

# **Wikileaks vs Openleaks: A comparison of approaches**

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# Wikileaks vs Openleaks:

## A comparison of approaches

### Abstract

This paper is going to analyze the history, approaches, problems and controversy surrounding Wikileaks as opposed to Openleaks. It also intends to give a clear contrast between both approaches and models

Given the developments that have happened recently on Wikileaks, it is worth exploring the background and effects that this type of organization has had in our current society. There are two main opposing points of view supporting and opposing Wikileaks and its activities. While one side considers that Wikileaks is a treat and a danger to society, the other side argues that Wikileaks is a need for Democracy and Freedom of press and speech.

The reason why this debate is important to our current society is because this debate will define whether or not there is a limit to freedom of press and speech and whether or not the disclosure of classified information brings something helpful to our society as a whole.

# 1 Background knowledge

Since the massive disclosure of American Diplomatic Cables, Wikileaks has been the forefront element of the headers of news organizations around the world. Wikileaks has been operating since 2006 but it was until a year later that it started to appear on international news as a reliable source of classified information. (Lindquist, & Huor, 2011) It's worth noting that Wikileaks notoriety did not start with the disclosure of diplomatic cables. Wikileaks has in fact a history of disclosing sensitive classified information that goes from Scientology to the personal emails of former Governor or the state of Alaska and republican candidate for the vice-presidency of the United States elections of 2008: Sarah Palin. (Chacksfield, 2010)

## 1.1 Controversy

There are a couple of opposing points of view in favor and against Wikileaks which has managed to capture the attention of many of the major and most respected news agencies and who are publishing wikileaks gathered documents in a journalistic manner. The practices and actions of Wikileaks have been subject of a great deal of controversy some arguing that Wikileaks constitutes a danger rather than a simple expression of freedom of speech and free access of information. The points of view can be classified in two fields; One favoring Wikileaks while the other one opposing it.

### 1.1.1 Pro-Wikileaks

The favoring side of argues that Wikileaks is indeed an expression of freedom and democracy. This side considers that Wikileaks holds accountable the governments and institutions of the world while making a more transparent and freer society. Wikileaks is portrayed by this side as a resource for the ultimate truth to come out. The pro-wikileaks side considers that Wikileaks is vital for a democratic society. (Hansen, 2010)

### 1.1.2 Wikileaks Opponents

The opposing side argues that Wikileaks is a treat to security and society as a whole. This side considers that there are always secrets that should remain as such. The Wikileaks Opponent side believes that the disclosure of this information can be used against innocent people and potentially affect innocent lives. Furthermore it criticizes Wikileaks of not behaving properly and not taking responsibility for the consequences that may happen

such as the strain of a diplomatic relation. Opponents heavily criticize Wikileaks for disclosing personal names. (Sehgal, 2010)

## **1.2 Wikileaks**

Wikileaks is a non-profit organization dedicated to release classified and confidential information to the public sphere. Among the organizations dedicated to distribute and disclose classified information ("Wikileaks:about," 2008) Wikileaks is the best known one because of a series of massive disclosures of US diplomatic cables.

### **1.2.1 What is Wikileaks**

Wikileaks is composed by a mix of volunteers experts in their fields. It lacks of a centralized location or offices but has some of its servers in Sweden. Julian Assange could be considered the leader or director of Wikileaks. Mr.Assange is the most visible person within the organization. Wikileaks started as a regular Wikisite but was later on transformed into a traditional website. Nevertheless Wikileaks counts with technology which allows anyone with classified information to transfer it to Wikileaks servers in an anonymous and untraceable way. ("Wikileaks:about," 2008)

### **1.2.2 Timeline**

Wikileaks has been the center of attention of major media outlets several times in the recent months. Leaks have varied over time and have been about several topics that range from the United States War plans in Afghanistan to the personal Email account of Sarah Palin. (Romero et. al., 2010) Wikileaks was launched on October 2006 but it made news until August of 2007 when a British news outlet called The Guardian published a leaked copy of the protocol of the U.S. Army at the Guantanamo Bay detention camp which revealed some internal practices and proved that some prisoners were being prevented their rights under the Geneva convention agreement, allegation which the U.S. has denied before. (Synge1, 2007) In In March 2008 Wikileaks published a series of secret documents known as "the bibles of Scientology", a cult or religion popular in Hollywood, California. The Church of Scientology threatened to sue Wikileaks for the disclosure of the documents on copyright grounds. (Metz, 2008) In September 2008, Wikileaks published some of the emails of the personal email account of then candidate for the vice-presidency Sarah Palin, revealing how she was using her private email account for official matters of the government which is subject to laws requiring the

retention of government records. (Zetter, 2008) Wikileaks published in November 2008 the list of names of the far-right wing of the National British Party. ("'bnp membership' officer sacked" 2009)

In January 2009 Wikileaks disclosed recordings of the people involved in the 'Peruvian Oil Scandal' ("Aparecen 86 nuevos," 2009) Later on in July 2009 Wikileaks released a note about a possible nuclear accident that happened in Natanz nuclear facility in Iran ("Serious nuclear accident," 2009) which later on media outlets linked with the 'Stuxnet' computer worm. (Maillard, 2010) Right before the 2008 Icelandic Financial Crisis Wikileaks published internal documents of Kaupthing Bank in Iceland. The document disclosed large amounts of loans being granted to some owners of the bank and important amounts debt being written off. Kaupthing Bank threatened Wikileaks after the release. ("Icelandic bank kaupthing," 2009) In October 2009 Wikileaks released a report of an illegal dump by Trafigura oil-trading company in Côte d'Ivoire which caused great stir in the United Kingdom since the this company and Carter-Ruck attempted to prevent the Guardian from publishing the report. Carter-Ruck with Trafigura organized a plan to try to prevent the release of the report that accused Trafigura of illegal dumping of toxic chemicals that caused vomiting, choking and skin eruptions on a hundred thousand Ivorians and at least twelve deaths as a result. (Margaronis, 2009) In November 2009 Wikileaks disclosed 570,000 pager messages sent during the September, 11th attack to the World Trade Center in New York. (McCullagh, 2009) During this same year Wikileaks published the lists of prohibited websites that were originally intended to prevent access to child pornography and terrorism but some other websites unrelated to either topic were also added to the lists of Australia, Denmark and Thailand. (Moses, 2009)

2010 has been marked by Wikileaks in that most of the better known releases from the organization have been during this period of time. Wikileaks gained a very strong attention from the mainstream media. For weeks, Wikileaks has been the topic of conversation of many and its disclosures of secret information have been hitting the headlines of all the major media outlets for several months. Juliane Assange has also taken a more visible role within the media. However this has also caused a wave of criticism against Wikileaks and to many, it has undermined to mission of the organization resulting on the splitting of the team and the creation of Openleaks.

There are some claims that "Wikileaks has published more classified documents, than the rest of the world's media combined" - *Chris Anderson* (TEDGlobal, 2010)

## 1.2.2 How does Wikileaks operates

Wikileaks describes itself as an organization composed of internet activist and volunteers from different nationalities. ("Wikileaks:about," 2008) Their content or leaks used to be posted in a Wiki style page, but over the time it has changed into a more traditional website. Wikileaks claims to work as a Wikipedia which cannot be censored, it incorporates special technology to ensure the anonymity and privacy of the whistle blowers, or the people who are leaking the information. Wikileaks also counts with discreet cover names to share information to. One can submit a leaked document or a group of leaked documents by sending an email or writing to an address. However due to the most recent developments, Wikileaks is no longer accepting any submissions until further notice. ("Submissions," 2011)

Once Wikileaks receives the document or documents, it report gets assessed by the Wikileaks staff and if the report meets the criteria their journalist will write or produce a news piece for publication. This news piece addresses the relevance of the document, description, why does it matter to society and analyzes why is the document important.

This news report could also mark the important points of the document and what and what is not newsworthy. There are some documents that may contain sensitive information even for Wikileaks standards to publish such as names and addresses or innocent people. The Wikileaks staff edits them, censoring or cleaning personal names in order to prevent innocent lives to be put at risk; they call this process the "harm minimization procedure". However Wikileaks only makes this type of editions in absolutely necessary cases. ("Submissions," 2011) It is also worth nothing that at the beginning Wikileaks did not use to practice its "harm minimization procedure" until recently. (Lindquist, & Huor, 2011)

Wikileaks staff released soon after launching the project that publishing the leaks alone was not enough for the people to receive the content. They realized that to that purpose they would need a middle-man and this are the news organizations like The Guardian in the United Kingdom and The New York Times in the United States. The role of the Guardian and the New York Times is essential to Wikileaks to get to the end user. They are capable of distinguishing what is of public interest and process all this raw information into a journalistic way of presentation. (Lindquist, & Huor, 2011) Without news organizations and major media outlets Wikileaks would be unable to provide its content to the end users in a reasonable and understandable manner. Nevertheless Wikileaks is not in partnership with any news organization in particular. Both the New York Times and the

Guardian are one of the few newspapers who enjoy the pre-publication access to Wikileaks documents of both the Iraq and Afghanistan war and also the U.S. Diplomatic Cables.

## **1.2.3 Current Problems**

It has been reported that Wikileaks presents both internal and external problems, specially since the disclosure of the U.S. Diplomatic Cables. Wikileaks has been subject of both attacks and help from external sources. Within the organization there has been some conflicts resulting in the creation of Openleaks. (Fildes, 2010)

### **1.2.3.1 External Problems**

Wikileaks has been subject of several attacks and blockades by governments around the world. Since the release of the US diplomatic cables Wikileaks has been also subject to blockades likely inspired by the United States government in conjunction with other governments to stop Wikileaks funding or accessibility. Julian Assange has accused the US Government of performing a financial warfare against Wikileaks. (Leigh, & Evans, 2010) Private companies like PayPal, Amazon, Visa and Master Card have stopped providing their services to Wikileaks for one or another reason. (Shoemaker, 2010) By doing so, a lot of the likely Wikileaks' donors have been unable to provide founding to the company resulting in a financial distress for Wikileaks as an organization. After such event a group of Wikileaks' supporters also known as 'Anonymous' consisting of internet activist and hackers targeted those companies who stopped providing their service to Wikileaks resulting on a partial or total shout down of their services for a period of time this event is also known as Operation Payback. (Wakefield, 2010) In addition some banks have been targeted by the group Anonymous during the Operation Payback such as Bank of America and PostFinance a bank from Switzerland. (Mackey, 2010)

#### **1.2.3.1.1 Operation Payback**

Operation Payback is a movement organized by a decentralized group of internet activist also known as 'Hackactivists'. The collective group of hackactivists are known as the Anonymous, a group of internet users who believe that all information should be free without restraint who have traditionally supported Wikileaks and Julian Assange in his objective but are do not necessarily have any official or formal agreement with the organization. The Anonymous are well known for their Denial of Service attacks (DDoS)



performed against several private and public institutions around the world bringing down their websites for several hours. (Melia, 2010)

### **1.2.3.2 Internal Problems**

Furthermore, Wikileaks has experienced internal problems and eventual rupture resulting in the formation of Openleaks a competing organization but with a different model. Daniel Domscheit-Berg now leader of Openleaks and former second person of Wikileaks broke off in 2010 with Wikileaks presumably because of the leadership of Julian Assange. (Wore, 2010) Domscheit-Berg a former German Hacker, now leader of Openleaks has criticized Wikileaks and Julian Assange on the model of the organization, the centralized power that Wikileaks represented and the problems that Mr. Assange brought to the organization therefore polluting it with it. (Lindquist, & Huor, 2011) Herbert Snorrason along with Daniel Domscheit-Berg and some former Wikileaks employees broke off with the organization on 2010 and started a Openleaks which claims to have a different, sustainable and more egalitarian model with distributed powers. (Wore, 2010)

### **1.2.4 Julian Assange**

The most prominent face and leader of Wikileaks, Julian Assange has been subject of both praise and criticism. Assange has hit the headlines multiple times during the year 2010 and he has been a prominent figure and topic of conversation during this year 2010 by most of the major media outlets. Julian Assange was elected as the person of the year on 2010 by the Time Magazine. (Friedman, n.d.) Mr. Assange was accused of rape in two occasions in Sweden while residing in the United Kingdom on bail and waiting for his extradition back to Sweden. (Daily Mail Reporter, 2011) In addition, the United States government has pondered the possibility of prosecuting Mr. Assange under its Espionage Act of 1917 a World-War I law. (Dedman, 2011) However there are serious doubts that he can be prosecuted under that law for several reasons:

- It's possible that Mr. Assange hasn't violated the Espionage Act of 1917 and even if he did, no US First amendment protected person such as a journalist has ever been prosecuted by that act. The United States government would be required to prove that Mr. Assange had an motivation to damage the United States and that he did it in bad faith. Finding Assange convicted could be a difficult task. (Dedman, 2011)
- Prosecuting Mr. Assange on the Espionage Act would also mean that the United States Government can prosecute The New York Times and many other news media

outlets that collaborated with Wikileaks. Such thing could greatly undermine the act because it would be competing against the First Amendment which grants Freedom of Speech in the United States constitution. So while the case can be built, conviction is much harder to archive. (Dedman, 2011)

- Mr. Assange and Wikileaks are just a recipient of information, it's not clear on whether or Mr. Assange can be charged for actually stealing the information since Wikileaks did not seemed to act on stealing the actual information. A previous case were the United States Government tried to prosecute the transmitter of classified information collapsed in 2009. (Markon, 2009) It matters whether or not Mr. Assange stole the information which seems to favor him in this case. (Dedman, 2011)
- It is not clear if Mr. Assange is considered a journalist and Wikileaks a news organization; and whether or not is Mr. Assange protected by it. The First Amendment is broad enough to accommodate and protect Mr. Assange. Besides, the United States Supreme Court has hesitated to define a line between journalists and non-journalists. In addition the Espionage Act is broad enough as well to include the New York Times and the Washington Post (both publishers of Wikileaks reports) and building an argument against those two media outlets could prove to be extremely difficult. (Dedman, 2011)
- The First Amendment could potentially protect Mr. Assange activities even abroad. It could be possible for Mr. Assange to build an argument around it, since some of the information stored by Wikileaks was stored in North-American Servers. However, it could be that Mr. Assange could not be actually protected by the First Amendment since he was outside of the United States, and Wikileaks activities were mostly outside of the United States. (Dedman, 2011)
- The case requires Mr. Assange to be extradited to the United States, and this process is not automatic. Besides, no country where Mr. Assange is located is likely to extradite him. Mr. Assange has a likely chance of getting political asylum in Sweden for allegations in political offenses in the United States. (Dedman, 2011)

## 1.3 Openleaks

After the internal conflict of Wikileaks, Openleaks was founded with the objective of distancing themselves from Assange personal problems such as the two rape allegations in Sweden while building a sustainable, secure and more egalitarian structure for whistleblowers to leak relevant information. At the same time, Openleaks leaders are trying

to apply what they learned from Wikileaks to ensure its future as a safe place to send classified information without suffering the backlash that Wikileaks has experienced since the release of the United States diplomatic cables. (Lindquist, & Huor, 2011)

### **1.3.1 What is Openleaks**

Openleaks unlike Wikileaks specializes solely in two of the four main activities that Wikileaks does. Openleaks was born from the idea that submissions and rendering of classified documents should be safe, decentralized and sustainable. There are several advantages and disadvantages between both organizations' models. In general terms Openleaks only does half of the tasks that Wikileaks does, and it leaves the rest of it to the news media outlets around the world. (Openleaks, 2010)

Unlike Wikileaks, Openleaks does not publishes or edits the content by itself, Openleaks takes a less centralized approach such as a simple platform for whistleblowers to leak a classified document into Openleaks database, without leaving a trace. This is what they call a submission component as opposed to the publication component which Wikileaks and major media outlets do. Openleaks then will contact major media outlets to get the word out to the public therefore anonymizing the whistleblower. They rely on the idea that if a news outlet does not publishes the leak, then another one will do. (Openleaks, 2010)

As opposed to Wikileaks where Wikileaks decides what data to disclose to the public and had some control on when and who will get the first glimpse of the leak, Openleaks will not count with such power. It will be up to the community and media outlets to decide that. This makes Openleaks less vulnerable to attacks from the governments and/or private organizations since it is not leaking the information itself. Domscheit-Berg former Wikileaks collaborator and most visible leader of Openleaks has mentioned that both Wikileaks and Openleaks (in addition to any other upcoming website) have the potential to complement each other to decentralize the information. (Jordans, 2011)

### **1.3.2 How does Openleaks operates**

Both Wikileaks and Openleaks in general terms have the same objective and pretend to accomplish it in very similar ways. However there is a fundamental difference between the two that make both organizations fundamentally different from the core. Openleaks intends to specialize in the submission part and of the process. In that Openleaks would become and extremely safe place to access and submit classified information. At the same time, to

encourage whistleblowers to submit classified information into Openleaks database, they intend to create a way to erase all possible traces of the process of transmitting leak, so that the whistleblower is safe from prosecution from his or her local government. At the same time Openleaks intends to verify the authenticity of the document. ("Openleaks: concept," 2011)

## **2 Comparison: Wikileaks vs Openleaks**

As mentioned earlier both Wikileaks and Openleaks pursue the same objective. However they pretend to use different strategies to archive such objective. Their difference relies mostly in their models of leaking information. It's worth to mention that both are still in experimental phase and at least Openleaks has not been tested in any way as Wikileaks has. There are important ideas and experiences that Openleaks is taking into account from what their staff learned from Wikileaks,

### **2.1 Models**

Openleaks identifies four elemental components in the process of leaking information: a submission process, a rendering and authentication process, a content production process and a publication process. (Openleaks, 2010) Wikileaks represents the four processes. The task of Wikileaks is to provide a safe base to leak information without leaving traces of the whistleblower, a verification process of the information to find whether or not the documents are authentic, a process of processing information to make highlight its relevance and make it understandable to the general public and finally publishing that information in their website. Openleaks on the other hand intends to only do the first two tasks of the leaking process and live the rest of the tasks to the news media outlets. (Lindquist, & Huor, 2011) In addition, Openleaks intends to fix the flaws that they identified from Wikileaks such as lack of transparency or limiting the information to just a handful of news media outlets something that Wikileaks has been criticized for. (Openleaks, 2010)

### **2.2 Submission Component**

On the submission component: (submission of classified information without traces that could lead to the whistleblower and verifying the authenticity of the document), both Wikileaks and Openleaks pretend to accomplish the same task. Both of them want to provide a safe platform to leak classified information. However Openleaks seems to have

a more defined idea of how to create and implement a technology that is safe for whistleblowers to be untraceable. Openleaks has even identified several potential groups that could use this potential digital drop-box of their sources such as: Investigative news papers, Community media sites, Non-governmental organizations, Labor unions and Human Rights groups. Openleaks intends to provide the means for those organizations to view, examine and analyze those documents so they can be published. Wikileaks on the other hand pretends to collect the information, examine and analyze them while verifying the authenticity but does not intend to create a technology or a tool, but instead to use traditional technology for this matter.

## **2.3 Publication Component**

The publication side of Wikileaks is composed of a complex process of specialized tasks which includes the analysis, preparation and edition of material for its publication. Some time after its foundation, Wikileaks' staff found that they needed some aid from news media outlets to bring the information in an understandable manner to the general public. In other words, the publication of classified documents alone still is inaccessible and even irrelevant to the general public without the help of news media outlets to present it. This of course proved to be a challenge because apart from the fact that Wikileaks had to analyze the information, and make sense of it to the news reporters. It would also need to control the flow of it and coordinate with news media outlets to publish it at the same time in a coordinated manner. Therefore Wikileaks had to limit the number of newspapers who would be capable to access this information.

Openleaks on the other hand does not pretend to control the flow of information because it does not pretend to have control of the publication component at all. What Openleaks assumes instead is that if a news media outlet does not want to publish a piece of information, someone else will, hoping of course that they [the news media outlets] will not censor the information at all. (Openleaks, 2010) It of course remains to be seen if everything played according to Openleaks plan.

## **2.4 Complementation and Decentralization**

Domscheit-Berg opinion about Wikileaks, Openleaks and other whistleblowers sites to complement each other and contribute to the decentralization of information makes sense. Wikileaks has a style and defined tasks; it includes both the Submission and Publication components. It also acts as a journalistic database of classified information while being a safe place to submit classified information, the later two is what Openleaks also intends to

do. Wikileaks could act as a last resource or a place where information cannot be censored at all. While news media outlets have the potential of censoring the information they get from Openleaks, if Wikileaks gains access to it, it will ensure that the information is published and completely uncensored.

## **2.5 Organization Roles and Transparency**

Although it may seem irrelevant to this report. The organization roles within Wikileaks were in fact one reasons why the organization was torn apart and Openleaks was created. Daniel Domscheit-Berg has openly criticized the distribution of power within Wikileaks, and the over representation that Julian Assange has gotten. (Collins, 2010) Domscheit-Berg has even criticized Julian Assange of contaminating Wikileaks with his personal problems therefore undermining the organization. (Lindquist, & Huor, 2011) Julian Assange and Wikileaks have experienced intense criticism for the lack of transparency within the organization, including but not limited to money handling. (Zetter, 2010) This is a flaw that Openleaks intends to fix to avoid the criticism and the intense scrutiny that Wikileaks has experienced.

## **2.6 Vulnerability and Sustainability**

As an organization which handles secret information both Wikileaks and Openleaks are subject of constant (legitimate and illegitimate) attacks from governments, private organizations and individuals. Openleaks and Wikileaks must take into account the vulnerability and sustainability factor. There is so much they can do before they build enough enemies who can become a threat and undermine or destroy the organization. Modern history has shown us that governments don't always act in the most legitimate ways possible. Not even in fully fledged and recognized democracies which enjoy complete freedom of speech and press such as the United States and that sometimes they could use some of their power not limited to political power alone to undermine and destroy whistleblowers and organizations of or for whistleblowers. (Healy, 2010) Given the series of events after the Wikileaks' disclosure of US diplomatic cables; Domscheit-Berg has showed himself cautious, considering better approaches to make Openleaks a more sustainable organization by avoiding getting into the position of Wikileaks. The model of Openleaks apparently due to its less aggressive nature will possibly ensure a longer future for Openleaks. Since Openleaks is not a publisher unlike Wikileaks; Openleaks can not be directly targeted for publishing secret documents but the news media outlets who

publish the classified information. Openleaks assumes of course that the news media outlets are better equipped to defend themselves under the law and that could prove to be true in a country like the United States, but not necessarily in a country where news are monitored and controlled like China or Uganda. This is another reason why Openleaks can complement Wikileaks and the other way around.

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