

## People, records and power: what archives can learn from WikiLeaks<sup>1</sup>

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*The 2012 International Council on Archives congress theme of 'Trust. Archives Supporting Good Governance and Accountability' invited exploration of the nexus between recordkeeping and holding powerful people and organisations to account. By comparing the formation, management and use of a set of records under currently accepted frameworks for recordkeeping in Australia with the formation, management and use of the WikiLeaks Cablegate archive, we can examine how effectively archives and recordkeeping professionals today are meeting their stated goal of upholding accountability, while ensuring the creation of an inclusive societal memory. By analysing these two cases from the point of view of recordkeeping activities supporting appraisal, access, use, trust and authenticity, it is then possible to draw conclusions about lessons that recordkeepers should be learning from WikiLeaks and the changing nature of information generally, if we are to remain relevant and useful as a profession.*

**Keywords:** WikiLeaks; archives; freedom of information; appraisal; access; power

What is an archive? What is its purpose? Have the kinds of government archives that have evolved in the twentieth and early twenty-first centuries remained consistent with the underlying principles of the contract struck between the people and the state in a democracy, whereby the state establishes the archives in part as a guarantee of its ability to carry out its actions in a fair and accountable way? WikiLeaks, embodying, as it does, a renegotiation of the boundaries of knowledge and power that exist between the citizenry and the state, has brought into sharp relief the unhelpful layers of bureaucracy and vested political interests that have blunted the power of archives in society. Now,

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as technology permits us to sweep away many of the encumbrances of the paper-based recordkeeping legacy, is it possible for archives to reclaim their position at the heart of a healthy democracy?

In the Greek city-state of Athens around 400 BC, archives were located in the Metroon – a temple situated by the courthouse in the centre of the city. The archives housed the law, contracts, diplomatic records, court proceedings and other records, even archiving the day's art forms, such as the plays of Sophocles and others. These were the raw materials of the first democracy, and they were open to any private citizen to access and make copies. The archives were watched over by the magistrate or 'archon', hence our word 'archives'. This indicates the extent to which the archives directly related to the law; the archives were the law, providing the foundation from which power in society was wielded. And people (of the right class and education) could access records from this trusted repository without intermediaries, either physical or administrative, to understand for themselves how their government was operating.

In his seminal work *Archive Fever* (1996), French philosopher Jacques Derrida references the role of the archon in his exploration of the role and purpose of archives, arguing that it is through control of archives that political power is exerted. His argument is, in part, that: 'Effective democratisation can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation'.<sup>2</sup> The centrality of the archives to the use and abuse of power has been well illustrated in the meticulous recordkeeping practices of repressive regimes, from the East German Stasi to the Khmer Rouge in Cambodia.<sup>3</sup> Once the regime falls, the archives are opened and become a powerful resource for those who have suffered injustices to seek redress or simply to understand.

However, despite this understanding of the vital importance of the archive for a just and well-managed society, it could be argued that public archives today have failed to uphold the qualities which put the Metroon at the very heart of Athenian life. A variety of factors, including the massive quantities of paper-based records generated from the second half of the twentieth century onwards, a lack of adequate technologies to identify and capture records of significance, separation of the record-keeping process and the archive, and laws and practices favouring secrecy have all left government archives too often as the passive recipients of records that are long removed from the business to which they relate, impotent and relegated to the category of historical curios.

By contrast, WikiLeaks shows us how archives can be formed and pluralised directly from the affairs that the records document, so serving an extremely powerful purpose in society. The arrival of WikiLeaks at this particular point in history can teach archivists and recordkeepers some valuable lessons. Lessons which, if properly heeded, will enable the archival profession to actually deliver on some of our more grandiose claims about ensuring accountability for the powerful and healing and reparation for the weak. Are we serious about accepting and embracing postmodern understandings of archives as tools for power? Can we work towards systems for access to records that protect privacy, but reveal the workings of our governments without fear or favour? And can we finally give up our paper minds and fundamentally reinvent our practice for the digital environment and a connected world?

## The context in which we operate

The first serious infowar is now engaged. The field of battle is WikiLeaks. You are the troops. #WikiLeaks

This is a Tweet from 3 December 2010 by John Perry Barlow (@JPBarlow) – an American poet and essayist, political activist and cyberlibertarian. As well as writing lyrics over many years for the Grateful Dead, he co-founded the Electronic Frontier Foundation – an international non-profit digital rights advocacy and legal organisation. What Barlow so succinctly said here was that we have arrived, now, in the early twenty-first century, at a moment in time and in the evolution of the Internet where we are seeing the widespread use of technology by the people to engage with, or challenge, the powerful on an unprecedented scale. WikiLeaks is a powerful embodiment of this.

However, as the Internet becomes an ever more powerful platform for sharing information, many governments have reacted by becoming more secretive. Famously, the promised ‘most transparent administration in history’<sup>4</sup> under President Obama has been characterised by massive spending on information security classification systems, a failure to deliver on the promised declassification of large swathes of older records and the harshest response to whistleblowers yet seen in the United States. While here in Australia, despite much talk of an ‘open government’, the reality for those seeking to extract information under Freedom of Information (FOI) laws can be quite the opposite. Too often, vague references to national security are used to exempt material, part of the longer theme of fear, paranoia and secrecy that has underpinned much public policy since 9/11. And redaction is used to an, at times, comical degree. In 2012, *Crikey* did an analysis of the results of two FOI applications made by Australian Greens senator Scott Ludlam on the question of the Australian Government’s dealings with the United States on the matter of Julian Assange. Not only were the redactions of the two agencies (the Attorney General’s department and the Department of Foreign Affairs and Trade) substantially out of sync, but in examining what one chose to restrict, but which was left open by the other, the mundanity of much of the information deemed to be too sensitive for public consumption became only too apparent.<sup>5</sup>

People are not satisfied with this state of affairs. Where they have the means, the will and the skills, activists are finding ways to access and share information that is withheld. Whether it is storming the secret police headquarters in Cairo to liberate and publish police files online<sup>6</sup> or hacking into the email systems of Stratfor – the privatised Texas-based intelligence agency with the ear of Washington<sup>7</sup> – people are fighting for information to shine a light on injustice and corruption. These acts are important for those of us working in information policy and practice to understand. Hacking is so often perceived by the mainstream media as just teenage fooling; the technological equivalent to spray painting the side of a building. Some of it is, and it can often be funny and very creative, but there is also the kind of hactivism that is akin to the kinds of protests that saw civic groups storm the Stasi headquarters in East Berlin in 1990 shouting: ‘Freiheit für meine Akte!’ (Freedom for my file!).<sup>8</sup> Hactivism is actually an alternative to the officially sanctioned methods for information access, like FOI, and one which extends into the corporate world, where no such options exist. It has emerged out of a palpable frustration with cumbersome and expensive official processes and secretive governments and corporations.

This period of changing attitudes to information in society is not only about information access, it is about people’s relationship with information. Slowly but surely, the

complete trust and reliance on large information gatekeepers, like governments and big media players, has morphed into recognition that these are simply some of many voices and not necessarily the authoritative ones. Many people are just as likely to trust what they read from an influential blogger or Tweeter, as they are an official communication or news report. Today, they are more likely to seek out their own information and gather their own evidence of what is going on to share with others, whether it is live streaming police brutality at an Occupy camp or re-Tweeting on-the-ground reports from an uprising in the Middle East. The making and keeping of reliable records is crucial to activists, as much as it is to governments and businesses. Accurate and detailed records are an important counter to the spin and misinformation that they see from PR companies issuing media releases for political parties and the mainstream press.

WikiLeaks was established on this premise – that people should see for themselves what is actually going on, if they are to have any chance of addressing injustice or arguing for the right reforms. Their approach is also premised on the assertion that this information must remain available online forever as part of our shared and freely available ‘historical record’. To do this, WikiLeaks brings together hyper-dissemination and high-level cryptographic skills to facilitate both the small- and large-scale publishing of material from whistleblowers – records which belong, in the view of both whistleblowers and WikiLeaks, in the public domain. In particular, with the releases of 2010 and beyond, their release of the records of a number of key United States Government recordkeeping systems in their entirety echoed archival processes, but in hyper-drive.

### **A tale of two recordkeeping systems**

What can archives learn from WikiLeaks? It is perhaps possible to begin to answer this question by comparing two sets of records that were created by governments and ultimately – in terms of the records continuum – pluralised, forming part of society’s collective memory. One set of records from the Australian Government context becomes part of the National Archives of Australia’s holdings and the other, produced by the United States Government, becomes a WikiLeaks archive.

The Cabinet is the key decision-making body of the Australian Government. Cabinet records reflect decisions made at the highest levels of government. They also reveal how the Cabinet has been concerned with issues affecting Australian states, local communities and individuals, as well as with those affecting the nation as a whole, its international relations and its defence. The decisions recorded in Cabinet records have profoundly shaped the social, cultural and political life of Australia. The 1980 Cabinet papers were released after a period of 30 years of closure to public access on 1 January 2011. New Year’s Day is usually a slow news day, so the Cabinet papers provided useful filler for the media, with folksy and nostalgic stories from the political machinations of 1980. Historians were interviewed to muse on the policies of the day, and a cabaret act performed at the National Archives of Australia’s Parkes building to mark the occasion.<sup>9</sup> By contrast, just over one month earlier, on 28 November 2010, WikiLeaks began publishing over 250,000 United States Embassy cables.<sup>10</sup> Supplied to WikiLeaks by a whistleblower via their anonymous drop-box system, the records were released very gradually at first, while the WikiLeaks team carried out their standard harm minimisation processes of redaction to protect the identity of sources and other vulnerable people named in the cables. Then, after the leak of the database password by a media partner,<sup>11</sup> they were released in full during mid-2011. The cables, collectively labelled ‘Cablegate’ by WikiLeaks, give the world an unprecedented insight into the US Government’s

foreign policy and actions in almost every corner of the globe. Significant flow-on effects from the cable releases have been felt in the Arab world, in post-tsunami Japan, Australia and elsewhere, giving people the information they had been lacking to understand and address administrative and political wrongs.

How do the traditional rules and methods for recordkeeping, as practised in the Australian Government and represented by the treatment of the Cabinet papers, compare with the WikiLeaks model, using Cablegate as the example, when examined in terms of:

- appraisal and disposal,
- access and use, and
- trust and authenticity?

### ***Appraisal and disposal***

Appraisal is essentially a process of understanding and making decisions about requirements for records. However, it is not an objective process. Appraisal outcomes are influenced by who is doing the appraising, who holds them to account, what they consider themselves to be appraising and what practical limitations might apply to the implementation of appraisal decisions.

Decisions affecting how government records are made, kept and ultimately disposed of are made by public servants and then approved by either higher level public servants or sometimes a statutory board. The criteria on which many appraisal decisions are made, while sometimes made available, are often opaque. WikiLeaks' appraisal process involves a decision by a whistleblower, followed by their own editorial process. It is interesting to consider the publicly stated publishing policy of WikiLeaks as if it were an appraisal policy of archives:

WikiLeaks accepts *classified, censored* or otherwise *restricted* material of *political, diplomatic or ethical significance*. WikiLeaks *does not accept* rumour, opinion or other kinds of first hand reporting or material that is already publicly available.<sup>12</sup>

The National Archives' appraisal objectives, the current version of which was formulated in 2003, are as follows:

- (1) To preserve precise evidence of the deliberations, decisions and actions of the Commonwealth and Commonwealth institutions relating to key functions and programs and significant issues faced in governing Australia.
- (2) To preserve evidence of the source of authority, foundation and machinery of the Commonwealth and Commonwealth institutions.
- (3) To preserve records containing information that is considered essential for the protection and future well-being of Australians and their environment.
- (4) To preserve records that have a special capacity to illustrate the condition and status of Australia and its people, the impact of Commonwealth government activities on them, and the interaction of people with the government.
- (5) To preserve records that have substantial capacity to enrich knowledge and understanding of aspects of Australia's history, society, culture and people.<sup>13</sup>

There are more specific disposal authorisations issued for Commonwealth agencies, which are designed to implement this policy. Following consultation with the agency, the decisions as to which classes of records are required as Commonwealth archives are ultimately made by the National Archives.

There are, of course, many ways in which the two sets of criteria and their implementation are different, but from the point of view of the formation of the archives – the identification of that evidence of business that belongs in the societal domain – the key difference lies in who is doing the appraising and their willingness to keep, destroy or reveal evidence of matters that do not cast themselves in a positive light. Chris Hurley and others have argued for accountability in appraisal, but the fact remains that employers can and will always take steps to subvert appraisal decisions, given the right set of political pressures. Consider the Heiner Affair or the recent News International scandal concerning Rebekah Brooks and the removal of seven boxes of archives from the company's archives.<sup>14</sup> These and other instances of interference in recordkeeping lead us to consider whether appraisal processes controlled by the person or entity for whom revealed injustice, malfeasance or other wrongdoing can have serious repercussions can ever have real integrity.

WikiLeaks make editorial decisions on material received, but are not compromised in this decision-making by having something to lose through making the records available. Providing that the records meet their stated criteria, they will publish them. In the case of Cablegate, the 'appraiser' that is directly comparable to the National Archives of Australia in the case of the Cabinet papers is the whistleblower, who is alleged to be Private First Class Bradley Manning.<sup>15</sup> This was the person who made the decision that the records should belong to societal memory. According to chat logs alleged to contain conversations between Manning and Adrian Lamo – the individual who reported Manning to the authorities – in relation to his decision to give the records to Wikileaks, he said the following:

02:21:18 AM) bradass87: and god knows what happens now

(02:22:27 AM) bradass87: hopefully worldwide discussion, debates, and reforms

(02:23:06 AM) bradass87: if not ... than we're doomed

(02:23:18 AM) bradass87: as a species.<sup>16</sup>

Manning was on the ground in Iraq. He had witnessed the killing of civilians seen in the Apache helicopter video that was published by WikiLeaks as 'Collateral Murder'.<sup>17</sup> He was not an impartial actor, but then neither is a military administrator or a government archivist. Appraisal decisions and processes need to start operating more inclusively and transparently. How can we work to accommodate such plurality in building a fairer and truer historical record?

It is also interesting to consider the effectiveness of the accepted forms of implementation of appraisal decisions, as compared to the manner in which WikiLeaks' appraisal decisions are implemented. Increasingly for digital recordkeeping systems, the implementation of appraisal decisions is resulting in unsatisfactory outcomes. Appraisal decisions under legal authorities indicating that all records of a function or activity are to be retained as archives are either:

- never implemented in digital systems, because the way they are scoped in the authority bears little to no relationship to the business done by the system, or
- they are implemented, but because the authority is structured around function, rather than process, it is selectively applied to some transactional records in the system, but not all.

With Cablegate, we had the identification of an entire recordkeeping system as having value to society, just as, no doubt, it would also be regarded by the National Archives and Records Administration. But in many other instances, we see systems being picked apart by appraisal based on functions and activities. Appraisal that is done on a whole-of-system basis, moving away from the identification of significant functions, is a far more appropriate approach and eminently achievable in a digital environment, where the cost implications of mass storage are so different to paper. Often disparagingly called ‘document dumps’ or criticised for a lack of focus or specificity, records such as the diplomatic cables must be revealed as an interconnected whole if they are to serve as robust evidence of the global actors whose activities they document. This importance of relationships and context is well known to archivists, who strive to preserve recordkeeping systems with all of their interdependencies, rather than seeking to artificially construct stories from them. By retaining the totality of the recordkeeping process and its products, the full impact of the evidence can be felt.

Once identified as having archival value, records from government recordkeeping systems, such as the Cabinet papers, then typically navigate a winding path of storage of various kinds, still stubbornly aligned, in many cases, to the time lapses regarded as appropriate for paper records (active, semi-active, inactive and so on) – a determinedly life cycle point of view. Government archives have largely failed to acknowledge this and come up with more workable models – ones that do not shy away from the lack of incentive for progressing records through labour intensive and largely reactive stages towards some indeterminate day on which they will be ‘processed for transfer’ (more likely not). With Cablegate, we saw a recordkeeping system existing in multiple dimensions at one time, both within the US State Department’s active recordkeeping environment and globally disseminated, shared and used. This kind of disposal process, in which the records as digital entities are permitted to exist in different contexts, under different controls and meeting different recordkeeping requirements simultaneously, is not only a truer reflection of continuum thinking, but a practical reality in the online environment.

### *Access and use*

Australia, like many Western democracies, has a patchwork of laws and regulations affecting access to public records, including FOI, information security, privacy and archives laws. In many cases, these differ from state to state and from the Commonwealth.

Up until 2010, Cabinet records became publicly available once they were more than 30 years old under the *Archives Act 1983*.<sup>18</sup> Accordingly, on 1 January 2011, over 3000 Cabinet documents were released. But even after the lapse of 30 years, 25 documents remained withheld under section 33 of the Archives Act, which provides exemptions from open access that are similar to FOI exemptions. All that was released were some of the titles, which included ‘Recovery of Damages Awarded by Foreign Courts in

Anti-Trust Proceedings’, ‘Iran Crisis – Issues and Options for Australia’, ‘Antarctica – Australia’s Policy at the Conference on the Conservation of Antarctic Marine Living Resources’ and ‘Acquisition of IBM Computer’.<sup>19</sup> Subjects which, not seeming likely to contain a lot of sensitive personal information, make one wonder why they were held back. This, we are not allowed to know, as the specific reasons are themselves secret. In the case of Cablegate, while some material was redacted prior to the archive’s release, where cables named individuals who would potentially be put at risk, the release of the recordkeeping system was total, and WikiLeaks was transparent in its intentions.

The view has been put by WikiLeaks’ Julian Assange<sup>20</sup> and others that mechanisms like FOI and, by extension, other government-controlled rights of access, such as access rules under archives legislation, will never enable access to serious information that could be incriminating for those making the decisions. If we accept this proposition, then surely the stated aims of open government can never be truly fulfilled, and access will be more about managing spin and public relations, than real accountability. As in the process of appraisal, access decisions that are controlled by an entity without vested interests, which is unconcerned about the resulting loss of reputation incurred by releasing information, it could be argued, would result in a fairer outcome.

An argument that is often mounted in response to WikiLeaks is that through their actions, they have, in fact, caused governments to become more secretive or, indeed, cease recording their decisions altogether. These were views put forward by the former Director-General of MI5, Dame Stella Rimington, during a visit to Brisbane to deliver a keynote speech at the International Congress on Archives in 2012.<sup>21</sup> It is true that in their response to the releases of 2010, the US Government sought to lock down its information more than ever before and to exact harsh and very public punishments on alleged whistleblowers, such as Bradley Manning. However, there are other aspects to the response to WikiLeaks that should be accommodated here. The first is that while there may be initial recoil towards greater secrecy on the part of actors such as the United States Government, the WikiLeaks releases also had the effect of showing the world how much government information is kept secret unnecessarily, prompting calls for a fundamental rethinking of the reasons for withholding information and challenges to the orthodoxy of the ‘necessary lie’. The second aspect of this argument – that actual decision-making will not be recorded or perhaps will be recorded in informal systems, as opposed to in the ‘official record’ – should be considered in two ways: (1) any organisation of more than one or two people must record and transmit information if it is to organise and act,<sup>22</sup> and (2) regardless of where such information is recorded, whether in official or unofficial systems, lawful mechanisms for citizen access, such as FOI and whistleblower protections, apply. In line with this, recordkeepers increasingly understand the need for less strict delineation between formal and informal, official and unofficial recordkeeping and designing methods to capture all forms of business communication, whatever its status is perceived to be.

The method of delivery of the Cablegate archives is another interesting point of comparison with that of the Cabinet papers. While some were digitised for delivery via the website of the National Archives of Australia,<sup>23</sup> users are required to visit its reading room in Canberra to consult the majority of the documents. With Cablegate, the duplication and dissemination of the cable set across thousands of technology platforms and in unknown numbers of online contexts instantiates it as a collective archive, which is capable of being owned by everyone and no-one; a pluralised archive, which exists beyond spatial and temporal boundaries, transcends state and economic controls and



encourages and incorporates people's participation and comment. The Cablegate release, which took place via mirroring, bit torrent and other forms of mass sharing, allows it to serve the needs of the broadest possible concept of 'societal totality'. It sits within what archivists would term the 'ambient' realm, above the functions and structures of governments and other juridical entities, in touch with the broadest possible themes of human experience, as played out on the Internet. The archive is still forming and will continue to develop as comment, debate, challenge and reflection on the cables proliferates in blogs and on Twitter, in traditional media, in public art, academic journals and elsewhere. Developers are building tools to interrogate, re-use or visualise the cables data in a huge variety of ways. Can we see the relationships between cables from a certain period of time and location? The Cablegate search tool, for example, has a commenting facility.<sup>24</sup> Are you personally mentioned in a cable? Is what is said true? This is the vision of user-contributed analysis and comment on whistleblower releases originally conceived of by WikiLeaks in full flight.

### ***Trust and authenticity***

It is also interesting to consider both record sets in terms of our notions of authenticity – and, therefore, trust – in relation to information that is presented to us.

A set of paper records, like the Cabinet papers, derive their authenticity from things like an unbroken chain of custody, documented control by an authorised entity, the stationery and insignia. Since the 1990s, different project teams have worked on the digital analogues to these indicators of authenticity, from Luciana Duranti's work in diplomatics<sup>25</sup> to InterPARES.<sup>26</sup> Using the results of these efforts, we now usually point to things like the documentation of recordkeeping processes through metadata and carefully managed and documented migrations as indicators of digital authenticity. Within organisations or governments where these various aspects of recordkeeping are kept under reasonable control, these measures can be very useful. However, in reality, people very infrequently, if ever, demand to see our meticulously kept recordkeeping metadata, which demonstrates the processes behind the record's creation, management and custody. The setting in which they see it and the business context in which they are operating are usually enough for them.

With Cablegate, there was little to no questioning of the authenticity of the records, because everyone could see the US Government's reaction to their release. This was enough of a test. So here we have a completely different kind of indicator of authenticity, which has more to do with the behaviour of the actors with a stake in the records, than it does with things like recordkeeping metadata.

The question of authenticity is, of course, one that recurs in conversations about WikiLeaks. Julian Assange has expressed the view<sup>27</sup> that, rather than relying on the intrinsic qualities of records and the systems used to keep them, as we archivists do, authenticity is revealed through human and organisational behaviour: actions and reactions – how hard someone will fight to defend a piece of information or conceal it. Many information providers deprecate authenticity in favour of other concerns – for example, media organisations that blindly pick up and republish content which the established organs put out without question, however poorly researched the material. And the idea can be translated to the provision of information by other means, including the context of sharing records and recordkeeping systems. When official digital records can be manipulated, repackaged and represented with ease, influenced by

powerful groups within governments, with detailed audit trails of recordkeeping metadata barely acknowledged as useful by system designers, perhaps reactions are the only useful indicators that something is what it purports to be.

As Sue McKemmish observes in her chapter ‘Traces’ in *Archives: Recordkeeping in Society*, archival notions of authenticity, reliability and trustworthiness, at any given time, are shaped by the evidentiary paradigms of the day.<sup>28</sup> Maybe this requires us to rethink tests for authenticity, so that they acknowledge behaviours and move away from positivist ideas of an authentic record, thereby reflecting the shift away from the gatekeeper model of information dissemination that I mentioned earlier, albeit now in a recordkeeping context. If you do not trust the gatekeeper, why would you believe their audit trails?

Another aspect of trust is bound up with the idea of permanence – confidence that the archives will survive. Having a statutory mandate as a government archives and access to guaranteed continued resourcing is designed to engender trust among citizens that archives will last. This leads to a skewing of the historical record in favour of governments, simply by virtue of their establishment by statute, longevity and assumed continued resourcing. What if we adopted new indicators for trust, which moved away from these things? Perhaps we could give the same weighting to non-official archives for official records as the traditional holders of these records. This is surely not only desirable from the point of view of transforming the way that official records are handled, but also in terms of the ever-present need for more archives from non-government people and organisations. As Terry Cook has said:

Simply stated, it is no longer acceptable to limit the definition of society’s memory solely to the documentary residue left over (or chosen) by powerful record creators. Public and historical accountability demands more of archives, and of archivists.<sup>29</sup>

So what can archives learn from WikiLeaks?

*We would do a better – and more honest – job if we acknowledged and accommodated the fact that all of us working in recordkeeping are political actors.*

In a democracy, the government recordkeeper operates in an environment in which the needs and interests of the state, the majority, and the individual conflict as much as they coalesce. We can no more avoid the challenges of being a recordkeeper in this environment, than we could be morally indifferent to the uses which might be made of our professional skills in a totalitarian regime. Such challenges can be no less difficult to deal with and some of us seek to avoid the dilemma altogether.<sup>30</sup>

WikiLeaks gave us a fresh perspective on what it means to be a recordkeeper. It reminded us that recordkeeping is a political act – in fact, a series or collection of political acts, from the decision to make or not make a record, to the activities that we participate in as professionals, from building recordkeeping systems which fulfill a particular set of recordkeeping requirements, to identifying those records which move out of the solely organisational or business domain to form part of society’s archives.

Many would argue that we must retain our impartiality; that we must listen to the requirements provided by ‘the business’ and simply implement, not decide or consider the political implications of the decisions that we make. But for years, archival thinkers from Eric Ketelaar to Sue McKemmish and others have been urging archivists to think beyond the legal and methodological frameworks that currently direct the formation of archives and consider moving towards the creation of archives that go beyond the

organisational or individual to encompass a broader set of requirements. Of course, this includes understanding and working with or against political drivers and motivations.

I believe this means that as archivists and recordkeepers, we should be bringing our skills to projects that sit outside the government and corporate realm. People are building archives themselves and, as leading recordkeeping thinker Barbara Reed has often lamented: ‘we’re just not there’. People like Jason Scott of Archive Team are creating archives of online user-contributed content, before it is taken down and lost forever as a result of corporate takeovers and shutdowns.<sup>31</sup> The people of Tahrir Square created 25Leaks – the archives of scanned documents liberated from the secret police archives Amn al Dawla<sup>32</sup> – the Australian Research Council Linkage project with Monash University’s ‘Trust and Technology’ project sought to build archival systems for Indigenous oral memory<sup>33</sup> and Occupy Wall Street established an archives working group.<sup>34</sup> Archivists should be there helping to facilitate archives of multiple perspectives and building communities of trust for the events and business that are beyond the centres of power and which make maximum use of the power of the Internet to capture and share the records that reflect these alternative perspectives.

#### *Laws, culture and practices around access to records are dysfunctional*

This reality is leading people to look for new ways of getting at the information that they need to make sense of the world. WikiLeaks had such an impact in part because it suddenly launched a number of very powerful archives into society in stark contrast to long-accepted norms of information release, thus making a mockery of tokenistic FOI regimes.

We know that the system is not working. We know that many of our current access rules were born of the practicalities of dealing with large volumes of paper files. We see the big picture view of information access rules. Surely recordkeepers need to step up here, both to lobby for change to those outdated rules, but also to work on better ways for people to engage with, and use, records that take the apparent intention behind open government commitments and turn them into working evidence delivery services. Better and more open recordkeeping systems can lead to more humane forms of governance. Does this mean total transparency? No, but it does mean something better than the current state of affairs. We have the tools now to effectively restrict access to sensitive personal information, while we renegotiate the boundaries of other kinds of secrecy – a task which is long overdue.

Archives are starting to embrace tools for participation, but only for records that have struggled their way into a version of the fourth dimension over long periods of time and often in incomplete form. I would argue that the real value of such tools can be seen when records are pluralised more directly from the affairs that they document. We are seeing this to a certain extent with initiatives like Australia’s new ‘Right to Know’ freedom of information website.<sup>35</sup> But these records are divorced from the recordkeeping systems that they come from. How much more powerful would they be if people could participate in recordkeeping systems themselves during the processes of governments affecting their lives – collaborative systems that could extend beyond the closed world of government departments? Yes, there is a need to let government get on and govern, but there is also a need to ensure that closed systems are not allowed to nurture corruption, waste and abuse. There is a line there somewhere, and we have not yet properly investigated it.

The third lesson is not a new one – it is something David Bearman argued for in *Archival Methods*,<sup>36</sup> published in the late 1980s, well before the massive technological changes that have so dramatically challenged our practices in recent times.

*Archival methods need some pretty fundamental reimagining*

There is still (and always will be) a need for trusted, persistent archives (not places or repositories, necessarily). We are not going to be part of delivering that until we stop trying to bolt paper processes onto the digital world. And this reimagining needs to happen across the spectrum of our work, from appraisal to preservation.

We must find appraisal models for creating archives that transcend single and politically biased viewpoints about what must be kept. We need to stop drawing distinctions between formal and informal, ‘declared’ and ‘not declared’ records and move away from the inherently biased appraisal practice, which ‘selects’ records of continuing value from recordkeeping systems for permanent retention in the archive, instead moving towards the capture and management of recordkeeping systems.

We need to embrace the possibilities of the continuum and create frameworks whereby records can more easily exist in different contexts for different purposes at the same or different times. We need to ensure that such frameworks are designed to support the re-use and recontextualisation of records or parts of them.

We need to move away from such strong custodial models and finally come to grips with what postcustodialism means, particularly as funding for large expensive archives buildings dries up.

As recordkeeping professionals, we should be extending ourselves beyond the standard government or institutional archives and single perspective settings and instead be about deploying robust contextualisation and access services to recordkeeping systems that sit in disparate contexts and offer a range of perspectives at once.

We need to understand and embrace the fact that users of our records may never even know or care that they are accessing the services of archives X or Y. That, while we capture and manage records in ways that we know their evidentiary value persists, to people online, our content is just that – simply another piece of information forming part of the massive volume of information that we all process every day. No reader’s ticket required.

We need to help our users to exploit the power of the large volumes of data contained in our archives. The scale of the digital revolution can be overwhelming at times, but it offers incredible opportunities to use records in ways that were simply not possible for paper formats. In *War and Peace*, Leo Tolstoy set out his vision for the future of history. Historians’ use of discrete events and distinguished personalities to represent the continuous flow of history was doomed to fail, he argued. The ocean of individual actions that shape the course of history leaves no place for grand leaders. This observation and recording of history by all of us, generating small observations that make up a significant whole, is now happening online: on YouTube, in our blogs and on Twitter. So now, history has, as Tolstoy imagined, the real possibility of no longer remaining the privilege of national leaders and the elite few. As Andy Yee observes in his consideration of Tolstoy’s vision of history in the context of the digital age: ‘When we allow for the infinite, truth may be found’.<sup>37</sup>

Perhaps what we have seen with WikiLeaks is a kind of halfway house between the old and new forms of archives. What will it take to really get there? Are we serious

about the records continuum? It seems to me that the circumstances in which we live now offer archivists the best opportunity yet to turn the theory into practice.

## Conclusion

Encouragingly, projects like the Committee to Document the 25 January Revolution in Egypt set up by the Egyptian National Archives have understood the need for more contemporary and relevant archives. This project is about gathering as much primary evidence about the revolution as possible for deposit in the archives and release online, including official records, insurrectionary pamphlets, multimedia footage and Facebook and Twitter content. Importantly, there is an understanding from its inception that all material should be publicly accessible to anyone on the Internet. It is a significant step in the Egyptian transition to a freer and more civilised society, away from the abuses of the dictatorship. The power balance between people and the state is being redressed. The historian in charge of the project, Khaled Fahmy, has spoken of the project in a manner which evokes Derrida's thesis, declaring that:

The question of access to information and archives is political, because reading history is interpreting history, and interpreting history is one way of making it. Closing people off from the sources of their own history is an inherently political gesture, and equally opening that up is a political – even revolutionary – act.<sup>38</sup>

Archives, as understood by the Greeks, are a tangible and irrevocable symbol of the fragile bonds of trust between the powerful and the weak. In a society in which the role of the archives is marginalised or in which malign political influence is exerted on its formation, that trust is broken. Archives which do not capture and provide ready access to the records that form our laws, our rights and our memory – from all perspectives and acknowledging the inherent biases of power – are not fulfilling their purpose. Chris Hurley has observed: 'The ultimate role of the archivist in a democratic society is to sustain the evidence which helps that society to know itself'.<sup>39</sup> Whose society will we 'know' from the archives that we are keeping, from the way in which we share them, from the voices that are heard in them and in response to them?

WikiLeaks has shown us how it could be; where, through using technology, we are able to draw out and exclude that information which must be kept secret to protect the privacy of the vulnerable, while the vast majority of records of the acts, agreements and events which are actually occurring in our society are made part of the people's archives and widely disseminated to the people directly from their participation in those acts. This should be the new model for our archives – one that returns to the example set long ago in the Athenian archive, the Metroon. It should be the role of the contemporary archives not to serve as a gatekeeper waiting for decades before making the raw materials of history available to us in piecemeal form, but rather as the trusted guardian and provider of timely, useable evidence, the use of which will allow us to steer an honest course for our society.

## Endnotes

1. This article is based on the paper of the same name, which was delivered at the International Congress on Archives 2012 in Brisbane, Australia.
2. Jacques Derrida, *Archive Fever: A Freudian Impression*, University of Chicago Press, Chicago, 1996, p. 8.

3. Verne Harris writes on Derrida, the role of the archon and what Latour calls ‘paper shuffling’ as a source of essential power for repressive regimes in his excellent chapter ‘Archons, Aliens and Angels: Power and Politics in the Archive’, in Jennie Hill (ed.), *The Future of Archives and Recordkeeping: A Reader*, Facet Publishing, London, 2011, pp. 103-21. This article has been significantly influenced by the themes that Harris addresses in this chapter.
4. On his first day in office in 2009, President Obama issued a Memorandum for the Heads of Executive Departments and Agencies on ‘Transparency and Open Government’, stating that his administration was: ‘committed to creating an unprecedented level of openness in Government’. See Barack Obama, ‘Transparency and Open Government: Memorandum for the Heads of Executive Departments and Agencies’, available at <[http://www.whitehouse.gov/the\\_press\\_office/TransparencyandOpenGovernment](http://www.whitehouse.gov/the_press_office/TransparencyandOpenGovernment)>, accessed 14 December 2012.
5. Bernard Keane, ‘Are the Government’s Assange Redactions Justified?’, *Crikey*, 27 July 2012, available at <<http://www.crikey.com.au/2012/07/27/govts-enthusiastic-assange-redactions-appear-unjustified/>>, accessed 13 December 2012.
6. In March 2011, Egyptians opposed to the government of ex-President Hosni Mubarak stormed the headquarters of Amn Al-Dawla – the state security police – to halt the apparent destruction of police and intelligence documents. Many documents were subsequently copied and distributed by hand or published online – for example, on the 25Leaks website, available at <<http://25leaks.com/>>, accessed 14 December 2012.
7. Strategic Forecasting, Inc. – more commonly known as Stratfor – is a global intelligence company. In late 2011, they were hacked by members of Anonymous, and a large tranche of email from their systems was subsequently published by WikiLeaks.
8. When civic groups stormed the Stasi secret police headquarters in 1990, someone sprayed this message on the headquarters’ sentry box. The box is now on display in the Stasi Museum – a research and memorial centre concerning the political system of the former East Germany in Berlin.
9. National Archives of Australia, ‘1980 Revealed through Cabinet Records’, *Your Memento*, issue 1, January 2011, available at <<http://yourmemento.naa.gov.au/2011/01/1980-revealed-through-cabinet-records/>>, accessed 18 March 2013.
10. WikiLeaks, ‘Secret US Embassy Cables’, available at <<http://wikileaks.org/Cablegate.html>>, accessed 14 December 2012.
11. Kevin Goszstola, ‘WikiLeaks’ Cablegate Spawns Passwordgate’, *The Dissenter*, 31 August 2011, available at <<http://dissenter.firedoglake.com/2011/08/31/dear-bradley-manning-top-secret-decryption-passwords-for-a-Cablegate-file-on-the-internet-have-been-disclosed/>>, accessed 13 December 2012.
12. WikiLeaks, ‘WikiLeaks Submissions’, available at <<http://wikileaks.org/wiki/WikiLeaks:Submissions>>, accessed 13 December 2012.
13. National Archives of Australia, ‘Why Records are Kept – Directions in Appraisal’, available at <<http://www.naa.gov.au/records-management/publications/why-records-are-kept.aspx>>, accessed 17 February 2013.
14. In May 2012, the former News International chief executive Rebekah Brooks was charged with conspiring with her PA, Cheryl Carter, to: ‘remove seven boxes of material from the archives of News International’. Police allege that this was done in a bid to remove evidence that would be detrimental to her in the investigation of phone hacking and corruption allegations. See Sandra Laville, ‘Rebekah Brooks Charged with Perverting the Course of Justice’, *The Guardian*, available at <<http://www.guardian.co.uk/uk/2012/may/15/rebekah-brooks-charged-perverting-course-justice>>, accessed 15 December 2012.
15. United States Division – Center Media, ‘Soldier Faces Criminal Charges’, 6 July 2010, available at <<http://www.cbsnews.com/htdocs/pdf/ManningPreferralofCharges.pdf?tag=contentMain;contentBody>>, accessed 17 February 2013.
16. Evan Hansen, ‘Manning-Lamo Chat Logs revealed’, *Wired*, 13 July 2011, available at <<http://www.wired.com/threatlevel/2011/07/manning-lamo-logs/>>, accessed 17 February 2013.
17. WikiLeaks, *Collateral Murder*, available at <<http://www.collateralmurder.com/>>, accessed 17 February 2013.
18. Under an amendment to the *Archives Act 1983* (C’wealth) made in May 2010, the open access period for most Australian Government records (including Cabinet records) now begins after 20 years, instead of 30 years. This change will be phased in over the next ten years, with the closed period reducing by a year on 1 January each year until 2020.

19. Peter Timmons, 'Some Cabinet Papers Still Too Sensitive After 30 Years', *Open and Shut*, 17 January 2011, available at <<http://foi-privacy.blogspot.com.au/2011/01/some-cabinet-papers-still-too-sensitive.html>>, accessed 13 December 2012.
20. This was a view expressed to me by Julian Assange in a discussion on the issues raised in this paper in London during May 2012.
21. 'Former MI5 Boss Stella Rimington Blames US for WikiLeaks', *The Australian*, 22 August 2012, available at <<http://www.theaustralian.com.au/news/world/former-mi5-boss-blames-us-for-wikileaks/story-e6frg6so-1226455764906>>, accessed 13 February 2013.
22. Julian Assange discusses the necessity of information recording and flows to the wielding of power and the effect of openness and secrecy on the nature of this power in his 2006 essays. See Julian Assange, 'State and Terrorist Conspiracies', available at <<http://cryptome.org/0002/ja-conspiracies.pdf>>, accessed 17 February 2013; and Julian Assange, 'Conspiracy as Governance', available at <<http://cryptome.org/0002/ja-conspiracies.pdf>>, accessed 17 February 2013.
23. The sample of 1980 Cabinet papers that were digitised is available at <<http://www.naa.gov.au/collection/explore/cabinet/by-year/cabinet-records-1980.aspx>>, accessed 14 December 2012.
24. See <<http://Cablegatesearch.net/>>, accessed 15 December 2012.
25. For a collection of Duranti's writings and presentations on diplomatic science, see Luciana Duranti, <<http://www.lucianaduranti.ca/>>, accessed 14 December 2012.
26. InterPARES is the International Research on Permanent Authentic Records in Electronic Systems project. For details of its findings, see InterPARES, *InterPARES Project*, available at <<http://www.interpares.org/>>, accessed 14 December 2012.
27. As noted during the author's conversation with Julian Assange, London, May 2012.
28. Sue McKemmish, Michael Piggott, Barbara Reed and Frank Upward (eds), *Archives: Record-keeping in Society*, Centre for Information Studies, Charles Sturt University, Wagga Wagga, 2005, p. 18.
29. Terry Cook, 'Archival Science and Post Modernism: New Formulations for Old Concepts', *Archival Science*, vol. 1, no. 1, 2000, pp. 3–24.
30. Chris Hurley, 'The Evolving Role of Government Archives in Democratic Societies', Plenary Address delivered to the Association of Canadian Archivists Annual Conference, Winnipeg, 9 June 2001, available at <<http://www.infotech.monash.edu.au/research/groups/rcrg/publications/ch-demo0603.pdf>>, accessed 13 December 2012.
31. Archive Team is a group of volunteers who work to save disappearing web content, primarily user-generated. Their website serves as an off-loading point and information depot for a number of archiving projects, all related to saving websites or data that is in danger of being lost. See <<http://archiveteam.org/>>, accessed 14 December 2012.
32. See 25Leaks, available at <<http://25leaks.com/>>, accessed 14 December 2012.
33. The 'Trust and Technology: Building an Archival System for Indigenous Oral Memory' project (T&T project) was an Australian Research Council Linkage project, with partnerships between Caulfield School of Information Technology, Monash University, Centre for Australian Indigenous Studies, Monash University, Public Record Office Victoria, the Koorie Heritage Trust Inc., Victorian Koorie Records Taskforce and the Australian Society of Archivists Indigenous Issues Special Interest Group. The focus of the T&T project was on enabling Koorie communities to create archives of oral memory and engage with existing government and institutional archives on their terms. See <<http://infotech.monash.edu/research/about/centres/cosi/projects/trust/>>, accessed 14 December 2012.
34. From the Occupy Wall Street Archives Working Group mission statement: 'The Occupy Wall Street Archive is an institutionally-independent collection of historical material created and distributed in and around Liberty Plaza of ephemera, signs, and audiovisual materials. Occupy Wall Street Archives Working Group is created to ensure that the Occupy Wall Street movement will own its past. Its mission is to keep OWS historically self-conscious, and guarantee that our history will be accessible to the public'. See Occupy Wall Street Archives, 'Occupy Wall Street: Archive Mission Statement', available at <<http://archives.nycga.net/>>, accessed 14 December 2012.
35. 'Right to Know' was established by the Open Australia Foundation in 2012, following the model of the UK's 'What Do They Know?' website. See <<http://www.righttoknow.org.au/>>, accessed 14 December 2012.

36. David Bearman, *Archival Methods*, Archives and Museum Informatics Technical Report no. 9, Archives and Museum Informatics, Pittsburgh, 1989, available at <[http://www.archimuse.com/publishing/archival\\_methods/#ixzz2F4elWXZK](http://www.archimuse.com/publishing/archival_methods/#ixzz2F4elWXZK)>, accessed 14 December 2012.
37. Andy Yee, 'The Internet and Tolstoy's Vision of History', *Open Democracy*, 7 November 2012, available at <<http://www.opendemocracy.net/andy-yee/internet-and-tolstoy's-vision-of-history>>, accessed 14 December 2012.
38. Jack Shenker, 'The Struggle to Document Egypt's Revolution', *The Guardian*, 15 July 2011, available at <<http://www.guardian.co.uk/world/2011/jul/15/struggle-to-document-egypt-revolution>>, accessed 14 December 2012.
39. Chris Hurley, 'The Evolving Role of Government Archives in Democratic Societies', Plenary Address delivered to ACA Annual Conference, Winnipeg, 9 June 2001, available at <<http://descriptionguy.com/images/WEBSITE/the-evolving-role-of-government-archives-in-democratic-societies.pdf>>, accessed 14 December 2012.