalized and demeaned a number of women who work for WikiLeaks, choosing instead to give men most of the airtime and leaving scenes depicting the significant contributions of the women WikiLeaks journalists on the cutting room floor.”

Instead, they write, “we now see an intense focus on women taking instructions and throwing off adoring looks. Sarah Harrison, for example, a brilliant journalist and winner of the Willy Brandt prize for ‘exceptional political courage’ ... is now depicted as little more than a minion.” Indeed, this element in *Risk* seems part of a conscious effort in *Risk* to portray Assange and his relations with Harrison and others in a negative light.

Kunstler, Hrbek, Avila and Taylor express some uncertainty about “what caused this pivot” in Poitras' attitude toward Assange and WikiLeaks. They point out that no charges have been filed in the Swedish preliminary investigation of Assange,

i.e., the attempted frame-up on sexual misconduct charges, an investigation that, in any event, began well before Poitras began filming WikiLeaks.

They observe: “In 2016, the UN twice found that the investigation of Assange had been so flawed that his ongoing detention was illegal, arbitrary and that he should be immediately released. Poitras has dramatic footage of this legal victory, but decided not to share it with her audience.”

The lawyers attribute Poitras’ change of heart to matters associated with her personal relationship with journalist and sometime WikiLeaks’ collaborator, Jacob Appelbaum. The 2016 Cannes screening of *Risk* “portrayed Appelbaum in a flattering light and Poitras did not disclose the nature of their relationship at that time. Now Poitras states, ‘I thought I could ignore the contradictions. I thought they were not part of the story. I was so wrong. They’re becoming the story.’ But if sexism is becoming the story, it is because Poitras has chosen to focus on it.”

They suggest that instead of providing a more objective portrayal of WikiLeaks and Assange, the filmmaker “has re-framed her story to turn *Risk* into a film by Laura Poitras about Laura Poitras; a rather late coming-of-age story about the filmmaker discovering that there is sexism in her social and professional circles.”

As we commented on the WWS in our review, “Confronted with the problems and apparent intellectual obtuseness in *Risk*, and not only here, one faces the challenge of knowing where to place the blame: on historical ignorance, on intimidation by the powers that be, or on the utter pervasiveness of identity politics in these circles. The milieu, unhappily, is saturated with subjectivism.”

The four lawyers justifiably ask: “Why choose this moment in history, when First Amendment and other fundamental rights are under attack, to undermine the credibility of an organization dedicated to government transparency and freedom of the press?”

They continue, “Poitras is certainly aware of the political and legal context in which the release of this film is taking place. Yet the release of *Risk* in its new iteration exposes her subjects to considerable legal jeopardy.” The Trump administration, they argue, is preparing charges that carry extremely serious penalties under the Espionage Act of 1917.

What they term the filmmaker’s “dubious quest for self-discovery ... might win attention for Poitras by pandering to tabloid narratives about its subjects, but it has done a great disservice to her fellow documentarians, and has profoundly betrayed her friends, her colleagues and her journalistic integrity.”

Kunstler, Hrbek, Avila and Taylor raise entirely legitimate legal and political issues. Their criticism, muted though it might be, of the identity politics frenzy that has seized hold of considerable sections of the upper middle class ex-left has an objective meaning.

The exposure of the right-wing character of gender/race politics and the manner in which it dovetails with the goals of powerful sections of the ruling elite—in this case, the effort to suppress WikiLeaks’ exposures and jail or silence its journalists—is a pressing political matter. The shameful silence of the pseudo-left in regard to the fate of Assange and his colleagues reflects its subservience to the powers that be.

When the four lawyers consider “what caused this pivot” in Poitras’ outlook, however, they omit one critical political issue. The director may well be engaged in a “rather late,” “dubious” and empty-headed journey of self-discovery, but this hardly tells the whole story.

The significant changes in *Risk* track closely the hysterical campaign, led by publications like the *New York Times* and *Washington Post*, against supposed “Russian interference” in the 2016 elections that emerged last summer, following WikiLeaks’ exposures of the Democratic Party’s corrupt and antidemocratic inner workings. The exposures, as one reviewer of *Risk* bitterly asserts, revealed “Assange’s intervention against Hillary Clinton.”

The documentary includes a clip of Rep. Adam Schiff, the California Democrat, querying former FBI chief James Comey about the alleged role of WikiLeaks in passing on the Democratic National Committee’s emails ultimately from Russian sources. Schiff and Comey smear WikiLeaks and Poitras provides no serious response to their lies in her film. This sort of rubbish permits *Variety*, for example, to suggest the possibility that “Julian Assange became, in effect, a pimp of information for Vladimir Putin’s regime.”

The most logical conclusion to draw is that Poitras, under pressure from the pro-Democratic Party and left-feminist circles in which she travels, has accommodated herself to the anti-WikiLeaks campaign. Again, what is especially significant is the coming together of the gender politics zealots, on the one hand, and the proponents of American imperialist intervention across the globe in the name of “democratic rights,” on the other.



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