



WikiLeaks, Transparency, and Privacy: A Discussion with Birgitta Jónsdóttir

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Birgitta Jónsdóttir is currently a member of the Icelandic Parliament, where she represents the Pirate Party. Jónsdóttir was an early WikiLeaks volunteer and was one of the key members of the team in Iceland that put together the famous Collateral Murder video. In this wide-ranging discussion with Christian Christensen, Jónsdóttir talks about her work with WikiLeaks, politics, and her ideas about technology, transparency, and privacy. She also discusses how she has been placed under surveillance because of her work with WikiLeaks and other organizations.

Christian Christensen:

What led you to work with WikiLeaks?

Birgitta Jónsdóttir:

I come from various different backgrounds. I'm primarily a poet, and if you're a poet in Iceland, you have to do all sorts of other stuff. You can't live off it, so I have worked as a jack-of-all-trades but also always been an activist and thus organized all sorts of different events, political or creative or sometimes both. I organized "Poets Against the War and Artists Against the War" right before the Iraq invasion. I got into Web development in 1995. I was the second Icelandic woman to wander into that sort of work. I don't have any formal education; I'm self-educated in everything because I think that I have some kind of ADD or something. I am only inspired to learn what I need, and that's how I learned how to code: I learned to code exactly what I needed, and was very good at that. So, I became an award-winning Web developer in Iceland in the early days, and I even organized the first live broadcast on the Internet from Iceland in 1996. And, since I was working with all sorts of people that were taking the first steps, were innovative, I felt it was very important to create a bridge between creative thinking and technology. I got into the loop of the innovators of the Internet that were making the Internet accessible for ordinary people. And then, I have always been an activist, and because of that I got very heavily involved in the protest movement that popped up after the [financial] crisis in Iceland, and somehow that led into two very important ideas:

One was that we needed a new constitution that was written by and for the people of Iceland, and the other was that we needed to create a bridge between the public and places of power, and in order to do that we needed to create a political hit-and-run movement that was called the Civic Movement. By some freak accident I ended up in the Icelandic Parliament for the Civic Movement, and, because I was the only geek in the parliament, I was invited very shortly after I became a member to speak at an event by the Digital Freedom Society in Iceland. At the same event, Julian Assange and Daniel Domscheit-Berg were speaking. They had built their speech on an idea, which, I don't know if Julian had already discussed with John Perry Barlow or not, but Barlow was a year earlier, the first of December 2008, talking at the same conference about "Switzerland of Bits" and that Iceland could resurrect from this collapse as a transparency haven. And so they talked about it, and it had been advanced by some people in Iceland as well, and I guess it was just perfect timing. I don't remember if I was speaking before or after them, but I approached Julian after it and we had a little bit of discussion, and the following evening there was a grassroots meeting where we got a deeper introduction into where WikiLeaks was going, and there was also somebody from Creative Commons there, and I just said to Assange after the meeting, "Well . . . why don't we just do this?" And that's how my collaboration with WikiLeaks started, and that was primarily from a legal perspective. To go and look if it would be possible to create a safe haven for freedom of information, expression, and speech, which later became the Icelandic Modern Media Initiative [IMMI].

This is like in December 2009. Little did I know that I was getting involved with WikiLeaks at the time of the biggest leaks in human history. And so, it sort of happened that in this work around IMMI they trusted me with the stuff that was coming in, and we decided to do an experiment on the cables. The first cables were an experiment from the first cables in Iceland. And so I assisted with that, and basically assisted with connecting them with journalists and volunteers. And then, with the *Collateral Murder* video, when I saw that, I really just felt that I should help with that, and I became sort of one of the prime volunteers in that project. I would do it again anytime. So, we were both working on these really intensive leaks and then, at some stage, when Julian was stuck in Australia, I offered to act as a WikiLeaks spokesperson. But I would have also done that at any time, because I felt at the time, when all of this was happening, that WikiLeaks, the service it was rendering, was one of the most important ones in the wake of these global financial crises and all these wars that were being waged in relation to them. These were the big resource wars, and we will be seeing may more, and I wanted to do anything I could to prevent more wars from happening.

Christian Christensen:

When you made the *Collateral Murder* video, did you have a range of material that you could have chosen from, or did this particular piece just jump out as the most obvious?

Birgitta Jónsdóttir:

This was a really long video. The second part, which we also produced but not in so much detail, was released on the same platform. It's just as intense, but it doesn't involve [the killing of] journalists; it involves obvious killings of pedestrians walking outside a building, which was also a building where ordinary citizens were living which was bombed to kingdom come. What we did was that we went into really intense research work, trying to figure out who were the people in this video, and it was an incredibly long process—much longer than most people realize—both trying to figure out exactly what is

happening, who are the people behind it, who are the people being killed, and why. Why is this happening? So, we collaborated with the Icelandic state broadcaster, RÚV, to send a journalist to Iraq in order to do some investigative journalism for us. That journalist was Kristinn Hrafnsson. He and Ingi Hrafn Ingason, a cameraman, went to New Baghdad to try and find the relatives of the deceased Reuters staff and the wife of the driver of the van and, of course, the children in the van. So it was very intense; it was very dangerous to do in Iraq because elections were happening and [it was] not easy to obtain a visa into the country. My many tasks included doing research and writing with Julian the texts that would then be used to explain the different scenarios in the video. But the most intense part was to pull out the stills that we would later use to publish on the website so that journalists wouldn't have to waste time doing that. It was a part of a massive impact plan. We wanted this spread really quickly, in all possible global media, because we felt that it was an important piece of whistle-blowing and a very significant way of seeing what is happening in Iraq, every day. This wasn't just a single incident. This was happening every day in the name of very many nations, including Iceland, because we were members of the Coalition of the Willing.

Christian Christensen:

I wrote a piece about *Collateral Murder*, and one of things that I argued in that piece was that *Collateral Murder* had a particular impact precisely because it was visual . . .

Birgitta Jónsdóttir:

Yes . . .

Christian Christensen:

. . . a lot of WikiLeaks material is highly detailed and textual—it requires a certain amount of skill and understanding about diplomatic language, about military language—but *Collateral Murder* is a very raw, emotional piece of work. And I'm just wondering, as someone who worked on the piece and has looked at what has happened to it over the last five years, what do you think is the longer-term legacy of that video?

Birgitta Jónsdóttir:

This is the beauty of it. As hard as it is to watch it—if I watch it in its entirety I still weep—there is just something about it. I mean, I've seen many, many horrible videos from Syria and so forth, but just the way it is . . . there is just something about it that is such a huge wake-up call about the detachment in these particular detached war zones where the soldiers are either in a drone center in the States, killing civilians, or are in this computer-game scenario where they are completely detached from the human tragedy of what they are doing. So, just about everything about the video has a huge impact. And young people can relate to it, which is quite important. I have seen this video, parts from it, in so many different scenarios. It's impossible to make an assessment on how much impact it already had. I have heard that bits of it were used in *The Wall* by Roger Waters. I was at a Massive Attack gig a couple of days ago, and I could see that they had panels with the visuals behind them, and I could see the lingo that they had in one really political piece that was driven by the lingo in the *Collateral Murder* video. It was the same language. So, it has had a really profound, deep impact, and what I want to see—and that's why I went specifically to the States on the third anniversary of the video—I really wanted everyone to project it, in a

joint effort, all over the United States. In every state, there would be some form of projection from the video, because too few people in the States have seen it. And now that we are talking about yet another war in Iraq, it has never been more relevant that people actually sit down and watch it, and allow themselves to feel what any person that's not a psychopath would feel when they watch this.

Christian Christensen:

And the consequences for you personally, having worked for WikiLeaks? We know about the Department of Justice request in terms of your Twitter data. I was wondering if you could talk a little about what working for WikiLeaks has meant for you, both as a politician in Iceland and as an international citizen.

Birgitta Jónsdóttir:

Yes, well, you know, what it meant was that just after the video and the Afghan war logs, the Iraq war logs and the files from Guantanamo Bay were released—and, of course, when the diplomatic cables came as well—there was a frenzy in the States. I don't think the authorities there had any idea how to deal with what was happening. So, they went completely overboard, and we were classified as terrorists. And anybody that knows anything about the United States knows that that is a very dangerous classification. And it wasn't like classification by lower-level administrators: It was a classification by some of the most powerful people in the United States. Saying it in public. People saying that Julian Assange should be killed, and anyone that worked for the organization was a target. And then there were all of these targeted invasions into our lives. And so, when Stratfor was hired to character-assassinate people in WikiLeaks, of course Julian Assange was the prime target, but all of us were targets. And people tend to forget that. The Twitter case became apparent when I got an e-mail from Twitter saying that they had managed to take to court and unseal the secret document from the DOJ [Department of Justice], where the U.S. government demanded to be handed over all of my personal data, and then I'm talking about metadata, primarily, and messages. To them. Without my knowledge. Within three days. Twitter suggested in the e-mail to me that I would contact lawyers, either from EFF [Electronic Frontier Foundation] or ACLU [American Civil Liberties Union] in order to protect my rights. I contacted Cindy Coen from the EFF, and she became my prime lawyer alongside Aden Fine from the ACLU, pro bono, and we decided that we should take this right-for-privacy fight to court. I knew I would lose. [Laughs.] I knew that I would lose on every level, and that's why we didn't take it to the final level. The reason I took it to court was to raise awareness about how far the DOJ were willing to reach into our privacy.

It is worth being aware that, in my case, there are two very significant milestones. The first milestone is in the first ruling, where the judge basically ruled that that no individual—not you, me, or anybody else—has the right to look after our own backs when it comes to our private data. We have to trust Google and other social media companies to look after our backs. It is clear that they are not capable of doing that because there are so many requests, and secondly the pressure is so great and there are all these different ways of getting our most sacred private information, information that is just as important to be able to keep private as it is in the offline world. We have to make ourselves aware of the reality that there is absolutely no difference whatsoever, even if it is easier to access it online. The other important information that I became aware of through the U.S. court battle was that there are also three different other companies that actually did hand over my data without a court ruling. Without my knowledge. So, they probably got a similar letter like Twitter, because it is obvious in the subpoena to Twitter that it's a

standard letter, because they are requesting to get stuff from Twitter that Twitter doesn't hold, like credit card information. Nobody pays for anything on Twitter. So that's probably Facebook data, or Amazon data, or something that they want. When the DOJ are willing to invade the privacy to such an extent of a member of parliament for a sovereign country, taking the risk of it being exposed, imagine what they are willing to do against people who don't have any diplomatic immunity. I do have some protections as a parliamentarian. I was serving in the Foreign Affairs Committee in Iceland, and so there are no borders in data collection. One could say that the U.S. government eventually managed to legally hack into my privacy by throwing out a massive dragnet around everyone that had ever volunteered and supported WikiLeaks. I want to make note of the fact that I am primarily concerned about those people that have no protection whatsoever, and it is worth noting that a majority of people, everywhere, are at risk. As you are well aware of how people treat social media and digital content and communications, and the lack of protection people have. Even if someone would send me a private e-mail to my parliamentary address, if that comes from a, for example, Gmail account, the communications are not protected. If that somebody sends me a Facebook message, or Twitter, Yahoo, Gmail, with sensitive information, there is absolutely nothing I can do to protect that person. And let's say that somebody writes to me, calls me, they then become a target of the U.S. government and they will be subject to probing into their privacy by the U.S. government or the Chinese or the Russian. So, anybody who calls me, even if it's the wrong number, is then a target.

So, of course it's had a profound impact on my life. I am, however, used to surveillance, because before I got the "terrorist" label for my WikiLeaks activities, I was an "environmental activist terrorist" a few years ago. At that time, because we were working with activists around the world, my phone was tapped, and there were both physical and digital surveillance. So, you just have to have a certain attitude towards it, even if it's very uncomfortable. In reality we don't have any privacy. It has been that way for a long time; now it is just out in the open, and the scary part is that people don't care. For me, it was sort of good to get a full awareness that I didn't have any privacy, and I made a choice I would not change my lifestyle, because then those that are invading my private life would have won. You know what I mean?

So, if they were going to arrest me for being who I am—I haven't done anything illegal to my knowledge—then they will just do that. Nothing I can really do to stop that, so I refuse to let fear govern my life. I, for example, felt like, when I was finishing my term as a member of parliament last year, I had to challenge this threat hanging over my head, put it to a test. The Foreign Affairs ministry in Iceland and my lawyers in the States said that I should not travel to the States because they are so vengeful and unforgiving, but why shouldn't I go? I have no legal case against me in the U.S. and had done nothing wrong by any normal, accepted standards of conduct. Before I went I did, of course, lots of preparation. It's not like when [U.S. WikiLeaks volunteer] Jacob Appelbaum goes to the States. It's slightly different, because I do have some form of diplomatic immunity, and it would be a much greater scandal if I would be harassed, being a member of parliament, than if a journalist were arrested, unfortunately. It's wrong, but that's how it is. I feel really bad that whenever somebody contacts me that they are on the radar. I don't know what would happen if I went to the States when I was an ordinary citizen, no longer with parliamentary protection. I will test it, of course. I have done lots of other unpopular things with the U.S. government. I participated in a class action, suing Obama for an addition to the NDAA, with Chris Hedges, Chomsky, Ellsberg, and a few others. We won, to our surprise, the first round, and then, of course, we lost. I have to

say, even though I am working within the legal framework and trying to hack legal code, my lack of respect for laws has now grown greater after I understood how they are done and how they work. [Laughs.]

Christian Christensen:

For people who aren't used to being surveilled, what do you think the United States government was looking for? What do you think they wanted from that surveillance?

Birgitta Jónsdóttir:

Two things. One was . . . obviously, when the leaks were coming to WikiLeaks, the prime WikiLeaks people were based in Iceland. We were often working out of my home, and I was very often in their space, and maybe they wanted to establish that I was having communications with Manning. I don't know. I don't know exactly. When you request metadata, you are trying to see who you are with, at what time, and for what length of time. And they might be able to scope out that there are two different computers in the same room, so I might have known who the source was, or something. Just their lack of knowledge about how WikiLeaks works—it is pretty obvious that WikiLeaks flagship was to make sure they didn't know who the source was. The main selling point for me about WikiLeaks was that they inspired people to provide important documents for the greater good, for humanity, information that should belong in the public domain. And, that they could guarantee that the source could not be tracked. I thought that was very important. That was also the case with Manning: It was not through WikiLeaks' technological process or human-interaction process that that source was compromised.

Christian Christensen:

You said there were two things?

Birgitta Jónsdóttir:

Yes. The other thing is that they were trying to character-assassinate Julian and others that were involved with WikiLeaks, so they wanted to find any information that could be used in a character-assassination plot. I'm confident that they've got my Facebook data. I'm confident that they've got my Google data as well. And I don't know which third company it is. We've repeatedly asked to have that unsealed, and that has not happened yet.

Christian Christensen:

This is the personal result of your activity there. I would say that it's five or six years since WikiLeaks had its first real breakthrough. As a politician, what would you say is WikiLeaks' longer-term impact on politics? Or the way we talk about politics?

Birgitta Jónsdóttir:

It's important for people to be aware that when I was brainstorming with Julian and other people, journalists and academics and lawyers and people who knew how to research laws, the main inspiration for the Icelandic Modern Media Initiative [IMMI] was to legalize the service WikiLeaks was providing in Iceland in the world at large. We wanted to live in a world where it wouldn't be considered a life-threatening scenario if you would reveal documents about criminal behavior of the corporate, military, or

public sector. That is still the goal, because it's easy to explain to people what services WikiLeaks provides. And when they understand that it's outrageous that you can't, as a journalist, have access to or publish information without compromising either the publication or yourself, that's an outrageous situation that many journalists are dealing with today. I think the greatest impact that WikiLeaks has had, and for that I am deeply thankful, is to actually bring to the surface the status of freedom of information today. To bring to the surface and into the discussion the status of the legal environment for whistle-blowers and sources, and to bring to the surface the difficulties the media are dealing with in this new world. When you have a legal department that's the size of the sports division at the major newspapers and the investigative journalism departments are dwindling into nothing, then that pillar of power that media is supposed to be doesn't exist.

At the time we were working on this IMMI proposal, we were primarily focusing on that: both the difficulties of publishing stuff without being persecuted, and to figure out how you could actually publish stuff no matter what, and you could keep it up [online] no matter what. The difficulties, for example, that IP hosts deal with; there is this profound lack of understanding about hosting and stuff like that. That is the greatest success of WikiLeaks, to put these problems of getting information that belongs in the public domain out there and to keep it accessible to the general public on the agenda, everywhere. I don't know how many conferences have been held, how many panels and studies and reports and documentaries I have been asked to be part of in order to address these issues from the legal perspective. It's a full-time job to actually try to be involved and engaged and to work on long-term solutions rather than reactionary solutions. Even if I would feel compelled to be critical about many of the character strengths and weaknesses of Assange, these are minimal compared to the importance in the global context of this day and age that WikiLeaks has managed to bring the most important elements of democracy. And, you know, the elements are if you do not have freedom of information, if you do not have freedom of expression, if you do not have transparency and the right to privacy, you are not living in a democracy. That's just basic. With the stuff that is coming from Snowden about our privacy, it's just so hugely important that we deal with it legally. And it's happening. It's raising awareness about it. What Snowden actually managed to achieve is to humanize this battle. Before Snowden, these critical issues were always in the technology section of the newspapers. It wasn't a human-interest story at all. So, Snowden managed to get the attention about our privacy and the lack thereof into the human-interest section of the media, which is very significant and very important. I think the impact of WikiLeaks in our world is tremendous, and it's so important. Journalists very often try to put the focus on the human drama around the human beings behind it, and, as compelling as that is, it's just irrelevant. The heart of the story revolves around the future of humanity, not personal dramas.

Christian Christensen:

I agree with you. I think there's been a split between the ways in which WikiLeaks has been discussed. One of the things you brought up that I think is very interesting and very important, but also problematic, is that the general understanding of the question of surveillance and technology is shaped by the ways in which the media cover it. So, journalists have a responsibility to cover the Snowden affair, or the Manning trial, which was basically not covered in the United States, and so I am wondering if there is an inherent conflict between relying upon a primarily commercial media system to inform us about what is essentially a violation of our rights when many of these [media] corporations are actually connected, in certain ways,

to the companies involved in that surveillance? And, also, have very close relationships to the state? In other words, what can activists do to get around the problem of getting the information out to people in an unfiltered way?

Birgitta Jónsdóttir:

[Sighs.] I really wish I had an answer to that. I think it's a very important question. The International Parliamentary Union—which, by the way, did an incredibly strong resolution on my case because the invasion into my privacy as a parliamentarian is considered to be very serious by other groups that work on human rights issues, and because it makes it very difficult for me to work globally. I'm compromising the safety of other parliamentarians that might be coming from other, more dangerous zones than I do, by everything that I do being hacked by the U.S. government. I feel there is a profound interest for example at the International Parliamentary Union. There is a profound interest in this dangerous development and the erosion it is having on the foundation of classic democracy. I'm currently working on getting together a panel of experts that will focus on privacy in the 21st century and the future of democracy at the assembly in the near future inspired by my case. I am I trying very hard to make legislators from around the world aware that they need to act now and help them understand the gravity of the current situation.

I tried to address in my speech when we were introducing the report on my case at the IPU, I said something along these lines: "This is not about me; it is about you all. It's about our responsibility as members of parliament to address the issues of privacy and lack thereof." It is critical that parliamentarians as lawmakers and policy-makers take some responsibility in this regard. We need many more people within that context to become aware, and I am trying to do my best in that regard, and it would be great if there were many more that have a deep and profound understanding about how we need to make this a number-one issue. Like data retention, which was deemed invalid. How did legislators deal with it? They just made their laws worse [laughs]. Just seeing TISA [Trade in Services Agreement], for example. If you think about the service that WikiLeaks provides, like the TISA contract, there is hardly anything about it in the mainstream media. We can't trust them. In Iceland, one of the reasons it has been a lot in the media—you know, I was doing a lot of interviews about it yesterday—is because I have actually made a written request to the Foreign Affairs minister in Iceland about this and the stuff that has been revealed. And it was the tiniest media company in Iceland, that only publishes online, that collaborated with WikiLeaks for bringing forward this in Iceland. I guess the answer is: We cannot rely on mainstream media anymore. Just boycott it, by all means, and try to actually encourage people to read more in-depth stuff elsewhere. But those of us that are already aware also carry responsibility to educate journalists and to support those that are within the mainstream media that we know have some sort of passion in this field. I think we're not in a war zone yet. [Laughs.] There are still possibilities to build bridges. At least, it's been my experience that whenever I try to give myself time to inform and inspire a journalist, some of them are very willing. But the mainstream media for me is no longer relevant; I don't even watch TV stations anymore. When news is breaking, I go to Twitter, because I follow journalists who are on the spot and read their blogs. Like when the situation was happening in the Ukraine, I would certainly not get my news from CNN or RT because both are very biased, so I try to actually just follow live feeds from it from activists.

Christian Christensen:

When an organization like WikiLeaks gets this much international fame, and when they leak the kind of material that they have leaked, I was wondering if an organization can hit a wall as a whistle-blowing organization? That it becomes too large, or too famous, and that the organization itself becomes a target rather than the leaks.

Birgitta Jónsdóttir:

Yes, I totally get what you are saying. That's a very important point. Just look at Greenpeace. How associated they are with many things. I just met a former head of Greenpeace who is now working as an advisor for fucking McDonald's! He didn't want to even get into a discussion about what meat production on that level is doing to the environment. So, when organizations become too big, they also become victims of their own celebrity. I am an advocate, in a different genre, for a new society. And, for me, small is beautiful. You know, when things become too big you actually have to divide them up, and if you are in the circle of power and you can't see the person that's opposite to you in struggle, then you need to reduce the circle and make two. At some stage, size becomes a problem. But I don't know if WikiLeaks has reached that size yet or not.