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Information Freedoms and the Case for Anonymous Community

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ABSTRACT

What we have witnessed in the last decade in the context of social upheaval, social activism, and resulting social movements is testament to the need for a re-evaluation of what constitutes community in a networked world, and what role the individual subject plays within social networks, systems of social, corporate, and state control, and networks of resistance. New processes of subjectivation are emerging and rather than being grounded in identity, sociality is being reconfigured, and it is in this process that this dissertation focusses on anonymity as a means of working through these new configurations.

This integrated article dissertation explores the concept of anonymity and emerging practices of community in three chapters. The first examines anonymity in the context of civil liberties through a critique of privacy. By analyzing legal, social, and cultural understandings of privacy, this chapter problematizes the privacy defence against excessive tracking and monitoring of speech and behaviour, and suggests ways of incorporating anonymous practices in order to discover more robust methods of collectively empowering ourselves in the digital environment. The second chapter explores anonymity as a political process that can be illustrated in the cases of Wikileaks, Anonymous, and Occupy, presenting the various ways in which anonymity is mobilized in information activism as a resource for political action. We can see a common thread running through the variety of methods of dissent employed by the above mentioned groups. This commonality centres on the way anonymity figures (sometimes subtly, other times prominently) in identity formation, subjectivity, trust, revolt, authority, connection and communication. This thesis is an exploration of the role of anonymity at the intersection of these functions of community. The third chapter traces contemporary theoretical explorations of radical community through the work of Jean-Luc Nancy, Roberto Esposito, and Giorgio Agamben, and identifies characteristics of anonymity in strategies of being-in-common.

Keywords:

anonymity; community; sociality; information activism; subjectivity; Agamben; Esposito

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Abbreviations for Chapter Four:

(CAT) = Esposito, Roberto (2015). *Categories of The Impolitical*. Trans. Connal Parsley. New York: Fordham University Press.

(CC) = Agamben, Giorgio (1993). *The Coming Community*. Trans. Michael Hardt. Minneapolis, MN: University of Minnesota Press.

(CIB) = Esposito, Roberto (2013). "Community, Immunity, Biopolitics." *Angelaki* 18(3):83-90.

(COM) = Esposito, Roberto (2010). *Communitas: The Origin and Destiny of Community*. Trans. Timothy Campbell. Stanford, CA: Stanford University Press.

(Comp) = Nancy, Jean-Luc (1992). "La Comparution/The Compearance: from the Existence of 'Communism' to the 'Community of Existence.'" Trans. Tracy B. Strong. *Political Theory* 20(3): 371-398.

(DP) = Agamben, Giorgio (2014 [2013]). "What is a Destituent Power?" Trans. Stephanie Wakefield. *Environment and Planning D: Society and Space* 32: 65-74.

(IC) = Nancy, Jean-Luc (1991a). *The Inoperative Community*. Trans. Peter Connor. Minneapolis: University of Minnesota Press.

(IMM) = Esposito, Roberto (2011). *Immunitas: The Protection and Negation of Life*. Trans. Zakiya Hanafi. Cambridge, UK: Polity Press.

(MWE) = Agamben, Giorgio (2000). *Means Without Ends: Notes on Politics*. Minneapolis, MN: University of Minnesota Press.

(OB) = Nancy, Jean-Luc (1991b). "Of Being-In-Common." Trans. James Creech. In Miami Theory Collective (Ed.) *Community at Loose Ends*, pp. 1-12. Minneapolis: University of Minnesota Press.

(POT) = Agamben, Giorgio (1999). *Potentialities: Collected Essays in Philosophy*. Trans. Daniel Heller- Roazen. Stanford, CA: Stanford University Press.

(TOP) = Esposito, Roberto (2012). *Terms of the Political: Community, Immunity, Biopolitics*. Trans. Rhiannon Noel Welch. New York: Fordham University Press.

(TP) = Esposito, Roberto (2012). *Third Person: Politics of Life and Philosophy of the Impersonal*. Trans. Zakiya Hanafi. Cambridge, UK: Polity.

(VAC) = Agamben, Giorgio (2004). Interview with *Vacarme 1999*. Trans. Jason Smith. *Rethinking Marxism* 16(2): 115-24.

Chapter One: Introduction

Context

The imperative to connect, to self-express, to share and to participate has entered a critical phase in late-modernity. It is difficult to determine, however, whether it is the compulsion to participate that creates the imperative; or the imperative to participate that leads to the compulsion. The virtual communication environment is pervasive and taken for granted, while it remains understudied. What was envisioned as a free anonymous communicative infrastructure has morphed into a corporatized and controlled ecosystem where individualism has become the standard ideological practice, and the experience of community has been reduced to “likes” and “reposts”. Our online environments affect us in subtle but complex ways. We are compelled to participate in communication environments that are too transparent, and lead to privacy violations; that demand our time, and can be exploitative (Terranova 2004; Andrejevic 2009); that distract us, making us passive and compliant. In the end, these interactions never seem sufficiently satisfying or rewarding (Turkle 2011). Paradoxically, the same information environments that keep us always connected can be disconnective, leaving us feeling apathetic, anxious, exhausted and isolated. As the philosopher John Crary (2013) notes, “Even a partial refusal of the intensively marketed offerings of multinational corporations is construed as opposition to technology itself” (49).

The combination of psychological, physical, social, political and economic consequences of our technological immersion continues to demand close analysis. Most people are unaware of the risks, and perhaps even resistant to exploring an understanding of the risks involved in continuing to compel ourselves and each other to connect in an uncritical and often totally transparent way (Cohen 2012; Nissenbaum 2010). In effect, there are subtle shifts that are taking place in our ways of thinking about relationships and our ways of being with each other (Turkle 2011). To become more actively aware and conscious of how we perceive ourselves and each other, and the ways in which we ourselves are perceived by institutions, governments, and agencies, we must examine the ramifications of our increasingly datafied existence.

What we have witnessed in the last decade in the context of social upheaval, social activism, and resulting social movements is testament to the need for a re-evaluation of what constitutes community in a networked world, and what role the individual subject plays within social networks, social systems of control, and networks of resistance. For example, we have experienced the effects of the Occupy movement in various incarnations around the world; Wikileaks, the whistle-blowing organization is responsible for disseminating controlled state information from various countries; and Anonymous, a coordinated, hacktivist network have performed their exploits across the globe. These exemplars invite us to reconsider the ways in which 1) we engage in our digital lives as individuals; 2) we think about sociality; 3) we communicate with each other; and 4) we understand and create democratic spaces and processes. The outcomes are not pre-determined. The results may surprise us.

We can see a common thread running through the variety of methods of dissent employed by the above mentioned groups. This commonality centres on the way anonymity figures (sometimes subtly, other times prominently) in identity formation, subjectivity, trust, revolt, authority, connection and communication. This dissertation is an exploration of the role of anonymity at the intersection of these functions of community. By studying the ways in which communication, networking, identification, and collective action make use of anonymity, we discover more robust methods of empowering ourselves in the digital environment, by controlling the ability to hide and reveal as we wish, and by utilizing the tools that we employ in order to push for more symmetrical power relationships within the networks we participate.

Purpose

As a critical approach to community within a networked information society, this dissertation investigates the social, political and ethical implications of approaching anonymity as a technology. Today, to dissent is to flirt with a mode of subjectivation peculiar to the information age, a process by which we create ourselves as ethical subjects in relation to an unknown community. And yet, this process of subjectivation forms a relation to community

which has yet to be identified, named, or studied; what this dissertation theorizes as an *anonymous* relation.

This is an exploratory method, and as such an integrated article approach is well-suited to an interdisciplinary critique of the role of the individual in a networked community and the exposure of the datafied subject in a surveillance society. This critique is undertaken by asking the following questions:

1. *How might resistance emerge out of a re-imagining of anonymous community?*
2. *Can anonymity be the basis of a post-identity community in a networked information environment?*

Michel Foucault described a system of domination that he called “governmentality” which involves both technologies of domination (actions of others on the self) and what he developed as the technologies of the self, “which permit individuals to effect by their own means or with the help of others a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality” (Foucault 1988, 18). Scholars in the surveillance field of study have argued that disciplinary systems such as those that Foucault studied have given way to more nuanced systems of social control. Thinkers such as David Lyon (2001), Michael Lianos (2012), Kevin Haggerty and Richard Ericson (2000) have studied the ways in which increased technological implementation of tracking and monitoring are affecting the ways in which we relate to each other, and the ways we are related to the state. The concept of the “surveillant assemblage,” as developed by Haggerty and Ericson (2000), is one way to examine the patterns of domination in today's society. Ubiquitous data collection through everyday interactions within the technical apparatus yields interesting results in the aggregate and for the individual, complicating power relations between the watcher and the watched; the trackers and the tracked.

In philosophy, criticism mounted against earlier ideals of community have pointed to the ways in which inclusionary and exclusionary measures are immanent to community building and maintaining, and how these measures always have the potential of subsuming the individual and evolving into authoritarian governments. Post WWII philosophers took the community to task. Giorgio Agamben, Roberto Esposito, Jean-Luc Nancy, and others continue to struggle with community in the abstract, and question what community might look like in practice. These expositions have yielded some common elements in anticipating the emergence of a new kind of community, and how this community might challenge asymmetrical power relations today. In the move to critique and deconstruct community, the notion of trust remains prominent as trust relations become central in understanding anonymous sociality, community, and resistance struggles.

The question of information flows, the meaning of networked information relations, and the gathering and mining of information are at the centre of debates concerning the use and experience of information and communication technologies (ICTs) in civil disobedience (Manion & Goodrum 2000; Castells 2012), as well as in marketing (Pariser 2011) and social networking (Fuchs 2011a). The increasing informationalization of the human and the datafication of the subject have led scholars in the direction of jurisprudence calling for a rights-based approach to privacy in order to counteract what is perceived to be increasingly invasive tracking and monitoring practices on the part of the state over their citizens, and corporations over consumers (Cohen 2012).

Theories of collective ways of being and acting have sought to explain the rise and fall of social movements in the past (Williams and Lee 2012; Opp 2009), to map the psychology of group behaviour, as well as to make sense of collective thinking, or what Hosseini (2010) calls “cognitive trajectories.” Additionally, these theories have been critiqued in light of the increasing use of ICTs in models of organizing and protest (Van Laer & Van Aelst 2009). This dissertation builds on these theories of collectivity by investigating the conceptual foundations of community and by extension, collectivities, and then testing a more radical approach to community via

technologies of anonymity. Technologies both enable and resist community; both empower and disempower individuals in relation to community.

My interest in theorizing community and identity began in reflecting on the political activities of Anonymous. The challenge of defining “Anonymous” is, in itself, exemplary of the need to delve deeper into the relation between individuals and the motivational factors that culminate in mobilization. However the phenomenon of Anonymous is addressed or described, whether as a practice, a group, an idea, a response, a movement, a collective, a form of life, or a processual resistance, scholars continue to debate the positive and negative impacts of anonymity in a digital environment (Ponessa 2013; See also Nissenbaum and Brunton 2013).

History of Anonymity

The social history of anonymity begins with the name; more specifically, with the absence of a name (Marx 1999). The *Oxford English Dictionary* definition of “anonymous” dates from 1601 and designates someone “nameless, having no name; of unknown name.” Though it is not until the early 1800s that we see the noun form, “*anonymity*,” the way that anonymity can be understood to function, from the thirteenth century onward, is intimately connected to communication, specifically writing and publishing.

Authorship and attribution studies place the function of anonymity in Medieval, Renaissance, and Romantic (end of 18th C to mid 19th C) eras as largely an effect of authorship and authority in early manuscript and print culture, though it evolves into an affect of sensibility in the modern age. In Medieval manuscript culture, the understanding of anonymity was almost exclusively tied up with authorship; both in composition (Carruthers 2008 [1990]) and in reception (North 2003). The written word was both authorial and authoritative. As Mary Carruthers (2008 [1990]) points out, *auctores*, the root of the modern word “author” referred to the written text itself, and *not* to the person who wrote it (235). The author was less important than the work, and the importance placed on the author as the authority of the work was downplayed, if not near to irrelevant.

In Medieval culture the authority of the work came from its generative capacity, and not from the original writer. The written work was a process; authorship was a “communal process of authorization through public comment and readerly response” (Carruthers 2008 [1990], 262). In this public environment we see an early form of “anonymous” community. It was the continual writing of the work that gave it its authority. “The word *auctor* was thought to be derived from the verbs *agere*, “to act,” and *augere*, “to grow” (Carruthers, 236). The “author,” if we were to understand it then, was “simply one whose writings are full of authorities” (ibid). The audience, or the reader and the public more generally, were the ones who *grew* the work into an authoritative composition.

Defining Anonymity

The notion of anonymity, with its beginnings in the realm of authority and social relations, becomes, in contemporary times, a social designation, requiring social relations (Wallace 1999). There cannot be anonymity if there is just one person (Marx 1999). Contemporary understandings of anonymity conventionally focus on the name, something we inherit from the study of “anonymous” in attribution studies (Griffin 2007; Mullan 2007; Traister and Starner 2016). In order to get at the more nuanced understandings of the function of anonymity in the information society, we can appeal to a selection of fields in the disciplines of the humanities and social and applied sciences, including law, information studies, surveillance studies, and even the arts.¹

Fraenkel and Lowenfels (1930) writing in the early twentieth century can be seen to bridge the Medieval notion of anonymity as creative continuity, and a contemporary FOSS (Free and Open Source Software) and hacker ethic, when they write: “Anonymous allows creation a continuity” (20) and further, “against the modern production of mechanical processes: Anon

¹ Though I do not discuss critiques of surveillance from the arts in this thesis, there are notable artists whose projects actively resist surveillance technologies in both theoretical and practical ways. For example, see Adam Harvey’s *CV Dazzle* “Camouflage from Face Detection” and *Stealth Wear* “Anti-Drone Fashion” (ahprojects.com) and Zach Blas’ *Facial Weaponization Suite* and *Contra-Internet* (zachblas.info)

constructs a new ethos reflecting a new unity” (22). This harmony, according to the authors, can be used to correct a situation where “there can be a unity in breaking, as well as construction” (24). The hacker ethic with its focus on breaking open, modifying and exploiting code, is recognizable in these lines, and Gabriella Coleman, the foremost researcher of the group Anonymous comes to a similar conclusion regarding FOSS denaturalizing intellectual property law: “FOSS inadvertently has become a vehicle by which to rethink the naturalness of intellectual property law” (2004, 513).

Anonymity, in many contexts, is defined as relational. Anonymity is a “noncoordinatability of traits” (Wallace 1999) which effectively determines the level of “unreachability” (Nissenbaum 1999) of the person(s) in question. Anonymity can be understood in terms of identity knowledge (Marx 1999) and the extent to which a person can remain *unidentifiable*. This philosophical exploration will yield a differentiated definition of anonymity as both concealment and unknownness described as “nonidentification” brought about by stronger or weaker elements of “dissociability” (Ponessa 2013). Drawing from these approaches in more detail, this dissertation develops a way of putting anonymity to use: as a “right”; as a political identity; as a political strategy, and as a technique of care. These are explored in subsequent chapters of the thesis.

Chapter Outlines

The chapters in this dissertation can stand alone, but they still function as loosely connected parts that ultimately inform the whole project of anonymity and community. Because these two terms seem to be at first glance incompatible, careful and nuanced interpretations of anonymity are better framed in smaller units of analysis. Taken together, however, the chapters still form a connected, coherent whole.

Chapter Two

Each chapter employs the theoretical framework appropriate for the approach to anonymity expounded in the chapter. For example, in order to begin critiquing privacy as the primary

discourse surrounding the effects of surveillance practices and technologies, Chapter Two begins with a sustained critique of transparency as a value and ideology following Clare Birchall's (2011) argument that transparency "has taken on the identity of a political movement with moral imperatives" (62). Birchall argues that secrecy, instead of transparency, can be viewed as a strategy for developing the commons. A critique of transparency is a useful place to begin an exploration into the modes of subjectivation that Foucault began in his studies of governmentality. I suggest the tension between secrecy and transparency, as the space of conflict for the Internet, highlights the importance of sociality in the information age.

Chapter Two encounters the concept of anonymity within the discourse of privacy and within the larger context of civil liberties. Ubiquitous surveillance practices have given rise to critical analyses of the breadth and scope of information gathering, monitoring and tracking, and information storage within contemporary society.

We are beginning to accept that the models of disciplinary control processes, (inherited from Foucault), no longer completely capture the extent of the apparatuses of control that we encounter in our everyday lives. Sometimes weaker, sometimes stronger, our experiences of power are not only contextualized within "disciplinary environments" but have extended even into the areas of our lives that we would not otherwise recognize as power-related (or power-constructed), specifically in the quotidian ways we use and are in turn used *by* our technologies. Our social networking and social media environments are examples of ecologies of control where users participate in subtle but effective means of behavioural modification, not always due to an "invisible" watcher, but as a means of creating a subjectivity that performs as *consumer* or *entrepreneur*, the figures of neoliberalism that Todd May (2012) identifies as characteristic of late capitalist relations. This observation is echoed by Andrejevic (2014) in terms of structural imperatives built into social networking platforms. What Andrejevic (2014) calls the "logic of being a brand" and creating an "entrepreneurial media relationship to yourself" is founded on the institutional web's promise that constant connection is efficient, gratifying, and rewarding.

In order to mobilize anonymity as a method of resistance to the encroachment of market and consumer logic on our shared and common information environments, one must first examine the dominant defensive discourse. Current privacy scholarship approaches the understanding of privacy variously in terms of subjective, objective, and integrative definitions. Philosophical approaches to privacy consider the role of autonomy (Tavani 2007) and critique the conventional public-versus-private descriptive definitions of informational privacy (Floridi 2005, 2006; Cohen 2000, 2008). By comparing anonymity and privacy as complementary strategies, but as qualitatively and politically different strategies, this chapter contends that anonymity is a more effective mode of resistance, in a material and practical way. Anonymity becomes an active political stance against a normative, rights-based understanding of the informationalized subject.

Chapter Three

The investigation of anonymity continues in Chapter Three by questioning community against more traditional social movement theory. Exploring community and collectivity through anonymous political processes will take place within an anarchist sociological framework, highlighting the anti-authoritarian, anti-hierarchical, and egalitarian characteristics of alternative modes of dissent.

Though the three exemplars of Anonymous, Occupy, and Wikileaks weave throughout the thesis as the practical and material demonstrations of the conceptual work being done, Chapter Three relies on these exemplars more explicitly to illustrate the conceptual move towards a radical collectivity which differentiates itself from traditional practices of solidarity based on collective identity. This chapter theorizes anonymity in various modes as a political process in the context of civil disobedience; as a resistant system of relations. The logic of surveillance does not allow for secrecy; but dissent, in the form of new protest movements, has integrated a form of solidarity revolving around anonymity practices.

Through the three exemplars, this chapter attempts to answer the questions, How does surveillance inform networking logic? How does it infiltrate and mold the dynamics of collective behaviour, and how does it structure the boundaries of modes of resistance? Modern surveillance practices are not confined to just one form of technology, nor to one specific actor (whether the Police, the FBI, the DHS, CSIS, ISPs, Banks, the Private Sector corporations, academic institutions, or the entertainment industry). “Contemporary surveillance assembles disparate systems, technologies, and groups, combining both practices and technologies, and further integrating them into a larger whole” (Haggerty and Ericson 2000, 610). The surveillant assemblage plays a role both in the control of social spaces, as well as in minimizing the potential of disruptive possibilities. In a way, we could look at the current surveillance society as being the grid within which neoliberalism becomes more effective in molding our behaviours and our relationships towards economic utility. In contrast, disruptive possibilities require a context and an environment “friendly” to their emergence (Williams and Lee 2012).

Through the group Anonymous, I explore the function of anonymity today within a global networked information culture. A group of individuals who intentionally take on anonymity as an identifier, point us in a different direction from the understanding of anonymity as unreachability, uncoordinatability of traits, or unidentifiability, all of which focus on the individual and how her relationship to another constitutes unknowability. The logic of Anonymous, as Coleman (2013) points out, is media visibility and spectacle. Collectively, Anonymous is “reachable” in the sense that they are inclusive and participatory; they are coordinated, if not always in unified agreement; and they are identifiable, but as a symbol, through the politics of the mask.

The rise of Occupy as a dispersed collective or network of leaderless communities illustrates a shift in the focus of anonymity which occurs at the level of street-protest and dissent. Mitchell (2012), in an insightful article on the “arts of occupation,” identifies in the Occupy movement an “iconography of nonsovereignty and anonymity;” a leaderless movement consisting of faces in a mass, a crowd of “indefinitely repeatable masks;” an iconography not of face, but of space “not figures, but the negative space or ground against which a figure appears;”

“the figure of occupation itself” (9). The politics of Occupy functions as a model of resistance that actively pushes against the disappearance of the public as common space, insisting on a “commons of space,” revolutionizing physical space as anonymous meeting *place*.

Wikileaks plays a slightly different role in my analysis of anonymity because it encompasses the traditional role of an anonymous whistleblower, while looking toward a future where the role of anonymity means also a special kind of secrecy. The importance and uniqueness of Wikileaks lies not only in the disclosures, the content, and holding governments accountable, but also in the technology itself (Brunton 2011). The “leaks” model of information flow and dissemination, analysis, and networked encryption has led us to examine the technology of anonymity in practical and material terms.

This thesis argues that anonymity is becoming a significant technology in twenty-first century interactions between the public and the state. All three of the above exemplars challenge the function of anonymity, in many ways cutting through the binary framework through which the benefits and harms of anonymity are generally examined.

Chapter Four

Chapter Four approaches the concept of anonymity as a political strategy. How might resistance emerge out of a re-imagining of anonymous community? The chapter begins with a conceptual investigation into the notion of community, from Jean-Luc Nancy’s (1991) conception of the “inoperative community” to subsequent deconstructions of political community, via Roberto Esposito and Giorgio Agamben. Deconstructing community troubles the idea of sociality and how we come together, intentionally or otherwise, in groups.

This chapter delves into the overall theoretical approach to anonymity through political community and presents anonymity as a political strategy introducing some practical implications of thinking differently about political subjectivity. The theories of community that I

explore differ from theories of collective and group behaviour of the past. Radical theories of community encountered in Nancy, Esposito, and Agamben exemplify the need for a philosophical examination of the ways in which we are beginning to imagine being in-common.

For Nancy and others that have come after him, a critique of community becomes also a critique of authoritarianism. What Nancy attempts to do in rethinking community, is to invoke a commonness that does not rely on inclusionary or exclusionary methods of coming together. For Nancy: “Community means, consequently, that there is no singular being without another singular being, and that there is, therefore, what might be called, in a rather inappropriate idiom, an originary or ontological “sociality” that in its principle extends far beyond the simple theme of man as a social being” (1991, 28). In many ways, community in this sense also presupposes an ethics of subjectivity, which is explored in the concluding chapter. Community can be a process; something experienced rather than attained, or owned.

Chapter Four examines the possibility of collective action through the practice of an anonymous way of being, precisely in order to begin thinking outside of the organizational logic of surveillance. Relentless surveillance creates an identity whose primary mode of being is a mix of fear, insecurity and mistrust. This identity is increasingly individualized; separated from the bonds of community, its will to act is stifled and diminished.

I turn to Roberto Esposito’s work on *communitas* as an example of an ontological reconceptualizing of community. For Esposito, the relation between the individual and the other is a spectrum in which community emerges or declines. “[T]he community isn’t joined to an addition but to a subtraction of subjectivity... the figure of the other returns to full view... If the subject of community is no longer the “same,” it will by necessity be an “other”; not another subject but a chain of alterations that cannot ever be fixed in a new identity” (2012, 138).

Both Agamben and Esposito can be interpreted as responding to the question of Who (in the network age) is the revolutionary subject? Both thinkers problematize the subject by conceiving it in terms of a process of subjectivation and resubjectivation, and focussing on what occurs between these processes. I consider anonymity to be central to this questioning; how to form a collective subjectivity without “subjects” as such?

Taken together, through an interdisciplinary investigation, the effects of anonymous dissent and action and the various responses to anonymous (and pseudonymous) subjectivities may help us to envision a way of becoming that interrupts the flow of information capital, and deconstructs the informational individual, or the “biometric subject” of late modernity.

The integrated article approach allows each chapter to address a specific audience in the voice and style appropriate for the discipline. Accordingly, the citation style and format employed in each chapter conforms to the submission style guide for the target journal of publication. For example, Chapter Two considers the value of anonymity in relation to informational privacy discourse. This chapter has been submitted for publication in the *Journal of Critical Library and Information Studies* and conforms to the citation requirements of the journal (Chicago, Notes-Bibliography NB). Chapter Three is written in a more sociological vein, and presented as three case studies in collective action. Anonymous serves as an example of the ontological implications of anonymity; Occupy is explored in terms of socio-political implications of anonymity; and Wikileaks represents the ethical implications of anonymity. Potential journals to seek publication include *Information, Communication & Society* and *Communication, Politics and Culture*; therefore, the citation style employed in this chapter is Chicago, Author-Date. Chapter Four is a strongly theoretical chapter that examines the philosophical and political effects of reconceptualizing community as a method of anonymous political engagement. It does so by reengaging Nancy, Esposito, and Agamben in their theories of community, and highlighting the ways in which individual identity becomes negated through various modes of being-in-common. Potential journals to seek publication include *International Journal of Politics, Culture and Society*, and *Theory, Culture and Society*; therefore, the citation

style employed in this chapter is Chicago, Author-Date. The bibliographical requirements for all three chapters, regardless of citation style, conform to The University of Western Ontario's Society of Graduate Studies Thesis Guidelines which state: "The bibliographies for each of the individual chapters should be in a consistent format throughout the thesis regardless of the citation formats of the journals in which the article has appeared or will appear."²

Conclusion

My hope is that a focus on anonymity, and *what it can do*, can contribute to ongoing research into technologies of resistance. The concepts introduced above are further fleshed out, as appropriate, in each chapter according to the individual approach to anonymity. This introductory chapter on anonymity enables each subsequent chapter to draw on the definitional aspects of the concept of anonymity in order to highlight the multiple ways in which anonymized politics inform today's activist practices.

The concluding chapter explores the possibility of approaching anonymity as a technology of the self asking, Is a technology of anonymity possible in the care of the "informational" self? What are the social, political, ethical, and legal implications of a technology of anonymity? Throughout history, anonymous dissent has been seen as integral to democratic participation, and even more so in the cases of authoritarian regimes facing resistance from their populations. Withholding an identity, or melting into an identity, becomes a powerful means of critique outside of the law which can only nominally "protect" the rights of the individual to remain anonymous.

In the conclusion, I consider Foucault's studies in techniques of care, of the self and of others. Anonymity in this context is introduced as a potential subjectivity and technique of care. This final chapter brings together the three approaches to anonymity (liberty, process, and strategy) as a call for a sustainable critique of datafication. This frames my project as a study in

² Section 8.3.1 - Format Specifications. Online: http://grad.uwo.ca/current_students/regulations/8.html#8326

information activism. I draw connections between each approach to anonymity and then discuss the relevance of the outcomes for information studies.

So, on one hand an argument can be made for anonymity to be granted a stronger, more legitimate position within a legal framework, which is a positive, if not also a reactive measure. On the other hand, as this thesis proposes, anonymity does so much more. This dissertation is just the beginning, laying the conceptual foundation for further studies of anonymous social processes as technologies of care and resistance to the increasingly oppressive modes of information control in today's society.

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Chapter Two: Anonymity and Civil Liberties

Introduction

Society is becoming increasingly more securitized with surveillance technologies having entered a phase of ubiquity; they are built-in components of many of our daily technological devices. The default of tracking, monitoring, and recording has fundamentally changed our social and communicative environments. Through the lens of surveillance, everything we do and say can be potentially categorized as “threat.” Through the use of our technologies, our lives have become transparent to both market players and law enforcement. Some resistance to this state of surveillance has taken the form of privacy protections implemented through information privacy law.

The main purpose of this chapter is conceptual. I consider the means by which privacy has become a matter of informationalized debate which revolves around the tension between a need for security and the need for freedom (falsely posited as a desire for transparency) and argue that privacy advocacy has not been successful in effecting a balance in the asymmetrical power relations that would lead to an empowering of the citizen or consumer. What we see happening instead is that privacy increasingly becomes a resource that is co-opted by both the market and the political sphere.

In this chapter, I consider what the practice of anonymity can offer that privacy does not. Even though they are understood as complementary concepts, in the legal realm, the two tactics differ in terms of the way they are perceived as resisting dominant views of what our information environments mean. From a legal perspective, highlighting the nuances between privacy practice and anonymous practice helps us to understand the extent to which our speech and behaviours become constrained, especially in the digital environment. In cultural and social contexts, privacy and anonymity can be seen to connote differing values; privacy is commonly considered a moral virtue, while anonymity is often maligned and associated with criminal or deviant behaviour.

Notions of privacy and anonymity are commonly discussed in reference to the individual. With only a few exceptions, privacy is rarely studied on a collective scale, and anonymity is often considered only in relation to privacy protections. In what follows, I argue that anonymity should be more broadly construed as a set of practices with the goal of resisting surveillance culture. Anonymity allows for a more flexible, consistent, and collective means of ensuring civil liberties remain intact. In a culture of surveillance, privacy as it has been understood thus far, can no longer be invoked as feasible protection against an increasingly datafied existence.³

The “information revolution” as Viktor Mayer-Schönberger and Kenneth Cukier understand it, is one whereby data becomes the new currency. They believe that the move towards data knowledge and investment is both a benign and necessary outcome of our digital environments, and that the quantification of everything is inevitable.⁴ In this view, the individual exercises economic control over their data, supporting and propping up the (arbitrary) numerical systems of value and worth, quantifying the self. The increasingly popular viewpoint that more data is always better, even necessary, or that more data helps explain, helps to *know*, is a byproduct of particular information ecologies we inhabit, and it is influenced by a rhetoric of transparency whose logic marks a process of visibility. But as Barnard-Wills argues, this process is also marked by radical contingency and it can change; the outcome is not inevitable as some would like to believe.⁵ The defence against the process of datafication in the social and cultural spheres, however, cannot be an individual response; resistance must take place collectively if we strive for autonomy in our digital environment.

³ Datafication is the effect of putting information into a “quantified format so it can be tabulated and analysed.” Viktor Mayer-Schönberger and Kenneth Cukier, *Big Data: A Revolution That Will Transform the Way We Live, Work, and Think* (Boston: Houghton Mifflin Harcourt, 2013), 78.

⁴ Viktor Mayer-Schönberger and Kenneth Cukier, *Big Data: A Revolution That Will Transform the Way We Live, Work, and Think* (Boston: Houghton Mifflin Harcourt, 2013), 73-97.

⁵ David Barnard-Wills, “The Non-Consensual Hallucination: The Politics of Online Privacy,” in *Media, Surveillance, and Identity*, ed. Andre Jansson and Miyase Christensen (New York: Peter Lang, 2014), 165-82.

Informational Ecologies: Autonomy in the Infosphere?

One approach to understanding our relationship to technology appears at first glance to be a straightforward presentation of an informational worldview, and is introduced by Italian philosopher Luciano Floridi in his book *The Fourth Revolution*. Floridi recognizes that information and communication technologies (ICTs) encourage us to think of the world in informational ways (communicatively, politically, socially, individually, linguistically) through our technological infrastructure; there is no more *inside* and *outside* of information technology. Human behaviour becomes less relevant in a technological cycle characterized by mostly machinic interactions. Culminating in what is popularly referred to as the “Internet of Things,” this order of interactions sees technology interfacing with technology in order to impact technology, independent of human judgement.⁶ Human beings are eventually removed from the system ecology altogether. The end result, it would seem, is an information ecology minus humanity; what he calls the infosphere.

Floridi’s notion of the infosphere is all-encompassing,

Minimally, infosphere denotes the whole informational environment constituted by all informational entities, their properties, interactions, processes, and mutual relations. It is an environment comparable to, but different from, cyberspace, which is only one of its sub-regions, as it were, since the infosphere also includes offline and analogue spaces of information. Maximally, infosphere is a concept that can be used as synonymous with reality, once we interpret the latter informationally.⁷

⁶ Luciano Floridi, *The 4th Revolution: How the Infosphere is Reshaping Human Reality* (Oxford, UK: Oxford University Press, 2014), 25-35.

⁷ *Ibid.*, 41.

Interpreting reality informationally, according to Floridi, requires us to approach human evolution in informational terms by focussing on humanity's relationship to ICTs. Floridi's "three ages of human development" is an attempt to explain not only how people live with ICTs, but more so how people can be entirely understood through their relationship to ICTs. Our present "hyperhistorical age" is one in which we have become dependent on ICTs, both individually and collectively.⁸ Historically, we have moved from an *independent* relationship to our technologies—characterized by relative human autonomy—to complete *dependency* on our technologies, at least in the affluent Western societies. That his model describes a complete loss of autonomy seems to bother Floridi little. However, the question of autonomy is crucial to the debates surrounding privacy rights as we shall see later in the chapter both from a critical legal perspective and from a philosophical perspective.

I begin with Floridi's description and his conception of the present informational reality in order to illustrate how we can become seduced by the language of informationalism, making it less likely that we question or critique a particular understanding of ourselves and our behaviours if we assume a transparent environmental positioning: so transparent, it seems for Floridi, that eventually people disappear from the relation. What Floridi describes as the shift from the "historical" to the "hyperhistorical" not only takes our relationship to technologies for granted, but it further makes the relationship seem indispensable, neutralizing the effects of any possible critical responses and any questioning of the technologies themselves. This particular orientation towards ICTs describes an ideological perspective that celebrates a culture of transparency and diminishes the role of privacy in our social and financial interactions.

⁸ Ibid., 1-24. In "prehistory" (1st Age) humans lived without ICTs; but as "historical" humans (2nd Age), living in the "information age," we both worked with and related to ICTs.

Privacy Models

When conceptualizing privacy across disciplines, we see a loose division of theories of privacy into either “rights-based” or “interests-based” approaches.⁹ Theorists who model privacy as a right, understand privacy as a form of secrecy (surveillance model). They invoke a traditional mode of privacy as it pertains to the physical body, and in terms of intimacy associated with *confidentiality*. Theorists approaching privacy in terms of interests, understand privacy as a form of control that is often exercised in situations that involve data about a person. This contemporary meaning of privacy as it pertains to individual data protection is associated with *choice* (the capture model). When we understand privacy to be more closely associated with secrecy, we are concerned with passive freedoms; freedom *from* invasion. As a passive measure, privacy is the “right to be left alone.”¹⁰ When we understand privacy to be more closely associated with control, we are concerned with active freedoms; freedom *to* choose (who gets access to data about us) and freedom *to* be (who we decide to be as represented by our data). This active measure of privacy entails identity, the “right to *be* oneself.”¹¹ The latter view is prevalent in contemporary informational privacy discourse where personal information is data protected as property.¹² In this chapter, the term privacy, unless otherwise qualified is understood as *informational* privacy.¹³

Understanding privacy as a mechanism of control has less to do with the idea of access to the physical person (of the body, in public) and more to do with individual data ownership and

⁹ Herman T. Tavani, “Philosophical Theories of Privacy: Implications for an Adequate Online Privacy Policy,” *Metaphilosophy* 38, no. 1 (2007): 1-22.

¹⁰ This comes to us from the seminal ruling of Warren and Brandeis, “The Right to Privacy,” *Harvard Law Review* 193, no. 4 (1890): 193-220.

¹¹ Luciano Floridi, “Four Challenges for a Theory of Informational Privacy,” *Ethics and Information Technology* 8 (2006): 109-19. See also Antoinette Rouvroy and Yves Poullet, “The Right to Informational Self-Determination and the Value of Self-Development: Reassessing the Importance of Privacy for Democracy,” in *Reinventing Data Protection?* ed. Poullet Gutwirth, De Hert, de Terwangne and Nouwt (Dordrecht: Springer, 2009), 45-76.

¹² Christian Fuchs, “Towards an Alternative Concept of Privacy,” *Journal of Information, Communication & Ethics in Society* 9, no. 4 (2011): 220-37; Julie Cohen, *Configuring the Networked Self* (New Haven: Yale University Press, 2012).

¹³ Ronald J. Krotoszynski, *Privacy revisited: A Global Perspective on the Right to Be Forgotten* (London: Oxford, 2016): 48. There are three modes of privacy that are categorized for the purposes of legal and constitutional protection: personal; territorial; informational.

controlling access to the data. Control in this case has less to do with secrecy and solitude, aspects of a traditional physical approach to privacy, and more to do with transactions. These transactions can be social interactions as in publicity and exposure in social networking or financial transactions in terms of consumer behaviour. Though the role of choice is central to an interests-based understanding of privacy, choice becomes a problematic assumption when questions arise around how to define the kinds of information we can control, and how to determine how much control we can have in different environments. These questions, among others, become central to critiques of privacy.¹⁴ The prevailing view of personal information as property is responsible for the push towards greater data availability and collection, instrumentalized through privacy notices demanding consent.

Privacy notices have been found to be ineffective in communicating the possible risks to individuals' privacy.¹⁵ A number of experiments conducted by Alessandro Acquisti and his colleagues have brought to light some of the prevailing reasons for the apparent privacy paradox. In terms of decision-making, "bounded attention," "misdirection," and other cognitive biases affect the interpretation and effective understanding of privacy notices and agreements. These biases lead to actions that would otherwise contradict the beliefs or intentions of the participants. Furthermore, "notice and consent" systems have been fraught with inconsistencies. Research studies have demonstrated that the system is a poor mechanism of controlled access if the goal is to empower the individual user in his or her decisional framework.¹⁶ Rather, because these systems are incapable of addressing future uses of personal data, they cannot adequately adjust for potential consequences. As Mayer-Schönberger and Cukier argue, when the value of data is more likely in its secondary use and in perpetuity, this ostensible privacy control mechanism is no longer suited to the *potentiality* of data use, ownership, and sharing.¹⁷ And as Solove believes,

¹⁴ Tavani, "Philosophical Theories," 7.

¹⁵ Alessandro Acquisti, Idris Adjerid, and Laura Brandimarte, "Gone in 15 Seconds: The Limits of Privacy Transparency and Control," *IEEE Security & Privacy* (July/August 2013): 72-74.

¹⁶ Solon Barocas and Helen Nissenbaum, "On Notice: The Trouble with Notice and Consent," *Proceedings of the Engaging Data Forum on the Application and Management of Personal Information* (2009) http://www.nyu.edu/projects/nissenbaum/papers/ED_SII_On_Notice.pdf

¹⁷ Mayer-Schönberger and Cukier, *Big Data*.

“consent is virtually meaningless in many contexts. When people give consent, they must often consent to a total surrender of control over their information.”¹⁸ In other words, consent equates to a loss of control, the complete inverse of the intended consequences of privacy enhancing policies. The ostensible effect of these types of systems regulating our online informational transactions is the illusion of power or control (we “willingly” agree to the terms of service) while real empowerment is undermined by the nature of the contractual form.

Studying the relationship between consumer attitudes towards privacy and data behaviour further reveals a form of responsabilization determining the relationship between the “data subject” or “data publics” and data disclosure practices.¹⁹ Elements of control, whether illusory or real, fail to account for the dangers and risk of data disclosure which implicitly puts the onus of privacy expectations, protections, and accountability on the individual rather than on the organizations collecting the data.²⁰ Andrejevic calls this “risk mobilization,” a neoliberal effect in line with both economic and political actors that enjoin the citizen or “data subject” to take control of their data even while acknowledging they have no power to do so.²¹

Traditional rights-based approaches understand privacy as individual entitlement. An ontological perspective, however, goes beyond the idea of freedom as seclusion. Luciano Floridi sees informational privacy as an essential element of identity that involves a certain set of moral or natural rights; as a negative freedom, the right to be left alone, but also as a positive freedom to think and *be* oneself as the right to identity. For Floridi, an adequate understanding of privacy becomes the “self-constitutive value of privacy.”²² This approach sees each person as “constituted by his or her information;” that you *are* your information, in a fundamental way, and

¹⁸ Daniel J. Solove, “Privacy and Power: Computer Databases and Metaphors for Information Privacy,” *Stanford Law Review* 53, no. 6 (2001): 1427.

¹⁹ Clare Birchall, “‘Data.gov-in-a-box: Delimiting Transparency,’” *European Journal of Social Theory* 18, no. 2 (2015): 190-91.

²⁰ Ibid.

²¹ Mark Andrejevic, *Infoglut: How Too Much Information Is Changing the Way We Think and Know* (New York: Routledge, 2013).

²² Floridi, *The 4th Revolution*, 118.

further that “breaching one’s informational privacy is an attack on personal identity.”²³ Floridi’s interpretation of privacy in this way logically follows from his understanding of our contemporary reality as the infosphere, as I outlined it above.

Many approaches have placed the notion of privacy on a spectrum of access; the more access one has to an individual, the less privacy that individual has. The less access one has to an individual, the more privacy that individual has. In the law literature, for example, privacy is associated with information policy and is often tied to broader access to information legislation.²⁴ In the philosophy literature, however, privacy is a matter of information ethics,²⁵ and in the computational sciences, privacy is often treated as a programmable control mechanism.²⁶

However, privacy understood as a right to secrecy becomes attached to kinds of personal information that otherwise might not be found in the public domain; what we might view as confidential information. In this case the shift from a physical understanding of privacy to a data-driven understanding of privacy precludes an admission of the blurring of private and public. As Solove reminds us, data in databases is considered “public.”²⁷ Nevertheless, so many of our arguably private relationships are mediated through networked technologies whose data collection practices would seem difficult to defend as “public.”

In data gathering, the whole becomes greater than its parts. Information abuses are identifiable and take on greater importance when viewed from a collective perspective. Daniel Solove (2001) claims that the aggregation problem of databases “does not stem from any specific act, but is a systemic issue of power caused by the aggregation of relatively small actions, each of which

²³ Floridi, *The 4th Revolution*, 119.

²⁴ Lisa Austin, “Enough About Me: Why Privacy is About Power, not Consent (or Harm),” in *A World Without Privacy: What Law Can and Should Do?* ed. Austin Sarat (Cambridge, UK: Cambridge University Press, 2015).

²⁵ Floridi, “Four Challenges”; Sara Degli Esposti, “When Big Data Meets Dataveillance: The Hidden Side of Analytics,” *Surveillance & Society* 12, no. 2 (2014): 209-225.

²⁶ Tavani, “Philosophical Theories”; Yuan Li, “Theories in Online Information Privacy Research; A Critical Review and an Integrated Framework” *Decision Support Systems* 54 (2012): 471-481.

²⁷ Daniel J. Solove, “Privacy and Power: Computer Databases and Metaphors for Information Privacy.” *Stanford Law Review* 53, no. 6 (2001): 1439.

when viewed in isolation would appear quite innocuous.”²⁸ Fundamentally, even market approaches cannot account for the “power inequalities that pervade the world of information transfers between individuals and bureaucracies.”²⁹ The ownership of personal information and thus the right to control it, as in decide to whom and when one may sell or trade their own information, creates an artificially commodified value for personal information.

From a philosophical perspective, Helen Nissenbaum considers privacy a fundamental value tied to the autonomy of the individual and argues for a privacy approach that recognizes personal information as data flows that require a contextual approach. Arguing that privacy is both a moral and political right, Nissenbaum’s argument approximates Solove’s in focusing attention on processes and context in order to allow for the free movement of personal information, without relegating it to commercial terms.³⁰ To this end, Nissenbaum proposes the “framework of contextual integrity” where “a right to privacy is neither a right to secrecy nor a right to control but a right to [the] *appropriate* flow of personal information.”³¹

Transparency — Visibility, Discipline, Control

An informational environment is often accepted as a transparent one. Today, the term transparency commonly invokes a positive drive towards open government in Western democracies. Many government initiatives mobilize transparency to invoke access to open, available, unfettered and free information flows.³² Informational transparency is the means by which people become informed, responsible and democratically enabled citizens. Through transparency it is presumed that governments will be made accountable to their people and state

²⁸ Ibid., 1434.

²⁹ Ibid., 1452.

³⁰ Helen Nissenbaum, *Privacy in Context: Technology, Policy, and the Integrity of Social Life* (Stanford, CA: Stanford Law Books, 2010).

³¹ Ibid., 127.

³² Hans Krouse Hansen, “Numerical Operations, Transparency Illusions and the Datafication of Governance,” *European Journal of Social Theory* 18, no. 2 (2015): 203-20.

processes will become easier to understand, and therefore easier to act on. Mark Fenster (2015), in his history of transparency, suggests that as a theory of communication, “Transparency presumes both the possibility and necessity of a certain kind of information exchange.”³³

Whether or not a meaning-making exchange takes place, however, is dependent on more than the mere availability of government data; availability is not sufficient to ensure that an *exchange* has taken place. Data alone does not make meaning and is not enough to “inform” citizens.

Transparency, we would assume, requires a communicative act that involves the exchange of meaning.

The media theorist Felix Stalder (2011a) suggests that studying the forms of transparency in terms of the production of social relationships reveals a political dynamic of empowerment and control.³⁴ He recognizes two paradigms of transparency that he sees operating simultaneously. Whereas the first paradigm sees transparency directed at government in order to create accountability to the public, the second demand for transparency comes from within neoliberal theory, and has as its goal the reduction of uncertainty. As such, this form of transparency is directed towards market participants whose transactional behaviour can be tracked, collected, aggregated, and mobilized to predict future behaviour and expectations, with the goal to reduce economic risk in an increasingly unstable and unpredictable global marketplace.³⁵

In terms of empowering the individual, the rhetoric of transparency actually hides the lack of political dialogue that is otherwise implied in a communicative “exchange.” This “myth” of transparency (that it implies an exchange of political meaning or dialogue) is further sustained through the celebration of technological tools for transparency, such as online databases of decontextualized government data.³⁶ The speed, immediacy, and availability of information becomes more important than the context, meaning, conversation, and understanding of the

³³ Mark Fenster, “Transparency In Search of a Theory,” *European Journal of Social Theory* 18, no. 2 (2015): 154.

³⁴ Felix Stalder, “The Fight Over Transparency: From a Hierarchical to a Horizontal Organization,” *Open* 22 (2011a).

³⁵ Stalder, “Fight Over Transparency;” See also Mark Andrejevic, “We Are All ‘Lab Rats’ Online,” Interview with *PBS*. (February 18, 2014). <http://www.pbs.org/wgbh/pages/frontline/media/generation-like/mark-andrejevic-we-are-all-lab-rats-online/>

³⁶ Fenster, “Transparency In Search Of a Theory.”

information being released. This form of transparency, Fenster argues, reduces political relations to transmission and effects.³⁷

As the critical study of transparency gains momentum in the wave of e-government initiatives in the U.S., Canada, and Europe, transparency warrants special attention in examining the ways in which openness, sharing, and the erosion of privacy are linked.³⁸ Privacy is rooted in the principle of opacity (for the data subject; the individual involved) and data protection is rooted in the principle of transparency (accountability for the one processing or in power of the data).³⁹ Though both privacy and data protection are tools of the law, the principle of transparency as it is reflected in terms of open or e-government, is insufficient in effecting accountability.

Transparency as Governmentality

In contrast to my earlier discussion of Floridi's sanguine view of our present and future technological environments, the philosopher Gilles Deleuze's more sober account of information ecologies is one grounded in the analysis of control. Deleuze examines the form of power that categorizes different societies through the particular kind of machine that dominates it, offering an alternative epochal analysis of the relationship between society and technology:

One can of course see how each kind of society corresponds to a particular kind of machine—with simple mechanical machines corresponding to sovereign societies, thermo-dynamic machines to disciplinary societies, cybernetic machines and computers to control societies.⁴⁰

³⁷ Ibid., 154.

³⁸ See, for example, the special issue on "Transparency" in the *European Journal of Social Theory* 2015, Volume 18, Issue 2.

³⁹ Raphael Gellert and Serge Gutwirth, "Beyond Accountability, the Return to Privacy?" in *Managing Privacy Through Accountability*, ed. Daniel Guagnin, et al. (New York: Palgrave Macmillan, 2012), 261-283.

⁴⁰ Gilles Deleuze, "Control and Becoming," in *Negotiations, 1972-1990*, trans. Martin Joughin (New York: Columbia University Press, 1995): 175.

Deleuze describes an information ecology which is characterized by control but does not directly stem from a strictly informational perspective as Floridi's model does; rather, Deleuze considers the complex relationship between forms of power and types of machinic activity. This leads him to consider the disciplinary effects of technology and how our social interactions are impacted by modulatory flows of information.

From a Deleuzian control perspective, transparency regimes are also surveillance regimes; being reciprocal concepts, transparency and surveillance as regimes, share the goal of visibility. What form visibility takes, however, is determined by the sociotechnical relations that determine the context of data disclosure.⁴¹

As we saw in the previous section, the current and growing obsession with big data analytics, and the enthusiastic adoption of automated services, open social networking and sharing lead to additional, more profound considerations for the state of society, such as the efficacy of online civic engagement and discourse.⁴² In open governance it is assumed that transparency defines the default relationship between individual and state. Data, divorced from dialogue, thus becomes the reasoning function of the relationship between the state and the people.

When considered from the other end of this relationship, it is this kind of ideological thinking that hides the other "work" that information processing does;⁴³ namely streamlining data-subjects, homogenizing the "other," and storing, aggregating, and linking data fragments that can later masquerade as knowledge. And society, it would seem, accepts this without question. Indeed the so-called "big data revolution," and the hype surrounding it, is testament to a general acceptance and even enthusiastic adoption and perpetuation of data primacy.⁴⁴

⁴¹ Deborah G. Johnson and Kent A. Wayland, "Surveillance and Transparency as Sociotechnical Systems of Accountability," in *Surveillance and Democracy*, ed. Kevin D. Haggerty and Minas Samatas (New York: Routledge-Cavendish, 2010): 19-33.

⁴² Antoinette Rouvroy, "The End(s) of Critique: Data Behaviourism Versus Due Process," in *Privacy, Due Process and the Computational Turn: The Philosophy of Law Meets the Philosophy of Technology*, ed. Mireille Hildebrandt and Katja de Vries (Abingdon, Oxon: Routledge, 2013): 143-67.

⁴³ Cohen, *Configuring*, Chapter 5; See also Rouvroy, "The End(s) of Critique."

⁴⁴ "[Data] is the oil of the information economy," Mayer-Schönberger and Cukier, *Big Data*, 16.

One immediate effect of the primacy of data in governing populations is recognizable in the shift from a disciplinary mode of population control based on panoptic visibility to softer, elusive, less visible modes of control. Without superseding discipline⁴⁵ (or disciplinary power) the work that big data does is both insidious and coercive, and depends in many ways on the evolution of disciplinary regimes.

Deleuze, in his short but influential essay of 1982, “Postscript on the Societies of Control,” describes the control society as an extension of disciplinary modes of governance; here modulation is one of the salient features of a database-oriented, networked society. Deleuze’s critique considers the power relations and affective capacities of ICTs and how they order and control our informational environments and influence our relations. The control society thesis can be understood as a continuum of both disciplinary and modular flows.⁴⁶

Following Michel Foucault’s study of the ways in which disciplinary power works on the subject, David Savat characterizes a contemporary mode of power as *modulatory*.⁴⁷ This has grave consequences for personal privacy in service of identity formation. In modulatory thinking, the “right” to identity is no longer relevant. As a product of the control society, the informationalized “subject,” read against Floridi, is a *de*-identification. For Floridi, information *is us* so then informational privacy is understood as the right to be who we are (that is, as information). Savat’s modulatory effect challenges the notion that anything like identity can be something discrete. Modulation is not interested in identity; it is interested in the *continuous* or *continuity* of flows.

⁴⁵ Stephen J. Collier, “Topologies of Power: Foucault’s Analysis of Political Government Beyond Governmentality,” *Theory, Culture & Society* 26, no. 6 (2009): 78-108.

⁴⁶ David Savat, *Uncoding the Digital: Technology, Subjectivity and Action in the Control Society* (New York: Palgrave Macmillan, 2013).

⁴⁷ David Savat, “Deleuze’s Objectile: From Discipline to Modulation,” in *Deleuze and New Technology*, ed. Mark Poster and David Savat (Edinburgh: Edinburgh University Press, 2009), 45-62.

Datafication is a result of modulatory flows which fragment the individual into code. Savat argues that through simulation, sorting, and sampling, “modulatory power” functions through the “recognition of patterns,” “anticipation of activity,” “organization of antithesis,” and “programming of code.”⁴⁸ Where disciplinary power aims at constructing an individual, modular power as dividuality produces an objectile “constituted as code.”⁴⁹ Even though Savat’s analysis does not focus on surveillance, it is the *culture* of surveillance as a mode of real-time transparency, that remains the mechanistic environment of modulation which has serious consequences for the person under the law. Modulatory flows can “create” or “predict” certain kinds of subjects for whom it is impossible to guarantee minimal rights and autonomy.

Antoinette Rouvroy, in her analysis of the effects of what she calls “algorithmic governmentality,” describes the consequences that excessive information processing can have on the autonomy of the person,

Understanding that the target of algorithmic governmentality is the *inactual*, *potential* dimensions of human existence, its dimensions of virtuality, the conditional mode of what people ‘could’ do, their potency or agency, allows us to understand what is at stake here: a deprivation which does not have as its opposite the possession of oneself.⁵⁰

Targeting one’s potential to act is both restrictive and prescriptive. Algorithmic governmentality is thus both disciplinary and modulatory as it plays out in big data projections. It is disciplinary because it restricts present conduct; modulatory because it prescribes the future *conduct of conduct*.⁵¹ These fits and starts of the modulatory mode of power also create an environment or

⁴⁸ Savat, *Uncoding the Digital*.

⁴⁹ Ibid.

⁵⁰ Rouvroy, “The End(s) of Critique,” 159.

⁵¹ See Michel Foucault, “Governmentality,” in *The Foucault Effect: Studies in Governmentality*, ed. G. Burchell, C. Gordon, and D. Murphy (Chicago, IL: University Of Chicago Press, 1991) 87-104.

condition of constant interpellation.⁵² Calling subjects into *discrete data positions* aids in the increasing decentering of attention at the individual level, while at the algorithmic level these discrete data attention points remain *invisible* to human detection and calculation.⁵³ Thus, algorithmic governmentality is at odds with the needs of informational privacy.

Though it is evident thus far in the discussion that the most pressing concerns over privacy emerge within commercial dealings with personal information, it is clear that behaviour and activities online expand beyond commercial transactions.⁵⁴ On the one hand, privacy addresses the relations and interactions among individuals and institutions, but does not explicitly address data exchange between individuals and machines, and data transfer between machines. On the other hand, legal data protection, also known as “fair information practice”⁵⁵ legislation narrowly construes personal information and governs only the *use* of data, post-collection. The assumption is that data is collected in the first place even while ostensibly offering a modicum of protection from contractual exploitation.⁵⁶

In the next section I examine privacy through a socio-cultural lens which introduces some important challenges in interpreting what it is we protect when we ostensibly protect privacy. Afterward, I compare the concepts of privacy and anonymity and explore how anonymity resists the disciplinary apparatuses of surveillance culture. If we consider data-protection laws as a disciplinary outcome of the transparency paradigm, anonymity offers a benefit in addition to data-protection which takes into account both consumer and civil liberties perspectives.

⁵² Mark Poster, “Databases as Discourse, or Electronic Interpellations,” in *The Second Media Age* (Cambridge: Polity Press, 1995).

⁵³ Poster, “Databases.”

⁵⁴ Sara Degli Esposti, “When Big Data Meets Dataveillance: The Hidden Side of Analytics,” *Surveillance & Society* 12, no. 2 (2014): 209-225; Andrejevic, “We Are All Lab Rats;” See also Nissenbaum, *Privacy in Context*.

⁵⁵G. T. Marx, “Ethics for the New Surveillance,” *The Information Society* 14 (1998): 171-185.

⁵⁶ In Canada, for example, the two relevant pieces of legislation are Canada’s *Privacy Act* (https://www.priv.gc.ca/leg_c/leg_c_a_e.asp) and Canada’s *Personal Information Protection and Electronic Documents Act* (PIPEDA) (https://www.priv.gc.ca/leg_c/leg_c_p_e.asp) See also The Office of the Privacy Commissioner of Canada (https://www.priv.gc.ca/information/research-recherche/sub_index_e.asp); In Europe, data and privacy protections are covered under the EU *Data Protection Directive* (<http://ec.europa.eu/justice/data-protection/>)

Collectively Speaking

Modelling privacy is one way of getting at the discourse of power and issues of control. If privacy functions as a commodity, an interests-based model is responsible for the legislation of privacy as a data-driven positive freedom to control who owns the information and how it is used. In this case, the person trades or sells personal information in order to access a service more efficiently or to gain an advantage otherwise withheld from those who are less willing to sell their data. If privacy functions as a right to be “left alone” (or remain unseen), this leads to a secrecy or rights-based model for legislating privacy as a negative freedom where the burden of proof lies on defining or recognizing “harm.”⁵⁷ Confidentiality and trust would figure prominently in this approach to privacy. Nevertheless, the above understandings of privacy take the individual as the level of analysis; neither of these regulatory approaches consider the benefits or effects of privacy breaches to society as a whole.

The notion of “constitutive privacy” is a critique of the interests-based approach on the collective scale, to see if it can be more broadly construed. Constitutive privacy focuses on the social aspects of privacy protections, taking as its level of analysis the group rather than the individual.⁵⁸ P. M. Schwartz notes: “Privacy helps to form the society in which we live and to shape our individual identities. Its normative function is this constitutive role—and not the creation of individual control over personal data.”⁵⁹ Information privacy protection is a societal good because ostensibly it helps foster free speech and democratic communication and deliberation, promoting greater autonomy.⁶⁰ The argument goes, if we want to support a

⁵⁷ Philip Agre calls these the “surveillance” and “capture” models of privacy in “Surveillance and Capture: Two Models of Privacy,” *Information Society* 10, no. 2 (1994), 101-27.

⁵⁸ Spiros Simitis, “Reviewing Privacy in an Information Society,” *University of Pennsylvania Law Review* 135, no. 3 (1987): 707-746; Priscilla M. Regan, “Response to Bennett: Also in Defense of Privacy,” *Surveillance & Society* 8, no. 4 (2011): 497-499; P. M. Schwartz, “Beyond Lessig’s Code for Internet Privacy: Cyberspace Filters, Privacy-Control and Fair Information Practices,” *Wisconsin Law Review* 4 (2000): 743-788; Daniel J. Solove, “A Taxonomy of Privacy,” *University of Pennsylvania Law Review* 154, no. 3 (2006): 477-564.

⁵⁹ Schwartz, “Beyond Lessig’s Code,” 762.

⁶⁰ Simitis, “Reviewing Privacy;” Priscilla M. Regan, *Legislating Privacy: Technology, Social Values, and Public Policy* (Chapel Hill: University of North Carolina Press, 1995); Cohen, *Configuring*; Schwartz, “Beyond Lessig’s Code.”

democratic society, then protecting informational privacy is a necessary condition for enabling civic relationships and democratic participation.⁶¹

To broadly construe “constitutive privacy” is to recognize the importance of a collective approach to the protection of privacy, instead of focussing on individual interests.⁶² This requires us to concern ourselves with blanket data collection and processing to the extent that a breach or invasion constitutes not only a breach of individual privacy, but involves unlimited *other* individuals. Much commercial and publicly available social data collection exists in relation to multiple individuals.⁶³ In this context, one’s privacy control settings do nothing to protect oneself from a friend’s or another’s more lax or open privacy settings.⁶⁴

Christian Fuchs (2011) reaches a similar conclusion in an analogous but theoretical way when he calls for a “social privacy” approach that would be more consistent both with behaviour within a networked society, and with political approaches to resisting surveillance within a post-panoptic social system.⁶⁵ Fuchs acknowledges that privacy considerations in terms of personal data collection cannot be left to the realm of the individual. However, his view of collective privacy remains an interests-based approach as a theoretical analysis of privacy as a commodity but with a minor adjustment—the commodity’s importance to the social group, as such, should be decided collectively. The problem with Fuchs’ remedy is that despite the political economy of privacy favouring an individualist model of control, his notion of social privacy while reflecting an anti-individualist viewpoint, represents less a strategy of *resistance* and more an alternative status-quo understanding of privacy, still based in a commodified cycle of personal information. If indeed our goal is to approach privacy as a value and to define it either as a right or as a

⁶¹ Regan, *Legislating Privacy*.

⁶² Cohen, *Configuring*, 8.

⁶³ Social networks such as Facebook are the obvious case in point.

⁶⁴ David Wills and Stuart Reeves, “Facebook as a Political Weapon: Information in Social Networks,” *British Politics* 4, no. 2 (2009): 265-81; See also Felix Stalder, “Autonomy and Control in the Era of Post-Privacy,” *OPEN! Platform for Art, Culture & the Public Domain*. Online: <http://www.onlineopen.org/article.php?id=23>.

⁶⁵ Christian Fuchs, “Towards an Alternative Concept of Privacy,” *Journal of Information, Communication & Ethics in Society* 9, no. 4 (2011): 220-237.

commodity, Fuchs is on the side of “privacy as a commodity” (collective commodity, yes, but commodity none-the-less).

However, I propose to approach the problem of personal data from a different angle; making it impossible to commodify in the first place. Personal data cannot be commodified if it is first, not collected in a lasting way, and secondly, if when collected out of necessity, it is anonymous to the degree that it holds no *economic* value (ie: cannot be aggregated). That is, it can remain useful only for general civil society requirements (ie: census, polling etc.), but its usefulness does not transcend the bureaucratic and make its way into predictive models of information exchange and commodification.

For Priscilla Regan, a social approach to privacy protection is important for common, public, and collective reasons. Her perspective follows a rights-based approach to privacy, but shifts the emphasis from the individual to collective considerations:

Although I note the significance of a human rights basis for privacy, I would abandon the notion of an individual right to privacy... and instead emphasize that the human rights justification supports a more social orientation for privacy. A human rights justification is entirely consistent with arguments for common, public and collective importance of privacy. Pitting the individual as citizen, consumer, friend or enemy against the organizational forces of society has become unhelpful and distracting.⁶⁶

Regan outlines the ways in which privacy can be a social and collective good. Her collective focus, however, contrasts with Fuchs by eschewing any commodification of personal information. In her studies, Regan recognized a common concern among individuals regarding privacy and so in a general way, concluded that privacy is important because it derives from a

⁶⁶ Priscilla M. Regan, “Response to Bennett: Also in Defense of Privacy,” *Surveillance & Society* 8, no. 4 (2011): 498. See also Priscilla M Regan, *Legislating Privacy: Technology, Social Values, and Public Policy* (Chapel Hill: University of North Carolina Press, 1995).

concern for itself.⁶⁷ As a public value, Regan argues that privacy is important to the democratic system, and that privacy “establishes boundaries for the exercise of power.”⁶⁸ Finally, the case for considering privacy as a collective value is supported by Regan's claim that the commodification of personal information affects everyone in that “privacy is becoming less of an attribute of individuals and records and more an attribute of social relationships and information systems or communications systems.”⁶⁹

It is in this complexity that I would suggest anonymity as the mode of analysis in group information sharing, trust, control, and power relations. Not to replace the concept of privacy, nor to minimize the work that privacy advocacy does, but to reorient and shift the emphasis from the individual to the collective by focussing on the relational aspects of anonymity in order to demonstrate how personal data control is illusory, and to trouble the belief that privacy protection can control the flow of information.

Philosophy of Anonymity

Anonymity is generally understood on a spectrum of controlled visibility from one end of identifiability to the other end of unknowability. Although in common parlance, anonymity closely aligns with secrecy and privacy,⁷⁰ I hope to illustrate that anonymity can be understood as a means of undermining the transparency imperative more effectively when exercised and mobilized collectively. Anonymity is a tool of resistance to visibility and trackability, without compromising participatory communication, because it can allow for a form of presence that may be seen but not datafied. As such, anonymity is politicized because it reverses data responsabilization by deliberately denying the preemptive expectation to *share* (here as an active

⁶⁷ That privacy is seen as a concern because we are commonly concerned about the loss of it, or the death of it, is studied by John and Peters (2017) in their analysis of “death of privacy” claims in the media over the last thirty-five years.

⁶⁸ Regan, *Legislating Privacy*, 226.

⁶⁹ *Ibid.*, 230.

⁷⁰ Julie Ponesse, “Navigating the Unknown: Towards a Positive Conception of Anonymity,” *The Southern Journal of Philosophy* 51, no. 3 (2013): 324.

role) data. Anonymity plays a subtle but differentiating role in the struggle for privacy against data mining and tracking. Anonymity abides by the dictum “information wants to be free,” by respecting access *and* rejecting the information market; through practices of anonymity, the tension between making information available and protecting one’s privacy is alleviated and the incentive to commodify personal information is reduced, if not wholly eliminated.

Data exists. As soon as we do anything digitally, we generate data. These data traces we generate can be intentional or unintentional. They can be personally identifiable or anonymous. However, we can approach this anonymity in various ways. It is useful to consider anonymous practices in terms of the relations established between bodies and machines. Anonymity can mean nonidentifiability, approached as the “noncoordinatability of traits,”⁷¹ untraceability,⁷² or unreachability.⁷³ Depending on the approach, civil liberties can be impacted in different ways.

Anonymity is variously associated with privacy as its enabler⁷⁴ or as its nemesis,⁷⁵ but often the two are conceived of in synonymous ways. In some cases, when the discourse surrounds freedom of speech and liberties online, they are used interchangeably. Anonymity can either be understood as a means of enabling privacy or as a means of undermining it; the former if anonymity is mobilized in a technological form, and the latter if privacy is understood in its ontological sense as identity.⁷⁶

⁷¹ Kathleen A. Wallace, “Anonymity,” *Ethics and Information Technology* 1 (1999): 23-35.

⁷² Michael A. Froomkin, “Anonymity in the Balance,” in *Digital Anonymity and the Law: Tensions and Dimensions*, ed. C. Nicoll, J.E.J. Prins, and M.J.M. van Dellen (The Hague: T.M.C. Asser Press, 2003).

⁷³ Helen Nissenbaum, “The Meaning of Anonymity in an Information Age,” *The Information Society* 15, no. 2 (1999): 141-44.

⁷⁴ Robert Bodle, “The Ethics of Online Anonymity or Zuckerberg vs. ‘Moot’,” *ACM SIGCAS Computers and Society* 43, no. 1 (2013): 22-35; See also Ian Kerr and Jennifer Barrigar, “Privacy, Identity, Anonymity,” in *Routledge Handbook of Surveillance Studies*, ed. Kirstie Ball, Kevin D. Haggerty, and David Lyon (London; New York: Routledge, 2012), 386-94.

⁷⁵ Anonymity must be separated from privacy in this case if privacy is the right to *be* as Floridi argues, for example.

⁷⁶ Floridi, “Four Challenges.”

But anonymity is not equal to privacy. While privacy is about connections and the rules of conduct that oversee those connections, anonymity is about disconnecting.⁷⁷ According to Julie Ponesse, anonymity does not require complete unknowability, but only levels of dissociation. It is dissociability that Ponesse argues defines anonymity relations. She suggests, “What distinguishes anonymity relations from privacy relations, therefore, is a difference in *the way* information about a person fails to be known.”⁷⁸ Thus, anonymity can regulate the circulation of information in a digital environment despite control (or consent) mechanisms that are put into place by contractual privacy agreements.

Anonymity as “Privacy in Public”

Writing in the mid-twentieth century, the prominent sociologist Erving Goffman observed that the conditions of modernity and living in the city change the way people interact with each other, both socially and spatially. It is arguable that the move from the “village” to the city is largely responsible for the contemporary understanding of privacy and anonymity relations. The historian David Vincent has shown that the modern conception of privacy arose from the increasing separation and isolationist conditions of modern city living, largely facilitated by anonymous relations.⁷⁹

The notion of “civil inattention” proposed by Goffman, however, describes the state of privacy in public.⁸⁰ It may seem incompatible, but understood as the ability to act freely without being identified or *acknowledged* in public is another way of saying we (collectively) respect your “reasonable expectation” (in legal parlance) of not being watched (or tracked) in public, even though we may know who you are. It is a form of anonymous relation in that

⁷⁷ Ponesse, “Navigating the Unknown.”

⁷⁸ Ibid., 330.

⁷⁹ David Vincent, *Privacy: A Short History* (Cambridge, UK: Polity Press, 2016).

⁸⁰ Nissenbaum, *Privacy In Context*, Chapter 6.

one gives to another enough visual notice to demonstrate that one appreciates that the other is present (and that one admits openly to having seen him), while at the next moment withdrawing one's attention from him so as to express that he does not constitute a target of special curiosity or design.⁸¹

In this scenario, there is both a sharing of attention, and a respectful withdrawal of attention. It can be argued, however, that surveillance technologies, especially those in public spaces, behave in a similar fashion. They notice without targeting, but the camera's ability to record, save, and playback constitutes future possibilities of targeting. The growing sophistication of facial recognition capabilities will eventually make this functionality immediate.

We should understand civil inattention as something collectively agreed upon—because we are all “in public” so to speak, and we have no choice but to extend to each other the courtesy of not “paying attention.” As Helen Nissenbaum describes it, even crowds of people cannot, and do not, do the work of networked surveillance technologies:

Seen by hundreds, noticed by none. Or, if we are noticed, it is by disparate observers, each taking in only discrete bits of information. As such, the information would be sparse and disjointed, limited by the capacities of a single human brain.⁸²

In civil inattention, there are two elements of visibility: being “seen” by others and being aware of *not being noticed*.

This distinction between being *seen* and being *noticed* is severely eroded in surveillance culture. How does the notion of civil inattention potentially play out in a digital “social” environment? There is no equivalent really, but one potential could be that anonymizing technologies come

⁸¹ Erving Goffman, *Behavior in Public Places: Notes on the Social Organization of Gatherings* (New York: Free Press, 1963), 84.

⁸² Nissenbaum, *Privacy In Context*, 117.

close to emulating a similar effect if the participant is aware that this is happening; as a courtesy. As an example, consider *Ghostery* a privacy browser extension.⁸³ As it identifies the trackers in various web pages the user browses, *Ghostery* lets the user know when and by whom they are being tracked, and also what type of tracker it is (ad, beacon, cookie, etc.). In addition to this, it functions as a “request” mechanism first, before becoming a blocking technology. If the site is configured algorithmically to respond to (read *respect*) *Ghostery*’s request to not be tracked, then the site does not track. If the algorithm is set to ignore such requests, then *Ghostery* will actively block the tracking activity.⁸⁴

What is interesting about this mode of untrackability is that the user can see which trackers ostensibly “agree” to not track her. If an item / tracker on your list does not appear crossed-out, then it means the tracker has “refused” to comply, at which point the user can go in manually and block the tracker. This is an interesting slightly more real-world approach to being noticed and followed, except with more control. It could be considered a way of practicing “civil inattention” online, but the interaction remains algorithmic in this case. The trackers can be both programmed to track, and also programmed to “respect” a request to not be tracked. *Ghostery* then is an example of a technology which is enabling a kind of anonymity online.

Anonymous Technologies

Anonymizing technologies have evolved from the early default anonymity-by-design Internet infrastructure, to respond to the increasing transparent-by-design nature of digital communication tools today. The present need for more sophisticated masking and anonymizing tools for online communications extends beyond the early umbrella of Privacy Enhancing Technologies (PETs). These technologies were designed to limit the availability of personal data identifiers within digital communications as well as increase the user’s perceived control over

⁸³ <https://www.ghostery.com/>

⁸⁴ For a recent review and discussion of tracking mechanisms and blocking technologies see Konstantina Vemou and Maria Karyda, “A Classification of Factors Influencing Low Adoption of PETs Among SNS Users,” Conference Paper. *TrustBus 2013*, LNCS (2013): 74-84.

their privacy. Examples included encryption and filtering technologies as well as privacy policy implementations. In general, PETs have had varying degrees of adoption and success. They have been slow and fraught with challenges both at the political and at the social levels. There are many reasons for this. Though PETs are not theoretically limited by their technological capacity to ensure users' privacy and anonymity, there are cultural values and political and economic pressures that have slowed the implementation and adoption of these technologies.

In recent years, however, there is an increasing interest in privacy-enhancing and anonymizing technologies in library settings. Alison Macrina advocates for the wide adoption of anonymizing browsers, such as Tor, which is a proxy that gives users more privacy and security on the Internet.⁸⁵ It encrypts location (IP) information and masks the user's browser history, but it does not encrypt user's communication. The TAILS⁸⁶ operating system is an anonymizing technology that is a complete live system bootable from a USB stick. Using the Tor network, TAILS encrypts *all* outgoing connections and blocks any connection that is not anonymized. Because the TAILS system is used directly from the USB stick, the operating system leaves no digital trace on the computer's hard drive. Though TAILS is widely used by activist groups around the world as well as by criminal elements on the Dark Web, hitting the mainstream with Edward Snowden's endorsement, it has yet to become widely adopted as a privacy enhancing tool.⁸⁷

Vemou and Karyda identify nine factors that contribute to low adoption of PETs.⁸⁸ These include users' lack of skills in relation to the increased complexity of available tools, which contribute to the low adoption rate, but also the direct and indirect costs of implementation. In addition, the fact that (in comparison) giving up data results in the instant gratification of service, the use of

⁸⁵ Alison Macrina, "The Tor Browser and Intellectual Freedom in the Digital Age," *Reference and User Services Quarterly* 54, no. 4 (2015): 17-20.

⁸⁶ *Tails: The Amnesiac Incognito Live System*. <https://tails.boum.org/about/index.en.html>.

⁸⁷ Patrick Howell O'Neill, "Tails OS, Snowden's Favorite Privacy Tool, Doubles in Popularity," *The Daily Dot* (June 13, 2014). Online. <https://www.dailydot.com/debug/tails-os-snowden-anonymous-operating-system-11000-users/>.

⁸⁸ Vemou and Karyda, "A Classification Of Factors."

PETs results in little visible feedback as to their effectiveness.⁸⁹ As discussed earlier, privacy agreements enact only the perception of privacy protections since very few users read policies before agreeing to them. Finally, the culture of information self-disclosure creates an environment that makes it difficult for individual users to effect real protections (such as encryption) without the users in their groups implementing the same tools.⁹⁰ This last factor speaks to the need for a more collective consideration of the positive effects of anonymity and privacy by proxy.

The economics of privacy demonstrate that interests and rewards are enough to ensure that people give up their data. From this starting point, anonymizing technologies would indeed interfere with the prevailing economic logic. Taking as their conceptual starting point that data *need not* be collected,⁹¹ the continuing debates surrounding the efficacy of their design and the social value of their use is a smoke screen intended to distract away from the real threat to information stake-holders and those who would stand to benefit financially from the absence of these technologies. Nevertheless, the recent rising popularity of anonymizing technologies indicates that there is a changing cultural perception of anonymity online, and that it has become an aspect of online communication that is worth fighting to keep.⁹²

There is little to ultimately disagree with in terms of the *principles* behind Privacy Enhancing Technologies and Privacy By Design as well as other Platforms for Privacy Preferences (P3P protocol) whose technological innovations help untangle some of the most pressing issues in personal data collection and use. However, the point to stress here is that there are dangers to normalizing the idea that personal data is a commodity, and a continued focus on privacy as a means of controlling access to personal data does very little in addressing the collective concerns

⁸⁹ Ibid.

⁹⁰ Ibid.; End-to-end encryption would be required to send encrypted messages between consenting parties.

⁹¹ Herbert Burkert, "Privacy-Enhancing Technologies: Typology, Critique, Vision," in *Technology and Privacy: The New Landscape*, ed. Philip Agre and Marc Rotenberg (Cambridge, Mass: MIT Press, 1997), 125-142.

⁹² Angus Bancroft and Peter Scott Reid, "Challenging the Techno-Politics of Anonymity: The Case of Cryptomarket Users," *Information, Communication & Society* 20, no. 4 (2017): 497-512.

of data disclosure. Practicing anonymity even on an individual basis addresses these concerns more generally and thus works towards a collective solution.

In summary, the access and control approach in informational privacy discourse is a common, but insufficient strategy to respond to the state of personal data collection and use today. The access and control approach begins with the assumption that there is information about us always already circulating with or without our consent or awareness, and that as consumers we should be able to control who accesses it and under what conditions. If, however, we want to critique the mechanisms of information circulation online we have to begin with the opposite assumption, the unavailability of personal information, and re-consider how the value of privacy can be seen as a public good for which we can be collectively responsible.⁹³ With few exceptions, questioning the necessity of personal data collection as an inevitability itself is rare within the literature; the initial collection of data, and the assumption to default tracking and recording of online movement and behaviour seems not to be challenged by many privacy advocates.⁹⁴

Anonymity and Law

In the early days of the Internet, anonymity was hard-wired into the network architecture and protocols.⁹⁵ As Froomkin describes, the history of Internet communications via anonymity can be divided into three periods.⁹⁶ In the first period, anonymity was relatively easy to achieve through communications networks using remailers, but it was not readily available to the consumer. This period ended with the death of remailers due to heavy spamming of the network. The second period of Internet communications continued with what he calls “safety valve” anonymity —

⁹³ Zbigniew Kwecka, William Buchanan, Burkhard Schafer, and Judith Rauhofer, “‘I Am Spartacus’: Privacy Enhancing Technologies, Collaborative Obfuscation and Privacy As A Public Good,” *Artificial Intelligence Law* 22 (2014): 113-139.

⁹⁴ As long as Policies and Terms and Conditions are present and intact. Some exceptions to this trend can be found in Daniel J. Solove, “‘I’ve Got Nothing to Hide’ and Other Misunderstandings of Privacy,” *San Diego Law Review* 44, no. 4 (2007): 745-72; Schwartz, “Beyond Lessig’s Code,” and Regan, *Legislating Privacy*, 233.

⁹⁵ Cole Stryker, *Hacking The Future: Privacy, Identity, and Anonymity on the Web* (New York, London: Overlook Duckworth, 2012).

⁹⁶ A. Michael Froomkin, “Lessons Learned Too Well: Anonymity in a Time of Surveillance,” (April 19, 2015). Available online: <http://dx.doi.org/10.2139/ssrn.1930017>

where if sufficiently motivated, individuals could still manage to communicate anonymously through the use of anonymizing technologies even though these actions could draw attention from law enforcement and security agencies.⁹⁷ Today, however, anonymity is becoming more and more difficult, if not impossible, for pretty much everyone. The reasons for this are social, economic, and political.

By the end of the twentieth century, growing market pressures to identify Internet users in order to target them with advertising created an environment whereby anonymous participation was no longer acceptable in an economic framework. Therefore, anonymity became more closely associated with deviance, and came to represent the harmful elements of the Internet in the form of the Dark Web.⁹⁸ The shift in associating anonymity with criminality, rather than with Internet freedoms, both in design and in execution, has served to marginalize anonymous technologies and obscure the positive aspects of anonymity previously associated with free speech.

Froomkin has argued that when privacy is eroded, anonymity is also assaulted; that the fate of one involves the fate of the other.⁹⁹ Privacy is legislated, where anonymity is at best “fragile”¹⁰⁰ or “anemic,”¹⁰¹ barely a right, tangentially considered under the category of privacy. Others, like Victoria Ekstrand, conclude that privacy itself is only one benefit of anonymous speech.¹⁰² Other beneficial motivators include safety, rhetoric and identity, gamesmanship, class and gender, and

⁹⁷ Froomkin, “Lessons Learned Too Well,” 123.

⁹⁸ Eric Jardine, “The Dark Web Dilemma: Tor, Anonymity and Online Policing,” Ottawa, ON: Centre for International Governance Innovation and Chatham House. Global Commission on Internet Governance. (2015), <http://ourinternet.org>.

⁹⁹ Froomkin, “Anonymity in the Balance.”

¹⁰⁰ Carole Lucock and Katie Black, “Anonymity and the Law in Canada,” in *Lessons from the Identity Trail: Anonymity, Privacy and Identity in a Networked Society*, ed. Ian Kerr, Valerie Steeves, and Carole Lucock (New York: Oxford University Press, 2009), 484.

¹⁰¹ Alex Kozinski, “The Two Faces of Anonymity,” *Capital University Law Review* 43, no. 1 (2015), 16.

¹⁰² Victoria Ekstrand, “The Many Masks of Anon: Anonymity as Cultural Practice and Reflections in Case Law,” *Journal of Technology Law & Policy* 18, no. 1 (2013): 1-36.

spontaneity and generativity.¹⁰³ Understanding anonymity as a series of practices, they recommend, will lead to a stronger cultural argument from the perspective of social norms.¹⁰⁴

The ideology of transparency has morphed into a moral defence of real-name policies and anonymity now more often than not, signals illegality. In terms of economics, anonymity gets in the way of profit. Naming and persistent identities online translate into great financial gain through personalization and target marketing, loyalty accounts, and user product reviews. “Synergistic technologies” make online and offline links for tracking by both government and the private sector.¹⁰⁵ Finally, the discourse of security makes it dangerous to pursue anonymity as all levels of the law work towards identifying and profiling individuals in a preemptive strategy to secure future data requirements. Froomkin concludes, “the plight of online anonymity can no longer be seen as just a technical issue. It is political.”¹⁰⁶ Connected to market based incentives, identification and profiling not only makes money, but ostensibly increases the feeling of security.

The move towards Persistent User Identities (PUIs), spearheaded by Google and Facebook, is indicative of the progressive and aggressive demand for continuous uninterrupted data flows as a means of generating revenue. The “identity” which follows you online (your “data double”) and which connects your various browsing sessions and access accounts, stands in for all of your behaviour and activities online.

Transactional data accounts for most of the relational transactions online between consumer and organization. Indeed, it would not be a difficult argument to mount that any information exchanged for service involves a transactional expectation. Because of this, much privacy legislation is geared towards business and consumer relations. In Canada, transactional data are

¹⁰³ Ekstrand, “Many Masks of Anon.”

¹⁰⁴ Ibid.

¹⁰⁵ A. Michael Froomkin, “From Anonymity to Identification,” *Journal of Self-Regulation and Regulation* 1 (2015): 120-138.

¹⁰⁶ Froomkin, “From Anonymity,” 134.

covered by PIPEDA, and in Europe under the General Data Protection Regulation (GDPR).¹⁰⁷ That it involves in many cases, egregious amounts of information extraction completely unnecessary to the validity and verity of the transaction at hand, is rarely analysed or challenged.

Seen through the lens of cyber-security, anonymity does not fare well. The argument here is in order to keep a country's information infrastructure safe, there must be total control over access points and communications. What the Snowden files revealed was not only the general security in place to safeguard against the threats of terrorist activities, but also the indiscriminate tracking and capture of swaths of citizen data without warrant or other legal sanctions.¹⁰⁸ In Canada, though there is no equivalent blanket provision for government eavesdropping, there are growing concerns with cross-border information sharing, and data legislation is slow in progressing beyond market-centered contract-law.¹⁰⁹

In Canada, there is no general right to anonymity,¹¹⁰ though the Supreme Court of Canada has recognized the importance of anonymity as a manifestation of informational privacy especially as it relates to online activity.¹¹¹ In the United States, anonymity is generally dealt with under the existing privacy legislation which is determined under the First Amendment and the Fourth Amendment.¹¹² In the European Union, privacy and data protection rights are covered under the European Convention of Human Rights and the Charter of Fundamental Rights of the European Union.¹¹³ Importantly, in 2006 the European Union instituted the "right to be forgotten" which gives citizens the ability to contest the existence of information about themselves and demand

¹⁰⁷ supranote 53; See also <https://epic.org/> for the United States. For Europe, <https://www.eugdpr.org/>; The GDPR became law in 2016, but only just came into effect in May 2018.

¹⁰⁸ Via the U.S Patriot Act (2001).

¹⁰⁹ In Canada, Bill C-51, The Anti-terrorism Act (2015) was superceded by Bill C-59 The Canadian National Security Act with some of the more privacy-reducing clauses amended. See Michael Geist's critique online, <http://www.michaelgeist.ca/2017/06/billc59/>.

¹¹⁰ Lucock and Black, "Anonymity and the Law in Canada."

¹¹¹ Krotoszynski, *Privacy Revisited*, 2016 p41, referring to the 2012 case of *R v. Spencer*.

¹¹² Kozinski, "The Two Faces of Anonymity."

¹¹³ Antoinette Rouvroy, "Privacy, Data Protection, and the Unprecedented Challenges of Ambient Intelligence," *Studies in Ethics, Law, and Technology* 2, no. 1 (2008): Article 3.

the removal and deletion of pictures, videos, and other information from the Web so that search engines will no longer be able to find it.¹¹⁴

Definitionally, anonymity and privacy are complementary concepts. However, in terms of information policy, the two concepts function very differently. Privacy legislation in Canada and in the United States in particular, has been slow to adapt to the increase in data collection, processing, storage, and sharing.¹¹⁵ In some cases, as in the European response, modified policies have been enacted to deal with personal information, data directives and protections in an attempt to legislate the use of information after it has already been collected. So it is data protection legislation in Europe which governs personal data use and storage, though it does not address the context surrounding the appropriateness of data collection to begin with.¹¹⁶ In Canada, while PIPEDA and the Privacy Act cover different modes of data and information use, they do not address or question the presumption of initial data collection itself.¹¹⁷

My contention in this chapter is that neither privacy notices nor data-protection legislation alone adequately address the impelling forces at work in the system of data collection, processing, storage and reuse. Beyond policy, privacy and anonymity, when considered from sociological and cultural perspectives, are represented differently dependent on the context. The choice to reveal or to conceal personal information sometimes is a false choice. If the choice is not to

¹¹⁴ Rolf Weber, “The Right to Be Forgotten: More Than a Pandora’s Box?” JIPITEC 2: (2011): 120-130; See also David Lindsay, “The ‘Right to be Forgotten’ in European Data Protection Law,” in *Emerging Challenges in Privacy Law: Comparative Perspectives*, ed. Normann Witzleb, David Lindsay, Moira Paterson, and Sharon Rodrick Chapter 13. Cambridge Intellectual Property and Information Law (Cambridge: Cambridge University Press, 2014), 290-337. — The EU’s expanded GDPR has this now firmly entrenched in its legislation.

¹¹⁵ Weaver, Partlett and Cole, *The Right to Privacy in the Light of Media Convergence: Perspectives from Three Continents* (Berlin and Boston: DeGruyter, 2012), 1-30.

¹¹⁶ Antoinette Rouvroy and Yves Poullet, “The Right to Informational Self-Determination and the Value of Self-Development: Reassessing the Importance of Privacy for Democracy,” in *Reinventing Data Protection?* ed. Poullet Gutwirth, De Hert, de Terwangne and Nouwt (Dordrecht: Springer, 2009), 45-76; The GDPR does now include some regulation concerning “data minimization” outlined in Article 23.

¹¹⁷ European Commission data protection reform : “The objective of this new set of rules is to give citizens back control over of their personal data, and to simplify the regulatory environment for business. The data protection reform is a key enabler of the Digital Single Market which the Commission has prioritised. The reform will allow European citizens and businesses to fully benefit from the digital economy.” (http://ec.europa.eu/justice/data-protection/index_en.htm); In the United States: <http://www.informationshield.com/usprivacylaws.html>; In Canada: “Office of the Privacy Commissioner of Canada” <http://www.priv.gc.ca>

reveal, and not to share, that is, if the preference is to withhold requested information, this may result in a block to services that would otherwise be construed as “free.” To *choose* to reveal information under these circumstances amounts to what Davies describes as the “illusion of voluntariness.”¹¹⁸

Furthermore, one may incur an additional cost that is associated with anonymous or private services. An example of this would be the use of pay-as-you-go cell phones, unlocked and without registration. Consumers pay up to ten times the amount of a registered payment plan.¹¹⁹ The logical conclusion to these coercive practices is made visible and in an unapologetic fashion, as evidenced by the recent announcements of AT&T in the U.S. outlining the new payment models scaled according to levels of privacy. The more privacy you want, the more you must pay.¹²⁰

This example of the practice of “price discrimination” is not limited to communications contracts.¹²¹ Amusement parks, VIP clubs, and a host of loyalty cards programs are testament to the ways in which we “choose” to trade information for “free” services. The flip-side of these practices is the inability to “afford” privacy within the consumer context.¹²²

The main difference between privacy and anonymity is this: Privacy presumes an element of secrecy; Anonymity does not. This might not be immediately obvious, but let me attempt an explanation by way of example. X’s communication in order to be private must be altered in such a way that something is withheld, most often a name or ID that would otherwise link that

¹¹⁸ Simon Davies, “Re-Engineering the Right to Privacy: How Privacy Has Been Transformed from a Right to a Commodity,” in *Technology and Privacy: The New Landscape*, ed. Philip E. Agre and Marc Rotenberg (Massachusetts: MIT Press, 1997), 143-65.

¹¹⁹ In Canada, the 7-eleven *SpeakOut* service is an example of this. <http://www.speakout7eleven.ca/>; As of December 1st 2017, it is now illegal in Canada to charge for unlocking phones according to a CRTC ruling. <http://business.financialpost.com/technology/crtc-bans-smartphone-unlocking-fees-outgoing-chairman-blais-regrets-not-taking-decision-sooner/wcm/a6f39274-1a08-4a3f-9546-faa6f73315bb> —

¹²⁰ Sophie Cope and Jeremy Gillula, “AT&T is Putting a Price on Privacy. That is Outrageous,” *The Guardian* (February 20, 2015) Online: <http://www.theguardian.com/commentisfree/2015/feb/20/att-price-on-privacy>.

¹²¹ Schwartz, “Beyond Lessig’s Code,” 763.

¹²² Ian Bogost, “Welcome to Dataland: Design Fiction at the Most Magical Place on Earth.” *reForm*. (2014). Online: <https://medium.com/re-form/welcome-to-dataland-d8c06a5f3bc6>.

communication back to something or someone in real life. This communication is not meant for everyone. It is not meant to be “public” or publicized. A private communication implies trust, secrecy, and control (as confidentiality). X’s communication in order to be anonymous does not presume any of the above (agent-enhancing) requirements. For example, to be anonymous, X does not necessarily *withhold* anything. Rather, there is an absence of something active around X’s communication (ie: there are no identifying trackers, monitors, or surveillers, beacons, cookies, etc.) Without an ecosystem of watchability and trackability, we find ourselves back in the early days of the Internet.

Anonymous practices are dangerous to those in power. They are threatening to the state because they undermine the state’s ability to control its population. They are threatening to law enforcement because they impede their ability to manage risk and criminality. Anonymous technologies may impede policing’s ability to recognize and name potential criminals; to categorize and control minority populations such as the poor, and the deviants, the ones who find themselves on the fringes of the information marketplace. Conceptually, anonymity extends the privilege of invisibility beyond the domain of the elite and the powerful by democratizing identity protections. But anonymity adds additional measures of freedom; the freedom of mobility, of speech, of association—basic liberties that Western democracies profess to make available to all.

Opting for anonymity means understanding what visibility can and cannot accomplish. This involves accepting that some contexts make us data vulnerable, and some contexts make us data powerful,¹²³ but what determines these contexts are frequently beyond the scope of individual users’ ability to identify.

¹²³ Nissenbaum, *Privacy In Context*; See also Robert Bodle, “Regimes of Sharing: Open APIs, Interoperability, and Facebook,” *Information, Communication & Society* 14, no. 3 (2011): 320-337.

Privacy versus Anonymity

In this section, I summarize the discussion above by highlighting two considerations that arise from the privacy defence which ultimately prove to be ineffective in responding to surveillance culture. The first consideration has to do with the conflation of privacy with data protection, the second has to do with the dependence on notice and consent to resist datafication practices.

1) Privacy is not the same as data-protection

Despite the fact that many privacy theorists tend to conceptualize informational privacy in terms of data protection, the two need to be kept discrete if we are to envision a reevaluation of privacy in the networked age.¹²⁴ Informational privacy, as we have understood it thus far in the digital age *already* entails giving up control of your personal information, whether it is through voluntary institutional trust relationships, or as commodified transactions.

Traditionally, privacy has been understood as harm reduction and, therefore, defined in terms of negative freedoms (to be left alone). Before the extension of ICTs into every facet of our daily lives, there was no universal access that was generally assumed through the use of our technologies. Surveillance technologies both enable access to services and communication networks, and disable or block access to users from outside visibility. Anonymous technologies do not presume, or give the illusion, that your personal information is *not there*. What they do is make it very difficult or impossible to identify or trace you. This may be the best means of resistance unless we collectively decide to actively *stop* collecting and storing data. But as we understand in the era of Big Data, this seems to be precisely what has captured the attention of both government and the private sector. It seems an impossible request.

¹²⁴ Gellert and Gutwirth, “Beyond Accountability;” See also Rouvroy and Poullet, “Right to Informational.”

2) *Privacy cannot be a control technology*

In our constant interactions online, consent cannot be said to be truly freely given as a consequence of choice. Despite what many privacy advocates argue, control does not describe the relationship that we have with data. Data is produced, generated (leaves traces), mixed, and mobile; wherever we are, wherever we go, we leave digital traces. Data is the offspring of our relationship with digital technologies. It is not our property, and we do not control access to it. Viewing personal information as property to be controlled by the individual allows for the commodification of information and a continued illusory view that we can ultimately decide who has access on an individual and case by case basis. This is a false position because the outcome of this mindset will affect society collectively, and those who otherwise cannot afford to be in control of their data would be disadvantaged in other aspects of our social and cultural existence.¹²⁵

There are also ethical and social implications to consider. The choice of whether or not to share personal information affects not just the individual but those associated with and informationally tethered to her through the various networks of which she is a part. One's personal choice becomes extended to one's choosing *for another* by virtue of the network. In other contexts, such as service contracts, one's choice becomes a false choice; an "illusion of voluntariness."¹²⁶ Once a critical mass of participation is reached, there is no opting out of the system for those who choose not to participate.

A Post-Privacy World?

Privacy in public (de facto anonymity) is presently nearly impossible to attain. Both Goffman and Nissenbaum place great importance on understanding the social value of privacy

¹²⁵ Schwartz, "Beyond Lessig's Code."

¹²⁶ Davies, "Re-Engineering." See also the recent privacy studies that have been conducted by Queens University and by Ipsos whose findings point to the wide acceptance that choice is effectively eliminated. Elia Zureik, Lynda Harling Stalker, Emily Smith, David Lyon, and Yolande Chan. *Surveillance, Privacy, and the Globalization of Personal Information: International Comparisons* (Montreal & Kingston: McGill-Queen's University Press, 2010).

expectations in public places.¹²⁷ The legal protection of a “reasonable expectation” of privacy has been eroded by surveillance technologies, being slowly replaced by a spectrum of general discomfort with constant visibility. The promises of safety and security make it difficult to argue for the right not to be watched, when the goal is to internalize the need to be safe and to erode relations based on trust.¹²⁸ Furthermore, the normalization of surveillance has allowed for the continuing encroachment on public space by surveillance technologies in the interests of security and safety. This has added to the growing acceptance of the argument that we are living in a “post-privacy” world.

Loosely defined, post-privacy is understood as “the ontological condition created by the combination of data retention, surveillance, and the popularity of persistent identity services such as Facebook, Twitter, and Google.”¹²⁹ Post-privacy thus describes a particular state of functioning in an information environment which saves everything, shares everything, and apologizes for nothing. According to Stalder, post-privacy also “points to a transformation in how people create autonomy and how control permeates their lives.”¹³⁰ This understanding favours a processual view of post-privacy, as something which effects a positive transformation in social relations, whereas the former describes a more individualistic view signalling an apathy towards surveillance society.

The culture of transparency affects certain behaviours and represents a shift in thinking that living in an entirely open society is both welcome and desirable: “Otherwise, the network simply reconfigures itself, depriving one of the ability to develop one’s personality and life.”¹³¹ In order to sustain this argument, the privacy debate is simplified by reducing complex social, market,

¹²⁷ Nissenbaum, *Privacy in Context*; Goffman, *Behavior in Public Places*.

¹²⁸ Benjamin Goold, “Technologies of Surveillance and the Erosion of Institutional Trust,” in *Technologies of InSecurity: The Surveillance of Everyday Life*, ed. Gundhus Aas and Lomell (New York: Routledge, 2009), 207-218.

¹²⁹ Patrick Burkart, *Pirate Politics: The New Information Policy Contests* (Cambridge, MA: The MIT Press, 2014), 152.

¹³⁰ Stalder, “Autonomy and Control,” n.p.

¹³¹ *Ibid.*

and state power dynamics to a struggle between the figure of the “citizen” and the bureaucratic apparatus in an effort to strike a balance between autonomy and control.

Though Stalder’s notion of privacy is very much tied to the freedom of the individual, his argument for a “Privacy 2.0” has more to do with the evolution of individuality and subjectivity and how that transforms or displaces normative understandings of privacy, rather than contesting the boundaries of privacy itself. He calls for a more opaque communication network and a more transparent regime of the protocols and algorithms of collection, processing, and compiling.

What is required are:

[n]ew strategies for connective opacity extending both horizontally—modulating what those outside a particular network can see of what is going on inside—and vertically—modulating what the providers of the infrastructure can see of the sociability they enable. In a way this can be seen as Privacy 2.0, but it takes as its unit not the individual, but an entire social network. But that is not enough. We also need mandatory transparency of the protocols algorithms and procedures that personalize the behaviour of these newly flexible bureaucracies, so that the conditions of discrimination can be contested.¹³²

Transparency in this idealized context will lead to the power to contest the information that is connected to us. The information presented reflects us as individuals in a social network of communication that must be understood as relational and therefore not subject to one’s individual control. In some ways this demand has been partially met in the “right to be forgotten” legislation, part of the data protection directives in the European Union.¹³³

¹³² Ibid., 5.

¹³³ Weber, “The Right to be Forgotten;” Lindsay, “The ‘Right to be Forgotten’.”

In contrast to the commentators who lament the end of privacy,¹³⁴ Stalder takes a more optimistic stance in his evaluation of post-privacy and communication in the digital age. His belief is that sociality is no longer about controlling one's identity, but about openness and respect in the form of social organization. Stalder sees some benefits of "weak associations" on the order of trust. Trust relationships are required online even at a minimal level in order for people to interact. He states,

In other words, being expressive—about anything—is the precondition of creating sociability over communication networks, which in turn, come to define people and their ability to create or participate in projects that reflect their personality.¹³⁵

This kind of compulsion to interact is also altering subjectivity. Constant participation on social platforms begins to replace more introspective and self-reflexive methods of identity creation. In contrast to privacy's beginnings, Stalder argues that the postmodern subjectivity is based on interaction instead of introspection (in the ways that the inner and outer worlds of the self were separated in modern conceptions of subjectivity). In Stalder's interpretation, privacy entails a form of disconnection in a context in which "sociability is tenuous and needs to be actively maintained all of the time."¹³⁶ Rather than a promise, this kind of sociability sounds more like a threat. In my view, though Stalder's analysis is convincing and sound, his conclusion lacks a critical understanding of sociality as something more than just the default of our technological communicative capacities. In his view, privacy reduces to non-participation which then signals disconnection, isolation, and loneliness; even worse, irrelevance. This is not the first time we have been warned of the "danger" of disconnecting.¹³⁷ Threats of becoming untethered from the network demonstrate exactly the rhetoric of both markets and states whose interests remain

¹³⁴ Nicholas A. John and Benjamin Peters, "Why Privacy Keeps Dying: The Trouble with Talk About the End of Privacy," *Information, Communication & Society* 20, no. 2 (2017): 284-298.

¹³⁵ Stalder, "Autonomy and Control," n.p.

¹³⁶ Stalder, "Autonomy and Control," n.p.

¹³⁷ Laura Portwood-Stacer, "Media Refusal and Conspicuous Non-Consumption: The Performative and Political Dimensions of Facebook Abstention," *New Media & Society* 15, no. 7 (2012): 1041-1057.

dependent on the connectivity of subjectivities whose continued belief, or acceptance that participation determines identity animates the control society thesis.

However, seen from a different angle, Stalder's arguments set the stage for an argument in favour of anonymity over privacy in a technical context. Nevertheless, it may be too soon yet to do away with the legal framework that upholds at least some understanding of personal privacy. I am inclined to argue for the "rule of law" as a general guide in terms of data collection, use, and storage, with the balanced use of anonymizing technologies. This practice must be implemented with restrictions on second-use, as well as confidentiality, in consumer business transactions and health transactions. The problem with teasing out all of these informational levels is that right now, they are all for the most part equally treated as types of data informing types of transactions. This is one of the problems in my view. Arguing for more anonymity does not preclude a strong commitment to privacy. The balance to be sought is not between individual autonomy and control—but between the power to collect personal information and the power to withhold personal information.

Theories of privacy which take into consideration the psychological, behavioural, legal, and philosophical aspects of sociality will reflect the challenges mounted by individualistic responses to privacy harms. A collective understanding beyond privacy in a turn towards anonymous relations may provoke a more nuanced debate about the nature of informational transactions both online and offline.

Conclusion

The main purpose of this chapter was to illustrate the ways in which privacy has been distorted and misapplied in the discourse of Internet freedom and the culture of surveillance that is quickly normalizing constant visibility and trackability. In response, I have illustrated the ways in which anonymity can be conceptualized as a value in order to shift the perception that privacy is the only means of defense against surveillance enclosures. I argued that informational privacy within

the context of surveillance as I outlined it in terms of practice, is not successful in effecting a balance in asymmetrical power relations if our goal is to empower citizens and consumers. If we believe that privacy is about power,¹³⁸ the current path to challenging the power of corporate and state datafication has been unsuccessful, and privacy in this context has arguably become yet another co-opted resource by both the market and the state.

Though I take up the topic of the ethics of anonymity elsewhere,¹³⁹ I would like to take this opportunity to briefly adjust the lens for privacy as moral right before concluding. Though I am not positing anonymity as a moral response in its place, I have suggested that mobilizing privacy as a moral right weakens the efficacy of privacy as a defense against the increasing datafication of everyday life. The moral argument for privacy begins to break down against critiques levelled at it from a post-privacy perspective. The privacy paradox and the expository nature of today's society seems to signal a reduced interest in the efficacy or utility of privacy. I believe this is the case in the matter of informational privacy, though not necessarily affecting traditional notions of privacy (of the physical person, of space, and of intimacy).

In sum, a moral argument from privacy as a right falls short in two ways: One must argue from the position of ownership or from the position of free speech, neither of which gets at the fundamental issues of power and control. From the position of free speech, anonymity must necessarily be mobilized in defence of privacy. The argument from ownership leads to the possibility of trading information for goods and services as a "right" of the individual who sees information as property. These individual rights work against a social or collective benefit of equivalent consideration of informational privacy. This in turn perpetuates and strengthens the practices of corporate and commercial enterprises to withhold the same services and goods from those who would not give up, "trade," or "sell" their information (recalling the example of AT&T).

¹³⁸ As Lisa Austin has insisted in "Enough About Me: Why Privacy is About Power, not Consent (or Harm)," in *A World Without Privacy: What Law Can and Should Do?* ed. Austin Sarat (Cambridge, UK: Cambridge University Press, 2015), 131-89.

¹³⁹ See the concluding chapter of the dissertation, Chapter Five.

By consenting we are presently sanctioning an environment where privilege and economic affluence continues to be rewarded, and non-participation is seen as deviant.¹⁴⁰ If we continue in this vein, we normalize the trading of information for goods, services, efficiency and social connectedness. Thus, the withholding or *not* sharing of information will come with an added cost either financially or socially to those who are underprivileged or willingly resistant to the transparency regime; either they end up paying too much for goods and services, or they lose the privilege to access what could be otherwise open and accessible to all. In this case, it is not a matter of infrastructure that gets in the way, but personal choice and autonomy that ultimately determines the course of the social response. Whereas infrastructure can be affected both by design¹⁴¹ and legislation at the policy level, this form of social control can lead to more alarming and unexpected consequences.

The defence of privacy seems to be ill-equipped to protect the autonomous agent from an excess of data collection. Historically, privacy rights have been invoked to defend the individual (to a greater or lesser degree depending on the approach and rationale taken) by invoking, or affirming, the values of a neoliberal economic system grounded in ownership and control of data. However, a deepening and pervasive surveillance culture has made an individual approach untenable. In order to effectively respond to and critique the cultural and social acceptance of a post-privacy information ecosystem, I maintain that a shift in thinking away from the individual towards a collective understanding of the value of privacy will set the stage for a rethinking of the value of anonymity.

Anonymous relationships, whether human-to-human, human-to-machine, or machine-to-machine (in terms of algorithms and protocols), may be better suited to defend the individual and society against an increasingly controlling information ecosystem built to spawn “dividuals” of finance,

¹⁴⁰ Michalis Lianos, “Periopticon: Control Beyond Freedom and Coercion -- And Two Possible Advancements in the Social Sciences,” in *Surveillance and Democracy*, ed. Michael Haggerty and Georgos Samatas (New York: Routledge, 2010), 69-88.

¹⁴¹ Anne Cavoukian, “Privacy By Design: The Definitive Workshop,” *IDIS* 3 (2010): 247-251.

of terror, of deviance—for purposes of financial gain, preemptive security, and social control. I have suggested that both a technical means of attaining anonymity and a legal means of protecting the right to anonymous expression is necessary for cascading protections of civil liberties. The social value of anonymity requires greater consideration as I believe a collective valuation of anonymity is one viable means of safeguarding autonomy and ensuring communicative freedoms in an infosphere primarily governed by the will to transparency.

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Chapter 3: Anonymity as Political Process

Introduction

Anonymity is valued as a condition of privacy and as a means of securing freedom of speech. Having long been identified with freedom of expression laws entrenched in North American and European jurisprudence (Loshin 2013), anonymity has been touted as the “cornerstone of democracy” and a “First Amendment guarantee.”¹⁴² Despite the seminal role of anonymity in the Internet’s beginnings, the last few decades have witnessed a consistent and continuing erosion of anonymity in various scenarios online. With the continuing increase in internet surveillance, the value of internet anonymity is contentiously debated between advocates for “real-name” policies¹⁴³ and those who contend that anonymous communications are necessary to ensure human rights and continued information freedom. The value of anonymous processes in the political arena is nuanced in both social and material ways; the former is identifiable in collective association and the latter is evidenced in technological resistance.

In the first section of this chapter, I introduce anonymity as a political process. In the second section I describe the cases of Wikileaks, Anonymous, and Occupy¹⁴⁴ as different ways in which anonymity is mobilized in information activism. In the third and final section I analyze the three cases and identify the common elements of anonymity as well as the conceptual differences in the ways in which anonymity surfaces in collective political action.

Anonymity (and pseudonymity) have come under attack by corporate interests (Facebook, Google, Apple, etc.) as well as by state security practices.¹⁴⁵ Studies of social media

¹⁴² For a discussion of the relationship between freedom of expression and anonymity in libraries, see Kelly (2012).

¹⁴³ See danah boyd (2011) and Galperin (2011) of the Electronic Frontier Foundation (EFF) for thoughts on what are now referred to as the “Nym Wars” beginning with Google enforcing real-name policies for their social networking platform *Google+*.

¹⁴⁴ For brevity, I use “Occupy” to refer to the protest occupations in general, but “Occupy Wall Street” when referring specifically to the occupation in Zuccotti Park, New York City.

¹⁴⁵ This is evidenced, for example, in the 2013 Snowden revelations concerning the United States surveillance practices.

networks demonstrate that anonymity is eroded in communications and sharing practices which are increasingly driven by consumerist rhetoric.¹⁴⁶ Privacy advocates highlight the value of anonymity where the appeal to privacy becomes the last resort in defending against an increasingly surveilled culture and society. However, the current absence of political debate around the concept of anonymity and its importance to social and cultural practices signals a shortsighted insular response to the constant tracking and monitoring of people and data in contemporary times.

Because there is little attention given to anonymity in the discourses of privacy and free speech, I feel there are additional important questions of anonymity to consider in the study of political processes themselves. What does an anonymous political process entail? How is anonymity politicized? How does it manifest in political and social relations? Can anonymity be a means of addressing the question of collectivity or the commons?

In this chapter, I analyze the relationship of anonymity to collective politics. Anonymity as a political process is examined in three cases that consider the value, effect, and success of anonymity as a resource for political action. I consider anonymity as a collective phenomenon evidenced in radical collective forms. What emerges is a tendency towards a collective politics that reflect an anarchist praxis of non-hierarchical, anti-authoritarian, and principally egalitarian modes of dissent. I argue that the political activism that emerges from the 2008 global crisis is made possible through a particular means of thinking through collectivity, of which anonymity is a *necessary* condition.

The purpose of the cases is to illustrate how theoretical and sometimes abstracted notions of anonymity and collectivity can find a practical expression in political experimentation. In each case, the following question will be explored: How does anonymity find expression in each group? Further, because neoliberal governance is continually reinforced through the make up of particular subject positions, individual orientations are favoured over collective orientations. This

¹⁴⁶ See Andrejevic (2007; 2013).

is evident even in the communication networks people occupy, so how does each case demonstrate political power relations? Wikileaks, Anonymous, and Occupy each demonstrate an aspect of anonymity as a political process. In my formulation, the expression of anonymity plus a collective resistance to power relations equals anonymous political process.

I chose these three cases for a number of reasons. First, from a temporal perspective, each of these cases is an effective example of eruptive politics; they are considered moments, or events, that may or may not sustain further political activity. Sociologists and social movement scholars have referred to Occupy as a movement (Graeber 2011; Langman 2013), and the activities of both Wikileaks and Anonymous have led some scholars recently to re-consider a Freedom of Information *movement* (Beyer 2014)¹⁴⁷. I believe, however, that these are not movements as such, in that they lack a visible bureaucratic organizational structure, and their engagement with the state is nominal, if at all significant. There are anarchist tendencies evidenced here that lead to insurrectionary moments. These cases resist our urge to simplify and reduce them to “single-issue” movements. They resist because of many factors which are outlined below, not the least of which involves the value that takes “information wants to be free” as a presupposition, not as the goal, demand, or idea.

Secondly, the three cases share a similar relationship to media representation which amounts to little more than media spectacle in a limited but intense two year time-frame (2010-2012). Anonymous is largely *positively* affected by the media spectacle, in the sense that success of its tactics is dependent on media coverage not only of the initial “threat” or “warning” but also dependent on the follow-up reactionary or celebratory response.¹⁴⁸ As Gabriella Coleman argues, Anonymous *needs* the media attention to thrive, since it is public support that keeps Anonymous both active and semi-immune to state control; it is “a paradox of the age of twenty-four-hour infotainment: a cause célèbre in opposition to celebrity” (Coleman 2012, 93).

¹⁴⁷ This should be distinguished from the idea of Freedom of Information (FOI) in the context of Library Science (LIS) which is mainly concerned with government transparency and public information requests; see Hazell and Worthy (2010) and Nam (2012).

¹⁴⁸ See Norton (2011), Coleman (2012), and Phillips (2012) for views of the relationship between Anonymous and the media.

Wikileaks, for the most part, at least in North American media, has been *negatively* affected by media spectacle, especially as it tends to revolve around Julian Assange; specifically the allegations of sexual misconduct. In this way, Assange and the Wikileaks team are obstructed from carrying on with the Wikileaks project. In terms of Occupy Wall Street's relationship with the media, much has been written about the initial total absence of media coverage, which speaks to the power of status-quo media journalism.¹⁴⁹ As curiosity and attention began to crop up around the camp in Zuccotti Park, the emphasis revolved around the composition of the group, the encampment itself, and the behaviour of the campers. In summary, the media spectacle turns Wikileaks into a controversial organization; Anonymous into carnival; and eventually renders Occupy impotent.¹⁵⁰

Finally, these three cases demonstrate complicated political relations both externally with the state, and internally between each group's participants. Anarchist theory and praxis inform both the politics and the social relations that affect the participants in each of these cases: Anonymous's collective individualism, invisibility and swarming tendencies; Wikileaks' anti-authoritarian distrust of governments and the secrecy that defines them; and Occupy's non-hierarchical and egalitarian response to collective politics. These anarchist anonymous relations will be discussed below in the third section.

Section 1

Community to Collectivity; Movement to Event

Online or virtual communities are not inherently political. In some cases, they can become politically motivated (Beyer 2014), but the majority of research on virtual communities indicates a more social and cultural priority tending towards identity-building and communication networking (Castells 2012; Diani 2003). In addition, much of the research on sociality in virtual communities tends to focus on the development of social bonds such as "weak

¹⁴⁹ Both Fuchs (2014) and DeLuca et al. (2012) offer excellent studies of Occupy's media representation and the effects on the various camps and their participants.

¹⁵⁰ Indeed, it is often suggested that Occupy Wall Street was only as important as its media coverage which is an oversimplification of the event, but nevertheless indicative of the absence of political reflection in the absence of media representation. See Weber (2013).

ties” in social networking environments, or “strong ties” traditionally fostered through physical connections (Haythornthwaite 2001). Social movement research literature emphasizes group behaviour, and movement building and sustainability (Johnston 2011).

As of late, there is evidence of a new way of thinking in the fields of media and communication that may dispel the assumptions that proximity and intimacy alone build strong political ties, thereby creating a space in social movement theory to address the ephemerality of some kinds of collective action (Lovink 2005; Stalder 2013). For example, Geert Lovink recognizes that “networks thrive on diversity and conflict (notworking), not on unity,” and that networks are characterized by “a sense of potentiality that does not have to be realized” (Lovink 2005, 19). Nevertheless, networks evolve and Lovink looks forward to the sustainability of organized networks that become “part tactical media, part institutional formation” (21). It is this possibility of resisting dominant institutional forms that drives the growing body of literature which takes the theory of networks as its frame of reference in studying contemporary society.¹⁵¹

My conceptual approach in this chapter intersects with media, communications, and social movement research which provides the backdrop to understanding how anonymity functions within collective resistance. I am interested in re-envisioning community within a political framework that takes advantage of anonymous processes, in which networks figure prominently. I detect a form of anarchist politics which can be traced through the history of hacktivism and is beginning to find its expression in what I will later address as an “anti-politics” of the moment (Newman 2011; Howard 2012).

Hacktivism has its roots in early hacker culture.¹⁵² Containing elements of both hacker and activism, the term hacktivism expresses the tension between the individualism often

¹⁵¹ See for example, Mejias (2013); Terranova (2004); Galloway and Thacker (2007); Lovink (2011); Castells (2012).

¹⁵² Jordan and Taylor (2004) offer a timeline of hacking where the original hacker of the 1950s and 60s experiments with large mainframe computers; the hardware hacker of the 1970s is a computer innovator, decentralizing computing hardware during the personal computing revolution; the software hacker’s focus is on ‘elegant’ means of creating and modifying programs to run on hardware being hacked; the hacker/cracker of the mid-1980s breaks into systems illicitly as a “cracker”; in open source, we are back to the software hacker, creating the best possible software (which is peer-reviewed and community built) in response to “bloated” commercial ware; the hacktivist of the mid-1990s merges hacking activity with an overt political stance.

associated with hacking and a broader collective impulse. This impulse characterizes the culture of creativity and sharing which is also part of the contemporary hacker ethos as evidenced in the open source movement (Jordan & Taylor 2004).¹⁵³

Recently, culturally informed political approaches to the study of social movements have considered the intersection between anarchism and Marxism in the ideological framing of collective action (Juris 2008; Shantz 2011; Choat 2016) thereby complicating the sociological critique of social movements, most notably in the case of Occupy as we will see later. From a Marxist perspective, the revolutionary moment of Occupy points to experimental post-capitalist relations, whereas an anarchist perspective focusses on prefigurative political relations, privileging process and consensus-building as post-political democratic relations. The influence of poststructural theory has also advanced the study of radical collectivity in terms of networks and swarms (Lovink 2011; Stalder 2013) which challenge theories of the individual and the collective and the ways in which movements are formed, organized, and sustained. My analysis of anonymity as a social relation in the cases of Wikileaks, Anonymous, and Occupy will contribute to the understanding of the effects of network logic in the context of everyday social and informational existence.

An anarchist theoretical framework to study social activism has led to the emergence of an “anarchist sociology” which addresses the anarchist influence in contemporary global justice movements.¹⁵⁴ I would suggest that in addition to the anarchist influence on anti-capitalist movements, a strong technological component, often studied under the umbrella term “hacktivism,” forms the basis of the study of digital activism and becomes increasingly associated with the politics of occupation, as we will see in the case of Anonymous. Anarchist politics and the politics of technology lay the groundwork for the anonymous political processes that I examine in the cases of Wikileaks, Anonymous, and Occupy.

¹⁵³ “Hackers were prototypical denizens of the interstices between old social mores and the cultural implications of new technologies” (Jordan & Taylor 2004, 11).

¹⁵⁴ Williams and Shantz (2011). See also Epstein (2010) for a discussion of the anarchist influence in the anti-globalization movement.

What is often referred to as the Occupy Movement involves diverse groups of individuals whose display of solidarity takes different forms around the world. Beyond Occupy Wall Street (OWS)¹⁵⁵ there was a global affective surge (Cedillo 2012) of groups of people who made use of the moniker “occupy” in various ways.¹⁵⁶ Inspired by the events of political upheaval and uprisings that led to encampments in the Middle-East and Europe, the tactic of occupation drew attention to the twin crises of state and ideology. Protesting against economic inequality, government corruption, and spreading neoliberal ideology, “occupy” is understood both as noun and verb. As a noun, it has come to represent the act of spatial physical resistance against authority: a symbolic refusal to partake in one’s own exploitation and subjugation. As a verb, it is a call, an imperative even, a “political articulation,” to resist the neoliberal position, and to assert a presence that did not exist before (Dyer-Witheford 2012). Within Occupy, collective anonymous politics are practiced as a form of “disidentification” by those whom philosopher Jacques Rancière calls “the part who has no part” (Rancière 1999). Anonymity describes the common element that politicizes a group that otherwise has no voice, or a silenced voice, in the current political climate.

I focus the case of Wikileaks, a non-profit media organization, on the anonymous structural and material aspects of Brunton’s (2011) “*Leaks model.” I study the anonymous process here as both a techno-structural form as well as a method of information dissemination of the whistle-blowing genre. Leaking becomes a paradoxical model of both control and freedom, where anonymity stands in for structures of trust. I am considering the abstraction of both anonymity and community in the example of Wikileaks where anonymity both creates and defines the infrastructure that allows for the political process of whistle-blowing to take place. In addition, because the political context for whistle-blowing is still a legally contested space, I will explore the type of community that arises in secrecy, which tests anonymous social relations.

¹⁵⁵ OWS: The most familiar of the events in North America, September to November 2011 in Zuccotti Park, New York City.

¹⁵⁶ The term “occupy” is in use in 21 countries (Fuchs 2014, 20).

Anonymous, loosely described as a hacktivist collective, begins in 2008 when, according to Gabriella Coleman, trolling turned into activism with Anonymous's choice to attack the Church of Scientology (Coleman 2013). What was initially a response to the Church's tight content and information control eventually became a much larger constellation of complaints concerning privacy violations, misuse of political power and influence, and obstruction of free expression online. The activism of Anonymous gradually became unpredictable, diverse, and controversial both inside and outside of the group. The *idea* of Anonymous spread worldwide, and the politics of identity took on a very different significance than in traditional social movement contexts. The case of Anonymous is important in this study because it represents a more visible form of anonymous social relation than the other two cases. The association among Anons (members who identify as Anonymous) seems at the outset ephemeral and spontaneous; however, upon closer examination of the types of participation and the choice of voluntary association, what emerges is a form of solidarity that effects specific outcomes in particular ways due to anonymous identification. An anonymous identity seems paradoxical, but an example of this can include the wearing of the signature Guy Fawkes mask by anyone choosing to take on an anonymous identity which aligns them with Anonymous as a group association.

By examining anonymity as a social relation, I consider the means by which anonymity manifests in the broader setting of political processes, particularly in collective resistance. Wikileaks, Anonymous, and Occupy are each an example of social and communicative shifts in the exercise of dissent. I argue that in these examples of contemporary political processes, anonymity is a necessary tool in the activist's toolkit. The next section discusses each of the cases, demonstrating the ways in which anonymity is mobilized in the service of information activism.

Section 2

CASES: Wikileaks

Wikileaks is a multi-national non-profit media organization founded in 2006 by Julian Assange. It is best known as a "whistle-blowing" website, responsible for some of the biggest

and most important document leaks in history. As an alternative to status-quo journalism, Wikileaks “specializes in the analysis and publication of large datasets of censored or otherwise restricted official materials involving war, spying and corruption” (Wikileaks 2015). Though they are most well known for the U.S. document leaks,¹⁵⁷ Wikileaks’ first document “leak” was actually from Somalia with some of the documents sourced from China (Assange 2014). These were followed, in 2007, by the first leaks concerning the United States, namely the two *Guantanamo Bay Manuals (2003)*.¹⁵⁸ This early activity (2006-2009) was almost wholly ignored by academia and the international media (Christensen 2014).

With the 2010 release of the Iraq War Logs, the Afghan Diaries, and the infamous “Collateral Murder” video,¹⁵⁹ the organization drew international attention culminating in full notoriety in 2011 with the media partnership and publication of thousands of international diplomatic cables (“Cablegate”). The United States, in particular, responded with extreme measures, going so far as to call Assange a terrorist. There was an immediate backlash to the leaks in the form of a funding embargo, whereby Mastercard, Paypal and Visa cut Wikileaks’ financial services, interrupting the flow of donations. The servers housing the Wikileaks site were frozen by Amazon, and the Domain Name Servers (DNS) which held the Wikileaks domain blacked them out, effectively erasing the site from the World Wide Web. The U.S. accused Assange of espionage, and demanded he return to the United States to stand trial. In 2012 Assange claimed asylum in the Equadorean Embassy in London, England and has remained there for the last six years, under threat of extradition to the United States.

The arguments *against* Wikileaks and its fight for transparency in government often coalesce around two main points of contention. The first argument amounts to a charge of hypocrisy levied against Wikileaks. The media critic Geert Lovink criticizes Assange for his “opaque” practices and authoritarian management of the organization (Lovink 2011). Previous

¹⁵⁷ These include Afghan War Diaries, Iraq War Logs, and Diplomatic Cables “Cablegate.”

¹⁵⁸ The analysis can be found here: http://web.archive.org/web/20070202035926/http://wikileaks.org/inside_somalia_v9.html.

¹⁵⁹ The video is a recording from a U.S. army helicopter showing indiscriminate firing on Iraqi civilians.

members of the Wikileaks team have written about the treatment of those who work with Assange, and the relative secrecy of the organization's financial practices (Cammaerts 2013). The second point of contention has to do with responsibility and accountability. Assange was criticized for what appears to be a lack of editorial oversight, most notably with the release of the "Cablegate" documents which were claimed to have placed people's lives in danger. The judgement is against Wikileaks' *laissez-faire* approach to publishing. Even though the charge of irresponsibly risking lives by publishing secret documents has been sufficiently defused (Greenwald 2011), the prevailing public opinion of Assange remains lukewarm at best.¹⁶⁰

Though it might be difficult to disengage the analysis of Wikileaks from the personality of Assange, what is most relevant for this discussion is the material foundations of Wikileaks. The technology of Wikileaks reflects both the social and political implications of the organization in particular, and illustrates a network logic which on the one hand adheres to a strong sense of information advocacy: "Information wants to be free." On the other hand, network logic generates forms of control that can be used against the network itself. To understand the politics of Wikileaks and the role of anonymous processes in it, we must begin with the material conditions that make Wikileaks possible.

The concept of the network is taken for granted in critical discussions surrounding the themes I have highlighted in the three cases in this analysis. Occupy's relative symbolic success is tied to a social networked solidarity (Castells 2012). Anonymous's actions vacillate between the physical (offline) and the virtual (online) and thus complicate simplified notions of networking that are too often relegated to the digital environment. According to Assange, Wikileaks' global success as a publisher of censored and restricted materials is mainly attributed to the networking logic of large bureaucratic organizations and the documents that inevitably emanate from them (Assange 2014). In her analysis of communication infrastructures, DeNardis

¹⁶⁰ The United Nations recently called Assange's asylum a form of "arbitrary detention," claiming that both the UK and Sweden have violated Assange's freedom of liberty by threat of arrest and extradition without sufficient charge in the case of Sweden, and without "due diligence" of legal proceedings in the UK. For more detailed explanation see Bowcott and Crouch (2016). Polls indicate there is a lack of support for Assange in the UK (Gayle 2016) and in the US, the overall sentiment is that Assange should be tried for espionage.

(2012) points out that “[b]attles over the control of information online are increasingly fought at the level of Internet infrastructure” (721). Internet governance technologies are the processes and systems that operate the Internet. These include Internet protocols (IP addresses, Domain Names, the system of Internet Access, Exchange and Security points at the network-layer).¹⁶¹ These same technologies can be employed to control the content on the Internet. Private companies that deliver Internet services are beginning to govern the use of the technologies and have increasingly more control over ways of accessing online content and services. For example, Internet Service Providers (ISPs) are becoming more and more essential in identifying illicit internet traffic, thereby turning into “content watchdogs” for the music and movie industries by policing copyright infringement. In essence, we pay for our own policing since this new ISP oversight adds invisible costs to the service (DeNardis 2012).

The material conditions of Wikileaks which form the context of whistle-blowing must not be understated. Informing the public and “speaking truth to power” rely on anonymity both as a form of source protection of divulging information and as a technological instrument of resistance to governmental secrecy and informational content control. As independent journalism and as alternative media practice, Wikileaks has introduced and sustained a model of “informing” that cuts through institutional networks of control, whether governmental or corporate. I return to the theory of the network in the final section.

CASES: Anonymous

Anonymous originated in an Internet image board called “/b/” born on the 4chan forum.¹⁶² The content posted and available on 4chan is both anonymous and ephemeral. There is no archive; once posts are deleted, they are gone forever. Since one of the longest-lived threads lasted little more than six hours (Bernstein et. al. 2011), it is likely the majority of posts disappear within minutes. The speed and ephemerality of /b/ is closely tied to the function of

¹⁶¹ See DeNardis (2012) for definitions of the technical aspects of Internet architecture and governance.

¹⁶² <http://boards.4chan.org/b/>; founded in 2004 by Christopher Poole.

anonymity in the user group. “Anonymous” is both the default identifying tag attached to each post and the preferred “name” associated with each user.¹⁶³ In this environment comments and content are treated equally and without bias to the author. User comments are thus directed to the content posted and not to the individual posting it.

In 2008, following an embarrassing video leak to YouTube¹⁶⁴, The Church of Scientology, known for its celebrity membership and notorious for its secrecy and abuse of its members, demanded the video be taken down, claiming “copyright infringement.” However, the video had already gone viral, and Tom Cruise and the Church became the topic of the Internet’s gossip sites. The act of threatening Youtube with a lawsuit should the video not be taken down, angered some of the users of 4chan because any attempt to censor the Internet is considered a violation of freedom of expression. On 4chan, collective action was taken against The Church of Scientology and “Project Chanology” was born.¹⁶⁵ This was the first of the Anonymous operations considered under the umbrella of “activism.”

In the years following, from 2009 to 2014, Anonymous claimed several actions including DDoS attacks, site takedowns and blackouts, as well as phone call pranking (phreaking) and DOXing of individuals.¹⁶⁶ The majority of actions surround freedom of information issues and incidents of Internet censorship, but there are also instances where Anonymous’s motivation becomes overtly political. For example, in 2009, Anonymous joined The Pirate Bay to support the Green Movement in Iran to uncover fraud in the Iranian election (Shakarian et. al. 2013). In a series of incidents in 2010 dubbed “Operation Payback,” the film and music industry were targeted for excessive copyright and anti-piracy policies. The group rallied behind Julian

¹⁶³ A user can add any pseudonym to identify themselves in a post; however, this behaviour is commonly chastised by the group (Bernstein et. al. 2011).

¹⁶⁴ The video shows the actor Tom Cruise endorsing the Church and describing the moral behaviour of scientologists (Coleman 2014).

¹⁶⁵ See Coleman (2014, 53-79) for a detailed account of the operation.

¹⁶⁶ A Distributed Denial of Service attack (DDoS) involves a critical mass of page requests sent to a server resulting in the website’s inability to quickly process the requests so that it goes out-of-service temporarily. Site takedowns and blackouts involve either rerouting the original site requests to another website, or hacking into the site itself to take it offline. A DOX is when the target individual’s personal, financial and social information is gathered and leaked to a public site, or organization.

Assange when Wikileaks' funding system was shut down by Visa, MasterCard and PayPal, and in the 2011 *Adbusters* call to Occupy Wall Street, Anonymous became a visible online supporter uploading a video call on YouTube as a rallying cry for people to march against corruption and violation of freedoms (Coleman 2014).

Anonymous is often categorized as a hacktivist group whose actions take place online. Notably, however, its first operation, Project Chanology (2008), though it involved a number of electronic actions against the religious group, also included a global call for action to physically protest outside the Church of Scientology in whatever city they have a presence (Beyer 2014). Though the initial date for protest was February 10th 2008 additional physical protests on March 15th and April 12th drew thousands of participants around the world (Beyer 2014).

According to Jordan and Taylor (2004, 30), "hacktivism" emerges from the 1990s as the activity of hacking with political intentions: "Hacktivism is an attempted solution to the problem of carrying out effective political protest against a system that is expanding its global reach in increasingly immaterial forms." They identify two streams of hacktivist orientation. One stream views the Internet as a free and open space thereby bringing political intentions more in line with the right to information, open technologies, and access. The other stream, which Jordan and Taylor label "mass action hacktivism," takes as the starting point a political cause which may originate offline and where the cause itself does not necessarily involve technology or information; rather, technology is used as a means to a political end (Jordan and Taylor 2004).

It is difficult to place Anonymous in either of these streams, since it is the *action* that defines the coming together, and not simply an ideology or an overarching political "cause." As a motivating *idea*, Anonymous would more closely align with the first stream, labelled (rather clumsily) as "digitally correct hacktivism," insofar as their origins and their continued allegiance to information freedom recognize the Internet as a free space not only for communication, but also for action. Nevertheless, there are many actions taken by Anonymous members that originate in a much broader politics. For example, they assisted in the Tunisian

uprising against the dictatorship, and some relatively smaller acts of vigilantism such as #OpKKK, which leaked the names and contacts of political representatives in the United States that had ties with the Klu Klux Klan (Mosbergen 2015).

Although Anonymous's community is made up of programmers and hackers, it is true the operations also involve many who write manifestos and produce the videos we see on YouTube, as well as those who design posters and stickers and flyers (Coleman 2012). Anonymous can be understood as a collective, but with converging splinter groups or "loosely organized nodes" (Brunton and Coleman 2014); each operation is carried out by a smaller group whose individual members are often but not always known to each other.

Some have argued that Anonymous is a social movement (Potter 2015). Social movement theories, though they traditionally seek to account for collective behaviour in terms of protests and mobilizations (Johnston 2011), do not adequately account for the decentralized, sometimes ephemeral and close-knit action-orientation of Anonymous. A more fitting conceptual categorization or label would be the *swarm*. Swarming describes a form of collective action that coheres when individuals freely choose to associate with an *action* rather than an overarching ideology or group identification (Falkvinge 2013). The swarm is "joined consciously one by one, rather than arising out of pre-existing crowds of people" and "maintained through explicit acts of horizontal, autonomous communication" (Stalder 2013, 41). As an example of a swarm *organization*, however, Anonymous falls short because in as much as the *idea* of Anonymous is open to anyone who wishes to participate, each individual operation is carried out separately and in some cases, secretly, due to the sometimes illegal nature of the act.

Gabriella Coleman, as an anthropologist who has been studying Anonymous since 2008, suggests that Anonymous evolves over time, demonstrating a shifting political orientation (Coleman 2013). She suggests that in the history of Anonymous as a collective, there is an identifiable shift both in what motivates their actions, and in the makeup of the group itself. While Anonymous comes from a community of pranksters and trolls, Coleman recognizes a

division in the group that signals a different orientation; one towards a more serious engagement with politics (Coleman 2013).

CASES: Occupy

The politics of occupation find expression in the tactics of social movements. In the history of non-violent protest, sit-ins and workplace takeovers of factories, universities, government buildings, and other institutions are well-documented and rehearsed; these are acceptable and familiar tactics which inform the activist repertoire.¹⁶⁷ During the Fall of 2011 and the Winter of 2012, protest occupations of public parks and squares by people converging from different social strata, age, ethnicity, and gender occurred not only throughout the United States and Canada but in over 100 countries worldwide (Castells 2012). Occupy, globally identified as the “movements of the squares,” is often seen as a relatively spontaneous and autonomous interruption of everyday life. In protest and indignation, encampments sprang up around the world in solidarity. The people in the encampments took a collective political stance against financial and political corruption on a global stage. Each case was localized, thereby demonstrating the micro-politics of individuals as practiced in their particular context and within their own social situation. Occupations were not identical in their motivating energies, but they shared the insurrectionary spirit, and gathered strength from each other’s presence, even though it was a presence at a distance.

In 2011 Cairo, thousands of protestors camped in Tahrir Square and over a period of several months, thousands more demonstrators travelled to and from the square. In May of the same year, there was a week-long occupation in Spain, and occupations in Athens’ Syntagma Square.¹⁶⁸ Around the world, across diverse publics and political situations the occupations resonated between participants resulting in what Cedillo (2012) has characterized as a “virus of

¹⁶⁷ Tarrow (2011) p33; Van Laer and Van Aelst (2009); Rolfe (2005)

¹⁶⁸ For an in-depth look at the political context surrounding the rise of the Greek *Aganaktismeni*, see Simiti (2014/2016). For an in-depth look at the 15M or *Indignados* of Spain, see Castaneda (2012) and the 2014 issue of the *Journal of Spanish Cultural Studies* (v15:1) with an excellent introduction by Cameron (2014).

affect” (577). The occupations inspired and sustained the people involved in protest, whether it was against austerity, lack of housing, corrupt government, or state repression.¹⁶⁹

In 2018, seven years later, the socio-political effects of the protests of occupation are difficult to gauge. Some prominent Marxist scholars who focus on the instantiation of Occupy Wall Street (Dean 2011; DiSalvo 2015) saw it as yet another failure of the left to mobilize successfully and secure long-term change. The occupiers themselves, however, regard the occupations as neither success nor failure, but instead as the beginning of the inevitable response to the global financial crisis, austerity measures enacted across Europe, and the failure of democratic institutions to represent the people and practice real democracy.¹⁷⁰ In North America, the images of protestors camping in tents in the centres of major cities may have perplexed a public who, for the most part, gained access to the movement only through mainstream media. The visibility of “real life” splayed out in public in the form of encampments also inspired critiques from local onlookers, who however baffled by the encampments, seemed to reflect on the possibilities of economic and social change.¹⁷¹

The Occupy protests demonstrated the intensity and the momentum of a global movement which was invigorating. The occupations provided an image of physical space that is uncommonly reflected. What is memorable in the aftermath of the protests is the space that is left behind; it documents the absence of the once present powerful collective dissent (Mitchell 2012). Public spaces are increasingly being taken over by private ownership.¹⁷² Many neighbourhood city spaces that were once made available to inhabitants and taxpayers are disappearing, or being

¹⁶⁹ See Kerton (2012) and Kennedy (2011). A timeline of global rioting and protests is a useful tool to trace the demonstrations on a global scale; see *Wired*'s interactive timeline: http://www.wired.com/2011/12/ff_riots_timeline.

¹⁷⁰ See Sitrin and Azzellini (2014) for first-person narratives of participation in the general assemblies. Note the *Podemos* party in Spain and the *Syriza* party in Greece, both originating in the movement of the squares, have managed to enter into electoral politics with mixed responses from the left.

¹⁷¹ See Castells (2012) for extensive polling results and comparative popular sentiment in the United States of Occupy Wall Street.

¹⁷² For example, Zuccotti Park is owned by Brookfield Office Properties, Inc. (Greene 2011).

re-appropriated by corporate structures; they become places of contract negotiation.¹⁷³ An illustration of this is reflected in the Occupy Wall Street encampment in Zuccotti Park (the previously *public* “Liberty Square”). Despite obeying the law and practicing their right to free and peaceable assembly, as then New York City Mayor Bloomberg had entreated them to do, the occupiers were ultimately evicted, not by the state, but by corporate property owners who claimed the park needed to be emptied for cleaning and maintenance (Greene 2011). In a reversal of circumstances, the impromptu sleepover in Plaza del sol in Barcelona began quietly with only a handful of protestors, but when evacuated by police spurred an overwhelming and unexpected surge of occupiers swarming the square to advance the spatial occupation even further in protest (Cedillo, 2012).

The common elements in and among these diverse occupations point to an insurrectionary politics that includes the act of occupying, the social threads within each occupying group, and solidarity between the disparate groups.¹⁷⁴ Max Stirner’s differentiation between revolution and insurrection is useful here to illustrate how it is possible to act collectively without identifying as a movement or a group:

[Insurrection] has indeed for its unavoidable consequence a transformation of circumstances, yet does not start from it but from men’s discontent with themselves, is not an armed rising but a rising of individuals, a getting up without regard to the arrangements that spring from it. The Revolution aimed at new arrangements; insurrection leads us no longer to let ourselves be arranged, but to arrange ourselves, and sets no glittering hopes on ‘institutions.’ It is not a fight

¹⁷³ Akin to this is the designated “space” of protest or “speech zone” that was set up during the G20 protests in Toronto Ontario in 2010. After having invoked a Public Works bylaw, whereby protesters were not allowed within 500 meters of the summit fence, the police determined that a public park, kilometres away from the summit, would make a suitable place for quiet protest. Even though the right to protest is ostensibly protected in the Charter of Rights, many protestors obeyed and even negotiated the location, eventually moving it to Queen’s Park.

¹⁷⁴ The heterogeneity of beliefs among the participants in the occupy encampments in the United States is studied by Mukherjee (2015) and individually reflected in the anthology that became *We the Many* (Khatib et al. 2012); The inspiring and compelling global relations are reflected also in the studies in Spain (Pino 2013) and in Greece (Sitrin and Azzellini 2014).

against the established, since, if it prospers, the established collapses of itself; it is only a working forth of me out of the established (quoted in Newman 2011, 322).

A social relation as an arrangement and a “rising of individuals” attests to a kind of association that is not reducible to “weak social ties.” Groups who “occupy” enter an association with like-minded people who are essentially *unknown* to each other, except in their “acts” of “occupation.” In this anonymous relation, to be of like-mind and of like-spirit, and to act on your shared values, even if it leads to disagreement as to how to enact change, is a stronger connection than simply sharing habits or tastes.

When the three month occupation of Syntagma Square moved rapidly into the individual neighbourhoods, “solidarity clinics” began popping up to help collect and redistribute medication and provide health support (Sitrin and Azzellini 2014). The occupation of the square was not an isolated event; rather, it generated other associations that grew from the initial bond of protest. The occupation’s effects spread through the cities of Greece and many people came together for new purposes, changing local mindsets and acting autonomously to fix problems the state had otherwise ignored or neglected. Though occupation is a familiar protest tactic employed to secure goals or demands, what we see in Occupy is the tactic writ large as a form which becomes a familiar model. Occupation becomes a form that spreads from city squares to local neighbourhoods: a form of politics of everyday life.

The experience of local assemblies in Athens serves as an example of how representative politics does not easily mix with autonomous politics. When the first representatives from the leftist parties in Greece attended the general assembly, it was clear there was no room for experimental political association. In the words of one local protestor, “from the start they began to dominate the assembly... content with simply registering (i.e. documenting) the demands and then distributing leaflets” (Sitrin and Azzellini 2014, 97-98). Migrating the protests from squares into local neighbourhoods ensured that more people witnessed the effects of direct action: For example, in one instance, the residents’ electricity was turned back on. With small successes,

participation increases directly, thereby reinvigorating political participation at the local level without the necessity of government intervention (Sitrin and Azzellini 2014). Having described the circumstances, I turn now in the next section to the various modes of anonymous politics as I see them informing my three cases.

Section 3 **Anonymous Political Process**

Occupation, Disruption, Prefiguration

The analysis of anonymous political process begins with questioning the *form* of political process. In the case of Occupy, the attempt to identify the form of political process must first attest to the diversity of individuals within localized encampments in the United States, and then account for a relationship that extends to a global network of groups who have chosen occupation as a means of voicing dissent. In the cases of Wikileaks and Anonymous, one can identify a form of political process that resists or bends structural constraints involving policy and law, and technical constraints such as bandwidth and data tracking. In all three cases, these political processes cross national borders, reflecting information and communication affordances that are open to everyone, as well as technologies that can be exploited in an attempt to balance power relationships.

Social and material modes of anonymous political processes emerge as politically salient attributes of a collective response to the deterioration of the relationship between people and their governments and to the degeneration of social values into transactional efficiencies and economic productivity. The global effects of the financial crisis since 2008 have been devastating, especially to countries like Greece, Italy, Spain, and Portugal, whose governments have bowed to economic pressures from the International Monetary Fund (IMF) and World Bank, thereby slowly eroding sovereignty in those nations. The intense suspicion and distrust of representational politics that resulted has fomented popular uprisings, and the example of Occupy draws attention to the proliferation of weak democratic processes that give way to

neoliberal governance. Occupy signifies a global protest against unequal economic and power relations such as is manifest in austerity measures in Greece and Spain, and bank bailouts in North America.

As a tactic, occupation describes the political form of Occupy but does not adequately speak to the political processes particular to the occupations. Thus Jodi Dean can critique the political form as not being up to the task of disabling capitalism, which leftist thinkers had hoped would be the motivating goal of the protests. As a tactic, Dean argues, occupation is militant; “occupiers actively reject democratic institutions, break the law, disrupt public space, squander public resources, and attempt to assert the will of a minority of vocal protestors outside of and in contradiction to democratic procedures” (2014, 270). For Dean, this is clearly not a democratic political process because it is exclusionary. Dean equates the rejection of institutions with the rejection of democratic procedure leading to a “post-democratic condition” (Dean 2016). However, since the occupations, more specifically the general assemblies, present outside of institutional politics, and do not follow the rules of the governing institution, the process of occupy is arguably *anti-political*, rather than anti-democratic, as Jodi Dean suggests. The general assembly within Occupy is one process that experiments with self-governance that challenge the dominating organizational forms of practicing politics evidenced in the electoral process for example, as a representational process, even though these processes vary across occupations. When paired with a politics of “no-demands,” occupation becomes a strategy, not just of resistance, but of creation; it prefigures an autonomous politics that is more reflective of an egalitarian political process as well as a way of living outside of the politics of representation. Though the form is tactical, processes such as the general assembly, and the initial stance to make no demands, are strategic.

Coming together to “occupy everything” and “demand nothing” (Clover 2012) is a bold and performative show of collective will. And though the initial climate of resistance to demands waned in many encampments around the world, and demands were eventually proclaimed, the protest did not devolve into a form of contract negotiation, as many movements have in the past,

and the protestors left only when they were forcefully evicted from the grounds; not because there was a compromise on demands. The demands were not issued as a condition for evacuating the occupied space. There was no closure; no ultimate reconciliation. In short, the protest occupations illustrate three elements that reflect anonymity as a social relation among participants: a Rancièrian understanding of collective politics; the absence of representation; and an expression of global solidarity.

According to the French political theorist, Jacques Rancière, in order to understand and engage in radical politics, we must consider that social reality is constituted by the “police order.” Rancière distinguishes between politics and police in order to clarify that politics is not a function of the state, but a relationship, or rather an interaction between the system of governance and the people who constitute the invisible, non-participatory class of the economic system of governance. Rancière, rather than employ the term “state,” refers, more descriptively, to the police order as a consensual form of domination in society; the system of governance that often qualifies as a democracy in the Western world. However, a democratic politics, for Rancière, presupposes the principle of equality. That is, all individuals are equal *as speaking beings*.

The police order, whose function it is to classify populations,¹⁷⁵ identifies those who participate in the circulation of goods, while at the same time excludes those in society, the “part who have no part” in the circulation of goods, and thus have no voice in the ways in which the system functions. Politics, for Rancière, happens when the part who have no part clash with the police order:

Politics exists when the natural order of domination is interrupted by the institution of a part of those who have no part. This institution is the whole of

¹⁷⁵ See May (2009, 15): “It [the police order] creates people to be certain ways, relates those creations to other ways of being, authorizes some people to judge others in specific ways, etc.”

politics as a specific form of connection. It defines the common of the community as a political community, in other words, as divided, as based on a wrong that escapes the arithmetic of exchange and reparation. Beyond this set-up there is no politics. There is only the order of domination or the disorder of revolt (Rancière 1999, 11-12).

Rancière has insisted that politics, as he conceives it, is actually an uncommon occurrence. The default sociality influenced by the police order is not easily cracked. Politics happens only when certain conditions are present.

I see Rancière's understanding of the moment of politics as an anonymous political process which begins in an affirmation of collectivity. The collective in this case becomes a "we" that is exclusionary in the sense that it exists as the already excluded population. However, this "we" also resists individualism because it does not revert to self-interest. Rather, it is the collective that speaks for another with *itself*, and thus does not compromise the Other's ability to speak (for herself). It is a way of speaking for a subject without taking over the subject's autonomy. This voice of the anonymous "part" must be practiced in order to be heard and seen, in the spaces previously unavailable, where the part had no claim, or "no part." Rancière explains:

The power of the people itself is anarchic in principle, for it is the affirmation of the power of anyone, of those who have no title to it. It is thus the affirmation of the illegitimacy of domination. Such power can never be institutionalized (Rancière 2008, 173).

Occupy's anonymous political process is expressed within the composition of the group, the collection of bodies, the making visible of that which is invisible, namely inequality and injustice. The part who have no part is made up of those who have come together to enact the political moment. The anonymous but collective "power of anyone" can seize and disrupt the flow of governance by the police order. By occupying a space that is made visible by the act of

occupying, the part who have no part *disidentify* with the police that would classify them as poor, irrelevant, or insignificant.

As a means of disidentification this “moment” of Occupy resists existing power relations, as naming, in two significant ways. First, by resisting categorization by the media as anything other than the “99%” Occupy assumes for itself a *disidentity* that comes from the moment of eruption, not from a label or category *preimposed* by the police order. Secondly, through the physical occupation of the square, by asserting the common, protesters claim the space as truly *public* space, while simultaneously resisting eviction. In an interview discussing the protests, Rancière recognizes in Occupy the “capacity of anonymous people, a feeling of the contingency of systems of exploitation and domination, and the capacity of anyone to participate in the collective destiny” (Rancière 2014, 142).

Ritual of Protest

One of the most compelling ideological elements of the occupation protests is a resistance to single leadership, an absence of a unified voice represented by a list of demands, or a face on which the media can focus its attention. This aspect of the political process has been subject to criticism. The lack of interest in pursuing representation in the form of electoral politics has been critiqued by the left as a weakness and an inability to see a sustainable future in which Occupy can grow into a revolutionary movement. Dean’s criticism of Occupy lacking strategic engagement with electoral politics, exemplifies the belief on the left that any movement of real significant social change must confront the state (Dean 2016). However, to effectively confront the state requires the ability to speak the language of the state and to make compromises (Kaspar 2009). Recalling Stirner, an insurrectionary politics would be prefigurative, being the social change that is called for, and creating the social relations beyond state expectations of political engagement.

The history of social movements in their confrontations with the state can help illustrate the logic of “no-demands.” Kaspar (2009) demonstrates how states learn to appease social

movements over time, and how there is a cycle of appeasement which accelerates with each social disturbance: sixty years of rioting for better work conditions, thirty years of rioting to enforce equality, and ten years of rioting to end the Vietnam War. Social movements, through their demands, have become an important element in the functioning of the state. Riot and protest become ritualized in the process, thereby culminating in a form of contract governance. The demand is a contract and “its function is the same, to lock one in deeper to the structure of capital” (Kaspar 2009, 5). Confronting the state by making demands is a form of negotiating the extent of our own political impotence. The contract enlists our participation in our own domination.

Confronting Wikileaks

The refusal to confront the state can also be seen in Julian Assange’s detention in the Ecuadorian Embassy. Since 2012, Assange has maintained that if he were to step out of the embassy—in essence, to confront the British state—he will be deported to Sweden where it is presumed he will then be extradited to the United States to stand before charges of computer fraud, espionage, and conspiracy. With each type of charge, the possibility of multiple counts is high. At minimum, each count would carry a total of 45 years with the possibility of life imprisonment and death (Sontheimer 2015). This makes Julian Assange a very dangerous figure, especially to the United States. No attempt to bring down the Wikileaks operation has been successful,¹⁷⁶ and Assange himself will not give up; since he is facing an excessive amount of jail time and possibly execution, he has nothing to lose by continuing the work of Wikileaks.

Wikileaks’ political form is anonymous network connectivity. As a whistle-blowing site, Wikileaks’ infrastructure is a resistant structure of nodes, protocols, algorithms, bandwidth, and memory, held together with cryptographic glue and housed in duplicate servers in countries with strong freedom of speech laws (Christensen 2014). The technologies and protocols that hide identifying information circulating within the Wikileaks infrastructure with the addition of the

¹⁷⁶ Wikileaks is mirrored in Sweden, Belgium and Iceland (Christensen 2014).

encryption of the content itself, ensures that not only is the content encrypted to guarantee the integrity of the document, but any information which could point to the source is hidden and quickly destroyed. The Wikileaks servers keep no logs of IP addresses (and this includes visitors to its public-facing web site) and they automatically “burn” whatever metadata travels with the submission. By the time the document is accessed by Wikileaks editors, all traces of the source’s identity are destroyed, including any contextual data that could reveal secondary information, such as the computer used, ISP, country of origin, etc.

TOR further anonymizes the data with their onion routing technology, described as “a wrapped ball of information shedding skins as it is bounced between relays from secret origin to secret destination” (Greenberg 2012, 156). In addition, the Secret Sockets Layer encryption, which is a scrambling technology, both obscures and confuses the communications of *all* visitors making it appear (to potential prying eyes) that each visit to the Wikileaks site *could* be a submission, thus adding to the number of real leaks by contributing noise as an obfuscating technique.¹⁷⁷ The more the general public visits the site, the more robust the anonymity of the individuals who upload the documents.¹⁷⁸ TOR protects against surveillance through traffic analysis by anonymizing the transport,¹⁷⁹ while encryption hides the content (Greenberg 2012).

Wikileaks and the Historical Record

The ease with which information can be stored and shared affects the ways in which we access and experience our documented histories and cultures. Assange suggests that the move to digital information practices has changed the way in which we build and preserve our historical record (Obrist 2011a; 2011b). He maintains that despite the amount of digital storage and the massive quantities of information that remains accessible, the digital medium also facilitates

¹⁷⁷ See Brunton and Nissenbaum (2013) for a discussion of the ethics of data obfuscation.

¹⁷⁸ This may be one of the reasons why Canadian and American governments issued a warning to regular citizens accessing wikileaks.org in 2010, no doubt adding to the fear of being charged with some kind of illegal action for simply *reading* a document online.

¹⁷⁹ “Instead of taking a direct route from source to destination, data packets on the Tor network take a random pathway through several relays that cover your tracks so no observer at any single point can tell where the data came from or where it’s going.” (Torproject.org); See also Loshin (2013).

easier censorship by political and powerful elites who can erase or delete documents with impunity. The goals of Assange's project are to preserve content and reduce the possibility of collective cultural and political memory loss.

I would like to draw attention to at least five distinct motivating logics of the *Leaks model of information sharing that disrupt power relations but which do not necessarily rest on the *content* of the documents themselves. Assange reminds us that the power of the archive is not only in the individual release of documents. Its power also relies on political timing (Obrist (2011a; 2011b). Aggregating the collection and making it searchable in addition to preserving it encourages the most use, while at the same time clearly makes known the improbability of its loss or deletion.

First, and foremost, the *Leaks model has created a mode of communication which bypasses the gatekeepers of the state. Wikileaks is not a conventional news organization, but neither is it simply a whistle-blower site. Information is both free to the public, and upon release, it is made meaningful with commentary and insight. Fighting the "big data" impulse, Wikileaks creates exploits in the channels of power, bypassing both state and liberal media filters of information. As Saroj Giri (2010, n.p.) points out, "[Wikileaks] challenged power by challenging the normal channels of challenging power and revealing the truth." In so doing, Wikileaks acts on the assumption that the public has a right to know what the government is doing, even when it wants to hide its actions.

The second motivating logic has to do with severing trusted relationships—thus sowing mistrust—in the circulation of communicative power; this is what Assange refers to as "conspiracy governance." Not knowing where the leak originates, and not being able to ask, weakens the ties between global conspiratorial state relationships based on secrecy (Assange 2006). In a related fashion, the third logic has to do with fostering solidarity among individuals working together to make the process of leaking both work and succeed (i.e.: journalists, citizens, Anons, and human rights activists). These network connections may perhaps one day

replace conspiratorial relationships with more productive, open associations. These connections shift power balances by fostering trust relationships that favour free information flows.

The fourth motivation in the Wikileaks model involves a re-conceptualization of categories of information. For the first time, information becomes organized within a system of knowledge as *secret, open, transparent, state, etc.* thus eroding the distinction between the categories of “classified” and “non-classified” specific to the language of control (Genosko 2013, 157-58). Finally, Wikileaks materializes what is already known. For example, we all know that corrupt governments exist. We all know that wars are shrouded in secrecy and states spy on each other. Nevertheless, knowing that it is *true* (the corruption, the secrecy, the lies) is activated by making public that it is *known*. The philosopher Slavoj Zizek explains:

The only surprising thing about the WikiLeaks revelations is that they contain no surprises. Didn't we learn exactly what we expected to learn? The real disturbance was at the level of appearances: we can no longer pretend we don't know what everyone knows we know. This is the paradox of public space: even if everyone knows an unpleasant fact, saying it in public changes everything (Zizek 2011, 9).

This fifth motivating logic is perhaps the most compelling. It involves the tacit understanding that we can no longer deny that we share the responsibility of knowing, while it also acknowledges that knowledge. Beyond the evidentiary integrity of the leaked documents, any attempt at altering, redacting, or otherwise concealing the leak will fail. It is out there. It has been released. It becomes a matter of response and responsibility. Reflectively responding to the *visibility* of the knowledge, we are obliged to ask ourselves, “So, now, what am *I* going to do about it?”

Network Politics and Swarm Collectives

As with Wikileaks, the network is the ecosystem of Anonymous. Where the anonymous political process for Wikileaks takes place materially in the network infrastructure through complex cryptographic processes, the anonymous political process I identify in the group Anonymous takes place through social relations. And though the sociality necessary for Wikileaks to perform and succeed, as it does, also appears as an anonymous relation, in the case of Anonymous it is the symbolic association that lends political valence to its operations. Anonymous association is achieved through the affordances and protocols of the network. Political action is facilitated through network exploits.

Protocol: Its Freedoms and Its Limits

There are two seemingly contradictory perceptions of the origins of the Internet. One view is based on its fundamentally “free” architecture, a system of nodes in a decentralized network, and the other is based on control. The common reigning view of the state of the Internet today is most certainly skewed towards its perceived liberating potential, and its democratic propensity to inform potential citizens and incite them to action. In the beginnings of the Internet, values such as privacy, freedom of expression, and universal access were embedded in the design of the technologies.¹⁸⁰ Over time, however, as the Internet became a more commercial and commodified space, its originating principles began to dissipate.¹⁸¹

The politics of networks have been studied by Eugene Thacker and Alexander Galloway in terms of protocological openness and control. Networks are not inherently liberatory, nor are they structurally controlled. However, a decentralized network does not necessarily indicate a lack of controlling infrastructure. Protocol is what controls and guides the relationality of networks in terms of nodes and hubs. The relationship between power and technology is best

¹⁸⁰ See Stryker (2012) for a more detailed account of the origins of the open web.

¹⁸¹ Web 2.0 exemplifies the return to closed and commodified spaces of information sharing and creative expression where the applications and platforms enclose the user base and control the flow of traffic within the domain, while excluding those who do not participate in the network (Hands 2011, 79-85).

examined through protocols which are “systems of material organization; they structure relationships of bits and atoms, and how they flow through the distributed networks in which they are embedded” (Galloway, 2004). The network facilitates both open and closed system relations. The relations between nodes are neither equal, nor are they equally open.

Anonymous is a collective, but distributed, actor whose hacktivist actions, including DDoS attacks, take advantage of the network structure to protest and resist the enclosure of Internet spaces. As a swarm collective, the units operate as affinity groups, a relation commonly associated with anarchist praxis. I would argue that autonomous individuals who share common goals and values form a connective relation as swarm participants during an action (DDoS, for example). This connective relation presupposes anonymity in that the sheer number of participants required to perform the action precludes the ability to know every person with whom one protests.

Anonymous Commons

The three instantiations of anonymous political process illustrated in Wikileaks, Anonymous, and Occupy have in common the practice of an anti-politics which originates in core anarchist values and beliefs such as autonomy, affinity, self-government, and equality. This anti-politics, understood as a willful political form rather than a politics of *no politics*¹⁸² requires an understanding and acting on the political in the Rancièrian sense of confronting the police order. For Occupy, it is the anonymous collection of people coming together to assert their equality, adopting the 99% as their voice, and “manifesting their existence by the occupation of a space” (Rancière 2014, 34). For Wikileaks, the anti-political is a form of civil disobedience, a response to secrecy in governance. Anonymous’ defense of the Internet, as a common anti-political space, resists the impulse to commodify informational spaces.

¹⁸² Some writers understand the term “anti-politics” to mean something akin to a passivity towards a rights-based politics, even to an extreme authoritarian conclusion, a “politics of no politics.” See Howard (2012).

The forms of collective action evidenced in these three cases suggest a conceptualization of community that instead of depending on identity and inclusion may define itself through anonymous connections and relations. The irruptive moments draw on media's spectacle power to relentlessly resist relegation to oblivion. The actions of Wikileaks involve careful timing, while Anonymous depends on the dramatic effects and viral tendencies of digital media, and Occupy seems to be all but forgotten when absented from the media's spotlight. In common is the implicit distrust of the state and representational politics, relying instead on the principle of free association among individuals whether in temporary, ephemeral collectives (as is the case in a DDoS action) or in longer-term social experiments (such as occupy protest groups), or even in the "collective" act of civil disobedience as it plays out through the Wikileaks information dissemination model.

This form of civil disobedience which, as Hannah Arendt suggests, is a form of voluntary association (Howard 2012), is also an interventionist politics, disrupting power relations by shifting power in temporary but meaningful ways. Challenges to property and capital accumulation play out in the occupations around the world. Challenges to the understanding of information as the circulation of truth play out in the disclosures of censored state practices. Finally, challenges to the commercial forces which continue to inscribe control technologies into Internet spaces are played out in the antics of Anonymous, both online and offline.

Wikileaks and Anonymous have been collectively fighting an information war with those who would have the Internet tracked and monitored, controlled and commodified. The value, effect, and success of anonymity as political process varies according to the context and desired goal. It is evident that an ongoing commitment to experiment with ways of being together, whether they be collective, communitarian, communal, or voluntary association will include an anonymous component. Anonymity is an essential tool in contexts where speed, flexibility, direct action, and strong adherence and sharing of values obtain, but it may invoke a very different response in contexts where long-term, sustainable and open, communicative and active groups

require methods of association that develop from an affectivity that is based on knowing the other above and beyond the trust of the value and the act.

In this chapter, I demonstrated anonymity as a social relation as it is reflected materially in Wikileaks; symbolically in Anonymous; and conceptually in Occupy. Anonymity can sustain trust relations in short, intense, clear and active bursts. Their effects if strung together, can form an affective chain of events which may require a continuous anonymous relation. In these cases anonymity evolves to form a different set of social relations that compose other experimental associations. Perhaps the best way to articulate this conception of collectivity is less through a representative party identity and likely closer to a kind of insurrectionary community. It is a form of interventionist politics that while eschewing identitarianism, refuses to be collated within a political electoral process.

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Chapter 4: Commons, Communization, and Anonymous Community

Introduction

The revival of interest in community and collective association within the political and social movement literature can be attributed to the global events between 2010 and 2013 that have now become known as “movements of the squares.” Though the details of the “squares” (or “Occupy” as I have referred to them in Chapter Three) vary from country to country and even from city to city within the same country, there is a fundamental experience of collective and communal change that resonates with those who participated, but also with the thousands of onlookers, both state and civilian, as the “witnesses” of these events around the world.

Though mainstream media, for the most part, did very little to adequately take stock of what was happening (to different degrees and with varied success around the world) there remains, five years later, the residual existential traces, of associative familiarity, of a connective validation of the strength, efficacy, ability, and courage to see a different world; to prepare and attempt a different, common way of being. We recognize that it was groups of *strangers* that came together, stayed together, deliberated together, and hoped together in surprisingly similar ways by choice, through desire, attracted to each other’s anger and hatred and frustration and sharing that space of indignation and fury *anonymously*. This is what prompts this chapter’s investigation into community, and into what could be said and thought about being-in-common presently and into the future. How strong is our commitment to building something new, a post-capitalist society, both conceptually and practically?

This chapter is a conceptual investigation into community and how to think about and talk about it in global terms. It evokes community both within and without local manifestations; both through and beyond subjectivation practices, we determine the plausibility, or perhaps inevitability, of a continuing practice and experience of global sociality, questioning what might spurn the next coming together, and how will that look different and *be* different? In order to begin envisioning a future coming together, I approach anonymity as community in this chapter. The term anonymity is a complex conceptual marker within a discussion of community because

it is difficult to imagine community relations as unidentifiable, unrecognizable, or without any unifying aspects. However, in order to address and make sense of the recent social events, the idea of community I will be exploring in this chapter differs substantially from what has been traditionally understood as community in the social sciences.

Beginning with Ferdinand Tönnies' (1897) introduction of the terms "Gemeinschaft" and "Gesellschaft"—a dichotomy that conceptualizes the different forms of sociality, as either local and communal, or political with the state, that emerged from his study of the modern city—sociologists have been examining social relationships either collectively within a "we" (local) conceptualization (Thalos 2008), or individually within a civil (political) society context. Where *Gemeinschaft* represents the local, community ties, *Gesellschaft* represents a civic or state relation.¹⁸³

Conventional ideas of community (based on the notion of *Gemeinschaft*) often invoke a nostalgic, utopian image of togetherness based on shared beliefs and values. As Zygmunt Bauman (2001) states: "Community stands for the kind of world which is not, regrettably, available to us – but which we would dearly wish to inhabit and which we hope to *repossess*" (3). Bauman acknowledges that many consider community to be the essentialized or naturalized state of human sociability. However, within this framing of community as "natural" there is an implicit separation. To be welcomed into a community means giving something of yourself (compromising identity) up to others in the community. Community's tendencies involve both the inclusionary mechanism of belonging *and* the exclusionary method of giving oneself over to the community: "There is a price to be paid for the privilege of 'being in a community' – and it is inoffensive or even invisible only as long as the community stays in the dream. The price is paid in the currency of freedom, variously called 'autonomy,' 'right to self-assertion,' 'right to be yourself'" (2001, 4). What arises from this is a discernible tension

¹⁸³ The term *Gesellschaft* is understood differently in political theory than in sociology. In political theory, *Gesellschaft* represents individual autonomy and reflective morality; society as the state relation. While in sociology, it is often invoked as impersonal, transient, superficial and amoral; society as self-interested social relations. See Kain (1993) and Dallmayr (2005).

between freedom and security, which Bauman insists is what underlies our contemporary preoccupation with surveillance and identity.

Bauman contends that relentless surveillance creates the “person” of the twenty-first century, an identity whose primary mode of being is fear, insecurity and mistrust. Bauman sees this identity becoming increasingly individualized in modernity while at the same time isolated from the bonds of community; community has broken down. In response to the breakdown of community, philosophers have begun to think through what alternative social bonds might be possible. Jean-Luc Nancy, Giorgio Agamben, and Roberto Esposito have been the most vocal around the contemporary question of community, and all three thinkers begin their response by first abandoning the traditional understanding of community as inclusive, homogeneous, and safe.

My goals in this chapter are two-fold: to isolate the strain of community discourse that rejects identity politics, and to examine and articulate how anonymity informs new conceptualizations of community. This chapter, then, is concerned with the second research question, looking for alternative forms of resistance in a reimagining of community as anonymous, withdrawing from traditional identity politics. The first section of this chapter will be a conceptual investigation into contemporary theories of community, outlining Nancy’s conception of the “inoperative” community, and the subsequent deconstructions of the concept of community. These include Esposito’s etymological understanding of *communitas* rooted in a relation marked by obligation, and Agamben’s introduction of the “coming community” which takes on an explicitly political role in the rejection of identity politics.

Though Nancy, Agamben, and Esposito develop notions of community that reconfigure the concept itself, theories of commonism and communization, by comparison, suggest that the term “community” is no longer valid, and that an alternative mode of sociality rooted in praxis is a more promising mode of change. Commonism is concerned with constructing sociality in common, that is, owning and developing resources together and keeping resources in common. It

is the notion of the “commons” that drives my comparison of the theory of community and the theory of communization, where communization is concerned with a politics of transition towards communism. Thus, this chapter also investigates terminology. I am provoked by an increase in discussions surrounding the power of community in politics, the creation of political collectivities, the biopolitical, and the “politics of the commons” (Noys 2011). As we shall see, the “terms of the political,” as Esposito categorizes them,¹⁸⁴ help to situate us within a socio-historical context.

For many thinkers who have taken on the task of rethinking and reevaluating the idea of community, critiques of traditional notions of community become also a critique of authoritarianism. By invoking the failure of communism to deliver a successful alternative to capitalism’s market rule, these critiques, influenced by autonomist Marxist theory, are recently taken up in the theories of “communization” and “commonism” as a means of responding to the question of revolution in the present.¹⁸⁵ From my analysis of the relationship between community and commons, I see a common goal emerging, one that leads to an anonymous community, by stitching together the most practical of the conceptual aspects of community articulated in the three thinkers I present, and the most conceptual of the practical aspects of commoning.

Recalling Bauman’s quote on the paradox of the nostalgia of community, we are reminded that extreme inclusionary or exclusionary practices, especially in the form of nation-state building, can have dire consequences for liberty, autonomy, and for society writ large. Nancy, Esposito, and Agamben attempt to invoke a commonness that does not rely on inclusionary or exclusionary methods of being together. For Nancy, community names the originary state of “being-with” in which we all exist, before we become socialized into the nostalgia of community in its present constructed understanding. For

¹⁸⁴ Esposito’s terms are “community,” “immunity,” and “biopolitics;” See *Terms of the Political* (2012).

¹⁸⁵ See *Communization and Its Discontents: Contestation, Critique, and Contemporary Struggles*. Ed. Benjamin Noys. Minor Compositions: 2011.

Agamben, what we have in common is the state of “being-together” in language; this is what he calls community. Esposito, by exploring the original meaning of the root of community, *munus*, and highlighting its meaning as gift and obligation, thereby understands community as a condition of debt. It is through these three reconceptualizations that much of today’s discourse on community is grounded.

To think community as a form of originary dependence, as these three thinkers do, challenges conventional ideas of individualism, the subject, and the person. A subjectivity which thinks community as something proper, as something to which we can belong, responds to community’s promise of the ideal balance of freedom and security; concepts that are at the root of conventional notions of community. However, for Nancy, Esposito and Agamben, community is not a *thing*, and it is precisely the person or subject who is being rethought. Community is conceptualized as a condition or a process; an experience that is shared, rather than an object to attain or to own.

Nancy’s notion of the *singular*, Agamben’s choice of *whatever being*, and Esposito’s use of the *impersonal* signal different ways of talking about subjectivity and propose a rethinking of the political as a process of being together that refocusses community, in Nancy’s words, as the “real position of existence” (IC, 2). The deconstruction of community calls for a rethinking of what it means to be an individual, a person, and a subject. All three thinkers trouble the notion of the subject on the path to redefining how community can be understood in contemporary times. New processes of subjectivation are emerging and rather than being grounded in identity, sociality is being reconfigured, and it is in this process that I propose a focus on anonymity as a means of working through these new configurations.

In this chapter I argue that anonymity is important both as a strategy of withdrawal and as an ontological refusal to identify and be identified as a subject of the state. Anonymity facilitates

the condition of affirmative freedom to *be-in-common* and opposes the form of negative¹⁸⁶ freedom which is framed by the dichotomy of security and freedom. Anonymity explains a particular form of separation which signals a rejection of identity politics, while at the same time conditioning a post-identity communal bond.

The relation between the individual and the other is a spectrum on which community emerges or declines and for Esposito, it is the gradual subtraction of subjectivity that allows for the relationality between people in *communitas*/community. This subtraction amounts to bringing into view “the figure of the other” though not in the same way that “otherness” functions in many theories of subjectivity. Esposito writes:

If the subject of community is no longer the “same,” it will by necessity be an “other;” not another subject but a chain of alterations that cannot ever be fixed in a new identity. (*COM*, 138)

The exposure of community in Esposito is different than exposure in Nancy; it is rather an exposure to *propensity* (Hole 2013, 113). Recall that for Esposito the original meaning of *munus* is obligation, the opening up to the other as a gift of the self. This is central to his mode of community. Community, for Esposito, is a condition, not a form of belonging, nor an association between subjects. He states:

This means simply that community isn't an entity, nor is it a collective subject, nor a totality of subjects, but rather is the relation that makes them no longer individual subjects because it closes them off from their identity with a line, which traversing them, alters them: it is the "with," the "between," and the threshold where they meet in a point of contact that brings them into relation with others to the degree to which it separates them from themselves. (*COM*, 139)

¹⁸⁶ Roberto Esposito's term is “immunitary.”

The refusal to take on the role of subject enacts a kind of unknowability that Esposito terms the “impolitical” (COM, 97). This will become more clear as we progress through Esposito’s thought in the following section.

Theoretical Models of Community

In this section, I present the three models of community as conceptualized by Nancy, Agamben and Esposito. I then consider “commonism” and “communization” as theories in relation to the three philosophical reconceptualizations of community. The finer points of each of the models, when considered together, point to a way of being that is conceptually compelling in that it does the work of explaining a politically motivated sociality that in some ways appears ineffable, while firmly grounding the potentially affecting results in praxis. Where commonism describes action, or the event of alternative living in opposition to capitalism, anonymous community comes to describe a way of being that is arguably *inactive*, as two forms of subtraction, in that it is neither something to construct, nor a means with which to identify.

I Nancy’s *Inoperative Community*

For Jean-Luc Nancy, the question of community is the question of the political; it addresses the state of the political today. He asks, is the political “receptive to what is at stake in community” or, is it “merely in charge of order and administration” (1991, xxxvi)? Nancy undertakes a politically motivated questioning of community that refuses both the thinking of community as a repressive form of communion, and as an essential identity. In the preface to *The Inoperative Community* (1991), he asks: “what might a politics be that does not stem from the will to realize an essence?” (xxxvii-xl) Nancy approaches community as an ontological relationality. Influenced by Martin Heidegger, Nancy considers the question of *being* as common experience. The common in this sense is not a characteristic but a condition of the *in* (between), and this between-ness, or “being with” (together), is what makes us *be* (IC, 26).

In place of the *individual, person, or subject* Nancy posits “singular being.” He states:

The singular being is neither the common being nor the individual. There is a concept of the common being and of the individual; there is a generality of what is common and of the individual. There is neither of these for the singular being. There is no singular *being*: there is, and this is different, an essential singularity of *being* (its finitude, in Heidegger’s language). That is to say, the “singular being” is not a kind of being among beings.” (IC, 77)

To understand how to conceive of singular being, imagine the *unmaking* of what we commonly understand to be an individual which involves a formation of memories, experiences, marks of time, thoughts, beliefs, values, etc. Then consider peeling away these details one by one until there is simply existence (being) and possibilities (what Nancy calls “suspensions”). To understand what possibilities refer to, imagine you are in a situation in public where you are considering whether or not to talk to *that* person sitting across from you.¹⁸⁷ The state representing the *between* talking and not-talking is the suspension, “the [yet] undecided decision of stranger and neighbor, of solitude and collectivity, of attraction and repulsion” (OB, 7). Insofar as Nancy distills community to an originary relation between singular beings, his philosophical response to the “logics of the collective” is not explicitly geared toward political or economic change. It does, however, presume a change in sociality.

Individual beings-in-common *become multiple* in the presence of each other. Nancy employs the term “compearance” (co-appearance) to explain this relation:

We compear: we come together (in)to the world. It is not that there is a simultaneous arrival of several distinct units... but that there is not a coming (in) to the world that is not radically *common*; it is even the “common” itself. To come into the world is to be-in-common. (*Comp*, 373)

¹⁸⁷ The example is Nancy’s (OB, 7).

What occurs between singular beings is an exposure to the other--that “you shares me” (IC, 29). It is difficult to read the above sentence without ascribing an identity to the “you,” but re-read as a “you” *that shares* “me” (understood as *my singular experience* of the present compearance involving “you” as otherness). It is the compearance of singular beings that is the experience of community. Compearance names this *exposure* of singular being.

For Nancy, compearance not only describes our present condition, but also the condition of our presence *in* common with each other. Thus, it is *not* a constructed relation. Community (as compearance) is not something for which we strive, or work for or towards; it is “inoperative” (unworking) as such. Community as a relation cannot be constructed because it is always already the condition of our being-*in*-common. He explains:

Community means, consequently, that there is no singular being without another singular being, and that there is, therefore, what might be called, in a rather inappropriate idiom, an originary or ontological ‘sociality’ that in its principle extends far beyond the simple theme of man as a social being. (IC, 28)

This idea of community thus requires us to understand the relations between us as fluid and multiple and ultimately as a mode of sharing in singular encounters that never cease, and are always incomplete (IC, 35). Community, thus, becomes the unceasing task of sharing. What is being shared? Being (existence) in its finitude.

II Agamben’s *Coming Community*

Giorgio Agamben’s model of community shares a conceptual complexity with Jean-Luc Nancy’s model. Though Nancy understands community to be an originary relation among singularities, Agamben’s “coming community” is composed of a “form-of-life” whose “coming

politics” alter categories of power, creating new categories of political thought (MWE, 117). He writes:

The novelty of the coming politics is that it will no longer be a struggle for the conquest or control of the State, but a struggle between the State and the non-State (humanity), an insurmountable disjunction between whatever singularity and the State organization. (CC, 85)

In an attempt to clarify the conceptual distinctions between Agamben’s choice of “whatever singularity” and Nancy’s “singular being” I will unpack the concept of “whatever” to help set up the nuances of anonymity I present in the last section.

In *The Coming Community* (1993, 101), Michael Hardt’s translator’s notes state “whatever” is “that which is neither particular nor general, neither individual nor generic.” So “whatever” does not mean simply “any” or “all.” David Kishik in his explanation of “whatever” offers a useful analogy using handwriting which I paraphrase: I write the letter “p” and anyone who reads it will recognize it as the letter “p” but also if someone trained in orthography and reading handwriting reads it, it is possible they know that the “p” was written by *me*, the person known as *Rachel*. Therefore, the handwriting is both universal and specific, both generic and particular. The “whateverness” of singular being is this “oscillation” between the two registers (Kishik 2012, 83).

It is worth noting that both Agamben and Nancy, in their attempts to replace the individual or subject with an appropriate being that resists the interpellative conditions of capitalism, decide to go with a reductive sense of individuality. Neither relation is fixed. Nancy’s community is expressed as an infinite, incomplete, mode of sharing (as *compearance*), and Agamben’s coming community is comprised of being that oscillates between a more anonymous universal mode of being, and a particular mode of being, that even in its particularity is not fixed but both “present and absent” (Kishik 2012).

Though Nancy's model of community hinges on the relationality of singular being, note that for Agamben community is not of people, as such. Rather, Agamben sees community as an experience and a struggle, not for power, but for the communicability of language held in common (CC, 80). Guy Debord's concept of the spectacle contextualizes Agamben's view of the state of global politics and contemporary sociality, especially in language. Spectacle expropriates and alienates people, mediating social relations with images (media, advertising), effecting a "pure form of separation" (CC, 79). Though our social and political communicative environments are more complex, pervasive and far-reaching, "in the spectacle, our own linguistic nature comes back to us inverted" (CC, 80). Following Debord, Agamben extends the spectacle to cover language; language has become spectacle. Spectacle empties all political speech of meaning.¹⁸⁸ To summarize, language has become expropriated; thus, we are alienated from language (as spectacle); but language is not a thing, this is what spectacle *does* to language.

An interesting aspect of Agamben's analysis is his observation that this is the first time that humans are able to experience their own linguistic being, as speaking beings. That is, the communication of communicability is made clear in the absence of linguistic meaning. He states:

[T]he age in which we live is also that in which for the first time it becomes possible for human beings to experience their own linguistic essence--to experience, that is, not some language content or some true proposition, but language itself, as well as the very fact of speaking. (MWE, 85)

Agamben's update of Debord in the present linguistic situation points to the total alienation of human communicability brought on by the spectacle now of *language*. What emerges is the *form*, "language in its own communicability" (CC, 79-80).

¹⁸⁸ See *Means Without End* (MWE 85, 86). "The kingdoms of the earth are setting out, one after the other, for the spectacular-democratic regime that constitutes the completion of the state-form" (85); "The state of the integrated spectacle (or spectacular-democratic state) is the final stage in the evolution of the state-form" (86) and "runs the risk of being the worst tyranny that ever materialized in the history of humanity, against which resistance and dissent will be practically more and more difficult." Having written this twenty years ago, Agamben appears to be prophetic in his observations; witness the Trump victory and presidency which is certainly a premonition of the worst kind of *triumph of democracy*.

For Agamben, that which is most common is language. The mere communication of communicability reflects the reduction of meaning and content of speech. As de la Durantaye (2009, 176-77) clarifies, the contemporary spectacle “isolates appearance from being, the means of communication from any common essence or nature to communicate.” If we are to attempt to conceive of a community that is not exclusionary and resists authoritarian tendencies, Agamben insists we must account for the separation (subtraction) of language from being. We must re-think language in relation to community (de la Durantaye 2009).

Despite the effects of the global spectacular state form, it is from out of the spectacle that Agamben recognizes the emergence of a “new, nonsubjective, and socially inconsistent protagonist of the coming politics” (MWE, 89), what he calls the *whatever singularity*.

Whatever is the figure of pure singularity. Whatever singularity has no identity, it is not determinate with respect to a concept, but neither is it simply indeterminate; rather it is determined only through its relation to an idea, that is, to the totality of its possibilities. (CC, 67)

The *whatever singularity* as a non-subject is determined as potential. “Potentiality” and “inoperativity” are central concepts in Agamben’s “coming politics” and they come into focus in his understanding of “use,” a Marxist term that I discuss below. For now it is enough to understand potentiality and operativity as they frame Agamben’s understanding of the individual. These two concepts reflect an ethico-political response to the question of the “revolutionary subject.” Because Agamben’s *subject* is emptied of individuality, emptied of identity, indeed the perfect limit form of spectacular separation (Whyte 2013), it is from within the spectacle that Agamben sees the coming politics emerging. In “Notes on Politics,” Agamben describes this emergence as a state of redemption:

The plane of immanence on which the new political experience is constituted is the terminal expropriation of language carried out by the spectacular state . . . human

beings are separated by what unites them ... but, for the same reason, the spectacle still contains something like a positive possibility and it is our task to use this possibility against it. (MWE, 115)

Agamben's model of community based on language's appropriation describes the limit of spectacle and its own undoing.

In Nancy's "inoperative community," inoperative means that "community cannot arise from the domain of *work*. One does not produce it one experiences or one is constituted by it as the experience of finitude" (IC, 31). Borrowing Nancy's term, Agamben employs "inoperativity" to name both the essence of existence (being) and the means of resistance. The origins of Agamben's particular use of "inoperative" can be found in Aristotle's *Nicomachean Ethics* (MWE, 141), where we find the question of Being is posed to humankind thus: *Of what function is man? Do we collectively as humankind have a task, a destiny, a calling? If we are not here to serve some divine purpose, what is our work?*¹⁸⁹

For Agamben, "inoperativity" represents the power of potentiality; the power to *not-be*. It is in this we catch a glimpse of Agamben's community. If the answer to Aristotle's question, *Does humankind have a function?* is "no," and humankind has no goal, destiny, purpose, or *function*, then ethics becomes a necessary condition of sociality. Agamben's course is to explore the ethical experience of Being because, according to him:

the only ethical experience (which, as such, cannot be a task or a subjective decision) is the experience of being (one's own) potentiality, of being (one's own) possibility—exposing, that is, in every form one's own amorphousness and in every act one's own inactuality. (CC, 44)

¹⁸⁹ See Leland de la Durantaye (2009) pp. 4-7 for a gloss of Aristotle's original question.

Both Nancy and Agamben reject the fundamental Marxist understanding of society and community in terms of production (Elliott 2010). In Nancy's model, community is already "at work" in the origin of being, as the relation between singularities compearing, so there is no need for working toward, or building, community. Coming into the world is the event (happening) of community.

Agamben's community also eschews "work" and rests instead on the potentiality of humans to be and to *not* be. But though Nancy titled his book *The Inoperative Community*, it is in Agamben that we find a compelling *politics* of "inoperativity." He explains:

Politics is that which corresponds to the essential inoperability of humankind, to the radical being-without-work of human communities. There is politics because human beings are *argos* [unworking]-beings that cannot be defined by any proper operation—that is, beings of pure potentiality that no identity or vocation can possibly exhaust. (MWE, 141)

Pure potentiality is both a radical passivity and the root of freedom. Agamben interprets Aristotle's distinction of two types of potentiality as "generic" and "existing." Generic potentiality is the potential of a child who, through learning, "suffers an alteration" and becomes other (grows up, changes in personality and will through knowledge). *Existing potentiality* is that which knowledge translates into actuality (POT, 179). Aristotle uses the examples of the poet, the artist and the architect, all beings who in knowing how to write, create, and build have also the potential to not-write or not-build. "It is a potentiality that is not simply the potential to do this or that thing but potential to not-do, potential not to pass into actuality" (POT, 179-80). We see darkness, and hear silence—these too are examples of the potential to not-see and not-hear, if seeing is seeing light, and hearing is hearing sound (POT, 181).

In my understanding, if we think of community as an equation, for Agamben: inoperativity (in its *negative* essence) and language (as *experience*) account for a coming political community. Inoperativity (as potentiality) is the quality we have in common; as a kind of negative essence it

also includes *negative* potentiality (the potential to not-be). For Nancy, however, “inoperative” names the type of originary community *formation*; it is not created (worked), but appears as the relation of singularities compearing.

III

Roberto Esposito: *Communitas and the Immunitary Paradigm*

Roberto Esposito’s model of community provides a slightly different perspective than that of Nancy or Agamben. Esposito approaches community as a condition, an approach to sociality which he explores through the concept of *communitas*. For Esposito, *communitas* and its conceptual opposite *immunitas* are central for understanding the means by which our relationships are governed, both socially and politically, and whether these relationships are oriented towards each other or towards the state. Two related concepts, the *impersonal* and the *impolitical* describe a relation *other* than that which is contractually defined by ownership and property. These four concepts ground Esposito’s philosophy and politics of community, and I shall unpack them in the summary that follows.

In *Communitas*, Esposito begins his analysis of community through an etymological investigation into the origins of the communal impulse, noting that the terms *immunitas* and *communitas* derive from the same Latin root *munus* which is understood as gift, obligation, or debt (TOP, 133). *Communitas*, understood thus, is not a property or condition of shared identity, but rather a shared responsibility and shared exposure to each other.

Esposito, like Agamben and Nancy, rejects the notion of community as a *thing* except as it is deconstructed towards the common described as “improper” what is unowned or unable to be owned; what is, by contrast, *proper* to a person, is what is owned.¹⁹⁰ Common is the exact opposite to what is one’s own. Common is precisely that which is *not* one’s own, or what is unable to be appropriated by someone (TOP, 48). Esposito defines community as “that which is

¹⁹⁰ The term “common” here is understood differently than how we may understand it in relation to the *commons*, to its attendant terms “commoning” and “commonism.” Esposito employs the term “common” to be understood as an originary characteristic, rather than a form of collective ownership or property, which he rejects as another form of the proper.

both necessary and impossible for us... something that determines us at a distance and in difference from our very selves, in the rupture of our subjectivity, in an infinite lack, in an unpayable debt, an irremediable fault” (TOP, 15). Community, then, is not a mode of being (as it may be interpreted in Nancy), nor the multiplying of a subject, but a “spasm in the continuity of the subject” (COM, 7). It is the inability to be a coherent subject. Much like Nancy and Agamben, Esposito prefers to engage the subject, not as the individual, but what he calls the “abstract subjectivity that remains after the end of the subject-individual” (CAT, 14). What he means by this will become clearer once we understand the function of the “impersonal” and the “impolitical” in Esposito’s thought.

The politics of community for Esposito centers around the category “person” as a legal term. As he explains, because “person” has a juridical standing,

[p]erson is the technical term that separates juridical capacity from the naturalness of being human, and thus it distinguishes each person from his or her own way of being. It is the noncoincidence, or even divergence, of men and women from their respective ways of being. (TOP, 116)

Esposito focusses on the category of “person” in order to trace the development of what he calls the immunitary paradigm, describing the means by which the need for security sacrifices both the common of *communitas* and the positive freedom associated with the circulation of the *munus*. He considers the development and function of human rights (which he traces through the thought of Hobbes and Locke) as a politics of the proper. The politics of the proper describes the movement from public to private, and from the common to property. Esposito writes:

What is the ‘common’ if not the improper, that which does not belong to anyone but instead is general, anonymous, indeterminate; that is not determined by essence, race, or sex but instead is pure existence exposed to the absence of meaning, foundation, and destiny? (TOP, 45-6)

The politics of the proper is concerned with security and thus functions as an immunization of the community. In the immunitary paradigm, “pure existence” has been categorized and parceled out in the form of rights, making proper what was once common.

As a form of “political realism” that resists the formation of the proper, the impolitical for Esposito is that which refuses representation understood as “*the* category of the political at the moment of its emergent crisis” (CAT, 2). Though it does not oppose the political, the impolitical is something “other” than representation.¹⁹¹ The impolitical corresponds to our being in common if we do not take on the role of subject (COM, 97).

Immunitas, the second important concept, has two meanings for Esposito; the biomedical meaning that he incorporates into his theory of biopolitics,¹⁹² and the social and legal meanings that we see in his model of community. In the case of community, *immunitas* represents an exclusionary mechanism; it is that which renders a person proper, and thus separate, excluding her from the sharing of the *munus*: “If the free circulation of the *munus* characterizes *communitas*, *immunitas* is what deactivates *communitas*” (TOP, 127). *Immunitas* is the condition that protects against the risk of exposure to the in-common of community.

Immunity is always “proper” in that it belongs to someone; it is a quality bestowed upon the (legal) person releasing them from the obligation of *communitas*. Immunity names a privilege, the privilege of being exempt from the debt or obligation to community. As such, it not only isolates the person, but creates a hierarchy of social relations. It is a “condition of particularity” (IMM, 6). The *munus*, in the form of obligation to the other, is not taken on by the immune person since the person of rights is immune to the condition of community and, thus,

¹⁹¹ Esposito goes to great lengths to explain and defend his use of the term “impolitical” in the preface to *Categories Of The Impolitical*.

¹⁹² See Roberto Esposito. (2008). *Bios: Biopolitics and Philosophy*. Minneapolis, MN: University of Minnesota Press.

free from the care of community. *Immunitas* “unburdens people from the responsibility to each other” (CIB, 84); a responsibility characterized as freedom.

Esposito leads us to think about freedom, not as a condition that we strive for, but rather as a way of being with each other. Esposito understands freedom as a relationship such as that of love or friendship. Freedom is not a possession. He explains:

We might say that freedom is the singular dimension of community. It is community itself in its infinitely singular space—and only for this reason it is also plural. It is neither community in the singular, nor even a singular community but a community that sweeps across infinite singularities that *are* plurality. (*Terms*, 55)

If freedom is the singular dimension of community, the dimension of immunity is security. Immunity is negatively associated to *munus*; it is proper, or a property that is held *un*-common to those of the community. The immune person “released from the obligation... stands outside of community as ungrateful—anti-social, anti-communal—interrupting the ‘social circuit of reciprocal gift-giving’” (IMM, 6). The person of rights is individualized and protected, safe from the exposure to otherness; sociality is sacrificed for safety and self-interest.

Community (as *munus*) understood as obligation, gift, and debt embodies the relation with otherness and reciprocally forms this relation with those with whom we come into contact. However, with contact also comes risk, and the immunitary paradigm orients the neoliberal subject to a conditioned fear response against otherness. Esposito further diagnoses the immunitary response in our digital culture, found in the common behaviours reflected in social media. We tend to form communities of similarity, based on shared identity and comfortably operating within a “safe” sphere of social engagement that does very little to contest or challenge our beliefs or values in any novel way. These immunitary relations have little to no substance of community originally understood as *munus*. Identities stay intact and we never need to allow

ourselves to become vulnerable, to open up to the other, to engage in the gift-giving of *communitas* (CIB, 2013).

But how to protect or guard ourselves against the immunitary response? To resist the impulse to separate, to stand outside of the obligation to the other, Esposito explores the concept of the impersonal as a means of resisting the power of the immunitary response. The impersonal refers to “something within the person that inhabits the distinction and separation from all those who are not yet, no longer, or have never been, declared persons” (TOP, 119). The impersonal, thus, voids the exclusivity of rights. It is not the opposite of person; instead, the impersonal “stops the immune mechanism that introduces the ‘I’ into the inclusive/exclusive circle of the ‘we’” (TP, 102).

The conditions of the impersonal and the impolitical encourage a shift in perspective and orientation when thinking of our political situation (Campbell 2012). In thinking through identity, the impolitical gradually withdraws identity from the traditional understanding of community as something to which one belongs (representative), or something that one owns (proper) on the principle of shared characteristics, either through identity construction, or identity essentialism (“my community”). The impersonal is a means of defending oneself against the immunitary mechanism of individualising what are otherwise collective concerns; this is a practice which eventually leads to an overcoming of the self.

Having briefly summarized the salient concepts that form the foundations of the three philosophers’ thinking on community, I continue now with a summary discussion of the commons, and the contemporary debates in communization, before turning to the analysis of the ways in which Nancy, Agamben, and Esposito engage with anonymity and to what degree we might be able to glean the formation of an anonymous community in their thought.

IV **Commons, Commoning, Communization**

Recent attempts to define community in the social sciences literature focus on the notion of the commons. “Commonism” or the act of “commoning” has gained some popularity as a terminological preference for naming a strategy of political engagement aimed at resisting the neoliberal push to expropriate the social. Overturning the logic of the “proper,” commonism allows us to talk about alternative forms of collective ownership without having to rehash the critique of communism (Dyer-Witheford 2007). Shared goals and methods of commoning are particular to our contemporary situation which is marked by climate change, economic crises, and social unrest. These global problems require more than market forces to solve. They require associations, partnerships, and a fundamental reorientation from the individual to the collective; from the nation-state to the global-state. In the ecological, the social, and the network spheres, Dyer-Witheford recognizes the failure of the market and proposes commonism as the remedy. Commonism sees these spheres as linked and interrelated and therefore necessarily working in common. He urges us to think “in terms of the circulation of the commons,” the way these spheres interact, and the ways in which we can reinforce their interrelatedness (Dyer-Witheford 2007).

Most importantly, Dyer-Witheford states that the commons identifies and draws together collective struggles. In this sense, the commons is firstly a relation, and as such, it requires a change in, and rethinking of, the ways in which we understand collective action. It also demands a different way of thinking about collectivity in general (Dyer-Witheford 2007), and thus it is relevant to the discussion of rethinking community.

David Bollier (2007) writes about the commons as a frame of analysis in an attempt to align economic, social and ethical concerns. The commons paradigm allows for alternative models of “community governance” where people become more connected to each other through the resources they ultimately share. Sociality is developed and fostered through the sharing of resources. Sharing resources is one of the principal goals of commonism in an attempt to liberate

the earth's resources from corporate expropriation. Massimo de Angeles is more explicit in his use of commons as a replacement term for community because, he suggests, it also signals a struggle, a continuing response to capitalist society (Stavrides & de Angeles 2010). In order to overcome capitalist society, de Angeles presents three active elements which form the commons: The creation, sustaining, and reproducing of common resources; actively practicing the strategy of commoning; and the deliberate construction of common interests in contrast to "finding" them in a class or proletariat.

An important counterpoint to the community models as I have sketched them out in Nancy, Agamben, and Esposito, is Stavrides' understanding of the "gift" of the commons in terms of power. Though the question of power distribution in the context of the commons does not figure prominently in communization theory (Toscano 2011), the "process of commoning power" (Stavrides & de Angeles 2010) sounds compelling. Nevertheless, Stavrides and de Angeles do not go into detail regarding how this enables equality. They do go on to suggest that "[t]o develop a society of equality does not mean leveling but sustaining the ability of everybody to participate in a community, and that is not something that happens without effort. Equality is a process not a state" (2010, 12). Stavrides is close to Jacques Rancière on this point, though Rancière's stance begins with the presupposition of equality.¹⁹³ The practice of commoning is also the practice of equality.

Communization and the Politics of Subtraction (as a question of Freedom)

"To desert without abandoning the weapons. To flee, imperceptibly."
--Tiqqun, "How is it to be done?"

The liberal notion of commoning, though it offers an alternative to capitalist economies, is a solution that remains within the market logic of late capitalism. The proponents of communization oppose this approach and seek, instead, to establish real radical changes in the

¹⁹³ Rancière, Jacques. (1999). *Disagreement: Politics and Philosophy*. Minneapolis, MN: University of Minnesota Press. See Chapter 3, where I discuss Rancière's philosophy in more depth.

present, either by overthrowing capitalist relations entirely or by strategically withdrawing from the political economic assemblage with the goal of separating out relations of production and labour without which capital cannot be sustained.

If we are to envision a new form of economic and social relation in resistance to neoliberal governance and what Mark Fisher (2008) calls “capitalist realism” we have to take stock of the present conditions and create “forms of struggle adequate to the conditions of exploitation at their particular time” (Kaspar 2009, 4). Communization speaks to the needs of the present. We recognize in it the process of prefiguring forms of alternative living (Noys 2009) which can be viewed as a moderate form of subtractive politics.

In addition to the commons, the recent formulation of radical collectivity as communization has been developed and has at least at the outset provided a more inclusionary understanding of what Dyer-Witheford has named circuits of struggles; these can be described as the circulating struggles over environmental resource protection, democratic participation, and economic equality that are evidenced around the world. Though there is wide agreement among the left that the common enemy is capitalism and its frightening global reach, the means by which this system can be resisted and eventually overcome are diverse and even contradictory in some cases.

Benjamin Noys (2009) in his survey of communization suggests that there are two camps that share a general and overarching understanding of resistance and future goals, but differ significantly in terms of means and ends. As a concept, communization reveals a process and an activity (Noys 2009), rather than an end goal, be it named “communism.” Thinking through the forms of resistance and struggle that we have been witnessing,¹⁹⁴ we can see the problems with identifying, naming, and placing them within a continuity of activism, or social struggles, be they new social movements or spontaneous insurrections. Noys draws attention to three elements he feels characterize these forms of struggle but also set up points of division within the left. The

¹⁹⁴ The “movements of the squares”, for example, as discussed in Chapter 3.

forms of resistance we are referring to are *immediate*, *immanent*, and *anti-identity* (Noys 2009, 8). Anonymity is clearly recognizable here as a form of anti-identity, but a brief summary of the first two elements will help to contextualize the third which is the element in which I am most interested.

First, immediacy refers to communization's relation to communism. There is no transitional phase we must experience en route to building communism. Instead, on the one hand, anarchism as a practice of prefiguration in its immediacy exemplifies a process of communization. On the other hand, an alternative perspective or sense of immediacy, rather unimpressed with prefigurative politics, argues for an "immediacy of communism in the process of revolution" (Noys 2009, 9). It is Jodi Dean's argument for a return to Party politics in the name of this new communization in contrast with the prefigurative living we witnessed of the occupations worldwide with the "movements of the squares."¹⁹⁵ Secondly, immanentism suggests a perspectival positioning. Capitalism's dominance is first addressed and then resisted by way of its cracks and spaces through which there is slippage, escape, and Deleuzian "lines of flight" (Noys 2009). On the other hand, from a differing perspective, the "contradictions and antagonisms" can only be thought through and not escaped, nor treated. Finally, and most importantly for my own orientation to this debate, the problem of identity brings into focus the first two elements and will become central to my subsequent discussion of anonymous community.

For the radical left, subtractive politics are common to both autonomist and anarchist thought, though they appear to take a different form, more passive than the deliberative forms of withdrawal evident in communization thinking, especially by those whose goal is a formal communist politics as outlined by thinkers such as Jodi Dean, Slavoj Žižek and Alain Badiou. The strains of communization are varied and communist thinking is also not homogenous. I do not have the space here to outline all of the variations of approaching a communist future, but I

¹⁹⁵ See Dean, Jodi. (2016). *Crowds and Party*. New York: Verso. I discuss this conflict of position more specifically in Chapter Three.

want to emphasize that whether we are following a liberal pace of commoning, or a more communist pace of communization, the similarities are more important than the differences.

At the risk of reducing the debates around communization to ideological head-butting between anarchists and communists, and thus rehashing familiar and age-old disagreements over insurrection versus revolution (May 2008) , there is some value in recognizing that these fundamental divisive aspects continue to impede progress towards fundamentally repositioning relations of power. I would argue that there is more strength and persuasive influence in highlighting solidarity, than there is in theorizing divisions. With this in mind, it is worth highlighting the subtractive aspects of the politics of Agamben and Esposito to demonstrate how we can glean a practical politics in their theoretical discussions of community.

For Agamben, a “politics of subtraction” reveals the possibility of an ethics of subjectivity. By subtraction, I do not mean the practice of “dropping out;” to go “off the grid,” cancelling credit cards, or giving up your driver’s licence and health card. Rather, to understand the concept of subtraction, I recall Agamben’s interview with *Vacarme* in which he describes a kind of escape, but with nowhere to go, an escape in place: “a flight with no elsewhere... thinking a flight which would not imply an evasion: a movement on the spot, in the situation itself” (VAC, 120). Invoking Deleuze and Guattari, the “lines of flight” Agamben alludes to are not a form of disengagement easily attained by checking off boxes in a checklist.

Agamben’s coming politics are a form of withdrawal from the present neoliberal state, but moreso, they represent a refusal to be governed—by the spectacular state form. For Agamben this is an active form of political response because not only is it a refusal to actively engage in the subjectivation processes of the state, but because it is a practice of the peculiar form of inoperativity in the potentiality to *not*. It is this rather abstract yet applicable solution that Agamben believes can disrupt the state by resisting its appropriative tendencies (of spectacle for example). It is also from within this kind of withdrawal that anonymity plays a part as I will explain shortly. The politics of subtraction can be seen as one element of inoperativity, as the

negative potentiality of being. People can refuse to participate in the state, but they can also evade participation in their own subjectivation by *lacking* the attributes that would make them visible to apparatuses of the state. This is their relational power. In this way, Agamben's use of inoperativity differs from Nancy's, whose inoperative community names an originary relation—denying the necessity for building or “working” towards a community.

Esposito's philosophy also includes a practical strategy of withdrawal. In contrast to Agamben's politics, Esposito's politics of subtraction involve a more prescriptive method of withdrawal. To overcome or shift the balance of the immunitary paradigm, the goal is to dissolve the everyday dispositifs that play an active role in weakening social relations or ties through the modes of appropriation, privatization, and immunization (CIB, 88). In order to accomplish this, Esposito explains, we must

preventively distinguish between dispositifs of prohibition, dispositifs of control, and dispositifs of subjugation; between systems that facilitate our individual and collective experience, and apparatuses that diminish its vital power. Or even to preserve areas of silence in the midst of communications that are now extended to every moment of our lives. (CIB 88)

Nevertheless, he warns that there is always a price to pay for socio-political withdrawal. For example, in as much as fleeing Facebook liberates us from the immunitary hold of a closed assemblage of appropriation, it also isolates us from potentially positive social bonds. However, if we can enable “new spaces of the common,” we will emancipate ourselves from the tethers of privatized and consumption oriented spaces, but potentially impoverish our capacity to engage and affect our environment as well as our ability to function within a modern system. As with the theories of communization, these options do not need to be zero sum responses.

Anonymity in Common

I *Nancy*

Anonymity is Compearance

Anonymity is manifested in Nancy's philosophy in two profound modes. The first is in the infinite compearing of singularities, where anonymity conditions the endless multiplication of subject positions that become the possibility of this or that end, or as Nancy refers to the in-between of it, the *suspension*.

The second mode in which anonymity describes relations of community is as a pre-recognition in the exposure of singularities. Nancy describes the process as a form of knowing otherness:

[B]efore recognition, there is knowing: knowing without knowledge, and without 'consciousness', that *I* am first of all exposed to the other, and exposed to the exposure of the other." (IC, 31)

This shared knowing without knowledge informs a kind of sharing of identity as a process of making the individual unidentifiable in the relation of community. For Nancy, community is "that singular ontological order in which the other and the same are alike (*sont le semblable*): that is to say, in the sharing of identity" (IC, 34). This is not an (identifiable) recognition, but an experience of alterity in the other "with the alteration that 'in me' sets my singularity outside me" (IC, 33).

Michele Willson (2006) admits to the complexity and possible confusion that can arise from Nancy's employment of the notion of recognition. She argues that recognition for Nancy necessarily implies a reciprocal process, though reciprocity is not a simple process of communicative exchange (Willson 2006, 166). Reciprocal recognition is an aspect of singular being. It makes up the compearance. Note that compearance is not a means of identifying the other, but rather it is a knowing/recognizing that the possibilities exist between the *you* and the

me that is *community in common*. The *suspension* for Nancy is a moment that hangs neither on one place or the next, but in an infinite moment of possibility.

We see in Nancy, as in Agamben, a critique of meaning or sense where “[t]he absence of meaning itself insists on being shared” (*Comp*, 375). This is similar to Agamben’s formulation of language as spectacle, in which the coming community shares. So in this second respect, anonymity manifests, paradoxically, as a form of recognition in Nancy. It is a form of recognition that is a knowing through reciprocal exposure. As a recognition without identification, it is an anonymous recognition.

Anonymous community hinges on Nancy’s ontological formulation. Being singular, but not individual (as one amongst many individuals) is the sense experience of difference with each exposure as relation. The individual, the one, the person, the subject in these iterations, can be known. Singular being is anonymous as it is exposed.

Anonymity, in Nancy’s model, is thus manifest as an infinite oscillation between the exposure to, and absence of possible subject positions which never settle into one subject. It is an infinite sharing of that position that is never complete; it is an anonymous sharing of possibility without the settling on knowing “otherness” as such. In Nancy’s terms, “[e]xposure comes before any identification, and singularity is not an identity. It is exposure itself, its punctual actuality” (OB, 7).

Though Nancy’s community may come across as too abstract to speak to a contemporary sociality, and it can be argued that the concepts are not enough on their own to account for a strong reevaluation of contemporary community, Nancy delivers us a beginning, an alternative originary understanding of being already in relation, rather than being as individualized sense and experience. And though these relations are not known in the conventional sense, they expose being to infinite sharing and this sharing stands in for a community of strangeness.

II Agamben

Anonymity is Whatever Being as Potentiality

“Where I have power we are always already many.” (MWE, 9)

Agamben’s community of coming politics is an example of a collective shedding of identity and identifiers. Although Agamben’s critique of capitalism is not as easily recognized (or accepted) in his reading of Marx, he manages to create a space in post-capitalist thought that takes the value of “use” and wrenches it from its place in the circuit of capital, employing it in order to explain a form of subjective power that is vitally inoperative. By thinking through a self-constituting subject, Agamben does not abandon the concept of subject, but transforms it ontologically. Agamben explains:

Not a subject that uses an object, but a subject that constitutes itself only through the using, the being in relation with an other... *Use, in this sense, is the affection that a body receives inasmuch as it is in relation with another body (or with one’s own body as other).* (DP, 69)

Inoperativity “names an operation that deactivates and renders works (of economy, of religion, of language, etc) inoperative” and thus the “essential work” of man is to make “human works and productions inoperative, opening them to a new possible use” (DP, 69). Agamben’s unpopularity with the left is likely due to this aspect of his peculiar form of anti-capitalist thought.

Agamben first critiques the notions of “production” and “labour” in order to get to an understanding of “true human activity.” He then employs the concept of “use” as a strategy of withdrawal from the conditions of sociality set up by capitalist social spectacle. Agamben states:

A form-of-life is, in this sense, that which unrelentingly deposes the social conditions in which it finds itself living, without negating them, but simply using them. (MWE, 71-72)

Having proposed the formation of a radical politics in the idea of singularities understood collectively as “whatever” he considers them in relation to the state form. Politics for Agamben is “that which corresponds to the essential inoperability of humankind... the way in which politics might be nothing other than the exposition of humankind’s absence of work” (MWE, 141-42).

For Agamben, form-of-life, or *whatever singularities* “cannot form a *societas* because they do not possess any identity to vindicate nor any bond of belonging for which to seek recognition” (CC, 86). The lack of identity and the lack of social bonds may not seem particularly appealing, but Agamben’s process describes a manner of *nonsubjectivity* as a response to what he sees to be the total nihilistic presence of the state at the limit of capitalism.

As a rejection of identity labels, the condition of anonymity as (non)identity points to a community that affirms a sociality in opposition to the individualism demanded by neoliberal institutions and the state. For Agamben, this community which appropriates “belonging itself,” is thus a radical community which explores communication in its “own being-in-language” (CC, 87) in its role of bringing forth a collective anonymous form of political subjectivity. Anonymity becomes, in Agamben’s thought, a deactivating force neutralizing value and power.

III Esposito

Anonymity is Impersonal and Impolitical

Esposito’s *communitas* model describes a political paradigm in which anonymity is evidenced as the subtractive element of the impersonal. The weakening of the subject, for Esposito, can be seen as a form of anonymization of the subject-individual. Esposito develops his concept of the impersonal by building on Simone Weil’s use of the impersonal as the “sacred element of man” which she outlines in her essay “Human Personality” (Weil 1977).¹⁹⁶ As an ethical concept, the impersonal for Weil is curiously singular, and is in a very significant way,

¹⁹⁶ Simone Weil (1909-1943) was an interesting philosopher whose thought straddled both the religious/mystic and political activism. Her few writings were published posthumously. Considered a Marxist, her philosophy of human rights influenced Esposito. Curiously, Simone Weil was the topic of Giorgio Agamben’s political dissertation.

opposed to the collective. The impersonal is that aspect of human nature that understands and profoundly feels the meaning of higher-level concepts such as justice, truth, and beauty. The impersonal is not an *element* of human personality in the sense that an individual's personality is what defines and identifies her. According to Weil:

Impersonality is only reached by the practice of a form of attention which is rare in itself and impossible except in solitude; and not only physical but mental solitude. This is never achieved by a man who thinks of himself as a member of a collectivity, as part of something which says 'We.' (Weil 1977, 318)

However, in Esposito's incorporation of Weil's philosophy, anonymity becomes the vanishing point of personality, where the impersonal is understood, not as the opposite of person, nor a negation of it, but rather developed as an element in understanding obligation to the *munus*. We diminish the subject (ourselves) as a kind of processual anonymity in order to recognize and understand the obligation of community and fulfill it, not as subjects of *a* collective, but as anonymous elements of collective understanding.

Conclusion

In the final analysis, all three philosophers incorporate the function of anonymity within two aspects of their discourse: community and the role of the subject. Anonymity has two modes of operation in the discourse of subjectivity. The first mode is the result of a shedding of "subject" positions (thus anonymity as a non-identity or non-subject) evident in Agamben's formulation of "whatever singularity." Anonymity is a "deactivation" of the role of identity in the political, thus rendering the subject inoperative. Inoperativity for Agamben is a model of politics whose corresponding political concept is destituent power (DP, 70).¹⁹⁷

¹⁹⁷ Agamben disagrees with Negri's formulation of the constituent power of the multitude, arguing instead that destituent power is the appropriate characteristic of contemporary dissent.

In Esposito's theory of community, the use of the impersonal and the impolitical, is a weakening of the subject position accomplished through a withdrawal from the dispositifs of power -- thus an anonymizing aspect of the impersonal is such that it subverts the category of the individual as a privileged sphere in a regime of the proper. The form of community Esposito subscribes to is derived from the *munus*.

Anonymity's second mode of operation in the discourse of subjectivity is as a multiplication of "subject" positions, an obfuscation, if you will, of the individual as subject (thus anonymity as all possibilities or infinite personas or identities). In Nancy, singular exposures compose a community of infinite relationality. Exposure itself is a means of anonymous relationality, coming before any identification (OBC, 7).

In the debate between individualism and collectivism, we could then loosely categorize Agamben as an individualist (experiential); Nancy as a collectivist (relational); and Esposito falling somewhere between individual and collective. For Esposito, the impersonal names a condition of separation which is not an "ethical transcendence" of Levinasian "otherness" (Hutchens 2005), but a deeply personal and agential means of being collective. It is not so much the relationality of people, but the impersonal connection to the way-of-being of all of us through the willful dismantling of institutions that favour the individualist means of political engagement. In Esposito's case, the impersonal is what names the transcending (in Weil's thought) of the self in order to experience the realm of the sacred.¹⁹⁸ Personality disappears in the "higher realm" of the impersonal, where justice, truth and beauty dwell (Weil 1977). Being-with implies alterity and difference. It is a de-individualizing self, alone yet in relation that is an anonymous self, and this anonymous self is sacred.

If the proper is the domain of the individual, then the common (improper) is the domain of the anonymous. Even though anonymity requires a social relation, it is one that does not necessitate an identifying relation. It could be a shared event, a shared act, a shared way of

¹⁹⁸ See Weil (1977) p. 317: "Everything which is impersonal in a man is sacred, and nothing else."

thinking. An anonymous community is composed of a shared inoperativity, the anonymous potentiality to *not-be*.

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Chapter Five

Conclusion: Ethics of Anonymous Subjectivity

In this conclusion, which is also a summary of the project that gives form to the three articles included in this dissertation, I focus my attention on the elements that have been central to the discussion of anonymity, community, and political resistance that are at the heart of this dissertation. I have been arguing throughout for a way of being or sociality that comes together for reasons beyond those of individual needs and desires. I have argued in Chapter 3 that we are already seeing this in various movements, events, and actions around the world. Notions of care in these contexts involve a commitment to de-identification and un-naming, often with explicit anarchist, or autonomist leanings. In these alternative models of community, anonymity is mobilized as a technique of care to build trust relations and to keep a community solid, egalitarian, non-hierarchical, and without leaders; this results in the promotion and representation of solidarity.

I would like now to return to the initial questions posed in the Introductory Chapter, and to proceed with summaries of each chapter, highlighting the outcomes of the initial enquiry into the relationship between community, anonymity and resistance.

1. *Can anonymity be the basis of a post-identity community in a networked information environment?*
2. *How might resistance emerge out of a re-imagining of community as anonymous?*

Chapter 2 (the first article) deals with both theoretical and practical questions regarding anonymity in the context of the law. The task of interrogating anonymity as a civil liberty first speaks to the underlying motivation to fall back on privacy as the primary mode of defence against information intrusions, extortions, and manipulations. Privacy motivates anonymous

communications in some instances but does not appear up to the task of resisting normalized practices of social control brought on by the increasing normalization of surveillance culture.

The challenge of defining privacy becomes central to policy formation as does the focus on the individual subject. However, tackling privacy violations or “harms” when these are known to affect social relations becomes complicated when legal understandings of privacy dominate the privacy discourse. Relying on individual informational control, though acceptable in legal discourse, is not sufficient in addressing large-scale data aggregation and its effects. What is needed is a collective response to data protection and a more socially motivated understanding of information control.

In order to mobilize anonymity as a means of resistance to the encroachment of market and consumer logic on our shared and common information environments, I presented the case of privacy in the dominant defensive discourse. Current privacy scholarship approaches the understanding of privacy variously in terms of subjective, objective, and integrative definitions. Philosophical approaches to privacy consider the role of autonomy, and critique the conventional public-versus-private descriptive definitions of informational privacy. By comparing anonymity and privacy as complementary strategies, but as qualitatively and politically different strategies, this chapter argued that anonymity is a more effective mode of resistance, in both material and practical ways. Anonymity is also required to ensure other information freedoms such as freedom of speech and access to information. Our communicative technologies can be designed for both better privacy and for default anonymity depending on the context and the circumstances. Practicing anonymity is taking an active political stance against a normative, rights-based understanding of the informationalized subject.

Chapter 3 (the second article) explored the political process of anonymity in terms of social movement theory. Social movement theory cannot adequately account for the social and collective motivations of the three exemplars of Wikileaks, Anonymous, and Occupy, nor can it wholly account for group composition around non-identifying practices. The chapter examined

the spectrum of processual anonymity through the material (Wikileaks), socio-political (Occupy), and symbolic (Anonymous) manifestations of anonymized political engagement.

The material conditions of Wikileaks' anonymous political process depend on communication technologies that take anonymity as the default design and create the conditions for both secure and secret document transfer. Working against the ideology of a transparent citizenry, and instead, delimiting transparency for those who govern, Wikileaks and its founder Julian Assange practice the politics of anonymity within the high stakes of international diplomacy. By intervening in the workings of power, Wikileaks arrests the flow of state power relations, increasing mistrust and disturbing the foundations of conspiracy. Contrast this with the enabling of relationships among media and other civic actors, whether human rights organizations or activists, or the public at large.

The anonymous political process of Anonymous involves not only the symbolic anonymity through the donning of the Guy Fawkes mask, but the active and consistent call to *identify* as anonymous, a paradoxical means of group / collective identity engagement. The call to be anonymous is a call for rejecting the celebrity status culture of the individual but also a call to action, as the more justice oriented action groups testify. The politics of anonymity are both ideological in this case (as a call to lose one's ego / one's need for self-validation) and strategic as a means of obfuscating identity in cases of illegal actions. This becomes an important means of community building which adheres to autonomous principles, most importantly the inclusionary principle: "anyone can be anonymous / you too are anonymous."¹⁹⁹ It is here we first recognize a novel approach to the notion of anonymity; Anonymous (the group) troubles the notion of identity and identity politics subsuming identity into what Marco Deseriis (2015) calls the "improper name." The improper name, according to Deseriis, expresses a "process of subjectivation that is neither collective nor individual but rather conindividual, that is, simultaneously collective and individual" (Deseriis 2015, 26). This concluding chapter (Chapter

¹⁹⁹ <http://anonymhq.com/be-anonymous/>

5) exploring the ethics of subjectivity begins to address the implications of an anonymous subjectivity.

The movements of the squares that I have called “Occupy” rally a form of anonymous political engagement as a social disidentification with the state and order of governance. The political processes illustrate another mode of living and self-governance that is brought about through the heterogenous composition and inclusive modes of decision-making, not primarily by some form of essentialized understanding of community or identity. Positioned apart from the state and cohering through a wide variance of complaints and refusals, Occupy’s anonymous politics are evidenced in the coming together, the formation of events of rupture, *politics* in the Rancièrian sense of the term; the margins in conflict with the police order.

Chapter 4 (the third article) addressed in a more general way elements of sociality in strict opposition to collective identification in order to examine new formations of community that invert the centrality of the individual for identity and belonging. This theoretical chapter considered the possible consequences of rethinking community in terms that subvert regular and acknowledged methods of being-in-common. By juxtaposing philosophical inquiry with praxis-oriented theorizations of commoning, the resulting sociality reflects a strategic anonymous relation that withdraws from traditional political engagement and troubles the possibility of informed, active, and transformative politics. The politics of the possibility of anonymous community were explored in this chapter by identifying the similarities across three philosophers’ thinking of the concepts of *whatever*, *impolitical*, and *impersonal*. In each of these cases, we discover a being-in-common that is not easily identifiable, nor easily named.

Jean-Luc Nancy’s concept of *whatever singularities* invokes an originary state of being together and draws on the state of mutual potential states of relational being as compearance. Agamben’s coming community represents the process of political potential that is never realized but always in a state of potentiality. Esposito’s impersonal politics represents an alternative to identity politics through an engagement with justice as the most sacred aspect of humanity,

experienced individually, though expressed through *communitas* the obligation to otherness as a gift of oneself.

At this point the concluding chapter, in addition to summarizing, has the added task of addressing the thread of anonymous subjectivity that emerges from the margins of these three discussions of alternative social and political engagement in various informational contexts. Chapter 4 responds to Chapter 2 by invoking a theoretical framework that problematizes the figure of the individual as subject, both as privileged agent and as the unit of analysis for studying the effects of surveillance on society through a legal framework. Chapter 4 also works towards complicating the modes of resistance to neoliberal governance and capitalist market forces by critiquing the centrality of the individual. Methods of control and relations of power evidenced in the analysis of the individual in contemporary society lead us to experiment with forms of social interaction that break free of expected modes of dissenting behaviour. Resisting and opposing individualist world views requires both a shift in thinking about technical modes of communication and interaction as well as different forms of physical resistance appropriate to various contexts, turning often to collective modes of dissent and protest.

Let me now turn to the ethics of subjectivity and how they relate to community, resistance, and anonymity. This consideration is a result of the convergence of political forms that require elements of all three (community, resistance, and anonymity) within representations of identity. In social activism, the Black Bloc tactic is one example of both individual and collective motivations that effect a mode of anonymous subjectivity which does not quite fit into the modes of sociality that I have touched upon in the previous chapters. As a collective action, the tactic of the Black Bloc involves a group of individuals forming a contingent, who come together at rallies, demonstrations, and protests in order to present a radical critique of the economic and political system (Dupuis-Deri 2010). Dressed in black clothing, their faces are partially covered with a bandana or handkerchief, leaving only the eyes and the forehead visible. The groups at each protest are ephemeral, commonly coming together just for the duration of the event and dispersing afterwards, remaining unidentifiable to each other. As an anti-capitalist and

anti-authoritarian message, the Black Bloc is often associated with anarchist tactics, and in many cases involves the symbolic use of force, including the destruction of property deemed to represent the oppressive economic forces of capitalism. As an example of anonymous subjectivity, the Black Bloc tactic is a powerful visual effect of solidarity and prefiguration. The masking in this case, not only protects the identification of the individual actors, but also enables the erasure of identity in a symbolic becoming *whatever* in Agamben's sense (Avery-Natale 2010). In order to explore this particular thread, an investigation into the use and effects of the mask is necessary.

Politics of the Mask

Masking has a long history of use in both social customs and political action. The mask can represent both the individual association with a character and a fluid transition from the self (as subject) to the other (intersubjectivity) in solidarity of action, or as a means of collective bonding and bridging the problem of knowability in a group. The mask has a history of both hiding and revealing (identifying), both disappearing (invisibility) and becoming present (associating) (Ruiz 2013). The politics of the mask, specifically the use of masks in the context of contemporary political protest (as in Anonymous and Black Bloc protest tactics) is a complex signifier of subjectivity that both connects and disidentifies participants. Masking as anonymizing threatens the state, denying it the ability to identify persons as members of the population managed by identity representation. Masking also resists neoliberal social relations which compel us to see ourselves and others as sites of exchange in terms of consumption or profit (May 2012). The Black Bloc subjectivity, then, is an anonymous subjectivity that enables solidarity and trust as a collective act of dissent.

The donning of a mask as a collective representation of anonymity signals a radical collective subjectivity. The mask identifies outwardly, as in the case of the Guy Fawkes Mask worn by members of Anonymous. The mask also *de*identifies (obstructs, obfuscates) the person wearing it. In political terms, this form of anonymization is an active process of giving up one's

identity, thus rejecting the “person” conceived by the state. En masse, this process can have significant consequences.

Michel Foucault’s later work on what he called “the technologies of the self” will frame this last exploration of the role of anonymity in the information society. Is there an ethics of anonymous subjectivity that we can identify as a thread running through the above anonymous practices?

Technologies of the Self

Foucault defines “subject” in two ways: *subject* meaning “subject to someone else by control and dependence” and, second, *subject* meaning “tied to his own identity by a conscience or self-knowledge” (Robinson 2015). Thus, the two elements that constitute the subject are *identity* and *conscience*. Identity is the sum of the qualities that one recognizes as constituting the self; the qualities that I *identify* as *me*. Self-knowledge, or the conscience, implies an agent that binds me to those qualities I have identified as constitutive of me. So Foucault sees self-knowledge (conscience) as the producer of identity, here understood only as the relationship of myself to myself — how I see and know *myself* (rather than submitting to a category of identity that is produced externally). Conscience produces identity by imposing the self (on the self) as a goal that ought to be realized or attained (Robinson 2015).

Subjectivity, for Foucault, is the result of this reflexive experience involving both knowing and acting. It is an experience of the subject working on itself in order to come to grips with the truth about itself. Depending on the particular historical, cultural, or social setting, different modes of subjectivity will make and unmake the subject. A specific reflexive experience would be, for example, how the subject relates to its own death.²⁰⁰

²⁰⁰ This is a practice in Stoic meditation. Foucault’s study of the Stoics influences the development of his ethics of care of the self.

Subjectification is only one (the third) of the modes of objectification that Foucault studied in the transformation of human beings into subjects. The other two modes are scientific modes of inquiry that turn people into subjects by objectifying them, and “dividing practices” which separate the subject either from himself (mental illnesses) or from others (categorization or “social sorting”). Through technologies of the self, an individual *objects* herself as a self-directing subject (Foucault 1982).

For Foucault, ethics involves the creation of self in resistance to systems of domination — what he elsewhere calls the “aesthetics of existence,” involving also techniques of care. The care of the self involves: 1) the general attitude to myself, towards others and to the world; 2) the form of attention turned towards myself; 3) series of practices or technologies of the self (Foucault 2005). Ethical conduct for Foucault involves attitude, attention, and practice while not forgetting that all of this takes place within relations of power. In this case, however, the ethical goal is to “play the games” of power with as little domination as possible (Foucault 1997, 298). Critically thinking through an ethics of anonymous subjectivity — political subjectivity that can be ethical and free of identity traps — requires a thinking through not just a means of protection *against* technologies of domination, but also something that goes beyond that and towards a positive means of living a different ethical life with others in a meaningful way (Foucault 1988b).

Our technologies call us into being, not only through the objectivating informational processes of data tracking, behaviour modeling, and predictive technologies, but also through our own responsive creative processes. These are our own subjectivating techniques — practiced through online communicative and connective technologies. Our digital technologies interpellate us in ways that can interfere with our ways of living, and in terms of ethics, our ways of living a good life. Distraction, manufactured demands, elevated social obligations, and media noise, all work against the reflexive experience of the subject working on itself in pursuit of truth.

Ethics is the practice of critical engagement in the present, both with the self and with those who interact with the self in an intersubjective way. Ethics as “the conscious practice of freedom” is fundamentally linked to power in the form of resistance: “[T]here is no first or final point of resistance to political power than in the relationship of self to self.” (Foucault 2005, 252). Ethics is the care of the self through knowledge and action.

The questions I asked at the start of the dissertation have led me to this point where I wish to explore the ethics of subjectivity, and whether there is a place for anonymous practices. Can anonymity be put into practice as a technique of care? The results of my analysis have demonstrated how anonymity as a social practice strengthens trust and empowers the subject, enabling social and communicative care for all, as a necessary condition for information freedoms. The shift towards an anonymous collective consideration, beyond the ideology of the individual and identity politics, has provoked a re-imagining of community as outrage, as indignation, as a dissenting commons; familiar, yet diverse networks of resistance.

Future Research

Each of the chapters that make up this dissertation can be expanded further. I envision a short critical monograph series on the study of anonymity. The first would be written with information policy in mind — practices of anonymity and juridical considerations of anonymity — with a more descriptive tie to privacy in a comparative analysis of privacy in cultures around the world. A continuing analysis of large-scale implementations of anonymizing technologies would be followed by a practical exposition to bring these forward as a viable means of collectively legislating transborder data flows.

The second monograph would broaden the three case studies (Occupy, Wikileaks, and Anonymous) placing them squarely within communication studies. I would attempt to identify each case within Alexander Galloway’s (2014) model of communication as represented by Hermes (hermeneutics) Iris (iridescence) and The Furies (furious swarms) by overlapping each

of the philosophical conceptualizations of community (Nancy, Agamben and Esposito) with the modes of communication that represent them.

The third monograph would expand the study of anonymity from a philosophical standpoint, as a mode of unknowability, and go further into an analysis of identity in the context of the social, and from the subject to intersubjectivity, with a focus on Esposito and the biopolitical aspects of community. There has been some interest in this topic more broadly,²⁰¹ but the focus on anonymity has not been explored maybe in part because it is a difficult concept to employ in these contexts. There is a lot of general resistance to anonymous practices, to paraphrase the legal scholar, Michael Froomkin (2016), because people often want anonymity for themselves but at the same time distrust it for others. There is a lot of work required to begin remedying this presumption.

A fourth monograph would further develop these concluding thoughts on anonymity through technologies of the self, by tracing anonymity historically from the author-function to a contemporary analysis of anonymity as a method of securing information freedoms. Here a more expansive study of anonymity with the associated practice of pseudonymity would be appropriate. A focus on the intersection of Library and Information Science (LIS) with Pirate Politics²⁰² would help identify potential allies and invite broader participation in the discourse of information freedoms and the “movement” towards open information systems and access.

Information violations are a central concern of information studies at the institutional level, in academic and public libraries, but also in culture, law, and everyday life. We are interested in the informational and communicational aspects of our lives and consider the future of informational privacy and data security. But we must also take a stance on what it means to actively support access to information, and open information and knowledge systems. We can

²⁰¹ See for example, Campbell (2012); Langford (2015); and Tierney (2016).

²⁰² Burkart, Patrick. (2014). *Pirate Politics: The New Information Policy Contests*. Cambridge, MA: The MIT Press.

participate by building ethical information infrastructures, and working towards incorporating information activism as an important pedagogical aspect of information studies.

References: Chapter 5

[Conclusion: Ethics of Anonymous Subjectivity]

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