



# laetus in praesens

Alternative view of segmented documents via Kairos

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## Future Commemoration of the Trial of Julian Assange

### A Passion Play for Truth reframing the Christian glorification of speaking truth to power

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#### Introduction

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## Introduction

This proposal derives from the indication in an addendum to an earlier document elaborated as a speculative dramatisation of the legal process against Julian Assange in several Christian countries (*Trial of Julian Assange -- Who is the Pontius Pilate of Easter 2019? In dramatic anticipation of emergence of a Church of Julian*, 2019). It has also been presented as an addendum to a bibliographical accumulation of commentaries on that process (*Extradition and Trial of Julian Assange: web resources*, 2020). **The following argument draws extensively on those resources.**

Given the probability of his extradition, trial and conviction in the USA, a further document was produced to offer Christians the possibility of collectively determining his punishment -- in the spirit of that dramatisation (*Crowdsourcing Just Punishment for Julian Assange: in faithful Christian retribution for daring to speak truth to power*, 2020).

As further elaborated here, the concern is with the accumulation of clues to a dramatic commemoration of the process, inspired by the Passion Plays so widely used with respect to the Trial of Jesus. The focus here is however on identification of dramatic elements and processes which might serve to highlight the passion for truth, most obviously associated with investigative journalism, and to a lesser degree by other disciplines exposed to lesser risk.

The question raised by this exploration is **what makes for the enduring inspiration of an iconic process for some** -- as demonstrated by the Trial of Jesus? The concern is how the latter example seemingly constrains the preoccupation with truth in a manner divorced from the truth highlighted by investigative journalists and others. The preoccupation of religions with divine truth would seem both to exclude recognition of mundane truth and to ensure an unfortunate degree of complicity in its repression by secular authorities. These are both remarkably indicated by the total failure of religions to protest the threats to investigative journalism in general and to their silence with respect to the case of Julian Assange in particular. The history of science offers other well-documented examples, although science itself has not proved to be free from that tendency.

Expressed otherwise, the question might be framed as to the possibility of a "science of commemoration". This would recognize both the aesthetic and the systemic dimensions vital to counteracting the distortion and erosion of collective memory, as separately noted (*Societal Learning and the Erosion of Collective Memory*, 1980; Olivier Luminet, et al, *The Interplay between Collective Memory and the Erosion of Nation States*, *Memory Studies*, 5, 2012, 1).

## Cast of characters in speaking truth to power: key role of women?

As noted above, the compilation of commentaries developed from a speculative dramatic take on the case against Julian Assange (*Trial of Julian Assange -- Who is the Pontius Pilate of Easter 2019?* 2019). A degree of comparison was suggested with the historic Trial of

Jesus. Of interest in this variant -- in psychodramatic terms -- is the transformation from the key role of men in the scenario of the past to the key role of women in the present case. Notable continue to be the women active in the defence of Assange in various ways; including [Jennifer Robinson](#) (lawyer). These contrast with those in official positions who continue to be especially negligent, as highlighted in the table (below right).

Whilst any comparison with the Trial of Jesus may be considered blasphemous by some, the injustice with which that trial has long been associated does indeed suggest its use as a form of template by which other trials can be perceived in systemic terms. Such an offensive comparison has been made in other cases, most recently with respect to the impeachment process of Donald Trump (Amanda Becker, *Republican lawmakers, opposing Trump impeachment, cite crucifixion of Jesus*, *Reuters*, 19 December 2019). Given the issue of truth at the centre of the Trial of Assange, earlier comparisons are relevant ([Anastasios Ladikos](#), *The Trials of Socrates and Jesus Christ: A Comparison*, *Phronimon*, 8, 2007, 2; Bernard Jackson, *The Trials of Jesus and Jeremiah*, *BYU Studies*, 32, 1992, 4). Such comparisons help to frame the question discussed separately with respect to truth telling: *Would Jesus Now be Prosecuted by US? Like Manning, Assange and Snowden* (2013).

In the case of Trump, such comparison has been taken further (Aaron Blake, *Trump's impeachment is like Jesus' crucifixion, the Salem witch trials and Pearl Harbor all rolled into one*, *The Washington Post*, 19 December 2011). Missing would seem to be any systematic comparison of memorable trials in terms of their fairness of procedure and challenges to the justice rendered (*Famous Trials*, Constitutional Rights Foundation).

In endeavouring to identify the *dramatis personae* in the Trial of Assange, it is useful to note one such effort (Nick Robins-Early, *A Guide To The Eccentric Cast Of Characters Surrounding Julian Assange*, *HuffPost*, 17 April 2019). This helps to frame the question of what made for the influential role over millennia of the psychodrama deriving from the Trial of Jesus. Was an "eccentric cast of characters" somehow systemically vital to the power of the Christian tale?

Also appropriate to the tangled tales of a psychodrama is the gender identity transformation of Assange's loyal collaborator -- from Bradley Manning to [Chelsea Manning](#) in 2013. It appears that the US Grand Jury responsible for the final trial of Julian Assange is however primarily directed by men (*WikiLeaks Founder Julian Assange Charged in 18-Count Superseding Indictment*, 23 May 2019).

<i>Dramatis Personae</i>	
Trial of Jesus of Nazareth ( <i>Passion Plays</i> may include 21 cast roles, as noted below)	Trial of Julian of Australia (incarcerated 2012-2020)
<ul style="list-style-type: none"> <li>• Imperial authority               <ul style="list-style-type: none"> <li>◦ <a href="#">Emperor Tiberius</a> of Rome</li> </ul> </li> <li>• Regional authorities:               <ul style="list-style-type: none"> <li>◦ <a href="#">Herod Antipas</a> (ruler of Galilee and Perea)</li> <li>◦ <a href="#">Herod Archelaus</a> (ethnarch of Samaria, Judea, and Idumea)</li> </ul> </li> <li>• Religious authorities:               <ul style="list-style-type: none"> <li>◦ <a href="#">Caiaphas</a> (Jewish high priest)</li> <li>◦ <a href="#">Annas</a> (High Priest of the Roman province of Judaea)</li> </ul> </li> <li>• Judiciary               <ul style="list-style-type: none"> <li>◦ Governor -- Roman province of Judaea: <a href="#">Pontius Pilate</a></li> <li>◦ Members of the Sanhedrin: <a href="#">Nicodemus</a>, <a href="#">Gamaliel</a></li> </ul> </li> <li>• Security services at crucifixion: the Centurion <a href="#">Longinus</a></li> <li>• Associates of Jesus:               <ul style="list-style-type: none"> <li>◦ <a href="#">Peter</a></li> <li>◦ <a href="#">John</a></li> <li>◦ <a href="#">Judas Iscariot</a></li> <li>◦ <a href="#">Nathaniel</a></li> </ul> </li> <li>• Significant others               <ul style="list-style-type: none"> <li>◦ <a href="#">Mary Magdalene</a></li> <li>◦ <a href="#">Simon the Leper</a></li> <li>◦ <a href="#">Joseph of Arimathea</a></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Imperial authorities:               <ul style="list-style-type: none"> <li>◦ Queen of England: <a href="#">Elizabeth II</a> (1952-present)</li> <li>◦ Prime Minister of the UK: <a href="#">Theresa May</a> (2016-2019)                   <ul style="list-style-type: none"> <li>▪ Secretary of State -- Home Department:                       <ul style="list-style-type: none"> <li>▪ <a href="#">Priti Patel</a> (2019-)</li> <li>▪ <a href="#">Theresa May</a> (2010-2016)</li> </ul> </li> <li>▪ High Commissioner to Australia:                       <ul style="list-style-type: none"> <li>▪ <a href="#">Victoria Treadell</a> (2019-)</li> <li>▪ <a href="#">Menna Rawlings</a> (2015-2019)</li> </ul> </li> </ul> </li> <li>◦ President of the USA: Donald Trump                   <ul style="list-style-type: none"> <li>▪ Spiritual counsellor: <a href="#">Paula White</a> (2016-)</li> <li>▪ US Ambassador to the UN:                       <ul style="list-style-type: none"> <li>▪ <a href="#">Kelly Craft</a> (2019-)</li> <li>▪ <a href="#">Nikki Haley</a> (2017-2019)</li> <li>▪ <a href="#">Samantha Power</a> (2013-2017)</li> </ul> </li> <li>▪ Secretary of State: <a href="#">Hillary Clinton</a> (2009-2013)</li> </ul> </li> <li>◦ Governor General of Australia: <a href="#">Quentin Bryce</a> (2008-2013)</li> <li>◦ Prime Minister of Australia:                   <ul style="list-style-type: none"> <li>▪ Scott Morrison (2018-present)                       <ul style="list-style-type: none"> <li>▪ Minister for Foreign Affairs: <a href="#">Marise Payne</a> (2018-)</li> <li>▪ Shadow Minister for Foreign Affairs: <a href="#">Penny Wong</a> (2019-)</li> </ul> </li> <li>▪ Malcolm Turnbull (2015-2018)                       <ul style="list-style-type: none"> <li>▪ Minister for Foreign Affairs: <a href="#">Julie Bishop</a></li> <li>▪ Shadow Minister for Foreign Affairs: <a href="#">Tanya Plibersek</a></li> <li>▪ Senate Leader of Opposition: <a href="#">Penny Wong</a></li> <li>▪ Permanent Rep. to the UN: <a href="#">Gillian Bird</a> (2015-2019)</li> </ul> </li> <li>▪ Tony Abbott (2013-2015)                       <ul style="list-style-type: none"> <li>▪ Minister for Foreign Affairs: <a href="#">Julie Bishop</a></li> <li>▪ Kevin Rudd (2013-2013)</li> <li>▪ <a href="#">Julia Gillard</a> (2010-2013)</li> </ul> </li> </ul> </li> </ul> </li> <li>• Responsible Judiciary:               <ul style="list-style-type: none"> <li>◦ Director of Public Prosecution of Sweden: <a href="#">Marianne Ny</a> (2010-2017)</li> </ul> </li> </ul>
<p>Main roles considered relevant for the <i>Oberammergau Passion Play</i> 2020:</p> <ul style="list-style-type: none"> <li>• Jesus</li> <li>• Peter, John, Judas</li> <li>• Mary</li> <li>• Mary Magdalene</li> <li>• Caiaphas, Annas</li> <li>• Joseph of Arimathea</li> <li>• Simon the Leper</li> <li>• Pilate</li> <li>• Nicodemus</li> <li>• The Centurion</li> <li>• Herod</li> <li>• Nathanael</li> <li>• Archelaus</li> <li>• Gamaliel</li> <li>• Ezekiel</li> </ul>	

- District Judge of Westminster Magistrates Court: [Vanessa Baraitser](#) (2019)
- Chief Magistrate London: [Emma Arbuthnot](#) (2018)
- Significant accusatory others ([anonymous](#); [more](#)):
  - Miss A
  - Miss W
- Petitioning parents

## Tricoteuses -- relishing the repression of truth?

In imagining any future elaboration of the psychodrama in which Julian Assange now stars, there is a case for exploring the possible comparison of the women indicated above with the historical role of the [tricoteuses](#). These were women who had played a valued role in the French Revolution but became far better known for knitting by the guillotine on the occasion of the execution of aristocrats, as variously described:

- Stephanie Buck: *Horror Spectators: the lady revolutionaries who calmly knit during executions* (Timeline, 20 December 2016)
- Lisa Waller Rogers: *The Tricoteuses of the French Revolution* (3 November 2018)
- Geri Walton, *Tricoteuses: Knitting Women of the Guillotine* (11 April 2016)
- Olga Craig: *The New Tricoteuses* (*The Telegraph*, 17 October 2004)
- Lyle J. Arnold, Jr.: *Worse than the Tricoteuses...* (*Tradition in Action*, 20 January 2014).
- *Tricoteuses: Knitting During the Reign of Terror* (*ReadingVine*)

[Baroness Orczy](#) depicts the *tricoteuses* in her iconic novel, *The Scarlet Pimpernel* (1908): *They sat beneath the guillotine platform to knit whilst head after head fell beneath the knife, and they themselves got quite bespattered with the blood of those cursed aristos.*

Could the many journalists now under threat, as epitomised by Assange, then be usefully framed in such a drama as "aristocrats of truth" -- now vulnerable to assassination and execution as [widely reported](#)? Could Assange come to be commemorated as some kind of "King of Truth", suitably inviting the mockery of some and depicted with a crown reminiscent of an "internet"?

In a world of fake news, it is curious irony to note how the *tricoteuses* have become an inspiration in Australia -- Assange's home country -- seemingly without any appreciation of their dubious role in relation to executions of the past (Liz Stops, *Les Tricoteuses: the plain and purf of solidarity and protest*, *Craft + Design Enquiry*, 6, 2014). The latter focuses on the use of knitting as a protest tool by the [Knitting Nannas Against Gas](#) (KNAG), a group formed to combat the development of Unconventional Gas Mining (UGM) in the Northern Rivers of New South Wales.

Rather than as "tricoteuses", a psychodrama drawing on cultural archetypes might well make use of the [Fates](#) -- a common motif in European polytheism, most frequently represented as a group of three mythological goddesses (although their number differed in certain eras and cultures). They were often depicted as weavers of a tapestry on a loom, with the tapestry dictating the destinies of humans. The drama might frame a set of key feminine roles, selected from those indicated above, as knitting a web to determine the fate of Assange. Further developed, that theme might frame them as being themselves embedded in a web of intrigue -- a secretive "pattern than connects", as highlighted by Walter Scott: *O, what a tangled web we weave when first we practise to deceive!* (1808).

A related twist to the psychodrama could well be inspired by the role of the [MeToo movement](#) in this period. As with the *tricoteuses*, is there a sense in which the suffering to which Assange has been subjected, and has yet to face, is to be relished as symbolic of that which many women deem appropriate to those accused of sexual harassment -- even by accusers deemed to have the right to remain anonymous?

## Fake news -- "let them eat cake"?

A related dramatic twist is suggested by [Marie Antoinette](#), taken to the guillotine herself in 1793.

She had notoriously declared, in the face of reports on starvation among her peoples: *Let them eat cake*. Rather than as *tricoteuses*, could the women identified above be recognized as "Marie Antoinettes" of the present period -- responding to the alleged starvation of their populations for genuine information.

The "cake" of the current period could then be understood as the decoratively crafted "positive" news in whose fabrication those women are directly or indirectly complicit, as clarified by [Barbara Ehrenreich](#) (*Bright-sided: how the relentless promotion of positive thinking has undermined America*, 2009; *Smile Or Die: how positive thinking fooled America and the world*, 2010). This can be otherwise understood as the fake news giving rise to such great concern in its undermining of democratic processes (*Varieties of Fake News and Misrepresentation: when are deception, pretence and cover-up acceptable?* 2019).

## Show trials, mock trials and regicides in a period of farce?

The widespread use of [show trials](#) is extensively documented by *Wikipedia*, notably as used to reinforce the image of political regimes. A contrasting variant is suggested by the [Russell Tribunals](#). A particular difficulty in the case of Assange is the range of accusations -- as reported in the media -- from treason to espionage, with their various problematic interpretations (*Julian Assange: traitor, hero, spy, terrorist?* 2020).

Of related relevance is the use of [mock trials](#). Some such dramatic twist may be especially appropriate to the extent that the trial of Assange will be framed by many as a farce -- whatever the outcome. The reality of the outcome may indeed take some extreme form of vindictive justice, as indicated by the treatment of prisoners over decades in the [Guantanamo Detention facility](#) or the "suicide" of [Jeffrey](#)

[Epstein](#) in a high security facility.

There is then a case for drawing on accounts of the interplay of mock regicide and carnival (James Miller, *Carnivals of Atrocity: Foucault, Nietzsche, Cruelty, Political Theory*, 18, 1990, 3; Patrice de Beer, *France's politics of regicide*, *OpenDemocracy*, 6 February 2009; Claire Gheeraert-Graffeuille, *The Tragedy of Regicide in Interregnum and Restoration Histories of the English Civil Wars*, *Etudes Episteme*, 20, 2011).

One such mock regicide of relevance was sponsored by *The New York Times* (Brittany Vonow, *Outrage over bloody killing of Donald Trump in Shakespearean play*, 14 June 2017; *Trump as Julius Caesar: anger over play misses Shakespeare's point*, *The Guardian*, 13 June 2017; *What Would Shakespeare Have Made of Donald Trump?* *The New York Times*, 20 June 2018; *Shakespeare's Take on Trump Is a Subtle One*, *The World Street Journal*, 3 October 2019).

## Passion for truth as highlighted by a play

As indicated above, there is dramatic inspiration to be drawn from continuing commemoration of the events associated with the [Sanhedrin Trial of Jesus](#) -- followed by that of the [court of Pontius Pilate](#). This takes the form of a [passion play](#) (typically an Easter pageant) as a means of celebrating the central mystery of the Christianity so fundamental to the leadership of the countries in which legal proceedings are undertaken against Assange.

That Christian "passion", however divinely inspired, can be compared with current recognition of the "passion for truth" as distinguished within the Catholic tradition. This is most recently evident through the canonisation as a saint in 2019 of [John Newman](#) -- for whom it was a central life theme (Juan R. Velez, *Passion for Truth: the life of John Henry Newman*, 2019). His inspiration to recent Popes is described by Raymond de Souza (*How Benedict XVI and Leo XIII were inspired by Newman*, *Catholic Herald*, 10 October, 2019). Of value is the articulation of the Catholic activist [Plinio Corrêa de Oliveira](#) (*Letter to a Friend: A Passion for the Truth*, *Crusade Magazine*, November/December 2000).

As indicated by Pope Benedict XVI, at the instigation of the canonisation process:

Newman's life also teaches us that passion for the truth, intellectual honesty and genuine conversion are costly. The truth that sets us free cannot be kept to ourselves; it calls for testimony, it begs to be heard, and in the end its convincing power comes from itself and not from the human eloquence or arguments in which it may be couched. (*Address*, London, 18 September 2010)

The same "passion for truth" is of course widely recognized as of prime importance to journalists such as Assange, as separately noted (*Whistleblowing as a "crime of passion" -- for the truth?* 2020). Journalists readily claim to have a passion for truth, especially investigative journalists (Jan Boesman and Irene Costera Meijer, *Nothing but the Facts? Exploring the discursive space for storytelling and truth-seeking in journalism*, *Journalism Practice*, 12, 2018, 8). The remarkable number of tragic deaths of journalists in many countries increasingly calls into question the price of that truth, as can be variously argued (*The Price Of Truth: why honest journalism shouldn't be life-threatening*, *Elite Daily*, 10 September 2014). The Committee to Protect Journalists presented a later figure (Verena Dobnik, *Report: 53 journalist deaths tied to work so far in 2018*, *AP News*, 20 December 2018). It [records](#) that a total of 1365 journalists were killed between 1992 and 2020.

What is the disconnect between the "passion for truth" of the Catholic Church and that of journalists? Why has the Pope failed to respond to petitions regarding Assange, despite his personal experience of suppression of truth during the dictatorship in Argentina? Had he been a Catholic, could a case be made for the canonisation of Assange -- with a role for the *advocatus diaboli* in any dramatisation interweaving the trial theme?

The disconnect is of course especially embarrassing through the manner in which "passion" and "truth" have been reframed by both the multiplicity of charges of sexual abuses by Catholic clergy and by the extensive cover-up efforts of the Vatican. Ironically these have been variously documented by investigative journalists with a "passion for truth", notably at *The Boston Globe* (Dan Gilgoff, *Catholic Church's sex abuse scandal goes global*, *CNN*, 20 March 2010; Frédéric Martel, *In the Closet of the Vatican: power, homosexuality, hypocrisy*, 2019).

This suggests a dramatic adaptation of the most famous of the passion plays, namely the periodic *Oberammergau Passion Play* for which the roles and plot have been the focus of considerable documentation since its origins in the 17th century. Further insight can be derived from the careful casting of that for Easter 2020 (*Actors, Passion Play*). The *dramatis personae* (enriching the right hand column in the table above) has 21 main cast roles, shared between two people ([leading roles](#)). It will take place 5 days a week from May until late September/early October ([details](#)) -- presumably corresponding to stages in the trial of Assange.

## Ambiguities regarding the justice of a trial

A relevant insight is offered by former public defender [Kenneth B. Nunn](#) (*The Trial as Text: Allegory, Myth and Symbol in the Adversarial Criminal Process - A Critique of the Role of the Public Defender and a Proposal for Reform*, *American Criminal Law Review*, 32, 1995):

We Americans often speak of our criminal procedure as if it were one of the main bulwarks of democracy. We like to consider the criminal trial, with its adversarial process, as one of the great institutions of abstract justice. But the American criminal justice system is a sham. The centerpiece of the criminal justice system--the trial--is itself a sham. It is not, in the main, a mechanism for determining the truth.<sup>5</sup> In the majority of criminal cases, the truth is already assumed from the start. While belief in the presumption of innocence is professed, the defendant is treated as if his guilt were assured. In reality, it is up to the defendant to



prove, if possible, his innocence and to somehow show that he is an exception to the rule. More concretely, the criminal trial is flawed because it is not adversarial (or at least not as adversarial as it should be). Instead of two evenly matched adversaries, the advantages are decidedly weighted in the prosecution's favor. (pp. 744-745)

**Just law versus Unjust law.** It could be argued that both the Trial of Jesus and the Trial of Assange are "unfair" in legal terms -- and so they may be perceived, irrespective of the validity of any such argument. The question revolves around the distinction between "just law" and "unjust law". A standard legal maxim is that an unjust law is no law at all (*Lex iniusta non est lex*). Under the heading *On the Just Law vs. the Unjust Law*, and framed as *one of the most important moral treatises of the twentieth century*, the Intercollegiate Studies Institute shared excerpts from Martin Luther King Jr.'s *Letter from Birmingham Jail* (*An Unjust Law is No Law at All*, 21 January 2019).

With respect to unjust law, there is a certain poignancy in exploring the tragedy of the life of [Alan Turing](#) and the manner of his death in 1954 -- given his remarkable role in World War II and in enabling the subsequent development of computer technology. It could be said that he uniquely embodied the application of a particular mode of intelligence which enhanced immeasurably the capacities of conventional thinking. However, through the response of UK legal authorities (later described by one Prime Minister as "appalling") to his sexuality -- unconventional for his time and necessitating his [chemical castration](#) -- he also embodied alternatives which continue to challenge such thinking. It required special UK legislation to enable Queen Elizabeth II to grant in 2013 a much-delayed posthumous [royal pardon for Turing's conviction for gross indecency](#). The UK Justice Secretary then indicated that he deserved to be "remembered and recognised for his fantastic contribution to the war effort" and not for his later [criminal conviction](#). It might be asked whether the future will see fit similarly to pardon the institutions and leaders of this period for their humanitarian "effort" -- despite later recognition of their hideous crimes against humanity in failing to engage imaginatively with the problems of their times, even to the extent of effectively "castrating" each other.

Controversy continues to be evoked by allegations that *something being legal does not make it right*, as variously discussed (Adam Serwer, *Just Because an Election Is Legal Doesn't Mean It's Legitimate*, *The Atlantic*, 20 November 2018; *Being legal doesn't make it morally right*, *The Times-News*, 15 October 2014). Such recognition goes to the heart of perceptions of injustice and frustration in that regard -- especially when some are protected by impunity (*Challenging and changing unfair laws and systems*, *Justice Connect*; *Bradley Manning: a sentence both unjust and unfair*, *The Guardian*, 22 August 2013)

For Martin Luther King, Jr. in that famous *Letter from Birmingham Jail* (16 April 1963): *One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws*. At that time this evoked controversial clarification (*Is it right to break the law*, *The New York Times*, 12 January 1964). Of some relevance to the case of Julian Assange -- as an Australian -- are controversies relating to breach of unjust laws in that country during the period of his incarceration (Josh Butler, *Here Are Some Times People Broke 'Unjust Laws'*, *HuffPost*, 16 March 2017).

**Enforcement of unjust law?** Referring extensively to King's letter, another Australian explores the appropriate response of an individual to laws which they in conscience consider unjust (Bede Haines, *What to do when Faced with an Unjust Law?* *Australian Journal of Legal Philosophy*, 29, 2004). The author is a member of the Australian [Law Society's Ethics Committee](#).

With respect to that concern, [AnneMarie Mingo](#) argues:

Today, new civil rights struggles continue to challenge unjust laws that shred the fabric of democracy that America espouses. Drawing upon both the Civil Rights Movement and the contemporary Movement for Black Lives, this article argues that unjust laws and practices must be broken and challenged before a just society is established. (*Just Laws, Unjust Laws, and Theo-Moral Responsibility in Traditional and Contemporary Civil Rights Activism*, *Journal of Religious Ethics*, 46, 2018, 4)

Recognizing that legitimate political institutions sometimes produce laws which are clearly unjust, the question of whether agents of legitimate states should enforce unjust (but not massively unjust) laws is addressed by [Jake Monaghan](#) (*On Enforcing Unjust Laws in a Just Society*, *The Philosophical Quarterly*, 68, 2918, 273). He responds to three defences of the view that it is permissible to enforce such unjust laws. The author concludes by developing a proceduralist argument for the thesis that law enforcement is permitted to disregard unjust laws.

**Australian twist?** Given Assange's Australian nationality, and the manner in which the Australian government has "washed its hands" with regard to the outcome of the legal proceedings against him, a far more controversial issue could be highlighted in any future dramatisation. The issue is the perception by some that the Australian government has long been complicit in its manipulation of legal provisions with regard to the original inhabitants and their homelands -- progressively appropriated under questionable legal provisions. This has been formally recognized to a degree through a verbal apology (*Apology to Australia's Indigenous peoples*, *Australian Institute of Aboriginal and Torres Strait Islander Studies*, 13 February 2008).

With respect to the above argument, the concern is with what is "not right" in a purportedly "just society" (*Something's Not Right: why are many Indigenous Australians experiencing disadvantage and injustice?* *Australians Together*, 14 January 2020). The question is raised by a group which endeavours to "bring Australians together by telling the stories that need to be told". Appropriate to this argument has been the role of [John Pilger](#) as a staunch defendant of Julian Assange. In a film named *Utopia* (2013), Pilger has documented the devastating inequalities suffered by the Aboriginal community (*John Pilger exposes Australia's shocking secret in Utopia*, *Australian Times*, 15 November 2013).

Pilger will undoubtedly consider the possibility of telling the story of the treatment of Assange, whether as a documentary or as a memorable dramatisation. Dramatically appropriate to that possibility, Assange has received an [Aboriginal Nations passport](#), as a consequence of having been "jilted" by the Australian government (*Assange gets an Aboriginal passport*, *Sovereign Union - First Nations*

*Asserting Sovereignty*, 15 September 2012; Raffi Khatchadourian, *Julian Assange, A Man without a Country*, *The New Yorker*, 14 August 2017).

Such a dramatic twist could be further exploited by reference to the increasing credibility of extraterrestrials. They could well nullify the basis of Earthly legal provisions from a "universal" perspective, just as the Aboriginal lands were framed as *terra nullius* and as the arguments in defence of Assange are declared null and void by the prosecution (*Writing Guidelines for Future Occupation of Earth by Extraterrestrials: Be done by as you did?* 2010). The argument has been significantly dramatised by the movie *Avatar* (2009).

An additional Australian irony might be drawn into the future dramatisation, namely the appeal by **Cardinal George Pell** (in parallel with the Assange process) against his conviction for child abuse (*George Pell: Court hears cardinal's final bid to quash sexual abuse verdict*, *BBC News*, 11 March 2020; *George Pell appeal: cardinal's lawyers say jury was wrong to reject defence arguments*, *The Guardian*, 11 March 2020). Cardinal Pell, as an Australian, and the former treasurer of the Vatican, is the most senior Catholic priest ever to be found guilty of such crimes (*Cardinal Pell: Poisoned power at the top of the Church*, *BBC News*, 26 February 2019). A striking contrast is offered to the case of Assange in that the backlash against the conviction, and the claims of his innocence, are especially articulate in Australia (*George Pell: The backlash to cardinal's sexual abuse conviction*, *BBC News*, 6 March 2019).

Multiple concerns have been raised as to the fairness of the trial, despite the documented suffering of the victims (*George Pell: Why was conviction kept secret?* *BBC News*, 26 February 2019). The adequacy of the Australian legal system has been called into question. Especially noteworthy is the strong support Pell has received from former prime minister **John Howard** (1996-2007) and other notables - in contrast to that received by Assange. How might the dramatisation compare the truths they respectively represent in relation to the legal processes in which they are being determined?

**Evolving framings of justice?** Such arguments tend to assume that the understanding of "justice" and "fairness" is absolute and eternal. Missing is the perspective of history and the manner in which such understanding may evolve in centuries to come. Of considerable interest is the manner in which legal provisions of the past are reframed by history as being unjust or unfair. Of particular interest is the manner in which a process has been framed as legal -- therefore "justifying" arguments made -- within a framework which is only subsequently held to be "unjust". Necessarily, no such argument is "legitimate" within any such framework at the time.

Recent examples include the well articulated:

- **Apartheid legislation in South Africa:** The system of racial segregation in South Africa was implemented and enforced by many acts and other laws. This legislation served to institutionalise racial discrimination. While the bulk of this legislation was enacted after the election of the National Party government in 1948, it was preceded by discriminatory legislation enacted under earlier British and Afrikaner governments. Apartheid is distinguished from segregation in other countries by the systematic way in which it was formalised in law.
- **Law in Nazi Germany:** The shift from the traditional legal system (the "normative state") to the Nazis' ideological mission (the "prerogative state") enabled all of the subsequent acts of the Hitler regime, including its atrocities) to be performed "legally". For this to succeed, the normative judicial system needed to be reworked; judges, lawyers and other civil servants acclimatized themselves to the new Nazi laws and personnel.

Considerable controversy was subsequently associated with the reappointment of the judiciary, despite their implication in the adjudication of laws deemed unjust -- and their secretive efforts to protect themselves and others from prosecution (Richard A. Fuchs, *The Rosenberg files: Germany's justice ministry and its Nazi past*, 11 October 2016).

Of particular interest in relation to the last example is the book -- in the guise of a legal thriller -- by the attorney, **Ferdinand von Schirach** (*The Collini Case*, 2011; [film version](#)) as reviewed by Yuval Elbathan, *The Law in the Service of Nazi Murderers*, *Haaretz*, 1 February 2013):

Von Schirach succeeds in confronting his readers with the fundamental dilemmas in this realm today: dilemmas of law versus justice, and of inequality and bias among the holders-of-power who formulate the laws (to their own benefit, of course), versus those who were born on the wrong side of the law: the victims or the defendants... He reveals that in 1968... the decision was made to apply a statute of limitations to cases of murder committed during the period of the Third Reich -- crimes that, because of their gravity, had previously been excepted from the regular statute of limitations applicable to other crimes committed during that period.

On October 1, 1968... "a totally inconspicuous law" was passed, called the *Introductory Act to Administrative Offenses...* [Eduard] Dreher's law, as explained in the book, was based on the fact that "'in juridical terminology only the top Nazi leaders were murderers,' said the expert witness. 'All others were regarded as accessories to murder'" -- as just following orders. None of the "desk murderers", as they were called at the trial of Adolf Eichmann -- those who were responsible for sending transports of hundreds of thousands to their death -- were considered murderers in eyes of the German law. When this small, unimportant law passed without anyone noticing, they became accessories to manslaughter rather than accomplices to murder. Thus, at a stroke, their deeds came under the statute of limitations and they moved to the safe haven of the impossibility of indicting them.

Especially problematic is the case of religious law, which typically derives from the sacred texts of individual religions (Marylin Johnson Raisch, *Religious Legal Systems in Comparative Law*, *GlobaLex*). The latter offers a chart of *Implementation of religious law in several jurisdictions*. Examples include: **Islamic Law**, **Jewish Law**, **Christian Canon Law (Roman Catholic Church)**, **Hindu Law**, **Buddhist Law** and **Confucian Law**. A principal difficulty lies in the eternal validity associated with each such belief -- held to be unquestionable -- and

consequently the eternal justification of the laws deriving from them.

Just as Apartheid and Nazism merit recognition as beliefs -- now highly contested -- each religion typically questions the beliefs of others and their reflection in religious law. Many societies are currently faced with conflicts arising from the relative "legitimacy" or "fairness" of religious and secular law.

**National security as a religion?** More controversial, as a consequence, is the effect of religious belief on national security -- a matter which has been variously reviewed (Moria Bar-Maoz, *On Religion and the Politics of Security: how religion's involvement in domestic politics affects national security*, *The Review of Faith and International Affairs*, 16, 2018, 2; Casey Lucius, *Religion and the National Security Strategy*, *Journal of Church and State*, 55, 2013, 1; Jonathan Shaw, *The Role of Religion in National Security Policy Since September 11, 2001*, Strategic Studies Institute, U.S. Army War College, 2011).

Such is the entanglement, most obviously in periods past, that it could be asked whether "national security", and the beliefs with which it is associated, can now be effectively distinguished from a "religion". From a secular perspective, **is national security a religion?** How are Nazism and Apartheid to be distinguished from religion? It could be argued, for example, that fundamental Christianity has now "trumped" secular beliefs regarding national security in the USA. So framed, the national security provisions framing the case against Assange could be seen as derivative to some degree from religious law -- or merit exploration as such. For those holding such beliefs, **is Assange effectively guilty of blasphemy?**

Whether religious or secular, there is little consideration of the potential future evolution in understanding of what is "just" or "unjust". This could be sharply contrasted with the argument with respect to the "half-life of knowledge", as popularised by Samuel Arbesman (*The Half-Life of Facts: why everything we know has an expiration date*, 2012). How might the "half-life of justice" be understood? Appropriate to current concerns with **climate justice**, an environmental instance in relation to uranium mining is offered by Sunita Dubey (*The half-life of justice and common sense*, *India Together*, 18 April 2005).

**Political vs. Non-political?** The third and fourth days of the Assange extradition hearing focused on the legal question of whether there was a bar on extradition for political offences (Kevin Gosztola, *Prosecution in Assange Extradition Hearing: US-UK Treaty does not apply to Wikileaks' publisher*, *Common Dreams*, 27 February 2020). The prosecution on behalf of the USA claimed that there was no such bar, in contrast with Assange's defence team who claimed that there was. The defence endeavoured to demonstrate that the argument for extradition implied that the case was primarily political -- thereby preventing any extradition (Craig Murray, *Your Man in the Public Gallery – Assange Hearing Day Four*, 28 February 2020; Craig Murray, *Your Man in the Public Gallery -- The Assange Hearing Day 3*, 27 February 2020; Binoy Kampmark, *Day Four of Extradition Hearings*, *Australian Independent Media*, 28 February 2020; Binoy Kampmark, *Political Offences and Legal Restraints: Day Three of Extradition Hearings*, *Australian Independent Media*, 27 February 2020).

As yet unresolved, a potentially overriding fact is that, as head of state, Her Majesty Queen Elizabeth II had effectively pronounced prior to the hearing that the case was indeed "political". (*Queen Elizabeth won't get involved in Julian Assange case because it's a political matter – Buckingham Palace*, *RT*, 18 February 2020; Clive Hammond, *Royal shock: Queen finally responds to demand to help Julian Assange in prosecution row*, *Express*, 18 February 2020; *Queen Elizabeth II Won't Intervene in 'Political' Case Against Julian Assange*, *Sputnik News*, 17 February 2020). A Buckingham Palace spokeswoman has said the Queen will not intervene to release Julian Assange, vowing to remain "non-political" -- seemingly confirming that Assange's detention is a political, not criminal, matter.

The detachment of the Queen is itself potentially embarrassing given the arguments made by the USA for the "extradition" of her son, **Prince Andrew**, for questioning with regard to sexual abuse in the Epstein case (Lizzie Dearden, *Prince Andrew 'vulnerable to extradition' as investigation into Jeffrey Epstein's abuse continues*, *The Independent*, 18 November 2019; George Galloway, *Justice blind or blinded by titles? A tale of Prince Andrew and Julian Assange*, *RT*, 26 November 2019). Clearly a non-political matter? In the same period the US decided to reject an extradition request in relation to the **death of Harry Dunn** (*Harry Dunn: Anne Sacoolas extradition request rejected by US*, *BBC News*, 24 January 2020). The family have indicated their support for Assange (*Teen accident victim's family call for UK to block Julian Assange's US extradition*, *CNN*, 23 February 2020).

**Inherent paradoxes?** In the absence of any systemic study of the roles in play in a range of trials, especially relevant are the nuances and controversies highlighted in the extensive literature on the trial of Jesus, as noted by Joseph H. H. Weiler (*The Trial of Jesus, First Things*, June 2010). The latter reports on insights from a seminar regularly taught at the New York University's School of Law on the trial of Jesus. It is especially valuable in contrasting the understandings of blame, guilt and evidence by those involved, as well as by subsequent commentators down the centuries.

Weiler addresses an issue which has been a determining factor over millennia:

Historically, since it was not Jewish hands that physically nailed Jesus to the cross, it is the trial that became the responsabilizing act and, hence, the source of the deicide charge. A graver charge, a heavier guilt, is difficult to imagine.... And yet, this seemingly obvious point is in fact more nuanced than meets the eye, especially in light of the well-established difference between the accounts in the **synoptic gospels** and in John. In the synoptics, for the most part, the enemies of Jesus are articulated with considerable specificity: chief priests, priests, Levites, elders, some Sadducees and Pharisees, scribes. In John, by contrast, the enemies are for the most part "the Jews." Imagine for just a minute a universe in which we had only the synoptics and no John.

Then Weiler asks:

What problem does the trial actually raise for us? The redemptive purpose and function of Jesus' death is realized only if the Paschal Lamb died blameless, innocent, pure, and without blemish. The problem of the trial is not simply that it resulted in Jesus'

death. The problem is that he was convicted at the trial, which threatens that purity—and, thus, over the centuries, a huge literature has emerged to impugn the trial as grossly unjust. Much of this injustice literature focuses on the procedure of the trial rather than the conviction for blasphemy, perhaps because, in replying to Caiaphas, Jesus affirms that he is, indeed, the Son of the Blessed,...

He then argues:

But, if it is God's wish that Jesus die, and die innocent, then some human agent must transgress against God, for we are surely commanded not to convict and kill the innocent... In the case of Jesus' trial, however, the divine plan seems to require an innocent man to be found guilty and put to death. That, of course, runs directly contrary to God's law. For the Passion on which salvation hangs to take place, evil must occur, God must be defied, and his servants must disregard his wish that humans act justly.

In this sense, for the Trial of Assange to "work" effectively in memorable terms for the years to come, it is vital that both his innocence be recognized and that he be convicted in a trial which is readily recognized as flawed. Considerable importance is therefore attached to the "Caiaphas" appointed by the US prosecution -- fully convinced (erroneously) of Assange's guilt. A key to that conviction will be any admission by Assange, when interrogated, that his actions embody a far higher truth than that embodied by the US authorities in prosecuting him in defence of their narrow interests (thereby defined as "evil").

There is clearly great merit in the trial coming to be perceived as extremely flawed -- if only by the future, or in any dramatisation -- as a means of framing the higher order of truth about which investigative journalist and others are passionate. It is the many [techniques of cover-up](#) by which such flaws are typically disguised which are a source of learning (*Vital Collective Learning from Biased Media Coverage: acquiring vigilance to deceptive strategies used in mugging the world*, 2014). As with the distortions in the Trial of Jesus, those in the Trial of Assange are a vital contribution to human development.

It is appropriate to note the recent initiative of the [Clooney Foundation for Justice](#) to establish [TrialWatch](#) as a process of tracking trials, especially those involving human rights issues. It claims to be partnering with the [Office of the United Nations High Commissioner for Human Rights](#), the [American Bar Association](#), [Columbia Law School](#), and [Microsoft Corporation](#), to achieve its objectives:

- American Bar Association: [TrialWatch launched to monitor trials worldwide](#)
- Alex Thornton, [How TrialWatch and other technology can help navigate the legal system](#) (2 July 2019)
- Columbia Law School: [Clooney Foundation for Justice Launches Human Rights Initiative at Columbia Law School](#) (April 2019)
- United Nations Office of the High Commissioner on Human Rights, [Launch of TrialWatch with the Clooney Foundation](#) (April 2019)
- Sofia Svensson, [The Clooney Foundation Launches TrialWatch: a global effort to monitor unjust trials, International Observatory of Human Rights](#) (17 April 2019)
- Sanjana Varghese: [Amal Clooney's new app fights back against unfair trials](#) (*Wired*, 6 September 2019)
- Brad Smith: [Tech that makes the world a witness to courtroom injustices across the globe](#) (Microsoft, 25 April 2019)

TrialWatch aims to train a multiplicity of trial-monitors and hold rogue governments to account by keeping a close eye on trials in countries with questionable human rights records . This is distinct from the initiative of [Trial International](#) and its database.

## Kangaroo court -- for the trial of an Australian?

**Trial of Assange:** As indicated by many commentators, a number of questions have been raised with regard to the legal process by which the case of Julian Assange is being handled.

In recognizing that the trial of Assange could be best described as a [kangaroo court](#), one commentary points out:

Anyone following this case will know that justice is not the intention of the British state when it comes to Julian Assange and his impending extradition to the United States... These are the conditions of one of the most important court cases currently underway in British legal history.... Assange is being subjected to what is evidently a show trial...

Of all places in the world, in a British court, it should make no difference what anyone thinks about the defendant. But in this case, the method of proof and the rules of evidence are without a doubt compromised – as indeed, is evidence of torture in this case. Even the judge's actions to date have been more than questionable and seem by all accounts prejudicial...

And yet, deep down, you know that this is a show trial, really just a kangaroo court. Its outcome is merely a case of manoeuvring the facts and coming to a pre-ordained decision ordered by a cowering supplicant state of America. When this case is over, it will set a new precedent for the state against dissidents, it will change the very basis of justice and will decisively and permanently change the course of court cases to follow. (*Julian Assange: British justice in the dock*, *TruePublica*, 28th February 2020)

Given the Australian citizenship of Julian Assange, a delightfully ironic possibility for any dramatisation could well be found in the problematic nature of a so-called kangaroo court -- a term in common use within the ["Five Eyes"](#) vitally interested in the issues raised by the trial -- namely the UK, US, Australia, New Zealand and Canada. Potentially relevant comments in each case include:

- USA:



- Steven Poole: *'Kangaroo court': what have marsupials got to do with White House politics?* (*The Guardian*, 11 October 2019)
- Ben Zimmer: *'Kangaroo Court': A Peculiar Complaint of Unjust Proceedings* (*The Wall Street Journal*, 11 October 2019)
- Rich Lowry: *How the U.S. Senate Became a Campus Kangaroo Court* (*Politico*, 20 September 2018)
- Andrew Gumbel: *US accused of using 'kangaroo court' to try men accused of role in September 11 attacks* (*Independent*, 12 February 2008)
- *Trump's Case Headed for Possible "Kangaroo Court" in Senate* (*FreeSpeech*, 19 December 2019)
- *'Kangaroo court' - Trump blasts impeachment inquiry* (*YouTube*, 19 November 2019)
- *Guantanamo a 'kangaroo court' - British judge* (*The Age*, 27 November 2003)
- UK:
  - Heather Stewart: *Gavin Williamson: 'I was tried by kangaroo court – then sacked'* (*The Guardian*, 2 May 2019)
  - Oscar Grenfell: *Julian Assange's court hearing in London: Britain stages a lawless show-trial* (*Pacific Free Press*, 24 October 2019)
  - Greg Wilpert: *Opinion Julian Assange in Kangaroo Court* (*TruthDig*, 5 November 2019)
  - Craig Murray: *Assange's Judge a Disgrace to the Bench, Ex-UK Ambassador Says* (*Consortium News*, 15 April 2019)
  - *Save Julian Assange from the USA-UK Kangaroo Court* (*Behaviorist Socialist*, 15 May 2018)
- Australia:
  - Amanda Stoker: *It's time we culled these kangaroo courts* (*The Australian*, 27 November 2019)
  - Adrian Prosenko: *Sam Burgess calls for overhaul of 'kangaroo court' judiciary system* (*The Sydney Morning Herald*, 17 September 2019)
  - John Hirst: *'Kangaroo Court': Family Law in Australia* (*Quarterly Essay*, 2005, #17)
  - Katie McRobert: *Dragging animal welfare through a kangaroo court* (*Australian Farm Institute*, 10 April 2018)
  - Hubbard College of Scientology: *Kangaroo Court: an investigation into the conduct of the Board of Inquiry into Scientology, Melbourne, Australia* (1967)
- Canada:
  - Neil Mohindra: *Ottawa is creating new kangaroo court that will make life a lot harder for Canadian businesses abroad* (*Financial Post*, 24 January 2018)
  - Ezra Levant: *Human rights judge gone, kangaroo courts remain* (*Toronto Sun*, 21 March 2014)
  - Stephen Lendman: *Kangaroo Court Justice for Hassan Diab* (*Canadian Dimension*, 18 November 2014)
  - Yamri Taddese: *Chief justice pushes back against bias claims, insinuations of kangaroo court* (*Law Times*, 25 August 2014)
  - Kathy Shaidle: *Canada's Human Rights Kangaroo Court*
  - *Canada's Human Rights Commission -- Canada's very own kangaroo court?* (*Sherdog*, 25 July 2015)
  - *Kangaroo Court of Canada: Compliments of Liberals and Conservatives* (*Rabble*, 2015)
- New Zealand:
  - *Kangaroo Court: a video explaining New Zealand's new "guilt-on-accusation" anti-Internet law* (*Boing Boing*)
  - *Activist slams SIS 'kangaroo court'* (*New Zealand Herald*, 30 June 2000)

References are widely made to the use of such courts in other countries whose legal systems are readily deployed by the countries named above.

Such a court is one that ignores recognized standards of law or justice and often carries little or no official standing in the territory within which it resides -- presumably not applicable in the case of Assange. The term may also apply to a court held by a legitimate judicial authority, as in the case of Assange, which intentionally disregards the court's legal or ethical obligations -- as argued by Assange's defence team. The defendants in such courts are often denied access to legal representation and, in some cases, proper defence and the right of appeal -- of which there are already indications.

**Trial of Jesus:** In further justification of the parallels between the Trial of Assange and the Trial of Jesus, similar arguments have been made -- often in far greater detail -- with regard to the latter (*Trial of Jesus: facts and details*, 2018). References include the following, although the theme is evident in the content of many other such texts:

- *Who killed Jesus? The case against Caiaphas* (*BBC News*, 18 September 2009)
- Gordon Curley: *A Kangaroo Court: Jesus On Trial* (*Sermon Central*, 6 March 2016)
- Kevin Riggs: *Kangaroo Court: Luke 22:63-23:25* (*Floods of Justice*, 3 April 2017)
- Sivadas Chettur: *The Trial of Jesus by the Kangaroo Court* (*Lawyers Club of India*, 2 April 2010)
- D. Lance Waldie: *The High Priests' Kangaroo Courts* (*Harvest Bible Church*, 15 March 2016).
- Jesse Cragwall: *Luke 23:1-25 -- Jesus and the Kangaroo Court* (*ProvGroups*, 2 March 2018)
- Bruce Goettsche: *Kangaroo Court* (*Union Church of La Harpe IL*)
- Bruce Carter: *Kangaroo Court* (*Valley View: the Good News of Jesus*, 14 March 2010)
- Peter Leithart: *Un-Kangaroo Court* (*Patheos*, 21 November 2009)
- Jim Edwards: *Jesus in the Evil Jewish Kangaroo Court* (*Everyday Christian Family*, 15 December 2015)
- *Before a Kangaroo Court* (*Ligonier Ministries*)
- *A Kangaroo Court: how Jesus' trial was illegal* (*Saint Dimitrie: Romanian Orthodox Church of Brisbane*, 19 April 2012)
- *The Illegal Kangaroo Courts leading up to Christ (Second Coming) in Wrath* (*New Jerusalem Ministries*, 20 October 2012)
- Kyle Butt: *Kangaroo Court* (*Apologetics Press*, 2003)

The latter is a commentary on a book by John MacArthur (*The Murder of Jesus*, W Publishing Group, 2002), subsequently republished with a subtitle (*The Murder of Jesus: A Study of How Jesus Died*, Thomas Nelson Publishers, 2004).

Prejudicial bias of the decision-maker or from political decree are among the most publicized causes of kangaroo courts. Some commentators argue that the result in the Assange case has been pre-determined. Such proceedings are often held to give the appearance of a fair and just trial, even though the verdict was already decided before the trial actually began.

There is a splendid irony to be explored in any future dramatisation in that it is an avowedly Christian society which is framing the case against Julian Assange. This is a society which deplores the Trial of Jesus as having been ensured through a kangaroo court and frames the adjudication by others in such terms (Alex Newman, *UN Kangaroo Court Implodes Amid Threat to Prosecute U.S. Troops*, *New American*, 17 November 2016). The irony is potentially all the greater in that it is the Christian fundamentalists who emphasize the illegality and injustice of that trial who are now recognized as constituting the power base of the president of the country ultimately responsible for the trial of Assange..

## Paradox of folk heroism?

As an Australian, Assange invites comparison with [Ned Kelly](#) (1854-1880) -- an iconic figure in early Australian history. A fugitive Australian rebel, he repeatedly embarrassed and evaded the authorities, in the process becoming an icon of resistance and folk hero. He is best known for wearing a [suit of bulletproof armour](#) during his final shootout with the forces of law and order (Bryce Lowry, *Julian Assange is the Ned Kelly of the digital age*, *The Sydney Morning Herald*, 8 December 2010; *Julian Assange compared to Ned Kelly by Aussie politician*, *Startsat60*, 30 November 2016). In the present period, Assange could be fruitfully portrayed as wearing protective armour readily recognized in an information society in terms of an impenetrable [firewall](#), encryption protocol, and the like. This could be associated with protection by the truth for which he and other whistleblowers are vehicles.

The comparison was made again by a controversial Australian politician, [Pauline Hanson](#), in a letter to the Australian prime minister at that time, stressing that "we have failed to adequately protect whistle blowers" (*Letter from Pauline Hanson to Malcolm Turnbull*, *ABC News*, 29 November 2016; *Pauline Hanson Releases Letter She Sent To Turnbull Calling For Julian Assange's Release*, *The Huffington Post*, 29 November 2016). Ned Kelly as a popular hero -- known as a "rat bag" in Australian slang -- usefully helps to reframe widespread perception of Assange as a "rat bag" (*He might be a rat bag, but he's our rat bag': Australian MPs call for Assange's extradition to US to be dropped*, *The Independent*, 19 February 2020).

Any such comparison invites the question as to why historic figures, considered highly dubious in their time (as with Jesus), are subsequently glorified in some way. This is especially evident in the USA, as illustrated by the cases of [Bonnie and Clyde](#), [Butch Cassidy](#), the [Sundance Kid](#), [John Dillinger](#) and [Jesse James](#) (*List of folk heroes*, *Wikipedia*). The dramatic mystery is obviously enhanced if they disappeared (*List of fugitives from justice who disappeared*, *Wikipedia*).

With respect to their embodiment of divine inspiration, particular reference is made by religions to their martyrs (*Lists of martyrs*, *Wikipedia*; *List of Christian martyrs*, *Wikipedia*; *List of Protestant martyrs of the English Reformation*, *Wikipedia*; *List of Catholic martyrs of the English Reformation*, *Wikipedia*). Noteworthy is how limited is the recognition of those who died for other causes -- or who were slaughtered for embodying them).

## Secretive security services constraining Assange?

It could be considered remarkable that so little mention is made in reports of the legal process of Assange with regard to the various security services specifically mandated to control and restrict his movements. Ironically, with respect to the Trial of Jesus, there would appear to be a similar lack of information -- other than with reference to the Roman Centurion [Longinus](#) at the final crucifixion.

Reference is made to the authorities of [Her Majesty's Prison Belmarsh](#) run by [Her Majesty's Prison Service](#). It is adjacent to and adjoins [Woolwich Crown Court](#) and is used in high-profile cases, particularly those concerning national security. It has been speculatively named by the BBC as [Britain's Guantanamo Bay](#) (6 October 2004). Extremely high levels of force are reportedly used to subdue prisoners at the Belmarsh facility; since the previous inspection, the number of inmates indicating that they had been victimised or intimidated by staff had increased. (*High levels' of force at prison*, *BBC News*, 27 November 2009).

In denying responsibility for the conditions of detention, about which Assange's lawyers have protested, Judge Vanessa Baraitser simply referred the lawyers to those prison authorities. As an establishment of the highest security, any dramatisation might draw on a comparison with the US prison in which he might well be confined if the extradition request was accorded -- namely the high security [Metropolitan Correctional Center](#) in which [Jeffrey Epstein](#) has been [controversially claimed to have committed suicide](#).

Consistent with suspicions regarding the Epstein case, Julian Assange's lawyer has told a London court there were discussions about the WikiLeaks founder being kidnapped or poisoned by American state actors while inside the Ecuadorean embassy (Jacquelin Magnay, *US 'considered poisoning, kidnapping Julian Assange'*, *London court hears*, *The Australian*, 25 February 2020). Other possibilities have been cited (*After Epstein -- Assange?*, *TruePublica*, 16 August 2019).

Less evident is the authority responsible for the two security agents which are required to be seated on each side of Assange when he engages with his lawyers. Their existence is at least acknowledged in descriptions of various interactions with Judge Baraitser -- but seemingly without mention of the service to which they belong. Are they agents of UK security authorities, or their US counterparts? In the latter case, in dramatic terms, can they be portrayed as an overreaction to the extraordinary failure of the two security guards in preventing Epstein's "suicide"?

Even less evident are the security services which have had access to Assange during his incarceration in Belmarsh. Speculatively these might include both UK and US secret services -- necessarily a matter of the greatest secrecy. Given the manner in which his physical and psychological condition have deteriorated, their role may in all probability have extended to the use of various methods of "enhanced interrogation" on which little can be said in the media -- possibly under the restrictions of [D-Notices](#), [injunctions](#), or even [super-](#)

[injunctions](#) (Roy Greenslade, *The D-notice system: a typically British fudge that has survived a century*, *The Guardian*, 1 August 2015). Extensive reports by [Nils Melzer](#), the [UN Special Rapporteur on Torture](#), do however suggest that any such enhanced interrogation should be appropriately understood as torture (*U.N. Rapporteur: Julian Assange Has Faced Psychological Torture; he should not be extradited to U.S.*, *Democracy Now*, 22 November 2019; *Demasking the Torture of Julian Assange* (*Medium*, 26 June 2019).

Most remarkable, and noteworthy from the perspective of any future dramatisation, is the entanglement typical of a spy novel of [John le Carré](#). An amazing set of interconnections is noted by Matt Kennard and Mark Curtis (*More to know – Assange, the Judge, GCHQ and MI5*, *TruePublica*, 26 November 2019). The son of [Lady Emma Arbuthnot](#), the Westminster chief magistrate overseeing the extradition proceedings of Julian Assange (as noted among the "*tricoteseuses*" above), is the vice-president and cyber-security adviser of a firm heavily invested in a company founded by GCHQ and MI5 which seeks to stop data leaks,

The revelations raise further concerns about potential conflicts of interests and appearance of bias concerning Lady Arbuthnot and the ties of her family members to the UK and US military and intelligence establishments (Thomas Scripps, *Judge Emma Arbuthnot refuses to recuse herself in show trial of Julian Assange*, *World Socialist Website*, 11 July 2019; Kevin Reed, *New Conflict of Interest Evidence Against UK Judge in Charge of Assange Extradition Process*, *Global Research*, 22 February 2020; Matt Kennard and Mark Curtis, *Revealed: Chief Magistrate Lady Arbuthnot in Assange Case Received Financial Benefits from Secretive Partner Organisations of UK Foreign Office*, *Global Research*, 25 February 2020).

Lady Arbuthnot's husband is [Lord James Arbuthnot](#), a former UK defence minister who has extensive links to the UK military community. Consistent with the complexities of any spy novel, is the involvement of both the media and MI6 (Craig Murray, *Assange Never Met Manafort. Luke Harding and the Guardian Publish Still More Blatant MI6 Lies*, 27 November 2018).

Nothing is indicated regarding the qualifications or potential conflicts of interest of Judge Baraitser in the high profile case -- perhaps not surprisingly since no information is apparently available on her via the web. Has such information been "wiped" in a systematic cover-up by the security services, as a protégé of Judge Arbuthnot?. John Pilger has offered the clarification that she is a "magistrate" not a "judge", adding:

Her face was a progression of sneers and imperious indifference; she addressed Julian with an arrogance that reminded me of a magistrate presiding over apartheid South Africa's Race Classification Board. (*Did This Happen in the Home of the Magna Carta?* *Consortium News*, 25 October 2019)

Given that perspective, a dramatisation could suggest that she was in fact a close relative of [Lisa Baraitser](#), a professor of psychological theory, whose contribution is acknowledged by the authors of a study of relevance to this argument (Jessica Pykett, et al, *Psychological Governance and Public Policy: governing the mind, brain and behaviour*, 2016). A potential indication of familial bias might then be offered by Lisa's signature of a controversial statement (*List of Pro-BDS Professors and Academics*, 2019).

Assange is however widely reported to be "under medication" (*Doctors Petition UK Home Secretary Over Julian Assange*, 23 November 2019; Ceylan Yeginsu, *Julian Assange 'Could Die' in U.K. Jail, Doctors Warn*, *The New York Times*, 25 November 2019), More intriguing therefore is the authorisation for any such medication and how it relates to any "enhanced interrogation" -- as in the case of the well-documented methods used in Guantanamo Bay (Jason Leopold and Jeffrey Kaye, *Controversial Drug Given to All Guantanamo Detainees Akin to "Pharmacologic Waterboarding"*, *Prison Legal News*, 15 April 2011). This suggests a variety of possibilities for any future dramatisation -- especially as might follow from the use of psychoactive drugs.

Any comparison with Jesus in a dramatisation, however dubious, even suggests possibilities that his mystical experiences were drug enabled (Richard J. Miller, *Religion as a Product of Psychotropic Drug Use: how much of religious history was influenced by mind-altering substances?* *The Atlantic*, 27 December 2013). Would the argument now be relevant to any change agents of the present period?

An intriguing dramatic twist is offered by the fact that it was only the pleas of fellow prisoners in the Belmarsh facility which ensured the transfer of Assange from isolation to slightly more congenial conditions. This is especially ironic in dramatic terms given the special relation between Jesus on the Cross and the criminals hung beside him, as appreciated in the biblical tales of the [penitent thief](#) and the [impenitent thief](#) (Caitlin Johnstone, *Belmarsh Prison Inmates Prove More Ethical Than Entire Western Empire*, 25 January 2020; *Assange's Solitary Confinement Ends Following Pressure From Lawyers And Fellow Prisoners*, *Sputnik News*, 24 January 2020).

Another twist is offered by the argument of the US, as represented by the prosecutors in the extradition hearing (*Julian Assange 'put lives at risk' by sharing unredacted files*, *BBC News*, 24 February 2020; Jason Douglas: *Assange Put Lives at Risk, U.S. Argues as Extradition Hearing Begins* (24 February 2020; Michael Holden, *Julian Assange put lives at risk, lawyer for United States says*, *IT News*, 25 February 2020).

With respect to the secret services, curiously this occurs in the same period in which it has become lawful for those services to commit crimes (*U.K. Security Service Can Let Informants Commit Crimes, Court Rules*, *The New York Times*, 21 December 2019; *MI5 can lawfully tell agents to commit crimes*, *The Independent*, 30 December 2019). A similar pattern is evident in the US (*Trump's pardons erode good order and discipline and could shatter the military's reputation, veterans say*, *Business Insider*, 27 November 2019). For journalists, the Saudi Arabian response to [Jamal Khashoggi](#) in 2018 has clearly been an inspiration to the UK and the USA, rather than a matter to be deplored.

## Appropriate symbolic alternative to crucifixion for Assange?

Whilst the Cross and crucifixion are the primary symbols in the case of Jesus, of particular relevance is his name alone and what that is held to imply in terms of higher truth. It is in this sense that any consideration of the truth for which Julian Assange is tried might explore

the use of his surname, or his "Christian name" -- from a "branding" perspective. This frames the question of deliberately misrepresenting a higher order of truth through "blasphemous" use of the name with which that truth is associated, as in the case of "Jesus" (*Why is Jesus used as a swear word? Catholic Answers*, 11 July 2011).

Could "Assange" develop into a useful swear word for those who disparage that truth? It has the peculiar merit of offering distinctive implications through its combination of two roots of fundamentally contrasting significance. One is already widely used as a swear word, whilst the other is potentially indicative of truth of a higher order. However unfortunate, existing references to "arse angel" are indicative of that possibility -- and the abuse to which Assange might have been subject in the Belmarsh facility.

The other possibility follows from the long-cited phrase [the law is an ass](#), where "ass" (as donkey) has its English connotation, rather than the American (as in the first possibility). Combined with "ange", the latter could be understood as a reference to the common [symbol of justice](#) dating from the deities of Greek and Roman times (Themis and Justitia) -- now often depicted as [blindfolded justice](#). An "assinine" instance is offered by the widely emerging [anti-mask legislation](#) against face-covering for reasons of security in a period in which the coronavirus has given rise to a worldwide shortage of [facemasks](#) -- the wearing of which is presumably prohibited by much legislation of that kind. Such legislation is a feature of related legislative idiosyncracies (*Facism as Superficial Intercultural Extremism*, 2009).

It is of course the crucifixion of Jesus which has become such a powerful mnemonic aid over centuries. This suggests the need for a comparable symbol with respect to devotion to the truth for which investigative journalism is so passionate. However it can be argued that, metaphorically at least, the crucifixion of Assange is already being ensured (George Galloway, *Assange extradition hearing is Damocles sword over journalists' heads: but UK mainstream media participate in his crucifixion*, RT, 28 February 2020).

The dynamics of the Trial of Assange may yet offer clues to some iconic form of punishment -- whether or not there is a final abdication of abdication of responsibility on the part of authorities, judicial or otherwise (*Who was Pontius Pilate? Why did he wash his hands? Quora*, 2 October 2016). Some appropriate possibilities with respect to Assange are discussed separately in detail (*Crowdsourcing Just Punishment for Julian Assange -- in faithful Christian retribution for daring to speak truth to power*, 2020).

Given widespread references to "naked truth" and the typical depiction of the naked Jesus on the Cross, the extensive coverage of allegations of the repeated strip searching of Julian Assange are suggestive of memorable possibilities yet to come (*Julian Assange was 'handcuffed 11 times and stripped naked'*, *The Guardian*, 26 February 2020; *Julian Assange 'stripped naked by prison guards' after first day of extradition hearing*, *SBS News*, 26 February 2020).

One particular Australian twist that may appeal to Christians is that offered by [Mel Gibson](#) -- best known for *Mad Max*, namely a series of three Australian dystopian, post-apocalyptic action films. Consistent with his religious beliefs, he subsequently directed *The Passion of the Christ* (2004), rated one of the most violent, gruesome movies of all time, and the highest grossing R-rated film in American history. As noted by Michael Patrick Shiels:

When Mel Gibson produced *The Passion of the Christ* (2004) with a bloodied to the point of being unrecognizable Jim Caviezel as Jesus during his last 12 hours before the crucifixion, moviegoers had to put down their popcorn and critics said the story was lost in the snuffing of the Savior. Respected film critic Roger Ebert described *The Passion of the Christ* as the *most violent film he'd ever seen*. (*The Truth of What It Is Like to Be Crucified*, *Forbes*, 26 March 2016)

The earlier paper introducing the need for a memorable symbol discussed the possibility of [requisite iconic "special effects"](#) in the light of the universal Christian appreciation of the [cross](#) as an appropriate symbol of the pain inflicted by authority on Jesus as a truth-teller. The question raised was **what contemporary technology could now best embody the official attitude of the USA to emergent truth?**

Inspiration for the central symbol of environments in which truth is celebrated in the future might be more imaginatively associated with a combination of the iconic imagery of the popular *Star Wars* series and the use of [waterboarding](#) -- as a seemingly painless preferred modality in the official quest for truth in the USA. As with Jesus on the cross, a degree of elegance needs to be embodied in the imagery for purpose of display.

A basis for reflection on that possibility, with proven imaginative appeal, is offered by the character [Han Solo](#), appropriately described by *Star Wars* creator [George Lucas](#) as: *a loner who realizes the importance of being part of a group and helping for the common good*. The series is widely known for its celebration of a transcendent "Force" -- a binding, metaphysical, and ubiquitous power. The earlier proposal reproduced the presentation by [John Ringland](#) (*Two Perspectives on the US / Assange Issue*, 2019) comparing *Truth Wars: the Empire strikes back* with *Security Wars: protecting the Homeland*.

In the *Star Wars* drama, under the orders of [Darth Vader](#), Solo is captured and sealed in [carbonite](#) for delivery to [Jabba the Hutt](#) -- a process somewhat reminiscent of that desired by US authorities with respect to Assange and Snowden. Manning could already be understood to have long been placed in a form of stasis in anticipation of his show trial. Through incarceration, permanent stasis is now vigorously sought for all three. The practices of the [Guantanamo Bay detention facility](#) are also indicative of a form of painful legal stasis officially favoured by the US -- a form of living death -- contrasting strangely with the values embodied in a widely known song (*Guantanamera*) in celebration of a woman from that area.

Relevant to the proposal are the many references comparing Darth Vader with Donald Trump, including:

- Josiah Wilmoth: *Freudian Slip? Trump Accidentally Compares Himself to Darth Vader* (*CCN Markets*, 21 August 2019)
- Dory Jackson: *Mark Hamill says Donald Trump is worse than Darth Vader, as Star Wars villain* (*Newsweek*, 27 December 2018)
- Barney Henderson: *Donald Trump 'pictured next to Darth Vader' on Air Force One* (*The Telegraph*, 7 April 2017)
- Chris Matyszczyk: *Donald Trump photographed with Darth Vader* (*CNET*, 6 April 2017)



- Sam Thielman: *Donald and Darth: how the two leaders compare on key issues* (*The Guardian*, 18 December 2015)
- Andy Golder: *Darth Vader Mixed With Donald Trump Quotes Is Hilarious* (*BuzzFeed*, 11 December 2015)
- James Vincent: *This Donald Trump / Darth Vader mashup is surprisingly good* (*The Verge*, 9 December 2015)
- *Someone dubbed Donald Trump over Darth Vader and it's hysterical* (*YouTube*, 7 December 2015)

As previously suggested, the "triumvirate" of Manning-Assange-Snowden could be embodied in a single image, resembling that of Han Solo sealed in carbonite (as in a tombstone). This could be appropriately and elegantly displayed under a flow of water in centres in which truth is celebrated in the time to come --- echoing the enhanced interrogation to which the triumvirate are likely to be subjected under the orders of Pontius Pilate XXI.

**Focal animation of future symbolic celebration  
of transcendental truth?**

(tentatively based on an iconic image from *Star Wars*  
of Han Solo in carbonite, embellished by a water feature,  
recalling a method of discovering the truth officially favoured in the USA)



Animation developed from [iconic image](#) in  
*Wookieepedia: the Star Wars wiki*



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