

Chapter Ten

Open Source Civil Liberties Enforcement

I. Protection Against Non-State Civil Rights Violations

In May 2010 Republican Senatorial candidate Rand Paul raised some hackles during an appearance on the Rachel Maddow show, when he confessed he'd have voted against the private discrimination provisions of the Civil Rights Act. Maddow's response was revealing:

Maddow was baffled: "But isn't being in favor of civil rights, but against the Civil Rights Act like saying you're against high cholesterol but in favor of fried cheese?" She's begging the question; you may as well ask how someone could be for patriotism but against the PATRIOT Act. But while mistaken, the question isn't cheap rhetoric. It's revealing of Maddow's premises about law and social progress.

As she insisted later, "Let's say there's a town *right now*. . . . [T]he owner of the bowling alley says, 'we're not going to allow black patrons.' . . . You may think that's abhorrent and you may think that's bad business. *But unless it's illegal, there's nothing to stop that*—nothing under your worldview to stop the country from resegregating."

Unless it's illegal anything could happen; nobody can stop it; a just social order can only form through social control. Private segregation should stop and only government can stop it; hence, Title II.¹

But Sheldon Richman challenges these assumptions:

Why assume that legislation was the only way to stop segregation and today is the only thing preventing resegregation? We can easily imagine scenarios in which private nonviolent action could pressure bigots into changing their racial policies.

But we don't need to imagine it. We can consult history. Lunch counters throughout the South were integrating years—years!—before the civil rights bill was passed. It happened not out of the goodness of the racists' hearts—they had to be dragged, metaphorically, kicking and screaming. It was the result of an effective nongovernment social movement.

Starting in Greensboro, North Carolina, in 1960, lunch counters throughout the South began to be desegregated through direct but peaceful confrontation—sit-ins—staged by courageous students and others who refused to accept humiliating second-class citizenship. Four years before the Civil Rights Act passed, lunch counters in downtown Nashville were integrated within four months of the launch of the Nashville Student Movement's sit-in campaign.

Students were beaten and jailed, but they won the day, Gandhi-style, by shaming the bigots with their simple request to be served like anyone else. The sit-ins then sparked sympathy boycotts of department stores nationwide....

To acknowledge that young people courageously stood down the bigots long before the patronizing white political elite in Washington scurried to the front of the march would be to confess that government is not the source of all things wonderful. Recall Hillary Clinton's belittling of the grassroots civil

¹ Charles Johnson, "Opposing the Civil Rights Act Means Opposing Civil Rights?" *The Freeman: Ideas on Liberty*, September 2010 <<http://www.thefreemanonline.org/departments/it-just-aint-so/opposing-the-civil-rights-act-means-opposing-civil-rights/>>.

rights movement when she ran against Barack Obama: “Dr. King’s dream began to be realized when President Lyndon Johnson passed the Civil Rights Act of 1964.... It took a president to get it done.”²

History says she is wrong. People were realizing the dream directly.

Or as he writes elsewhere: “The libertarian answer to bigotry is community organizing.”³ Charles Johnson, similarly, posed the rhetorical question and answer: “In a freed market, with no government anti-discrimination laws, what will stop bigoted business owners from resegregating America? A. We will.”⁴ (It’s odd, by the way, that people who say “the government is us” seem to think “we” are utterly powerless to do anything *except* through the state.)

Kirkpatrick Sale argues that the Civil Rights Act simply ratified, after the fact, the achievements of self-organized protestors.⁵

John Keane traces the beginnings of the civil rights movement, in large part, to two actions by individuals and self-organized groups. The first was the decision by the mother of Emmett Till, a teenage boy who was abducted and tortured to death for whistling at a white woman during a visit to Mississippi, to display his badly mutilated body in an open casket at his funeral in Chicago. Around fifty thousand mourners attended, and subsequent outrage over the acquittal of his murderers by an all-white jury blossomed into a protest movement. The second was Rosa Parks’ arrest for refusing to vacate her seat to a white person on a bus, which led to the famous Montgomery bus boycott. The boycott was organized by a loose coordinating committee of like-minded citizens, which inspired similar coordinating committees in cities across the United States. The coordinating committee became an important organizational model for the civil rights movement in subsequent boycott and civil disobedience campaigns like the sit-ins; the Student Nonviolent Coordinating committee was itself an application of that model on a national scale. Some direct action tactics, in particular the use of “jail no bail” pledges as a swarming technique to overwhelm the capabilities of local police and jails, were reminiscent of earlier free speech campaigns by the Wobblies.⁶

Historically, activists have successfully fought for liberties in cases where even “progressives” in the state hesitated to act.

Plans for a march on Washington for jobs and freedom on August 28 organised by the black union leader A Philip Randolph, were already under way. Kennedy was preparing a civil-rights bill that would antagonise white southerners in his own party who were opposed to integration. "I may lose the next election because of this," he told them. "I don't care."

The truth is that he cared very deeply. He asked them to call the march off. "We want success in Congress," said Kennedy. "Not just a big show at the Capitol." Randolph refused. "The negroes are already in the streets," he told Kennedy.

King, who deferred in age and experience to Randolph did not speak until the end of the meeting. "It may seem ill-timed," he said. "Frankly, I have never engaged in a direct-action movement that did not seem ill-timed." The march went ahead. By the time Kennedy came back from Europe he had decided that he would try to co-opt what he could not cancel. He declared his support for the march, hailing it as a "peaceful assembly for the redress of grievances".⁷

2 Sheldon Richman, “Rand Paul and the Civil Rights Act: Was He Right?” *Christian Science Monitor*, May 26, 2010 <<http://www.csmonitor.com/Commentary/Opinion/2010/0526/Rand-Paul-and-the-Civil-Rights-Act-Was-he-right>>.

3 Richman, “Context Keeping and Community Organizing,” *Cato Unbound*, June 18, 2010 <<http://www.cato-unbound.org/2010/06/18/sheldon-richman/context-keeping-and-community-organizing/>>.

4 Charles Johnson, “In a freed market, with no government anti-discrimination laws, what will stop bigoted business owners from resegregating America?” *Rad Geek People's Daily*, June 18, 2010 <<http://radgeek.com/gt/2010/06/18/in-a-freed-market-with-no-government-anti-discrimination-laws-what-will-stop-bigoted-business-owners-from-resegregating-america>>.

5 Kirkpatrick Sale, *Human Scale* (New York: Coward, McCann & Geoghegan, 1980), p. 478.

6 John Keane, *The Life and Death of Democracy* (New York and London: W.W. Norton & Company, 2009), pp. 722-725.

7 Gary Younge, “I have a dream: Forty years on,” *The Guardian*, August 21, 2003 <<http://www.guardian.co.uk/world/2003/aug/21/usa.comment>>.

II. When the State is the Civil Liberties Violator

So much for the question of how to defend people's civil rights without the state. But the very way the question is phrased is misleading; it implicitly limits the issue of the state's current role to one of whether or not the state *prevents* civil rights violations by private actors. But what if the state, under the present system, is *itself* an active violator of rights?

After the discussion of the Civil Rights Movement in the previous section, we can hardly move on without at least mentioning that slavery, Jim Crow and segregation were all state-enforced policies, going back to the Virginia servile code of the 17th century.

Considering that so much of this book is addressed to concerns about the effectiveness of voluntary organizations in providing protections that are now supposedly provided by the state, it seems appropriate to raise the rather awkward counter-question of what to do when the state itself is the danger to be protected against. Charles Johnson points out the difference,

....aside from the gang colors, ...between an official armed robbery like this one [a raid on a med pot dispensary, followed by civil forfeiture, as described in a Radley Balko column], and the stereotypical armed robbery carried out by freelancers.[W]hen gangsters without badges rob you, you could in principle go to the police about it and try to get the robbers arrested. But when the gangsters who robbed you *are* the police, and are happy to arrest *you* if you complain about the robbery, then who do you go to?⁸

We are ostensibly protected from the state's abuses of its own power (stipulating for the sake of argument that the initiation of force can ever be non-abusive) by all sorts of formal legal restraints: federal and state bills of rights, local police commissions, whistleblower protection laws, freedom of information laws, etc.

The problem is, such legal restrictions are not self-enforcing. Restrictions on government abuses of power depend on government functionaries for their enforcement.

The first line of defense is self-restraint by apparatchiks in the agency ostensibly subject to a given legal protection—the “cover-your-ass” instinct may be sufficient to deter the most egregious abuses by bureaucratic drones, if there is a significant possibility that a citizen “customer” may become a squeaky wheel. But how many of us have dealt with a petty bureaucratic functionary who, despite the most superficial knowledge of her agency's actual policy, confidently told us we weren't allowed to do this or that because “it's just policy,” or that we had to get this or that additional form and then get back in line in another office in another building—only to be told by the petty functionary in the other office that the first bureaucrat was wrong? It's clearly legal in most jurisdictions to record alleged “public servants” in a public place, in the performance of their official tax-funded duties; but actually *doing* it (as regularly recounted by Balko in appalling detail) is usually a good way to get your camera broken and yourself behind bars if the cops see you.

In many cases the policy itself is abusive, as in administrative law proceedings capable of tying people up for years and exhausting their life savings, without any of the common law protections like prosecutorial burden of proof that we normally think of as protecting the individual against the state.

The second line of defense is review by bureaucratic superiors who, ideally, are afraid of public embarrassment, or outside review agencies like police commissions. But how often has (say) a police commission, after reviewing the most egregious violations, found that “all policies were followed” and “there is no evidence of wrongdoing,” and restored the cop (on paid administrative leave) to duty?

The third, and last, official line of defense is the courts, if you have the enormous sums of time and money required to fight a case through the legal system. You know—the same courts that have found, time

⁸ Charles Johnson, “Dr. Anarchy Answers Your Rhetorical Questions,” *Rad Geek People's Daily*, January 24, 2011 <<http://radgeek.com/gt/2011/01/24/dr-anarchy-answers-your-rhetorical-questions/>>.

and time again, that “Congress shall make no law” doesn't *really* mean “Congress shall make no law,” if there happens to be a “compelling state interest” in making such a law. Or that the plain words of the Fourth Amendment don't really mean what they say because there's no “reasonable expectation of privacy.” Or that an assumption of dictatorial power by the President is a “political question” on which they refuse to rule. For those who can't afford to pay for justice, there are alternatives like the plea bargain (to escape the enormous stack of frivolous charges thrown at the defendant to make sure she accepts the deal), SLAPP lawsuits, and the “loser pays” provisions included in most so-called tort “reforms.”

As we saw in an earlier chapter in regard to regulatory state functions, it's sometimes hard to distinguish the state from the “bad guys” it's ostensibly regulating. The same is true of civil liberties violations. For hundreds of millions of people in the world, the question “what will we do when the United States government no longer protects us from violations of our rights?” would evoke nothing but bitter laughter. The question, for those people, is how to *stop* the United States government from supporting the dictators and death squads that violate their rights.

According to Rudolf Rocker, states have never granted or recognized civil liberties out of their own generosity, but rather have been forced to recognize them by pressure—often violent—from below.

Political rights do not originate in parliaments; they are, rather, forced on parliaments from without. And even their enactment into law has for a long time been no guarantee of their security... Political rights do not exist because they have been legally set down on a piece of paper, but only when they have become the ingrown habit of a people, and when any attempt to impair them will meet with the violent resistance of the populace....

The peoples owe all the political rights and privileges which we enjoy today in greater or lesser measure, not to the good will of their governments, but to their own strength.⁹

There are two viable ways of forcing the state to recognize our liberties. The first is by circumventing its enforcement capabilities, so that its claims of authority and threatened sanctions for disobedience become a paper tiger. The second is to subject it to public scrutiny and pressure from outside, so that the political cost of enforcement becomes more than it's worth.

III. Circumventing the Law

You'll notice I didn't list “change the law” or “change the government” among my viable alternatives. Reformist requires navigating a series of procedural hurdles rigged in favor of the interests with the most money and lobbyists. Consider the fruitless effort to liberalize in some small way the draconian new copyright legislation being railroaded through by the Copyright Nazis of the proprietary content industries. Endless hearings, mostly closed to the public and announced as a *fait accompli*. Representatives of public advocacy groups like the Electronic Frontier Foundation show up for hundreds of hours of meetings, only to see a bill or treaty which was actually drafted by RIAA/MPAA lobbyists get passed essentially unchanged—in many cases rubber-stamped by national parliaments with nobody outside a few committee leaders even allowed to read it.

To the extent that it *does* focus on influencing the state, a political movement is useful mainly for running interference, defending safe spaces in which we can build the *real* revolution—the one that *matters*. If the goal is to influence the state so as to create breathing room for counter-institutions, there's a lot more bang for the buck in mobilizing popular pressure from outside through deft propaganda and framing, than actually trying to participate in the policy process from inside. If violence is used at all, it should not be perceived by the public at large as a way of conquering anything, but as defensive force that raises the cost of

⁹ Rudolf Rocker, *Anarcho-Syndicalism* (1938). Marked up by Chuck Munson for Spunk.org
<http://www.spunk.org/library/writers/rocker/sp001495/rocker_as1.html>.

government attacks on the counter-economy in a situation where the government is clearly the aggressor. Whether violent or nonviolent, any form of public effort can benefit from the example of Martin Luther King's masterful framing in the Birmingham demonstrations. To the greatest extent possible, the state's functionaries should be cast in the role of Bull Connor.

Rather than focusing on ways to seize control of the state, or to shift the correlation of forces between the state's capabilities for violence and ours, it makes far better sense to focus on ways to increase our capabilities of living how we want below the state's radar. We undermine the old corporate order, not by the people we elect to Washington, or the policies those people make, but by how we do things where we live.

Evegeny Morozov—as usual—misses the point in this regard.

There are two ways to be wrong about the Internet. One is to embrace cyber-utopianism and treat the Internet as inherently democratizing. Just leave it alone, the argument goes, and the Internet will destroy dictatorships, undermine religious fundamentalism, and make up for failures of institutions.

Another, more insidious way is to succumb to Internet-centrism. Internet-centrists happily concede that digital tools do not always work as intended and are often used by enemies of democracy. What the Internet *does* is only of secondary importance to them; they are most interested in what the Internet *means*. Its hidden meanings have already been deciphered: decentralization beats centralization, networks are superior to hierarchies, crowds outperform experts. To fully absorb the lessons of the Internet, urge the Internet-centrists, we need to reshape our political and social institutions in its image.¹⁰

These are, indeed, two ways to be wrong about the Internet. They're wrong because they share Morozov's own fundamental assumption: that the goal is to reform or compensate for the failings of existing institutions—not to supersede them. He evaluates network organization on the basis of whether, as a supplement to existing institutions, it can provide the State Department with better information for deciding whether to intervene in Syria. "Many of our political institutions regularly confront problems that are not the result of knowledge deficiencies." But for those of us who see networks as the kernel or basic organizing principle of the successor society, we could care less about reforming the State Department.

Morozov, of course, promotes "the virtues of centralization."

Without well-organized, centralized, and hierarchical structures to push back against entrenched interests, attempts to make politics more participatory might stall, and further disempower the weak, and coopt members of the opposition into weak and toothless political settings. This was the case before the Internet, and, most likely, it will be the case long after.¹¹

Decentralized networks, he says, are useless because they lack the scale for taking over existing institutions. But our goal is not to take over leadership of existing institutions, but to render them irrelevant.

The focus on securing liberty primarily through political organization—organizing "one big movement" to make sure everybody is on the same page, before anyone can put one foot in front of the other—embodies all the worst faults of 20th century organizational culture. What we need, instead, is to capitalize on the capabilities of network culture.

The best way to change "the laws," in practical terms, is to make them irrelevant and unenforceable through counter-institution building and through counter-economic activity outside the state's control. States claim all sorts of powers they're utterly unable to enforce. It doesn't matter what tax laws are on the books, if most commerce is in encrypted currency of some kind and invisible to the state. It doesn't matter how industrial patents enforce planned obsolescence, if a garage factory produces generic replacements and modular accessories for proprietary corporate platforms, and sells to such a small market that the costs of

10 Evgeny Morozov, "Why Social Movements Should Ignore Social Media," *The New Republic*, February 5, 2013 <<http://www.newrepublic.com/article/112189/social-media-doesnt-always-help-social-movements#>>.

11 *Ibid.*

detecting and punishing infringement are prohibitive. It doesn't matter that local zoning regulations prohibit people doing business out of their homes, if their clientele is so small they can't be effectively monitored.

One benefit of the implosion of capital requirements for manufacturing is that the number of producers increases and the average market size shrinks to the point that they are operating below the regulatory state's radar. Traditionally, patent law (and other regulatory) enforcement depended on the low transaction costs resulting from a small number of large producers marketing a relatively small number of goods through a small number of nationwide retailers.

Without the ability to enforce their claimed powers, government commands are about as relevant as the edicts of the Emperor Norton. It's far more cost-effective to go directly after the state's enforcement capabilities than to try to change the law. This coincides to a large extent with what Dave Pollard calls "incapacitation": "rendering the old order unable to function by sapping what it needs to survive."¹²

But suppose if, instead of waiting for the collapse of the market economy and the crumbling of the power elite, we brought about that collapse, guerrilla-style, by making information free, by making local communities energy self-sufficient, and by taking the lead in biotech away from government and corporatists (the power elite) by working collaboratively, using the Power of Many, Open Source, unconstrained by corporate allegiance, patents and 'shareholder expectations'?¹³

Incapacitation, in particular, includes undermining the public's willingness to obey the corporate state: what Gene Sharp calls "cutting off sources of political power":

...nobody understands political power. All power has its sources. And if you can identify the sources you can cut them off....

There is moral authority: Do the people giving the orders have the right to give them? There is economic power. There is control of the masses. Hitler didn't have three brains, you know; he got other people convinced that what he was doing was important and that they should help.

Rather than protest the actions of those with political power, you can cut off the sources of their power....¹⁴

What Sharp describes as moral authority is closely related to what John Robb calls the state's "plausible promise": the credibility of its claims to offer benefits in return for allegiance as well as punishment, and specifically to serve the material interests of the average person.

In Robb's terminology, the state's enforcement capability is its *Systempunkt*—its weak point—in a systems disruption strategy. It's based on the term *Schwerpunkt* from the theory of *Blitzkrieg* warfare. The *Schwerpunkt* was

the point of greatest emphasis..., where the enemy front lines may be pierced by an explosive combination of multiple weapons systems (tanks, artillery, airpower, and so forth). Once the line is pierced, armored forces can drive deep into enemy territory to disrupt command, control, and logistical systems. When these systems are disrupted, the top-heavy military units they support collapse in confusion.¹⁵

12 David Pollard, "All About Power and the Three Ways to Topple It (Part 1)," *How to Save the World*, February 18, 2005 <<http://blogs.salon.com/0002007/2005/02/18.html>>.

13 Pollard, "All About Power—Part Two," *How to Save the World*, February 21, 2005 <<http://blogs.salon.com/0002007///2005/02/21.html>>.

14 Jeff Severns Guntzel, "Lessons from the Godfather: Interview with Gene Sharp," *Utne Reader*, July-August 2010 <<http://www.utne.com/Politics/Gene-Sharp-Interview-Power-of-Nonviolence.aspx>>.

15 John Robb, *Brave New War: The Next Stage of Terrorism and the End of Globalization* (Hoboken: John Wiley & Sons, 2007), p. 96.

Just as important, the majority of the enemy's combat forces can be bypassed and rendered ineffective by systems disruption, without the attrition cost of defeating them piecemeal.

And the *Systempunkt*

is the point in a system (either an infrastructure system or a marketplace), usually identified by one of the many autonomous groups operating in the field, that will collapse the target system if it is destroyed. Within an infrastructure system, this collapse takes the form of disrupted flows that result in financial loss or supply shortages. Within a market, the result is a destabilization of the psychology of the marketplace that will introduce severe inefficiencies and chaos.¹⁶

According to Robb, traditional strategic bombing of the kind used in WWII measured success by a metric based on the total percentage of an infrastructure's capacity which was destroyed. But by that standard—destroying a majority of the actual miles of transmission lines or rails within a network—success was extremely costly. Al Qaeda Iraq, in contrast, achieves enormous force multipliers disabling entire networks by destroying a few key nodes. A small attack on a single critical oil pipeline out of an entire network, at a cost of \$2000, cost the Iraqi government \$500 million in lost oil revenue.¹⁷ In addition, the \$8/barrel “terror premium” it added to the price of oil cost the global economy \$640 million.¹⁸ An attack on Shell Oil's Forcados loading dock platform in Nigeria, which cost roughly \$2000 to execute, cost Shell \$400,000 in lost oil exports and another \$50 million from the shutdown of an adjacent oil field.¹⁹ In the case of an electrical power grid, attacks on two percent of the high-load nodes can shut down 60% of an infrastructure's capacity, and attacks on one percent can shut down 40% of capacity.²⁰ Small attacks on the *Systempunkt* of any complex system can generate ROIs of several million percent. A system can be put out of operation, as if its entire physical infrastructure were destroyed, at the cost of destroying only a tiny fraction of its actual physical assets. The key is to find the key nodes whose destruction will disable the entire system.

Likewise, actually taking control of the state's policy-making apparatus, through conventional politics, is extremely costly. But by attacking the state at its *Systempunkt*—enforcement—we can render it ineffective against us at a tiny fraction of the cost. As Charles Johnson argues:

A law that cannot be enforced is as good as a law that has been repealed....

If you put all your hope for social change in legal reform, and if you put all your faith for legal reform in maneuvering within the political system, then to be sure you will find yourself outmaneuvered at every turn by those who have the deepest pockets and the best media access and the tightest connections. There is no hope for turning this system against them; because, after all, the system was made for them and the system was made by them. Reformist political campaigns inevitably turn out to suck a lot of time and money into the politics—with just about none of the reform coming out on the other end. But if you put your faith for social change in methods that ignore or ridicule their parliamentary rules, and push forward through grassroots direct action — if your hopes for social change don't depend on reforming tyrannical laws, and can just as easily be fulfilled by widespread success at bypassing those laws and making them irrelevant to your life — then there is every reason to hope that you will see more freedom and less coercion in your own lifetime. There is every reason to expect that you will see more freedom and less coercion tomorrow than you did today, no matter what the law-books may say.²¹

One of the benefits of stigmergic organization is that individual problems are tackled by the self-selected individuals and groups best suited to deal with them—and that their solutions are then passed on, via the

¹⁶ *Ibid.*, p. 96.

¹⁷ *Ibid.*, p. 7.

¹⁸ *Ibid.*, p. 13.

¹⁹ *Ibid.*, p. 99.

²⁰ *Ibid.*, p. 105.

²¹ Johnson, “Counter-economic optimism,” *Rad Geek People's Daily*, February 7, 2009 <http://radgeek.com/gt/2009/02/07/countereconomic_optimism/>.

network, to everyone who can benefit from them. DRM may be so hard to crack that only a handful of geeks can do it; but that doesn't mean, as the music and movie industries had hoped, that that would make “piracy” economically irrelevant. When a handful of geeks figure out how to crack DRM today, thanks to stigmergic organization, grandmas will be downloading DRM-free “pirated” music and movies at torrent sites next week.

What is the cost of systems like bittorrent, encryption and Web anonymizers, compared to the cost of fighting the RIAA's lobbyists in Washington? What is the cost of publicizing ideas of jury nullification—until the risk of a hung jury from a single rogue juror becomes so common that prosecutors decide that prosecuting simple pot possession is not worth it—compared to the cost of fighting decriminalization and medpot battles on the ballots year after year after year?

Each individual innovation in ways of living outside the control of the corporate-state nexus creates a demonstration effect: You can do this too! And with each new hack to the system, the more the counter-economy becomes a coherent whole opaque to the corporate state.

In light of all this, the most cost-effective “political” effort is simply making people understand that they don't need anyone's permission to be free. Start telling them right now that the law is unenforceable, and disseminating knowledge as widely as possible on the most effective ways of evading it. Publicize examples of ways we can live our lives the way we want, with institutions of our own making, under the radar of the state's enforcement apparatus: local currency systems, free clinics, ways to protect squatter communities from harassment, home-based microenterprises quietly trading with friends and neighbors in defiance of zoning and licensing laws, micromanufacturers producing knockoffs on such a small scale that patent enforcement costs more than it's worth, and so on. Educational efforts to undermine the state's moral legitimacy, educational campaigns to demonstrate the unenforceability of the law, and efforts to develop and circulate means of circumventing state control, are all things best done on a stigmergic basis.

Thomas Knapp provides a good practical example of Eric Raymond's Bazaar in operation when it comes to techniques of resistance—the G-20 protests in Philadelphia:

During the G-20 summit in the Pittsburgh area last week, police arrested two activists. These particular activists weren't breaking windows. They weren't setting cars on fire. They weren't even parading around brandishing giant puppets and chanting anti-capitalist slogans.

In fact, they were in a hotel room in Kennedy, Pennsylvania, miles away from “unsanctioned” protests in Lawrenceville ... listening to the radio and availing themselves of the hotel's Wi-Fi connection. Now they stand accused of “hindering apprehension, criminal use of a communication facility and possessing instruments of crime.”

The radio they were listening to was (allegedly) a police scanner. They were (allegedly) using their Internet access to broadcast bulletins about police movements in Lawrenceville to activists at the protests, using Twitter....

Government as we know it is engaged in a battle for its very survival, and that battle, as I've mentioned before, looks in key respects a lot like the Recording Industry Association of America's fight with peer-to-peer “file-sharing” networks. The RIAA can — and is — cracking down as hard as it can, in every way it can think of, but it is losing the fight and there's simply no plausible scenario under which it can expect to emerge victorious. The recording industry as we know it will change its business model, or it will go under.

The Pittsburgh Two are wonderfully analogous to the P2P folks. Their arrest boils down, for all intents and purposes, to a public debugging session. Pittsburgh Two 2.0 will set their monitoring stations further from the action (across jurisdictional lines), use a relay system to get the information to those stations in a timely manner, then retransmit that information using offshore and anonymizing proxies. The cops won't get within 50 miles of finding Pittsburgh Two 2.0, and anything they do to counter its efficacy will be countered in subsequent versions.²²

22 Thomas L. Knapp, “The Revolution Will Not Be Tweeted,” *Center for a Stateless Society*, October 5, 2009 <<http://c4ss.org/content/1179>>.

Two more recent examples are the use of Twitter in Maricopa County to alert the Latino community to raids by Sheriff Joe Arpaio, and to alert drivers to sobriety checkpoints.²³

One especially encouraging development is the stigmergic sharing of innovations in the technologies of resistance between movements around the world, aiding each other across national lines and bringing combined force to bear against common targets. Both the Falun Gong and the Tor project have played major roles in distributing encryption and proxy server technology to dissidents in Iran and elsewhere around the world.²⁴

Statism will ultimately end, not as the result of any sudden and dramatic failure, but as the cumulative effect of a long series of little things. The costs of enculturating individuals to the state's view of the world, and of dissuading a large enough majority of people from disobeying when they're pretty sure they're not being watched, will result in a death of a thousand cuts. More and more of the state's activities, from the perspective of those running things, will just cost more (in terms not only of money but of just plain mental aggravation) than they're worth. The decay of ideological hegemony and the decreased feasibility of enforcement will do the same thing to the state that file-sharing is now doing to the RIAA.

IV. Circumvention: Privacy vs. Surveillance

Evgeny Morozov, in *The Net Delusion*, almost exclusively emphasizes the Internet's potential for ubiquitous surveillance by authoritarian states. Activists who use Facebook and Twitter to coordinate their subversion, he argues, are just lumping themselves into a single target for easy identification and arrest.

But Morozov writes as though it were a static situation in which only the state is capable of reacting to ongoing events; in so doing, he ignores one of the most important benefits of network organization: the way it facilitates rapid response to and circumvention of state attempts at surveillance and repression.

As Cory Doctorow writes: "Some of the world's most ingeniously paranoid experts have spent 20-plus years thinking up plausible technological nightmare scenarios, all of which are more frightening than Morozov's efforts..." And these people have spent the same 20-plus years developing countermeasures.

This failure to engage with the best thinking and writing on the subject of the internet's special power to connect and liberate is *Net Delusion's* most serious demerit. When Morozov talks about the security risks arising from dissidents' use of Facebook—which neatly packages up lists of dissidents to be targeted by oppressive nations' secret police—he does so without ever mentioning the protracted, dire warnings of exactly this problem that have come from the "cyber-utopian" vanguard as embodied by groups such as the Electronic Frontier Foundation, NetzPolitik, Knowledge Ecology International, Bits of Freedom, Public Knowledge, and dozens of other pressure groups, activist organisations and technical projects around the world.

Indeed, there is hardly any mention at all of history's most prominent internet freedom fighters, such as the venerable cypherpunks movement, who have spent decades building, disseminating and promoting the use of cryptographic tools that are purpose-built to evade the kind of snooping and network analysis he (rightly) identifies as being implicit in the use of Facebook, Google and other centralised, private tools to organise political movements.

Though Morozov is correct in identifying inherent security risks in the use of the internet by dissidents, his technical analysis is badly flawed. In arguing, for example, that no technology is neutral, Morozov fails to identify one crucial characteristic of cryptographic systems: that it is vastly easier to

23 Katherine Mangu-Ward, "The Sheriff is Coming! The Sheriff is Coming!" *Reason Hit & Run*, January 6, 2010 <<http://reason.com/blog/2010/01/06/the-sheriff-is-coming-the-sher>>; Brad Branan, "Police: Twitter used to avoid DUI checkpoints," *Seattle Times*, December 28, 2009 <http://seattletimes.nwsourc.com/html/nationworld/2010618380_twitterdui29.html>.

24 Eli Lake, "Hacking the Regime," *The New Republic*, September 3, 2009 <<http://www.tnr.com/article/politics/hacking-the-regime>>.

scramble a message than it is to break the scrambling system and gain access to the message without the key.

Practically speaking, this means that poorly resourced individuals and groups with cheap, old computers are able to encipher their messages to an extent that they cannot be deciphered by all the secret police in the world, even if they employ every computer ever built in a gigantic, decades-long project to force the locks off the intercepted message. In this sense, at least, the technological deck is stacked in favour of dissidents—who have never before enjoyed the power to hide their communiqués beyond the reach of secret police—over the state, who have always enjoyed the power to keep secrets from the people.

Morozov's treatment of security suffers from further flaws. It is a truism among cryptographers that anyone can design a system so secure that he himself can't think of a way of breaking it.... This is why serious information security always involves widespread publication and peer-review of security systems. This approach is widely accepted to be the best, most effective means of identifying and shoring up defects in security technology.

And yet, when Morozov recounts the tale of Haystack, a trendy, putatively secure communications tool backed by the US state department that was later found to be completely insecure, he accepts at face value the Haystack creator's statement that his tool was kept secret because he didn't want to let Iranian authorities reverse-engineer its workings (real security tools work even if they have been reverse-engineered).

Instead, Morozov focuses his criticism on the "release early, release often" approach to free and open source software, and mocks the aphorism "with enough eyeballs, all bugs are shallow," though if these had been applied to Haystack, it would have been revealed as a failure long before it got into the hands of Iranian activists. Here, Morozov is as wrong as he could possibly be: if you want to develop secure tools to allow dissidents to communicate beneath the noses of oppressive regimes, you must widely publish the workings of these tools and revise them frequently as your peers identify new vulnerabilities in them....

The picture Morozov paints of information security is misleadingly static. Noting that the web has allowed an alarming amount of surveillance by commercial actors such as ad-networks, Morozov concludes that this kind of tracking will come to the world's censorious, spying governments. But internet users who perceive a threat from advertisers face few difficulties in limiting this spying with ad blockers and the like. Lamentably, relatively few people take advantage of these countermeasures, but to assume that dissidents in oppressive regimes will have the same sanguine trust of their governments that punters have towards Google's tracking cookies is a rather titanic leap. In Morozov's analysis, your vulnerability on the web remains the same whether you're in a friendly or adversarial relationship to the site you're visiting or the snoop you're worrying about.

Morozov is also willing to assume an improbable mien of credulity when it suits his argument – for example, he worries that the Chinese government proposed to install a mandatory censorware program on every PC called Green Dam, even though this move was ridiculed by security experts around the world, who correctly predicted that it would be a dismal failure (if censorware can't prevent your 12-year-old from looking at porn, it won't stop educated Chinese internet users from finding out about Falun Gong)....

Everyone I know in this movement – from donors to toolsmiths to translators to front-line activists to UN wonks – knows that the internet presents a risk as well as an opportunity. But unlike Morozov, these people have a program for minimising the risks arising from internet use (which is why there is so much campaign activity around the privacy and censorship problems arising from proprietary software, social networking services, and centralised data-collection systems such as Google) and maximising its efficacy as a tool for liberation, through the development of software and training that provides better anonymity, better communications security, and even abstract tools like zero-knowledge networking system that allow for the broad dissemination of information among large groups of people without revealing their identities.

Morozov's unconscious agenda seems to have a lot in common with Malcolm Gladwell's, as Doctorow observes.

It seems that Morozov wants to see the chaos of popular, grassroots movements replaced with a kind of orderly, top-down style of regimented activism led by intellectuals whose thoughts can't be pithily expressed in 140-character tweets. Whether or not Morozov sees himself as one of those intellectuals is never explicitly stated.²⁵

Seeing Like a State, and the Art of Not Being Governed. The work of James Scott is relevant here. In *Seeing Like a State*, he develops the concept of “legibility”: i.e.,

a state's attempt to make society legible, to arrange the population in ways that simplified the classic state functions of taxation, conscription, and prevention of rebellion.... The premodern state was, in many crucial respects, partially blind; it knew precious little about its subjects, their wealth, their landholdings and yields, their location, their very identity. It lacked anything like a detailed “map” of its terrain and its people. It lacked, for the most part, a measure, a metric, that would allow it to “translate” what it knew into a common standard necessary for a synoptic view. As a result, its interventions were often crude and self-defeating.

...How did the state gradually get a handle on its subjects and their environment? Suddenly, processes as disparate as the creation of permanent last names, the standardization of weights and measures, the establishment of cadastral surveys and population registers, the invention of freehold tenure, the standardization of language and legal discourse, the design of cities, and the organization of transportation seemed comprehensible as attempts at legibility and simplification. In each case, officials took exceptionally complex, illegible, and local social practices, such as land tenure customs or naming customs, and created a standard grid whereby it could be centrally recorded and monitored....²⁶

Each undertaking also exemplified a pattern of relations between local knowledge and practices on one hand and state administrative routines on the other.... In each case, local practices of measurement and landholding were “illegible” to the state in their raw form. They exhibited a diversity and intricacy that reflected a great variety of purely local, not state, interests. That is to say, they could not be assimilated into an administrative grid without being either transformed or reduced to a convenient, if partly fictional, shorthand. The logic behind the required shorthand was provided... by the pressing material requirements of rulers: fiscal receipts, military manpower, and state security. In turn, this shorthand functioned... as not just a description, however inadequate. Backed by state power through records, courts, and ultimately coercion, these state fictions transformed the reality they presumed to observe, although never so thoroughly as to precisely fit the grid.²⁷

Scott's concept of legibility is closely related to—and appears to have been influenced by—what Michel Foucault called “panopticism.” Consider how he describes legibility in operational terms:

Legibility is a condition of manipulation. Any substantial state intervention in society—to vaccinate a population, produce goods, mobilize labor, tax people and their property, conduct literacy campaigns, conscript soldiers, enforce sanitation standards, catch criminals, start universal schooling—requires the invention of units that are visible.... Whatever the units being manipulated, they must be organized in a manner that permits them to be identified, observed, recorded, counted, aggregated, and monitored. The degree of knowledge required would have to be roughly commensurate with the depth of the intervention. In other words, one might say that the greater the manipulation envisaged, the greater the legibility required to effect it.

It was precisely this phenomenon, which had reached full tide by the middle of the nineteenth century, that Proudhon had in mind when he declared, “To be ruled is to be kept an eye on, inspected, spied on, regulated, indoctrinated, sermonized, listed and checked off, estimated, appraised, censured, or-

25 Cory Doctorow, “We need a serious critique of net activism,” *The Guardian*, January 25, 2011 <<http://www.guardian.co.uk/technology/2011/jan/25/net-activism-delusion>>.

26 James Scott, *Seeing Like a State*, p. 2.

27 *Ibid.*, p. 24.

dered about.... To be ruled is at every operation, transaction, movement, to be noted, registered, counted, priced, admonished, prevented, reformed, redressed, corrected.”

From another perspective, what Proudhon was deploring was in fact the great achievement of modern statecraft. How hard-won and tenuous this achievement was is worth emphasizing. Most states, to speak broadly, are “younger” than the societies that they purport to administer. States therefore confront patterns of settlement, social relations, and production, not to mention a natural environment, that have evolved largely independent of state plans. The result is typically a diversity, complexity, and unrepeatability of social forms that are relatively opaque to the state, often purposefully so....

If the state's goals are minimal, it may not need to know much about the society.... If, however, the state is ambitious—if it wants to extract as much grain and manpower as it can, short of provoking a famine or a rebellion, if it wants to create a literate, skilled, and healthy population, if it wants everyone to speak the same language or worship the same god—then it will have to become both far more knowledgeable and far more intrusive.²⁸

In the same book he mentioned the concepts of “state spaces and nonstate spaces”; state spaces are geographical regions with high-density population and high-density grain agriculture, “producing a surplus of grain... and labor which was relatively easily appropriated by the state.” The conditions of nonstate spaces were just the reverse, “thereby severely limiting the possibilities for reliable state appropriation.”²⁹

In *The Art of Not Being Governed*, Scott surveys the populations of “Zomia,” the highland areas spanning all the countries of Southeast Asia, which are largely outside the reach of the governments there. He suggests areas of commonality between the Zomians and people in nonstate areas around the world, upland and frontier people like the Cossacks, Highlanders and “hillbillies,” as well as runaway slave communities in inaccessible marsh regions of the American South.

States attempt to maximize the appropriability of crops and labor, designing state space so as “to guarantee the ruler a substantial and reliable surplus of manpower and grain at least cost...” This is achieved by geographical concentration of the population and the use of concentrated, high-value forms of cultivation, in order to minimize the cost of governing the area as well as the transaction costs of appropriating labor and produce.³⁰ State spaces tend to encompass large “core areas” of highly concentrated grain production “within a few days' march from the court center,” not necessarily contiguous with the center but at least “relatively accessible to officials and soldiers from the center via trade routes or navigable waterways.”³¹ Governable areas are mainly areas of high-density agricultural production linked either by flat terrain or watercourses.³²

In Zomia, as Scott describes it:

Virtually everything about these people's livelihoods, social organization, ideologies, ...can be read as strategic positionings designed to keep the state at arm's length. Their physical dispersion in rugged terrain, their mobility, their cropping practices, their kinship structure, their pliable ethnic identities, and their devotion to prophetic, millenarian leaders effectively serve to avoid incorporation into states and to prevent states from springing up among them.³³

In order to avoid taxes, draft labor and conscription, they practiced “escape agriculture: forms of cultivation designed to thwart state appropriation.” Their social structure, likewise, “was designed to aid dispersal and autonomy and to ward off political subordination.”³⁴

28 *Ibid.*, pp. 183-184.

29 *Ibid.*, p. 186.

30 James C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven & London: Yale University Press, 2009), pp. 40-41.

31 *Ibid.*, p. 53.

32 *Ibid.*, p. 58.

33 *Ibid.*, x.

34 *Ibid.*, p. 23.

The nonstate space is a direct inversion of the state space: it is “state repelling,” i.e. “it represents an agro-ecological setting singularly unfavorable to manpower- and grain-amassing strategies of states. States “will hesitate to incorporate such areas, inasmuch as the return, in manpower and grain, is likely to be less than the administrative and military costs of appropriating it.”³⁵ Nonstate spaces benefit from various forms of “friction” that increase the transaction costs of appropriating labor and output, and of extending the reach of the state's enforcement arm into such regions. These forms of friction include the friction of distance³⁶ (which amounts to a distance tax on centralized control) and the friction of terrain or altitude.³⁷

I suggest that the concepts of “state space” and “nonstate space,” if removed from Scott's immediate spatial context and applied by way of analogy to spheres of social and economic life that are more or less amenable to state control, can be useful for us in the kinds of developed Western societies where to all appearances there are no geographical spaces beyond the control of the state.

State spaces in our economy are sectors which are closely allied to and legible to the state. Nonstate spaces are those which are hard to monitor and where regulations are hard to enforce.

Based on the state's preferences for “legibility, appropriation, and centralization of control,” it will tend to promote “institutional arrangements [that] can be readily monitored and directed from the center and can be easily taxed....”

The principles of standardization, central control, and synoptic legibility to the center could be applied to many... fields. If we were to apply them to education, for example, the most illegible education system would be completely informal, nonstandardized instruction determined entirely by local mutuality. The most legible educational system would resemble Hippolyte Taine's description of French education in the nineteenth century, when “the Minister of Education could pride himself, just by looking at his watch, which page of Virgil all schoolboys of the Empire were annotating at that exact moment.”³⁸

State spaces, especially, are associated with legible forms of production. That means, among other things, an economy dominated by large business units like oligopoly corporations and large-scale agribusiness. Marx rightly described the state as the executive committee of the ruling class, which is dominated by the leaders of the corporate economy and finance capital. But the relationship is two-way. The large corporation and the state exist in a symbiotic relationship. The state itself, in the narrow sense of the apparatus of functionaries who are actually on the public payroll, has a preference for large-scale units of economic organization because they are most amenable to being used as extensions of the state's taxing and enforcement functions. Scott points to the tendency by which “large units are favored over small factories or artisanal production,” citing Jeffrey Sachs' observation that “Central planners had no desire to coordinate the activities of hundreds or thousands of small firms in a sector if one large firm could do the job. A standard strategy, therefore, was to create one giant firm wherever possible.”³⁹ More broadly, the state prefers large-scale property to small, petty bourgeois property, large farms to small peasant holdings, and formalized economic activity in the cash nexus to informal exchange, barter or gifting.⁴⁰

The same effects achieved through spatial distance and isolation and the high costs of physical transportation in Scott's Zomia can be achieved in our economy, without all the inconvenience, through such expedients as encryption and darknets. Recent technological developments have drastically expanded the potential for non-spatial, non-territorial versions of the nonstate spaces that Scott describes. People can re-

35 *Ibid.*, p. 178.

36 *Ibid.*, p. 51.

37 *Ibid.*, p. 61.

38 *Ibid.*, p. 219.

39 *Ibid.*, p. 402n. 74.

40 *Ibid.*, p. 220 table.

move themselves from state space by adopting technologies and methods of organization that make them illegible to the state, without any actual movement in space.

The transaction costs of overcoming opacity and illegibility, and enforcing obedience in an atmosphere of non-compliance, function as a tax in a manner analogous to John Robb's "terrorism tax" which we discussed in an earlier chapter. It makes some "spaces" (i.e. sectors or areas of life) more costly to govern than they're worth. The greater an area's distance from the center, the higher the concentration of value or value-to-weight ratio a unit of output must have to be worth appropriating and carrying off to the capital. The further from the center an area is, the larger the share of its economy will cost more than it's worth to exploit.⁴¹ It's somewhat analogous to the concept of EROEI in the field of energy; if the purpose of the state is to extract a surplus on behalf of a privileged class, the "governance tax" reduces the amount of surplus which is extracted per input of enforcement effort.

Anything that reduces the net "EROEI" of the system, the size of the surplus which the state is able to extract, will cause it to shrink to a smaller equilibrium scale of activity. The more costly enforcement is and the smaller the revenues the state and its corporate allies can obtain per unit of enforcement effort, the more hollow they become and the more areas of life they retreat from as not worth the cost of governing.

Our strategy, in attacking the state's enforcement capabilities as the weak link of state capitalism, should be to create metaphoric nonstate spaces like darknets, forms of physical production which are so small-scale and dispersed as to present serious surveillance and enforcement costs, etc., and to shift the correlation of forces between nonstate and state "spaces."

From our standpoint, technologies of liberation reduce the cost and inconvenience of evasion. In Scott's work, for people in state spaces the labor they have sunk into their fields over generations, the more reluctant they are to leave in order to escape the state's taxation.⁴² In Zomia, "not being governed" frequently entailed adopting "subsistence strategies aimed to escape detection and maximize their physical mobility should they be forced to flee again at a moment's notice." This could involve a real sacrifice in quality of life, in terms of the categories of goods which could not be produced, the categories of food that were unavailable, etc.⁴³ Historically, when not being governed required spatial distance and inaccessibility, creating a nonstate space meant a choice of technologies of living based on the need to be less legible. In many cases this translated into "abandoning fixed cultivation to take up shifting agriculture and foraging," the deliberate choice of a more "primitive" lifestyle for the sake of autonomy, and the conscious choice of less productive methods of cultivation and a smaller surplus.⁴⁴

Liberatory technologies now offer the potential to eliminate the necessity for this tradeoff between autonomy and standard of living. We want to render ourselves as ungovernable as the people of Zomia, without the inconvenience of living in the mountains and swamps or living mostly on root crops. The more areas of economic life that are rendered illegible to the state through liberatory technology, the less the differential in standard of living between state and nonstate areas.

Scott names mobility as his "second principle of evasion." Mobility, "the ability to change location," renders a society inaccessible through the ability to "shift to a more remote and advantageous site." It is "a relatively frictionless ability to shift location..."⁴⁵ In terms of our analogous nonspatial "nonstate spaces" in Western societies, this is mirrored by the agility and flexibility of networks.

41 *Ibid.*, p. 73.

42 *Ibid.*, p. 65.

43 *Ibid.*, p. 181.

44 *Ibid.*, p. 188.

45 *Ibid.*, p. 184.

V. Exposure, Embarrassment and Shifting the Terms of Debate

One especially important variant of the stigmergic principle is educational and propaganda effort. Even though organized, issue-oriented advocacy groups arguably can have a significant effect on the state, in pressuring the state to cease or reduce suppression of the alternative economy, the best way to maximize bang for the buck in such efforts is simply to capitalize on the potential of network culture: that is, put maximum effort into just getting the information out there, giving the government lots and lots of negative publicity, and then “letting a thousand flowers bloom” when it comes to efforts to leverage it into political action. That being done, the political pressure itself will be organized by many different individuals and groups operating independently, spurred by their own outrage, without their necessarily even sharing any common libertarian ideology.

A good recent example is the role of Wikileaks in sparking the Tunisian revolt. Wikileaks made the American ambassador's private assessment of the regime's corruption publicly available, and local dissident groups leveraged the information into a revolution. The demonstration effect of the “Twitter Revolution” in Tunisia started a chain of dominoes throughout the Arab world—most notably in Egypt.

In the case of any particular state abuse of power or intervention into the economy, there are likely to be countless subgroups of people who oppose it for any number of idiosyncratic reasons of their own, and not from any single ideological principle. If we simply expose the nature of the state action and all its unjust particular effects, it will be leveraged into action by people in numbers many times larger than those of the particular alternative economic movement we are involved in.

Consider, in the field of civil liberties, what Radley Balko does every day, just through his own efforts at exposing the cockroaches of law enforcement to the kitchen light. When Woodward and Bernstein uncovered Watergate, they didn't try to organize a political movement to capitalize on it. They just published the info and a firestorm resulted. A good example in the networked information era is the case of the Diebold emails. Bev Harris simply published the information, and a whole range of advocacy groups made their own use of it.

This is an example of what Robb calls “self-replication”: “create socially engineered copies of your organization through the use of social media. Basically, this means providing the motivation, knowledge, and focus necessary for an unknown person (external and totally unconnected to your group) to conduct operations that advance your group's specific goals (or the general goals of the open source insurgency).”⁴⁶

It's because of increased levels of general education and the diffusion of more advanced moral standards that countries around the world have had to rename their ministries of war “ministries of defense.” It's for the same reason that, in the twentieth and twenty-first centuries, governments could no longer launch wars for reasons of naked *Realpolitik* on the model of the dynastic wars of two centuries earlier; rather, they had to manufacture pretexts based on “self-defense.” Hence pretexts like the mistreatment of ethnic Germans in Danzig to justify Hitler's invasion of Poland, and the Tonkin Gulf incident and Kuwaiti incubator babies as pretexts for American aggressions. That's not to say the pretexts had to be very good to fool the general public; but network culture is changing that as well, as witnessed by the respective levels of anti-war mobilization in the first and second Gulf wars.

More than one thinker on network culture has argued that network technology and the global justice movements piggybacked on it are diffusing more advanced global moral norms and putting increasing pressure on governments that violate those norms.⁴⁷ Global activism and condemnation of violations of human rights are an increasing source of embarrassment and pressure. NGOs and global civil society are emerging

46 John Robb, “STANDING ORDER 8: Self-replicate,” *Global Guerrillas*, June 3, 2009

<<http://globalguerrillas.typepad.com/globalguerrillas/2009/06/standing-order-8-selfreplicate.html>>.

47 Paul Hartzog, “Panarchy: Governance in the Network Age,”

<http://www.panarchy.com/Members/PaulBHartzog/Papers/Panarchy%20-%20Governance%20in%20the%20Network%20Age.htm#_ftn>.

as a powerful countervailing force against both national governments and global corporations. Governments and corporations frequently can find themselves isolated and exposed in the face of an intensely hostile global public opinion quite suddenly, thanks to networked global actors.

This manifests itself in such operations as Copwatch, which provides a national database of citizen complaints against individual local cops and whose local patrols regularly record police activity. Video footage of police riots at antiglobalization demonstrations, as well as beatings and other malfeasance by individual cops, frequently winds up going viral. The possibilities for recording police and other official misbehavior, in recent years, have exploded thanks to smart phones with video capability.

The police, naturally, generally don't take kindly to being recorded. People recording the police, as often as not, can expect to be arrested for "interfering with police business" or have their cameras seized and footage deleted—despite the fact that it's expressly legal in 47 states to record police in the performance of their public duties. As you might expect, this has simply led to police censorship being treated as damage and routed around. Innovation in technology and techniques is rapidly increasing the difficulty of police interference with citizen surveillance. Radley Balko writes:

Twenty years after George Holiday's grainy video of Los Angeles police officers beating motorist Rodney King spawned worldwide outrage and later incited riots across the city, last year's protests in Iran, this year's protests all across the Arab world and now the Occupy movements have all demonstrated just how far personal technology has come to empower citizens to combat government abuse. Political leaders, police and security officials around the world now crack down on protests with the knowledge that their actions could and quite likely will be beamed around the globe. It's not only altering the balance of power and bringing new transparency and accountability to police and public officials, it may even be altering how police and governments react to dissent....

Carlos Miller, who runs the Photography Is Not a Crime blog and has himself been wrongly arrested for recording or photographing police on a number of occasions, has been documenting the way technology is moving power to people (and the government's push back) for several years. "The amazing thing about these videos is that as soon as the police start to use force, you see 15 cellphone cameras go up in the air," Miller says. "It's pretty amazing."

Smartphone apps like "Qik" and "UStream" now not only allow users to stream video in real time, but they also then archive the video. That means a copy of every user's video is preserved off-site. If police or other government officials destroy a phone or confiscate a memory card, there's still a copy of the video elsewhere. Users can also set up accounts to notify email lists or post updates to their Twitter or Facebook accounts the moment they stream a new video. Which means that even if police are later able to get into a protester's phone, access a "Qik" or "UStream" account, and delete an incriminating video, by that time dozens of people may have already downloaded it.

The power-shifting nature of cellphone video may be most prominent in the court proceedings that take place after the protests are over. In the past, courts, prosecutors and juries have mostly accepted police accounts of altercations with protesters as the official narrative. Now, in both criminal proceedings of protesters charged with crimes and in civil suits brought by protesters alleging police abuse, it's likely that any significant protest will have independent video shot from multiple angles to ferret out what actually happened.⁴⁸

Balko, writing elsewhere, reinforces his earlier point about the moral effects of citizen video:

...it's hard to overstate the power of streaming and off-site archiving. Prior to this technology, prosecutors and the courts nearly always deferred to the police narrative; now that narrative has to be consistent with independently recorded evidence. And as examples of police reports contradicted by video become increasingly common, a couple of things are likely to happen: Prosecutors and courts will be less

48 Radley Balko, "Tech-Savvy Occupy Protestors Use Cellphone Video, Social Networking To Publicize Police Abuse," *Huffington Post*, October 29, 2011 <http://www.huffingtonpost.com/2011/10/29/occupy-protesters-armed-with-technology_n_1063706.html?1319905917>.

inclined to uncritically accept police testimony, even in cases where there is no video, and bad cops will be deterred by the knowledge that their misconduct is apt to be recorded.⁴⁹

Another project, OpenWatch, is "a global participatory counter-surveillance project which uses cellular phones as a way of monitoring authority figures." OpenWatch, whose apps "secretly record media and then anonymously upload it," is "the web counterpart to the Cop Recorder and OpenWatch Recorder applications for Android and iPhone.⁵⁰ Police Tape, an Android app from the American Civil Liberties Union, is designed to allow citizens to covertly record the police. When activated, it hides itself from casual inspection, and it has a mode that causes it to send its recording to an ACLU-operated server, protecting against police seizure and deletion.⁵¹

Citizen video has had a revolutionary effect, both on public perceptions of the police and on police self-perception.

[New York ACLU Director Donna] Lieberman noted that video evidence had led to the dismissal of charges against 227 protesters from one location alone during the tumultuous week of demonstrations. "We've already seen that the videos of what happened on the Brooklyn Bridge are being used to urge dismissal of those hundreds of arrests there," she added.

Protesters' cameras have created many of the iconic images of this movement: NYPD supervisor Anthony Bologna pepper-spraying several women at point-blank range; a protester – later identified as activist Felix Rivera-Pitre – being spun around and punched in the face by a cop; a legal observer being run over by a police scooter and then hit with a baton by another cop; a marine – and Iraq vet – yelling at befuddled cops that 'these are American citizens and they have no guns.' These images helped propel a small movement into a global phenomenon....

Michael Ratner, president of the Center for Constitutional Rights, told AlterNet that the video of the women writhing on the ground in agony might end up having an effect similar to that of the infamous civil rights-era footage of Bull Connor setting dogs on black protesters in the South. "That just changed how Northerners viewed the Southern struggles," he said. "And I think we'll see this as more and more videos emerge of people being beaten, sprayed and unlawfully caged during these protests."...

Cameras have become an integral part of activists' legal strategy. "We just encourage everyone to get out there with their cameras," says Ratner. "Let the cops push you around, let them slap you, let them arrest you, but it's absolutely crucial to get your cameras out there. Because all the lawsuits we can bring, which we should resolve five years from now, won't make the same difference as putting that stuff on YouTube and the evening news will do."

Cameras aren't just shining a light on aggressive crowd control. Videos of police abuse at traffic stops, "stop-and-frisk" incidents and just about everywhere else litter YouTube, and according to the New York Daily News, the constant scrutiny is having an effect on rank-and-file officers. "The morale in the whole department is in the crapper," a veteran Bronx cop told the paper. "You can't be a police officer no more," he said. "You're a robot. You're under the microscope. You're under video surveillance. We feel like the perpetrators now, the way we're being displayed."⁵²

According to a study by an Ottawa researcher, more than half of police say they've either reduced the frequency with which they use force on the job, or the amount of force they use when they do use it, as a result of the danger of being caught on camera.⁵³

49 Radley Balko, "How to Record the Cops," *Reason*, September 20, 2010 <<http://reason.com/archives/2010/09/20/how-to-record-the-cops>>.

50 <<http://www.openwatch.net/>>

51 Cory Doctorow, "Police Tape: an ACLU mobile app to secretly record the police, *Boing Boing*, July 7, 2012 <<http://boingboing.net/2012/07/07/police-tape-an-aclu-mobile-ap.html>>.

52 Joshua Holland, "How Video of Police Behaving Badly Made Occupy Wall Street a Global Phenomenon," *Alternet*, October 24, 2011 <<http://www.alternet.org/module/printversion/152856>>.

53 "Police worry about being caught on video, researcher says," *CBC News*, November 6, 2014 <<http://www.cbc.ca/news/canada/ottawa/police-worry-about-being-caught-on-video-researcher-says-1.2417618>>.

Police forces are finding themselves almost as vulnerable to internal leaks, in the age of Anonymous, Chelsea Manning and Wikileaks, as to cell phone cameras. NYPD whistle blower, Officer Pedro Serrano, secretly recorded a conversation with Deputy Inspector Christopher McCormach in which the latter could be heard telling him to stop-and-frisk “male blacks 14 to 21” to meet his monthly arrest quota.

“So what am I supposed to do: Stop every black and Hispanic?” Serrano was heard saying on the tape, which was recorded last month at the 40th Precinct in the Bronx....

“I have no problem telling you this,” the inspector said on the tape. “Male blacks. And I told you at roll call, and I have no problem [to] tell you this, male blacks 14 to 21.”⁵⁴

For surveillance in the workplace and other institutions, there's the “Transparency Grenade,” modelled on the Soviet F-1 hand grenade:

Equipped with a tiny computer, microphone and powerful wireless antenna, the Transparency Grenade captures network traffic and audio at the site and securely and anonymously streams it to a dedicated server where it is mined for information. Email fragments, HTML pages, images and voice extracted from this data are then presented on an online, public map, shown at the location of the detonation.

Whether trusted employee, civil servant or concerned citizen, greater openness was never so close at hand.⁵⁵

Such public exposure puts authoritarian institutions of all kinds on the defensive, as they lose the war to control the public perception of events.

What Zeynep Tufekci calls the “networked public sphere” almost certainly played a large role in the release of Egyptian activist Mona Al Tahawy, after she disappeared into Egyptian military custody during a protest in November 2011. In the second wave of Egyptian protests against the new military regime, in Fall 2011, the military took a much more unambiguously hostile stance than they had during the uprising against Mubarak. In the second uprising, Egyptian military and police forces used sexual abuse and humiliation as a tool against demonstrators, both on the public streets and in police custody—much as Milosevic had used rape as a political weapon in the ethnic cleansing of Bosnia. Al Tahawy managed only a hasty tweet to her network that she was being arrested before she went incommunicado. As Tufekci wrote, “At worst, Mona’s life was in danger. At best, she would likely be subject to beatings, sexual abuse.”

Given the situation, Tufekci judged that the best course of action was to “kick up a big storm.” “As a prominent dissident, she is in danger from those higher-ups who might want to make an example of her... Mona needed a huge campaign which made it costlier to keep her than to release her.”

As Tufekci commented, such questions would have been meaningless in the pre-Internet days.

A few decades ago, contemplating launching a global campaign like this would require that I own, say, a television station or two.... But, “I” wasn’t just an “I.” Due to my academic and personal interests, I was connected to a global network of people ranging from grassroots activists in Egypt to journalists and politicians, from ordinary people around the world to programmers and techies in Silicon Valley and elsewhere. My options weren’t just cursing at a television set –if her arrest had even made the news in the next few days. I could at least try to see what we could do, and do quickly.

Concise, fast, global, public and connected was what we needed, and, for that, there is nothing better than Twitter....

One challenge of new media environments is that they scatter attention and consequently tools and channels which can unite and focus attention are key to harnessing their power. Hashtags and trending topics are one way in which people can focus among the billions of tweets floating in cyberspace....

54 Rania Khalek, “Secret Recording Reveals NYPD Ordered Officer to Target Young Black Males for Stop and Frisk,” RaniaKhalek.com, March 22, 2013 <<http://raniakhalek.com/2013/03/22/top-cop-caught-on-tape-ordering-officer-to-stop-and-frisk-black-males/>>.

55 <<http://www.transparencygrenade.com>>.

So, first, I knew we needed a hashtag. A focuser.

...In about a minute [after I adopted the hashtag #freemona], the column started flowing too quickly for me to read everything.

Ok, that's the global campaign, I thought as I marveled at how quickly it had taken off with barely a nudge. In the pre-social media world, it might have taken weeks and a lot of luck to achieve even a sliver of such awareness globally.

The Twitter campaign soon brought together a huge ad hoc network including prominent international journalists, civil liberties and activist groups, and Anne-Marie Slaughter and her personal network of State Department insiders. In less than a day, Al Tahawy was released.⁵⁶

By challenging the state's control of public perception, networked resistance undermines the narrative on which the state's legitimacy is constructed. When the legitimacy of the state and its authority claims declines in the mind of the average citizen, the transaction costs entailed in enforcing authority creep steadily upward.

But the strategy isn't merely to expose the state's abuses to public scrutiny, although that's a big part of it. It's not even just to undermine the legitimacy of its claims to obedience. It's to create a demonstration effect, to show that evasion of the state's enforcement capabilities is possible, that it's feasible to live the way you want, and that people are doing it right now. It's to create the impression that doing things in ways disapproved by the state is right and normal, and that the state is laughable and ineffectual in its attempts to prevent it.

Or as John Robb puts it, open-source insurgencies are built around a "plausible promise": an enemy, a goal, and most importantly: "**A demonstration.** Viability. An attack that demonstrates that its possible to win against the enemy. It deflates any aura of invincibility that the enemy may currently enjoy. The demonstration serves as a rallying cry for the insurgency."⁵⁷

Consider the increasing unwillingness of courts to enforce laws against personal possession of marijuana, thanks to jury nullification.

"Public opinion, as revealed by the reaction of a substantial portion of the members of the jury called to try the charges on Dec. 16, 2010, is not supportive of the state's marijuana law and appeared to prevent any conviction from being obtained simply because an unbiased jury did not appear available under any circumstances," according to the plea memorandum filed by his attorney....

"I think it's going to become increasingly difficult to seat a jury in marijuana cases, at least the ones involving a small amount," Deschamps said....

"It's kind of a reflection of society as a whole on the issue," said Deschamps.⁵⁸

According to David de Ugarte, network culture makes it feasible to systematically shine a spotlight on the state's malfeasance and undermine its legitimacy. He gives the example of the "cyberthongs" (citizen uprisings coordinated via social media), which first emerged with the opposition to Estrada in the Philippines:

We are living in a veritable Spring of the Web, from Serbia to the Ukraine, from Kyrgyzstan to Byelorussia and even Kuwait.

This is a global movement in which countries with very different cultural and religious backgrounds are developing citizens' movements in network form. These movements allow citizens to oversee

56 Zeynep Tufekci, "The #freemona Perfect Storm: Dissent and the Networked Public Sphere," *technosociology*, November 25, 2011 <<http://technosociology.org/?p=566>>.

57 John Robb, "Open-Source Insurgency: How to Start," *Global Guerrillas*, March 21, 2008 <<http://globalguerrillas.typepad.com/globalguerrillas/2008/03/starting-an-ope.html>>.

58 Gwen Florio, "Missoula District Court: Jury pool in marijuana case stages 'mutiny,'" *The Missoulian*, December 19, 2010 <http://missoulian.com/news/local/article_464bdc0a-0b36-11e0-a594-001cc4c03286.html>.

democratic processes, denouncing election fraud, corruption, and government abuse. The Spring of the Web is the concrete historical embodiment of the globalisation of democratic freedoms....

This new form of organisation, based on contemporary models of nonviolent civil resistance, owes its success to the diffusion and display of a lifestyle based on the collective and individual strengthening of people as opposed to power. This strengthening takes place through small gestures, jokes, signboards, which in themselves are insignificant, but which taken as a whole undermine the implicit consensus that power relies on.⁵⁹

Cyberthongs are only one form of a more general phenomenon. Such spontaneous or near-spontaneous “swarming” is usually reactive, in response to near-universal outrage over some event, like a perceived government malfeasance or misfeasance that goes far beyond the ordinary. In most cases, individual nodes (individuals or small affinity groups) take the initiative in developing plans of action that are picked up and reinforced by other nodes.⁶⁰

In some cases the aim of the campaign initiated by some particular node is not to take any particular action against an antagonist, but simply a viral marketing campaign to spread some meme.⁶¹ But in the long run, this challenge to official consensus reality is perhaps the most fundamental ground on which to attack the present system of power.

Horizontal communications have always been a threat to power. As James Scott argues, oppositional ideologies are most visible in areas that are opaque to the state, even within the state's area of governance: “unauthorized and unmentioned secret assemblies of subordinates,” like Lollardry in “the pastoral, forest, moorland, and fen areas, where the social control of the church and the squirearchy did not effectively penetrate.”⁶² E.P. Thompson, writing of England three centuries later, said that “free intellectual life and democratic experiments” tended to proliferate in “the chapel, the tavern, and the home....”⁶³ And these places “were seen by secular authorities and by the church as places of subversion.”⁶⁴

The importance of the tavern or its equivalent as a site of antihegemonic discourse lay less in the drinking it fostered or in its relative insulation from surveillance than in the fact that it was the main point of unauthorized assembly for lower-class neighbors and workers. Along with the market, which was larger and more anonymous, the tavern was the closest thing to a neighborhood meeting of subordinates....

The reasons the more unmediated versions of the hidden transcripts should be encountered in taverns, alehouses, at the marketplace, during carnival, and at night in secluded spots are instructive. A dissident subculture “invests the weak points in a chain of socialization.”⁶⁵

In other words, horizontality is key to challenging the official narrative.

We've already seen what *The Cluetrain Manifesto* had to say about the ability of people to talk to each other, as undermining the ability of marketing departments to control a message unilaterally through one-directional broadcast culture. When the audience viewing the official message are free to talk to one another, it ceases to be a one-way communication to the audience members and instead becomes the subject matter of their communications with one another—like the crappy movies mocked by Joel and the bots on MST3K. It's probably no coincidence that the lowest levels of compliance in the Stanford Prison Experiment occurred when subjects were allowed to talk to one another.

59 David de Ugarte, *The Power of Networks*, pp. 57-58.

60 De Ugarte, *The Power of Networks*, pp. 88-89.

61 De Ugarte, *The Power of Networks*, pp. 90-91.

62 Scott, *Domination and the Arts of Resistance*, p. 121.

63 E.P. Thompson, *The Making of the English Working Class*, pp. 51-52, quoted in *Ibid.* p. 121.

64 Scott, *Domination and the Arts of Resistance*, p. 121.

65 *Ibid.*, pp. 122-123; material in quotes is from Stuart Hall and Tony Jefferson, *Resistance Through Rituals: Youth Subcultures in Post-war Britain* (Hutchinson, 1976).

Of course people have always been able to mock politicians' speeches and network news talking heads in bars and in their living rooms, making snide remarks to one another as they watch the show. But with the emergence of a many-to-many medium, the comparative ubiquity of the official version of reality versus the self-organized version has suffered a serious decline. In the old days of broadcast culture, the mockery was marginalized by the very fact of being something that was heard only in tiny islands of physical space occupied by a few other physically present listeners. The private reality of mockery was an isolated phenomenon in a larger "public" reality defined by official hierarchies. Official reality, as defined by the President's press conferences and Walter Cronkite, was a pervasive normative ground, a background against which dissenting opinion stood out as a heretical exception. Mockery and criticism were relegated to the "private" realm.

But as the counter-reality becomes more ubiquitous, as it challenges official statements wherever they appear, as it becomes universally accessible to enormous audiences communicating with each other and hyperlinking the official statement for relentless mockery, the old official reality loses its perceived privileged status as consensus reality. The counter-reality becomes as pervasive as official reality in the public space, and contests it for perceived legitimacy.

The Facebook groups, the Wikileaks cables, the blogs all show that any one person is not alone in a particular set of beliefs about the regime. Another form of common knowledge is allowed to take hold.⁶⁶

Tufekci, in similar vein, points to the significance of social media in challenging consensus reality:

1- The capacities of the Internet that are most threatening to authoritarian regimes are not necessarily those pertaining to spreading of censored information but rather its ability to support the formation of a counter-public that is outside the control of the state. In other words, it is not that people are waiting for that key piece of information to start their revolt—and that information just happens to be behind the wall of censorship—but that they are isolated, unsure of the power of the regime, unsure of their position and potential.

2- Dissent is not just about knowing what you think but about the formation of a public. A public is not just about what you know. Publics form through knowing that other people know what you know—and also knowing that you know what they know....

3- Thus, social media can be the most threatening part of the Internet to an authoritarian regime through its capacity to create a public(ish) sphere that is integrated into everyday life of millions of people and is outside the direct control of the state partly because it is so widespread and partly because it is not solely focused on politics. How do you censor five million Facebook accounts in real time except to shut them all down?

4- The capacity to selectively filter the Internet is inversely proportional to the scale and strength of the dissent. In other words, regimes which employ widespread legitimacy may be able to continue to selectively filter the Internet. However, this is going to break down as dissent and unhappiness spreads. As anyone who has been to a country with selective filtering knows, most everyone (who is motivated enough) knows how to get around the censors. For example, in Turkey, YouTube occasionally gets blocked because of material that some courts have deemed as offensive to Mustafa Kemal Ataturk, the founding father of Turkey. I have yet to meet anyone in Turkey who did not know how to get to YouTube through proxies.

5- Thus, the effect of selective filtering is not to keep out information out of the hands of a determined public, but to allow the majority of ordinary people to continue to be able to operate without confronting information that might create cognitive dissonance between their existing support for the regime and the fact that they, along with many others, also have issues. Meanwhile, the elites go about business as if there was no censorship as they all know how to use work-arounds. This creates a safety-valve as it is quite likely that it is portions of the elite groups that would be most hindered by the cen-

66 Tony Curzon Price, "Cupid's freedom: how the web sharpens the democratic revolution," *openDemocracy*, January 31, 2011 <<http://www.opendemocracy.net/openeconomy/tony-curzon-price/cupids-freedom-how-web-sharpens-democratic-revolution>>.

sorship and most unhappy with it. (In fact, I have not seen any evidence that China is trying to actively and strongly shut down the work-arounds.)

6- Social media is not going to create dissent where there is none....

7- Finally, during times of strong upheaval, as in Egypt, dictator's dilemma roars. The ability to ensure that their struggle and their efforts are not buried in a deep pit of censorship, the ability to continue to have an honest conversation, the ability to know that others know what one knows all combine to create a cycle furthering dissent and upheaval. Citizen-journalism matters most in these scenarios as there cannot be reporters everywhere something is happening; however, wherever something is happening there are people with cell phone cameras. Combined with Al-Jazeera re-broadcasting the fruits of people-powered journalism, it all comes down to how much force the authoritarian state is willing and able to deploy—which in turn, depends on the willingness of the security apparatus. Here, too, social media matters because, like everyone else, they too are watching the footage on Al-Jazeera. Their choice is made more stark by the fact that they know that history will judge them by their actions—actions which will likely be recorded, broadcast and be viewed by their citizens, their neighbors and their children and grandchildren.⁶⁷

VI. Networked Activism and the Growth of Civil Society

In some cases public protest or resistance may be a way of exposing the state to public censure. When the people who are engaged in building counter-institutions do decide to publicly challenge the state and demand a change in its policies, it's best to do it in concert with as many other allied movements as possible and to subject the state to a “swarming attack” of negative publicity.

Fortunately the Internet makes networking between movements for liberty around the world more feasible than ever before.

First, the last decade has witnessed the biggest global cooperation between human liberation movements in world history. In this “movement of movements” all over the world, various kinds of struggles with different issues and themes have worked together to form global networks and act together. Second, these movements rely on strategies featuring civil resistance. Third, these movements' civil resistance has had an impact on the real world—even though our understanding of how that has become possible is still limited.

What we do know is that mass action of ordinary citizens can produce change, that it can force regimes to negotiate and compromise, and even topple authoritarian rulers, e.g. Serbia, South Africa, Nepal or Bolivia. People have seen that the mobilization of ordinary citizens is what state actors are most afraid of, whether they preside in Iran, Venezuela, France, Iceland, Burma, Egypt or Israel/Palestine. Here is something that seems more powerful than the force that grows out of the barrel of a gun. The “revolution is not a dinner party”, as Mao said, but neither is it a civil war, as he and his followers mistakenly believed. It is the prime fear of all authoritarian leaders: a united people that disobey and practice freedom without fear.⁶⁸

A wide range of movements, including the so-called “color revolutions” that have toppled so many authoritarian states, the Zapatistas in Chiapas, the landless workers movement in Brazil, assorted movements like the resistance to Shell in Nigeria and various anti-sweatshop campaigns, local rebellions against structural adjustment programs, etc., are coordinated in global civil society networks like the World Social Forum. Cross-national alliances between such local movements subject local repression to levels of scrutiny that would have been unthinkable a generation ago. That means that local repression of such movements,

67 Zeynep Tufekci, “As Egypt Shuts off the Net: Seven Theses on Dictator's Dilemma,” *technosociology*, January 28, 2011 <<http://technosociology.org/?p=286>>.

68 Stellan Vinthagen, “People power and the new global ferment,” *openDemocracy*, November 15, 2010 <<http://www.opendemocracy.net/stellan-vinthagen/people-power-and-new-global-ferment>>

even when they seem to be successful for at least the short term, must operate in a hostile environment of world opinion that saps the morale of the leadership and undermines their legitimacy in the long term.

Writing against the backdrop of the UK's late 2010 networked student uprising against tuition increases, Aaron Peters anticipated 2011 as “the year political activism and progressive politics goes open source.”

Along with Wikileaks and Anonymous it is these [networked protests] that give credibility to the argument that in 2010 we finally saw the internet and the immense possibilities it brings in terms of undermining all the certainties of the ‘Old Politics’.

The vast tranche of Wikileaks documents gives credence to the belief of many cyber-activists since Richard Stallman that with these tools and systems, ‘information wants to be free’, and that in the words of John Gilmore, ‘the net interprets censorship as damage and routes around it’. Just as state censorship in the age of the internet is massively undermined so to the possibilities for social movements engaging in contention at the grassroots level are exponentially increased.

One important aspect of this new politics is what one might refer to as its ‘open source’ nature, just as the Linux operating system and Wikipedia can be built upon by anyone with the capabilities, skills and requisite passion to do so, these movements are constituted in a similar fashion crowdsourcing the skillsets and social networks of anybody who wishes to participate.

Hitherto NGOs and social movement ‘organisations’ have been exactly that, organisations, with centralised bureaucracies and internal hierarchies – a coterie of activists who ‘produce’ activism and a mass membership who consume it...

In the new ‘crowdsourced’ paradigm the distinction between producers and consumers of dissent is dissolved – there is no organising or membership structure in place, with instead all individuals being potential ‘participants’ within a movement.

Anyone can contribute, hence we have the rise of what has been termed dissent entrepreneurs with such individuals simultaneously performing the old roles of both producers and consumers of dissent... at once producing dissent, mobilising and facilitating [sic] it—while also participating in actions facilitated by others...

This new model that is de-centered and networked and possesses the ability to spread virally may well be the big story of 2011—a year of immense excitement for grassroots politics in our country...

A year where the production of this dissent goes truly open source.⁶⁹

The Wikileaks document dump provided fuel for the Arab Spring uprising which kicked off in Tunisia in 2011, and in turned sparked M15 in Spain, Syntagma in Greece, Occupy Wall Street in the U.S., and an on-going series of networked resistance movements around the world since then (the subject of our Appendix).

[Draft last modified December 4, 2015]

69 Aaron Peters, “2011: The year political activism and progressive politics goes open source,” *Left Foot Forward*, December 20, 2010 <<http://www.leftfootforward.org/2010/12/2011-open-source-political-activism-progressive-politics/>>.