A Toxic Archive of Digital Sunshine: Wikileaks and the Archiving of Secrets

DISCLAIMER: MANY THINGS HAVE BEEN HAPPENING IN RELATION TO WIKILEAKS OVER THE PAST FEW WEEKS, SO THIS VERSION OF THE PAPER MAY DIFFER FROM THE VERSION I ACTUALLY DELIVER AT MIT6. I ALSO ASK THAT THIS PAPER NOT BE CIRCULATED IN THIS VERSION.

On March 19th, Australian citizens learned that their government was considering instituting a mandatory national filtering system that would prevent them from accessing a list of websites identified as having connections to child pornography.¹ The origin of this revelation -- which engendered a substantial political fallout and the likely consequence that the list will not be approved in the Australian senate -- was not, as might be expected, a journalistic investigation, or a TV press conference featuring an indignant whistle-blower. Instead, the plan was made public through a leaked copy of the proposed blacklist posted on Wikileaks, a Swedish-hosted website run by an international collective and dedicated to "untraceable mass document leaking and analysis." ²

For followers of the Wikileaks site, the fact that the blacklist appeared on Wikileaks first was hardly surprising. Since its launch in early 2007, Wikileaks has published scores of documents never intended for public view, and its professed ability to safeguard the security of those who wish to upload and circulate such documents has meant that the site has become a primary destination for leakers, for the media, and for members of the interested public. But what *was* surprising about the list's publication was the disabling

effect that it had on Wikileaks. On March 22nd -- two days after Australia's Minister for Broadband, Communications and the Digital Economy, Senator Steven Conroy, threatened legal action against the site -- Wikileaks became unavailable.³

Soon after Wikileaks went offline, bloggers and some media outlets began speculating whether the site had been the victim of a court-ordered shutdown.⁴ After all, Conroy was not Wikileak's only enemy; over the past two years, governments, corporations, and the Scientologists had repeatedly tried to quash Wikileaks, and the Swiss bank Julius Baer had been successful in getting Wikileaks' American domain temporarily disabled in February of 2008.⁵ Soon, however, the members of the Wikileaks editorial board announced via Twitter that the site had not been forced offline by any political, religious or corporate entity; rather, global interest in the blacklist had overwhelmed the Wikileaks servers.⁶ Later that day, visitors who came to the site were met with a static page which contained an apology, as well as a request for donations to enable Wikileaks to upgrade their equipment in the face of increased demand. Over the following week, service remained spotty, and the online community of Wikileaks followers began to express their concern about whether the Wikileaks collective would eventually become the victim of its own success.

I'm interested in this story about Wikileaks and the Australian blacklist on several levels; among other things, it's a good example of the ever-increasing boundary skirmishes between traditional, institutional sites of facticity and newer sites, a topic I'm exploring in a longer project. Here, however, in accordance with the theme of the conference, I am

going to focus on the idea of Wikileaks as an archive -- a digital archive of censored documents that are either revealed or yet-to-be-revealed, thus an archive of secrets both expired and untold. What I'll be arguing here is that the Wikileaks collective, by creating what is arguably the safest and easiest way to anonymously upload classified documents for publication, has paradoxically engineered a suicidal archive in which each subsequent release of a document poses a threat to the entire archive's existence. As my opening anecdote suggests, this threat is both legal and operational, since publishing a document can spur government action to have the site taken offline, but it can also create such a level of interest that Wikileaks is ultimately unable to keep up with the demand.

Thus far, the disruptions Wikileaks has experienced as a result of its actions have been temporary, and the site's founders continue to argue that the system Wikileaks has created is robust enough to withstand future legal and operational assault.⁷ But I presume the opposite here – namely, that there is something inherently fatal about the enterprise of Wikileaks, a death-drive built into the very structure of its archive.⁸ As I'll argue, this potential for self-destruction coexists uneasily with Wikileaks' aggressive positioning itself as the go-to repository for classified documents. As it faces a new wave of challenges to its continued existence, Wikileaks serves to remind us of the fragility of the digital archives that are increasingly mediating our experiences of both historical and present-day records.

So what exactly is Wikileaks? It is not an affiliate of Wikipedia, or the Wikimedia Foundation; rather, it is one of a number of websites -- including *Cryptome, The Memory*

Hole, National Security Archive, GlobalSecurity.org, and the Nautilus Institute -dedicated to providing an outlet for information that might otherwise remain secret. What is distinctive about Wikileaks is the extent to which it has been aggressively proactive in soliciting and publicizing material on a broad range of topics. The site's founders, a mainly anonymous collective which, according to the site's "About" section, includes Chinese dissidents, journalists, mathematicians, and 'startup company technologists' from the US, Taiwan, Europe and South Africa, claim they are now processing over a million documents uploaded from locations around the world, selecting and vetting those which have political, diplomatic, ethical or historical significance. Those they select as meriting attention are posted, translated when possible (currently, about 30 languages are represented), and announced via RSS, Twitter, and media outreach. According to the site, Wikileaks' goal is to create "a social movement emblazoning the virtues of ethical leaking,"⁹ that will shine light on corrupt practices everywhere —particularly, they claim, in Asia, the former Soviet bloc, Latin America, Sub-Saharan Africa and the Middle East.

This is an extraordinarily ambitious agenda, and some have accused Wikileaks of drifting off mission -- as several observers have pointed out, the site's disclosures seemed to have shone far more light on European and North American corruption than on corruption elsewhere. However, in a short amount of time Wikileaks has facilitated some truly revelatory and consequential leaking, emerging as both ally and competitor to media outlets around the globe. The documents they have published include the 51,000-name supporter database of ex-US Senator Norman Coleman (with names and addresses); the

partial contents of Sarah Palin's Yahoo inbox; a list of military equipment in Iraq; the complete text of the officer's handbook used at the detention center in Guantanamo Bay Cuba; information on the DOD's Warlock Green and Warlock Red IED jamming technology; the final draft of a US Army Intel brief on Afghani insurgent groups; a selection of Scientology's "Operating Thetan" missives; the membership list of the farright British National Party (also with addresses); and a series of documents suggesting that Barclay's Bank was engaged in sustained practices of tax avoidance.¹⁰ Though the majority of these documents are anonymously sourced and illegally released, this is not always the case: on April 3, for example, a Canadian academic named Michael Geist uploaded a copy of the 2008 Canadian ACTA Consultation report that he had procured through the Canadian Access to Information Act.¹¹

As this very partial list makes clear, these documents have little in common save for three things: first, someone has attempted to hide them from public view, second, someone else acquired them and sent them to Wikileaks, and third, the Wikileaks editorial board decided they were worthy of publication. This last point is important: unlike most wikis, Wikileaks does not allow documents to be published directly to the web or collectively edited. Rather, the Wikileaks site uses a modified version of the Wikimedia platform, which allows users to post documents anonymously to the server for publication following review. The platform also allows anyone interested to comment on the reliability or implication of published documents in a linked comments area.

Another aspect of Wikileaks that distinguishes the site from a conventional wiki is the

manner in which documents are submitted. In order to protect the identity of leakers, Wikileaks uses customized versions of readily available cryptographic and rerouting techniques including Free Net, PGP and Tor. And if leakers remain concerned their computer still might be traced, they can encrypt the documents using online tools provided by Wikileaks and then mail them to designated postal boxes, where they are collected by volunteers and sent on, still encrypted, to a member of the Wikileaks editorial board.¹²

However it reaches Wikileaks, once a document has been received it goes through a vetting process by the investigative journalists on the Wikileaks board.¹³ After its authenticity has been established, there are digital encryption procedures that sever the verified document from its forensic trace before publication. When finally published, documents are hosted on a server physically located in Sweden, a country with extremely strong press-freedom protections. They can then be accessed by users either from the central site (Wikileaks,org), or through one of about 50 alternate Wikileaks domains. These domains include both Wikileaks sites (such as http://wikileaks.la/), and "cover" domains established to combat Chinese filtering of all "Wikileaks" sites, (such as http://ljsf.org/). These alternate sites redirect users either to Wikileaks,org, or to a Swedish web proxy that in turn points to Wikileaks' real server – in other words, the system is design to withstand a DNS issue that affects Wikileaks.org.

All of this goes to suggest that Wikileaks has taken great care to engineer a system that protects their sources. However, this concern for safety of sources does not stem from

any general policy on the part of the Wikileaks editorial collective to protect those endangered by the publication process. Wikileaks has often been criticized for publishing information that arguably endangers not only the malefactors it exposes, but also innocent parties -- for example, American military personnel who might be endangered by information about troop equipment. In an interview with NPR's *On The Media* that focused on the possible harm caused by Wikileaks releases, Wikileaks spokesperson Julian Assange told interviewer Bob Garfield that though Wikileaks would consider notifying those they might endanger through publication, they would publish a document "even if there was a possibility of loss of life" as a result of publication. The exception, Assange conceded, would be if publication might result in the loss of life of a *source*, in which case they would "find a way to sit on the information." ¹⁴ Otherwise, the collective's commitment to free information would allow for no redaction in the interest of safety or propriety.¹⁵

As Assange explained during the NPR interview, the Wikileaks collective believes that "their primary loyalty is to their sources, not to their readers;" creating a climate of trust is the most important step towards encouraging sources to reveal information, which in turn is the best way to get more information from sources. Thus, if we take Wikileak's words at face value, we can understand this difference between Wikileak's concern about the safety of their sources, and their resigned acceptance of the harm that others might suffer due to documents submitted by these sources, as a consequence of the editorial collective's belief in the ultimate primacy of the freedom of information. But there are at least two other ways to think about Wikileaks approach, both tied to the

archival impulse at the heart of Wikileaks' enterprise.

First, we can connect Wikileaks' cultivation of their sources to the compulsion evidenced on the site for the collection of the greatest number and greatest variety of secret documents. For all of its focused sense of mission, the Wikileaks project, as I've suggested, is in reality a vast cabinet of miscellany. Ranked chronologically instead of according to importance, the overwhelming variety of documents on the site's homepage are alternately exhilarating and exhausting to peruse. Following Wikileaks' randomseeming, rapid-fire release of document after document, one senses the mixed fatigue and urgency that marks each subsequent release, and senses also that nothing else is as important to those at the center of this enterprise than this endless cycle of collection, release, and collection.

Second, if Wikileaks' approach to their sources can therefore be read as a sort of symptom of archival compulsion, it can also be read as an indicator of the radical rupture in the constitution of the Wikileaks archive -- the schism between those documents which are published and those which are still queued for publication. The difference between these two kinds of documents cannot be overstated, nor can we underestimate the tension between them. To clarify, consider exactly what Wikileaks does in publishing a document. Whatever function these documents serve in their original context – be they contracts, handbooks, correspondence, blacklists, etc -- publication transforms them into performative acts, interventions into ongoing political, financial, military or legal crises. In this sense, one could draw a connection between the Wikileaks archive and other

collections of official documents -- the Guatemalan Police Archives, released to the public at the beginning of April, come to mind -- that consist of a series of records whose function changes radically when circulated among different audiences. But Wikileaks is also different from archives such as these in that *from the moment a document enters the Wikileaks system,* it begins a process of transformation which liberates the record's potential as radical act. In this process of digital reincarnation –or reinscription might be the better word, since it is essentially stripped of its prior material identity -- the document loses its ability to cause harm to the person who has submitted it to Wikileaks, while at the same time gaining the ability to harm those it directly or indirectly indicts.

But the danger posed by each published Wikileaks document extends beyond its ability to harm those it names – or even to inadvertently harm innocents.¹⁶ As we have seen, each publication can also pose a threat to the architecture of the archive itself, and thus, to the documents that have not yet been released for publication. As I suggested earlier, some of the danger posed by these documents is purely operational: as Wikileaks documents gain more public attention, the increased demand for the archive threatens to shut it down completely. On March 24, while Wikileaks was offline, this issue of site traffic became the topic of a forum discussion on the social news site Reddit that encapsulated the site's current dilemma. One poster argued that the problems Wikileaks was having with site traffic were inevitable, given that Wikileaks relied on donor financing to support a centralized infrastructure: "Every year their site resources requirements balloon and they beg for more and more money...no amount of money can buy the redundancy that the public needs from these sites." His solution – proposed by several others on the forum

as well – was that Wikileaks switch to a peer-to-peer distribution system that would avoid the expenses and managerial hassles of centralized hosting. However, another poster pointed out that the physical location of the Wikileaks servers in a country with strong press freedom laws was vital to the site's survival, adding, "I do not want my non-Swedish IP address on a public bittorent tracker, seeding the sort of documents that Wikileaks publishes, without that sort of legal backing."¹⁷ And another poster objected to the idea of P2P technology because the more complicated interface would interfere with the site's public mandate. "Wikileaks is for the masses…the reality is that if one wants to get content distributed far and wide over the Internet, it need to be delivered via http."

Over the past several weeks, the potential for documents to have increasing consequences for Wikileaks has become quite clear, due to a series of events that in Germany connected with the German Wikileaks domain, Wikileaks, de.¹⁸ On March 24, police officers in Dresden and Jena searched the two homes of Theodor Reppe, the designated owner of the domain name, ordering Reppe take Wikileaks.de offline. As German officials acknowledged later, this search was conducted as part of a child pornography investigation. Germany has just finalized its own proposal to introduce a nation-wide child pornography filter, and the Wikileaks site, which published a list of links of to child pornography, was assumed to be a pornography portal.¹⁹

Because Reppe didn't have access to the domain name passwords, he was unable to comply, and the police left without pressing charges against Reppe or seizing equipment.

In the days following, the fact that the Wikileaks.de domain had been protected seemed to suggest that Wikileaks' system of safeguarding their domains and servers was working. However, on April 9, the Wikileaks.de was taken offline, Wikileaks notified their readers that the DENIC (Deutsches Network Information Center), the manager of the .de domain, had seized the domain without warning. An editorial on the Wikileaks website announced "Germany Muzzles Wikileaks!" The collective began a solidarity campaign, urging German activists to begin pointing their own domains to Wikileaks, or launch new domains, including http://repressionsstaat.de/. Bloggers wondered whether German censors would ferret out German—based cover domains for Wikileaks in the manner of the Chinese government, or even bloc access to Wikileaks.org.

Unfortunately for Wikileaks, by Monday morning it appeared that they had their story wrong. The problem was not with DENIC, but rather with the lower-level domain registrar, Beasts Associated, who claimed that they had given Reppe 90-day notice that his domain had been terminated. According to DENIC and Beasts Associated, any connection between the site's disappearance and the police raid was purely coincidental. Responding to the DENIC statement, Wikileaks announced that indeed, the decision to terminate the domain was linked to documents published in December detailing activities of the BND, the German CIA. The timing of the termination, they still insisted, was related to the raid on Reppe's home. On forums and on Twitter, activists who had responded to Wikileaks' outraged declaration of censorship began to deride Wikileaks for claiming that they had been censored by the German government for the porn blacklists, and some dismissed Wikileaks's response as conspiracy theory.²⁰ In the wake of the

incident. Wikileaks found itself in the position of facing a crisis of credibility for having cried 'censorship' too soon, while at the same time coming to terms with the fact that, even if they were wrong in this instance, it remained a possibility that the continuing presence of the Australian blacklist might give other countries license to censor Wikileaks in the name of censoring child porn, thus setting Wikileaks up for a far more charged legal battle than it had faced previously.

So – Wikileaks is heading into uncharted legal and operational territory, facing two crises that have become utterly entangled. The more attention that the site gets as a result of its DNS issues, the more difficulty the Wikileaks technical staff will have managing their bandwith crisis. And increasing concerns about the legal consequences of the pornography blacklists will mean that money that might otherwise be directed towards resolving traffic issues will be directed towards a legal fund. But the editorial collective is obviously determined to prove themselves undaunted by recent events – on April 11, even as they rallied supporters to donate money for what they believed would be a censorship battle in Germany, they published a purloined copy of a portion of the Anti-Counterfeiting Trade Agreement (ACTA), a document that the Obama Administration had classified under the State Secrets Act. Whether or not this document will attract the media attention that it deserves, it will certainly draw government interest in a moment that Wikileaks is perhaps uniquely vulnerable.

I am not suggesting here that Wikileaks should not have published their copy of ACTA – nor, for that matter, do I intend in this paper to quibble with any of the individual

procedures or actions of Wikileaks that I have described thus far. As I suggested at the beginning of this paper, Wikileaks is a paradox – brilliant, invaluable, but also damned by its ideological consistency and the seeming necessity of its current architecture (an architecture which may, in a few year's time, seem to be an artifact of technological history). I do, however, want to take issue with the manner in which Wikileaks actively discourages potential whistleblowers from going elsewhere, since I think it may have grave consequences for the archive of unpublished documents that Wikileaks has assembled.

The tenor of Wikileaks' wooing of their sources is perhaps best demonstrated by an editorial published on the site last October, in which Wikileaks enumerates the perils of leaking to anywhere else but Wikileaks. The author asserts that while no one who has uploaded to Wikileaks has been caught,²¹ in three separate instances -- the hacked Sarah Palin emails, a set of documents regarding kickbacks given by Sallie Mae, and a handbook discussing rituals of the Kappa Sigma fraternity -- material uploaded to Wikileaks by an intermediary *after* it had been leaked by another party wound up incriminating the initial leaker. Detailing the traces that let to each original leaker's identification, the editorial urges potential leakers to "Communicate with Wikileaks and only Wikileaks. After the dust has settled you can consider how you may want to tell others."²²

Whatever the concern of Wikileaks' editors for their source, the advice it prescribes is troubling. I have suggested, a world in which whistleblowers did in fact "communicate

with Wikileaks and only with Wikileaks," would not necessarily be a good thing; if Wikileaks becomes the sole archive of the world's dirty laundry, and then implodes, what becomes of the secrets left untold? Surely some of them would still emerge; others, however, would not. To gloss on digital historian Roy Rozensweig, Wikileaks has done to the world of secrecy what digital archives have done for the telling of history – it has given us the gift of abundance while threatening us with a future of scarcity.²³

In *Archive Fever*, Derrida notes that 'effective democratization can always be measured by this essential criterion; the participation in and access to the archive, its constitution, and its interpretation.' As Wikileaks becomes increasingly important as a means to distribute classified information, it seems to precisely emulate the kind of archive that Derrida describes: an collection of documents of public importance that is designed to accrue the most possible material, to be available to the widest range of citizen, and to facilitate mass interpretation. And yet Wikileaks is also something quite different – the unstable digital doppelganger of what Peter Galison has described as the unstable rising mountain of material in the classified world. However useful it might be as a tool as we attempt to chart the tectonics of these of worlds of truth and of secrecy, Wikileaks should also be a reminder of the dangers of placing too much faith in our ability to engineer ourselves the society we desire through technological means alone.

Australia-internet-censorship-markets-economy-wikileaks.html)

¹ As noted in March 19 article on Forbes.com, the list was not limited to pornographic sites per se, but rather included certain Wikipedia entries, some Christian sites, the Web site of a tour operator and even a Queensland dentist's practice. (See http://www.forbes.com/2009/03/19/

² See http://wikileaks.org/wiki/Wikileaks:About

³ According to an article on the website of Australia's ABC News, Conroy stated that "ACMA is investigating this matter and is considering a range of possible actions it may take including referral to the Australian Federal Police. Any Australian involved in making this content publicly available would be at serious risk of criminal prosecution." See http://www.abc.net.au/news/stories/2009/03/19/2520929.htm

⁴ See http://www.mediawatchwatch.org.uk/2009/03/19/wikileaks-is-offline-was-it-theaustralian-government/; http://www.scmagazineuk.com/Wikileaks-taken-offline-after-itpublishes-banned-Australian-websites/article/129213/;

http://www.networkworld.com/community/node/39977;

http://www.freerepublic.com/focus/chat/2210018/posts;

http://news.digitaltrends.com/news-article/19544/wikileaks-publishes-list-of-banned-aussie-sites-goes-offline for examples

⁵ After material appeared on Wikileaks that suggested odd doings were afoot at Julius Baer's Cayman Island outpost, the bank filed a Federal lawsuit against the site and obtained an injunction against Dyanadot, the site's registrar. However, after hearing arguments on behalf of Wikileaks, the judge reversed the injunction and allowed Wikileaks to remain online. Baer eventually dropped the suit. See

http://arstechnica.com/tech-policy/news/2008/02/swiss-bank-wins-injunction-againstwikileaks.ars and http://www.guardian.co.uk/media/2008

/mar/06/digitalmedia.medialaw?gusrc=rss.

⁶ This was not the first time Wikileaks was taken offline by increased site traffic; the site gone down briefly several times before, including a year earlier after Wikileaks editors chose to mirror a host a censored trailer for the controversial Dutch film *Fitna*. But it the site was offline for longer this time than before.

⁷ In fact, WIkileaks spokesman Julian Assange recently told a reporter, "When we get a legal threat everyone jumps up and down with glee, (since) any attack will just draw attention to us and the document they are trying to suppress." See

http://www.khaleejtimes.com/DisplayArticle08.asp?xfile=/data/theuae /2009/April/theuae April113.xml§ion=theuae

⁸ In *Archive Fever* Derrida suggests that an impulse toward destruction was inherent in the conceptualization of the archive. Indeed, perhaps one way to think about Wikileaks is as the ultimate Derridean archive, in which the struggle between Eros and Thanatos plays out on a daily basis -- not least because the pleasure of Wikileaks, which is the delight in discovering someone's secrets, is intertwined with the continual and often deadly possibility that someone might find out about your secrets.

⁹ See http://wikileaks.org/wiki/Wikileaks:About

¹⁰ The Barclay's bank documents were originally leaked to the British newspaper *The Guardian*; they were uploaded to the Wikileaks site after a court injunction forced *The Guardian* to remove them from the *Guardian* website. According to *The New York Times*, the judge additionally forbid from telling their readers where they could find the documents after they had vanished from the site. See

http://www.nytimes.com/2009/03/30/technology/internet/30link.html)

¹¹ Wikileaks published this with the disclaimer, "The document is not a leak, having been obtained under the AtIA, but is related to a number of previous leaks on ACTA released by Wikileaks."

¹³ See http://wikileaks.org/wiki/Wikileaks:About. The editors go on to claim that "We have become world leaders in this, and have never, as far as anyone is aware, made a mistake." While it is true that no Wikileaks document has been revealed as inauthentic, after the recent posting of a "censored" segment of a CBC broadcast, the segment's producer wrote in to say that no one had bothered to check whether the item had been censored: it was not.

¹⁴ See http://www.onthemedia.org/transcripts/2009/03/13/04.

¹⁵ In fact – as Garfield pointed out during the interview -- Wikileaks even recently published a list of their own donors, including addresses, which had been presumably leaked to the site by one of their own members. The publication of this list has understandably cast a pall over the site's ongoing efforts to raise funds.

¹⁶ I should note that publication of documents also endangers the Wikileaks collective; for example, a listener posted on the NPR forum that he hoped Assange met with 'vigilante justice' for publishing information relating to the U.S. military.

¹⁷http://www.reddit.com/r/reddit.com/comments/86bvy/since_wikileaks_is_obviously_in bandwidth trouble/.

¹⁸ In fact, Wikileaks was already on the Australian blacklist for publishing related 'porn' blacklists proposed by Denmark, Thailand and Norway.

¹⁹ See http://news.cnet.com/8301-1023_3-10144413-93.html

²⁰ About 12 hours after DENIC released their statement, they posted the following on Twitter: "Short update on Wikileaks.de issues: more open questions remaining, situation is still unclear. We will update once we have all information." One poster wrote in response, "no offense, Wikileaks, but i do hope you'll stick to hard facts this time; your/our cause can't afford another case of crying wolf." Following the official Wikileaks response, another follower of the incident wrote on Twitter "Oh, Wikileaks, why do you shoot yourself in the leg with a garbled press release? [translated from original German].

²¹ There is one incident that might belie this claim. On March 5, Oscar Kamau Kingara and John Paul Oulo Kenyan human rights activists whose report on Kenyan police assassinations had been leaked to Wikileaks last November, were shot at close range in their car on their way to a meeting with the Kenyan National Commission on Human Rights. It is possible, though of course not established, that Kingara and Oulo themselves might have sent the report to Wikileaks, thus drawing more attention to their findings and resulting in their death.

²² http://wikileaks.org/wiki/Successes_and_three_near_misses_for_Wikileaks

²³ See http://chnm.gmu.edu/resources/essays/scarcity.php

¹² Given the mystery surrounding the actual selection and publication of documents, it is difficult to know how many individuals are involved in the vast task of collection: the site's 'About' section claims that Wikileaks has '1,200 registered volunteers,' but it is hard to know what that means in terms of actual labor.