



Title: What Swartz, Lessig, Assange & Snowden have to teach us.

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Micah L. Sifry

What Swartz, Lessig, Assange & Snowden have to teach us

*Lecture script of the international conference
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This talk is supposed to be about lessons of Chelsea Manning, Julian Assange and Edward Snowden for the transparency movement, but I want to start with two different touchstones: the coder Aaron Swartz, who we lost a year ago, and his mentor Larry Lessig, one of the leaders of the free culture movement.

Aaron, who was a friend of mine, though honestly not a close friend, suffered from depression. But he was also mercilessly hounded by a state prosecutor who thought using a computer to copy lots of academic articles off of MIT's open network was somehow a crime worth potentially decades in jail. He committed suicide a year ago; I had the honor of helping his friends organize his memorial service a few days later in NY.

Aaron was not just a great coder, he was also a committed political activist who started or took on many projects, most of which sought a more open, participatory and honest society and government including Creative Commons, Reddit, The Progress Change Campaign Committee, Demand Progress, Watchdog.net, OpenLibrary, the fight against SOPA/PIPA, and Dead-Drop, a tool for anonymous leaking that has since been renamed SecureDrop. Now where is Larry Lessig today? Inspired by Aaron, he has been literally marching through the snows of New Hampshire, trying to spark a national movement. Is it a movement for NSA reform? No. Is it a movement for fixing the Computer Fraud and Abuse Act, under which Aaron was charged? No. Is it a movement to defend net neutrality, which just took a heavy blow in our courts a few weeks ago? No.

Larry is marching in the hopes of galvanizing his fellow citizens to demand fundamental campaign finance reform, to free our representatives from their corrupting dependence on private money to run their campaigns. He is trying to strike at one of the main roots of all the evils that afflicts us in America, and to

do so he is walking a very fine line, between despair and hope, skepticism and trust.

To win this fight, he – or rather I should say we, because I fully support this cause too – must remind Americans that our government has been corrupted by big money. But at the same time, we have to maintain and expand the belief that it can be fixed, that we can actually rule ourselves.

I relate this story because I think it illustrates a hard problem for the transparency movement, which I broadly define as ranging from Snowden exposing secret government surveillance and people like Carl Malamud singlehandedly forcing open SEC data to groups like Code for America, or the Sunlight Foundation, which I helped set up and still advise, that work to make government data more accessible, by showing what can be done with it to make government work better in serving everyone.

Somehow, we have to be for open government and against the deep state at the same time. One might say that this isn't a contradiction, that actually these are two sides of the same coin. And indeed, I think we are all seeking to expand the power of citizens to watch their government, and shrink the government's ability to watch us back.

But these complimentary goals produce contradictory effects and modes of working. The currency of the open government movement is trust: we are trying to achieve a government that is an institution we all make together and is worth trusting.

The currency of the privacy and anti-surveillance is distrust: it sees governments as adversaries. Quite appropriately I would add.

The problem is that we actually appear to have two governments under one roof. There is the one we elect and the one that does its best to ignore elections. This fact can make anyone quite cynical, but I think cynicism helps the other side more. We can't just tear down government – that approach helps make the public even more cynical and less likely to believe that government can be a force for good in people's lives. So one critique I have of the rhetoric and tone coming from the privacy and anti-surveillance side of the transparency movement is that it can be too relentlessly negative.

I don't want to burn down the village to save it.

A second concern I have about the age of the hacker and the whistleblower, as exemplified by Julian Assange and Edward Snowden: Movements built around the individual hero are rarely very strong. The courageous pure hero

super geek who liberates information singlehandedly only exists in movies. When people act alone they also come under enormous pressure, and they sometimes crack.

I think, sadly, that that was Aaron's mistake: he had already pulled off some pretty neat information hacks on his own, and maybe thought that getting the J-Stor archive would work the same way. Maybe he thought he had found another brilliant shortcut to information liberation. When he ran into the buzz saw that was the state prosecutor, he didn't have a big support network already and it only started to get built around him very late. (Threats from the prosecutors also hindered this effort.) The context for his actions hadn't been laid in place because he acted alone.

I'm not saying that no one can or should do this – Jake, I've just met you but I've long admired your work and individual courage. I'm just saying the lone hacker-whistleblower model of change has some serious weaknesses, as does the charismatic man marching to galvanize a movement model. For one thing, if the actual human being at the top turns out to have flaws, that's a serious single point of failure – as Julian Assange has shown us.

Also, with reference to the hacker-whistleblower archetype – why is it so male? (With the women usually in supporting roles?) The psychologist Carol Gilligan observed that men understand the world in hierarchies and try to get to the top, whereas women understand the world in terms of networks of relationships and aim to be at the center. Not that women can't be hackers or whistleblowers or men can't be network weavers. But hierarchies seem easier to topple, and networks are much more resilient.

A final point about what political movements look like today. I've just finished writing a book about why the rise of connection technologies hasn't changed politics as much as many of us thought it would 10 years ago (at least in the US). I think the reasons for that problem have little to do with the worrying rise of surveillance, at least in a relatively open society like the US which is where my work is centered.

The issue is different: Because the primary tools we use are best optimized to allow a small group of people (say, the Obama campaign's managers, or MoveOn.org's staff) to manage a larger, atomized list of individual supporters, the main forces empowered by this mode of online organizing are old and/or new elites. The revolution will not be AB tested. Upworthy, which is a phenomenally successful new platform for popularizing progressive content – it had

something like 85 million uniques in November – is just changing what we watch. It is not changing us from being atomized watchers into collective organized doers.

Reed's Law, which says that the power value of a network increase as you add more nodes to it, requires nodes in the network to have full capacity to play all the networking roles, including lateral ones. But at least in the US we have not had nearly enough horizontal organizing, with the result that our well known online political groups actually have much less power than it appears. They have big lists and the ability to make a quick splash in the media, raise money fast, and thus they appear to wield power. But for the most part their members don't know each other, and thus there is a very thin level of engagement hidden by those huge numbers.

Why has this happened? I think it's because the tools we all rely on for organizing are themselves not very empowering. The Internet has made it much easier to speak individually and find other like minded people to form a group, but not easier for groups to coordinate and make decisions. Perversely, the explosion of freer speech online is making it harder for us to listen to each other and reason together. We need better tools for group decision making, akin to Liquid Feedback or Loomio.org, but they have to be as easy to use as email is and as safe as it should be.

To sum up: the transparency movement must keep talking about the world we want to see and not just the world we want to expose or stop. We need to ask whether the lone hacker hero archetype makes for a healthy and strong movement. And if we want to replace all the top down tendencies of online political organizing, we need much better tools for lateral coordination and decision making.

Changing the world is hard. There are no shortcuts.