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Click to Change: Optimism Despite Online Activism's Unmet Expectations

Ryan Hal Budish

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INTRODUCTION

On May 20, 2012, in response to tweets about "blasphemous drawings," Pakistan blocked Twitter for eight hours before the Prime Minister intervened to restore access.[1] During that period, hundreds of Pakistanis visited Herdict, a Harvard University project for tracking Internet censorship and web blockages, and filed numerous inaccessible reports, allowing us to see blockages in real time.[2] Similarly, when China blocked *The New York Times* in late October 2012, in response to a story about the wealth of Prime Minister Wen Jiabao,[3] Herdict received several inaccessible reports from China for the news site.[4] These events epitomize the importance of projects that track the openness of the Internet. But just as importantly, these events are data points in an expierment. Herdict is premised on the belief that by asking people to complete a small, simple task—reporting if they can access a site—we can transform individuals into foot soldiers for Internet freedom, even if they do not see themselves as activists.[5] Moreover, by making the task so small, these people can participate without assuming too much personal risk.

Online activism can often be quite dangerous. For those of us with relatively unfettered Internet access, it is easy to believe that the greatest threat

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[1] Nancy Messieh, *Twitter Blocked in Pakistan After Refusing To Remove 'Blasphemous Content' [Update: Restored!]*, NEXT WEB (May 20, 2012), http://thenextweb.com/socialmedia/2012/05/20/twitter-blocked-in-pakistan-after-refusing-to-remove-blasphemous-content/ (quoting Saad Hasan, *Twitter Unblocked Across Pakistan*, EXPRESS TRIB. (May 20, 2012), http://tribune.com.pk/story/381639/twitter-blocked-across-pakistan-over-blasphemous-drawings/) (internal quotation marks omitted).

[2] *See Raw Data Feed*, HERDICT, http://www.herdict.org/explore/data/view (in the dropdown menus, set the date range to May 2012, the country to Pakistan and the URL to Twitter) (last visited Oct. 10, 2012) (showing blocked URL reports from Pakistan between May 1, 2012 and May 30, 2012).

[3] Keith Bradsher, *China Blocks Web Access to Times After Article*, N.Y. TIMES, Oct. 26, 2012, at A12.

[4] *See Raw Data Feed*, HERDICT, http://www.herdict.org/explore/data/view?fc=CN&fs=2480 (last visited Nov. 4, 2012) (showing blocked URL reports for The New York Times in China).

[5] *Cf. About*, HERDICT, http://www.herdict.org/about (last visited Sept. 12, 2012).

we face to our online freedom of expression is that an embarrassing comment or tweet will be forever immortalized.[6] But the relative safety in which activists in the United States and other Western countries can organize and communicate through the Internet stands in stark contrast to the risks that online expression can pose in many other parts of the world.[7]

In many places, even a 140-character Tweet could pose a serious threat to the life and limb of the author.[8] That something so small and seemingly innocuous as a Tweet could create such mortal danger may seem odd, but it underscores the importance of the context in which activism occurs. Just as signing a petition during the McCarthy era was simple but potentially dangerous, an incendiary Facebook update or Tweet today can invite serious repercussions.[9] Particularly under authoritarian regimes, online activism can have significant costs.[10]

There are numerous examples of activists and others paying these costs. In February 2012, a twenty-three-year-old journalist in Saudi Arabia, Hamza Kashgari, tweeted his "mixed feelings about the Prophet [Mohammad]," which led to accusations of apostasy, a charge that is punishable by death.[11] Afraid for his life, "Kashgari deleted the tweets, closed his Twitter account, and later recanted his words."[12] He was forced to flee to Malaysia, where he was promptly extradited back to Saudi Arabia.[13] Only by repenting before a court was he able to secure his release and avoid a harsh sentence.[14] In April 2012,

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[6] *See, e.g., Politwoops: Deleted Tweets from Politicians*, SUNLIGHT FOUND., http://politwoops. sunlightfoundation.com (last visited June 30, 2012).

[7] *But see* Megan Geuss, *Twitter Hands over Sealed Occupy Wall Street Protester's Tweets*, ARS TECHNICA (Sept. 14, 2012), http://arstechnica.com/tech-policy/2012/09/twitter-hands-over-occupy-wall-street-protesters-tweets/ (detailing how Twitter was required to disclose information about a user who had been arrested in connection with the Occupy Wall Street protests).

[8] *See, e.g., infra* text accompanying notes 11–18.

[9] *Cf.* Doug McAdam, *Recruitment to High-Risk Activism: The Case of Freedom Summer*, 92 AM. J. SOC. 64, 67 (1986) ("Risk refers to the anticipated dangers—whether legal, social, physical, financial, and so forth—of engaging in a particular type of activity. While the *act* of signing a petition is always low *cost*, the *risk* of doing so may, in certain contexts—during the height of McCarthyism, for example—be quite high.").

[10] Zeynep Tufekci & Christopher Wilson, *Social Media and the Decision To Participate in Political Protest: Observations from Tahrir Square*, 62 J. COMM. 363, 377 (2012) ("[E]specially in authoritarian contexts, digital activism is neither without cost nor without political potency.").

[11] Mike Rispoli, *Saudi Journalist Hamza Kashgari Faces Criminal Charges over Tweets*, ACCESS (Feb. 15, 2012, 5:08 PM), https://www.accessnow.org/blog/hamza-kashgari.

[12] *Id.*

[13] *Id.*

[14] Nancy Messieh, *Saudi Journalist Facing the Death Penalty for His Tweets Reportedly To Be Released*, NEXT WEB (Mar. 8, 2012), http://thenextweb.com/socialmedia/2012/03/08/saudi-journalist-facing-the-death-penalty-for-his-tweets-reportedly-to-be-released/.

the Palestinian Authority jailed two journalists and a university lecturer for Facebook posts, among other things.[15] Around the same time, two Tunisians were "sentenced to seven years in prison for posting cartoons of the Prophet Mohammed on Facebook."[16] A thirty-year-old Jakarta man was fined and sentenced to two and a half years in prison following an arrest for "blasphemy, disseminating hatred and spreading atheism," all for a Facebook post about his religious views.[17] And in October 2012, four individuals were arrested in Bahrain for "defaming public figures on social media."[18]

What these attacks on free expression mean for the future of online activism depends upon your views about online activism's efficacy in the first place. For those who believe that "digital media played a fundamental role in the wave of protest across North Africa and the Middle East,"[19] these attacks are nothing short of an assault on the new front lines in the battle for social and political change. For them, such an assault legitimizes online activism and proves that governments fear social media's disruptive potential.[20] But there are those who see the Internet as much as a tool for surveillance and oppression as it is for organizing and protest. For them, these arrests are the dangerous outcome of the fetishization of, and overreliance on, technology.[21]

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[15] *See* Jillian C. York, *In Tunisia and Palestine, Be Careful What You Say on Facebook*, ELECTRONIC FRONTIER FOUND. (April 10, 2012), https://www.eff.org/deeplinks/2012/04/week-censorship-troubling-developments-tunisia-palestine.

[16] *Id.*

[17] Benedict Rogers, *Indonesia's Rising Religious Intolerance*, N.Y. TIMES (May 21, 2012), http://www.nytimes.com/2012/05/22/opinion/indonesias-rising-religious-intolerance.html; *accord* Meghan Neal, *Man in Indonesia Jailed for Atheist Facebook Posts*, N.Y. DAILY NEWS, (June 15, 2012), http://articles.nydailynews.com/2012-06-15/news/32258951_1_religious-hatred-indonesia-human-rights-watch; *see also Amnesty Calls for Release of Jailed Indonesian Atheist*, JAKARTA GLOBE (June 15, 2012), http://www.thejakartaglobe.com/home/amnesty-calls-for-release-of-jailed-indonesian-atheist/524453.

[18] *See* Yusur Al Bahrani, *Four Tweeps Arrested in Bahrain*, GLOBAL VOICES: ADVOCACY (Oct. 17, 2012, 9:12 PM), http://advocacy.globalvoicesonline.org/2012/10/17/four-tweeps-arrested-in-bahrain/ (quoting Ministry of Interior of Bahrain) (internal quotation marks omitted).

[19] Philip N. Howard & Malcolm R. Parks, *Social Media and Political Change: Capacity, Constraint, and Consequence*, 62 J. COMM. 359, 360 (2012) ("There is little doubt that digital media played a fundamental role in the wave of protest across North Africa and the Middle East, beginning with the political upheavals in Tunisia and Egypt, and spreading to other part of the region including Libya, Yemen, and Syria.").

[20] *Cf.* Merlyna Lim, *Clicks, Cabs, and Coffee Houses: Social Media and Oppositional Movements in Egypt, 2004–2011*, 62 J. COMM. 231, 231–32 (2012).

[21] *See* Evgeny Morozov, *Facebook and Twitter Are Just Places Revolutionaries Go*, GUARDIAN (Mar. 7, 2011), http://www.guardian.co.uk/commentisfree/2011/mar/07/facebook-twitter-revolutionaries-cyber-utopians ("The fetishism of technology is at its strongest immediately after a revolution but tends to subside shortly afterward."); *see also* Lim, *supra* note 20, at 232 ("[T]echno-dystopians see the Internet as posing a threat to democracy through the ways in which governments and corporations use it to manipulate users and legitimize their identities and by demeaning public discourse." (internal citations omitted)).

Online activism is not perfect, but that does not mean it cannot be an effective instrument for activism, particularly in ways that conventional activism cannot. In addition to being a tool for monitoring Internet health, the Herdict project is an experiment to show that the Internet need not be viewed as the savior of social or political revolution in order to be a potent tool for change. Nor does the existence of real dangers necessarily pose an existential threat to digital forms of activism. Instead, Herdict tries to show that, for at least certain forms of activism, it is possible to blunt the dangers while taking advantage of the unique ways that the Internet enables the division of labor.

In the remainder of this Article, I aim to explain how it is possible to emphasize the positive aspects of online activism, while acknowledging the legitimate critiques that have been leveled against it. In Part I, I will discuss both the positive and negative aspects of online activism. Specifically, I will show how its critics have variously and convincingly argued that it is often "slacktivism," subjects activists to new dangers, oversimplifies complex situations, and is actually just a modern window dressing for traditional forms of organizing. In Part II, I will show how traditional activism is not without its faults and often leads to increasingly polarizing positions that reduce overall participation. In Part III, I will argue that it is possible to blend the unique characteristics of online networks with the lessons from traditional activism into a platform that avoids some of the pitfalls of both online and more traditional forms of activism.

I. GREAT EXPECTATIONS: THE DISAPPOINTMENTS OF ONLINE ACTIVISM

For many, the Internet has held great promise for the areas of human rights and activism in general. One scholar, for example, suggested that the Internet could "*revolutionise* civic engagement and strengthen democratic processes . . . ."[22] And another said that because "protest and knowledge about protests can quickly be spread over large distances, protest can intensify itself,"[23] making the platform ideally "suited as a medium of co-ordination, communication, and co-operation in global protest."[24] And another called it as

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[22] Sally Hill, *Models of Online Activism and Their Implications for Democracy and Climate Change* 18 (Apr. 2010) (unpublished discussion paper, Found. for Democracy and Sustainable Dev.) (emphasis added), *available at* http://www.fdsd.org/wordpress/wp-content/uploads/Online-activism-democracy-and-climate-change.pdf.

[23] Christian Fuchs, *The Self-Organization of Cyberprotest*, *in* THE INTERNET SOCIETY II: ADVANCES IN EDUCATION, COMMERCE & GOVERNANCE 275, 281 (K. Morgan et al. eds., 2006).

[24] *Id.* at 279.

much of a "social revolution" as a technical one "because the ordinary people assume an unprecedented role as agents of change and because new social formations are among its most profound outcomes."[25] In the wake of the Arab Spring and other protests, it is clear that the Internet has indeed had a profound impact on activism, but Internet activism has disappointed just as often as it has inspired.

When it has lived up to its promise, the Internet has succeeded in enabling discourse and fomenting protest in ways that would never have been allowed in its absence. China, for example, has now become the world's largest community of bloggers, with over 200 million blogs.[26] And a comparable number of Chinese netizens use Twitter-like microblogging sites such as Sina Weibo.[27] This environment has enabled an unprecedented dialogue among Chinese citizens, despite the country's best attempts to restrain it.[28] In 2009, over a thousand people rioted in the western Chinese city of Urumqi in response to the death of two factory workers; such protests would have been impossible "[j]ust 10 years earlier" due to "tight censorship and a lack of reliable information."[29] Similarly, in 2011, after a high-speed train crash in Wenzhou, which killed 39 and injured 192, Chinese officials tried to cover up the accident by burying the train next to the track.[30] In response, citizens posted millions of messages on Sina Weibo, eventually forcing an official investigation into the accident.[31] Where political constraints would have otherwise made it hard for organizations to accomplish their goals, groups in China using the Internet have been very successful at "rais[ing] awareness for causes and expand[ing] membership."[32]

These stories are not limited to China. In Egypt, for example, "54 out of 70 recorded street protests from 2004 to 2011 substantially involved online

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[25] GUOBIN YANG, THE POWER OF THE INTERNET IN CHINA: CITIZEN ACTIVISM ONLINE 213 (2009)

[26] Jonathan Hassid, *Safety Valve or Pressure Cooker? Blogs in Chinese Political Life*, 62 J. COMM. 212, 213–14 (2012).

[27] *China's Microbloggers Quadrupled in 2011, Report Says*, BBC NEWS (Jan. 16, 2012), http://www. bbc.co.uk/news/world-asia-china-16571547.

[28] *See, e.g.*, *China's Sina Weibo Unveils New Censorship System*, VOICE OF AM. TIBETAN NEWS (May 28, 2012), http://www.voatibetanenglish.com/content/chinas-sina-weibo-unveils-new-censorship-system-1553 35335/1267399.html.

[29] Hassid, *supra* note 26, at 212.

[30] *See* Michael Wines & Sharon LaFraniere, *In Baring Facts of Train Crash, Blogs Erode China Censorship*, N.Y. TIMES, July 29, 2011, at A1, A10.

[31] *See id.* at A10.

[32] Rebecca MacKinnon, Book Review, FAR E. ECON. REV., Sept. 2009, at 60, 61 (reviewing YANG, *supra* note 25.

activism."[33] Such protests eventually led to the resignation of long-time leader, Hosni Mubarak.[34] Thus, it is clear that "[i]nformation technologies have become indispensable to reformers, revolutionaries, and contemporary democracy movements."[35] But while they may be indispensable tools in the activist's arsenal, they have not been infallible ones. Among the many critiques that some have leveled against online activism, four stand out as being worthy of discussion: (1) it is slacktivism, (2) it endangers activists, (3) it promotes oversimplification, and (4) it simply relies upon traditional activism. The goal here is not to refute authoritatively or confirm any of these critiques, but only to show that these critiques are based on legitimate concerns that cannot be easily dismissed.

A. Slacktivism

One of the strongest criticisms of online activism is that it has primarily led to slacktivism or "arm-chair activism" at the expense of personal sacrifice and result-oriented activism.[36] Although online activism can encompass a wide range of activities, unsurprisingly, the easiest have become the most popular. For example, e-petitions that "require little more than typing one's name and clicking send" or clicking "like" on Facebook have dramatically reduced the costs of participation, making joining a cause a trivial matter.[37] Thus, an organization can easily lay claim to thousands or millions of members, whose sole contribution is nothing more than providing an e-mail address.[38]

One of the most outspoken critics of slacktivism has been journalist Malcolm Gladwell. In a harsh critique of Facebook's role in social change, he noted that Facebook helped the Save Darfur Coalition amass 1,282,339

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[33] Lim, *supra* note 20, at 232.

[34] *See* David D. Kirkpatrick, *Mubarak Out, and Egypt Exults as Youth Revolt Ends 3 Decades of Iron Grip*, N.Y. TIMES, Feb. 12, 2011, at A1.

[35] William Lafi Youmans & Jillian C. York, *Social Media and the Activist Toolkit: User Agreements, Corporate Interests, and the Information Infrastructure of Modern Social Movements*, 62 J. COMM. 315, 315 (2012).

[36] *See, e.g.*, Hill, *supra* note 22, at 6–7 ("Many of the disadvantages and (founded or unfounded) criticisms of online activism are encapsulated in the idea that it produces 'arm-chair activism.'").

[37] Caroline W. Lee, *The Roots of Astroturfing*, CONTEXTS, Winter 2010, at 73, 74.

[38] Online organizations often boast millions of members, but in most cases signing a single petition or joining a single mailing list is sufficient to make one a "member." Hill, *supra* note 22, at 11 ("Signing just a single campaign petition, and agreeing to receive . . . [an organization's] . . . emails, makes an individual a member of the organisation.").

members—and on average the members donated only nine cents each.[39] Although Gladwell believes that people participate in slacktivism "when they are not motivated enough to make a real sacrifice,"[40] it is hard to know whether they lack motivation or they truly believe that clicking "like" can make a difference.[41] Regardless of the cause, a real risk exists that people are engaging in Facebook campaigns at the expense of other forms of participation.

We see this risk of swapping out a more challenging form of activism for its slacktivism equivalent in places ranging from Wall Street to Cairo. According to early research on the Occupy Wall Street movement, among those who affiliate themselves with the movement, 74.3% have posted about the movement on Facebook, making it the most common form of participation.[42] Although the Occupy camps and protests are the enduring images of the movement, a far greater proportion of members have participated through Facebook than through marching (49.3%) or visiting a camp (63.3%).[43] And those who participate through Facebook dramatically outstrip the proportion who have ever lived or slept in a camp (17.2%).[44] Thus, we see far greater levels of participation in the Facebook component of the movement than in the other, more tangible aspects of it.

A similar story played out in Egypt in 2009. A Facebook group called the "April 6 Youth Movement," named after a group of workers who went on strike on April 6, 2008,[45] quickly grew to 70,000 members.[46] This was tremendous support in a country that had fewer than 900,000 total Facebook

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[39]   Malcolm Gladwell, *Small Change: Why the Revolution Will Not Be Tweeted*, NEW YORKER, Oct. 4, 2010, at 46. Another example is the Facebook cause "Saving the Children of Africa," which has over 1.7 million members who have raised "less than one-hundredth of a penny per person." EVGENY MOROZOV, THE NET DELUSION: THE DARK SIDE OF INTERNET FREEDOM 190 (2011).

[40]   Gladwell, *supra* note 39, at 46–47.

[41]   *See* ROBERT D. PUTNAM, BOWLING ALONE: THE COLLAPSE AND REVIVAL OF AMERICAN COMMUNITY 174 (2000) ("John Seeley Brown and Paul Duguid point out that 'ability to send a message to president@whitehouse.gov . . . can give the illusion of much more access, participation, and social proximity than is actually available.' Millions more of us can express our views with the click of a mouse, but is anyone listening?" (alteration in original) (quoting JOHN SEELEY BROWN & PAUL DUGUID, THE SOCIAL LIFE OF INFORMATION 226 (2000)).

[42]   *Preliminary Findings: Occupy Research Demographic and Political Participation Survey*, OCCUPY RESEARCH (Mar. 23, 2012), http://www.occupyresearch.net/2012/03/23/preliminary-findings-occupy-research-demographic-and-political-participation-survey/.

[43]   *Id.*

[44]   *Id.*

[45]   Robert Dreyfuss, *Who's Behind Egypt's Revolt?*, NATION (Jan. 31, 2011, 1:42 PM), http://www.thenation.com/blog/158159/whos-behind-egypts-revolt.

[46]   Lim, *supra* note 20, at 240.

users at that time.[47] However, just as with the Occupy participants, more tangible forms of participation failed to live up to Facebook enthusiasm, with many joining simply "because it was trendy."[48] In the end, whether because of police attacks[49] or lack of member commitment, the online support did not translate into offline action."[50]

The problem with the slacktivism critique is that it is unsurprising that more people participate in easier activities than harder ones. That fact alone does not tell us whether Facebook and other easy forms of participation are cannibalizing individuals who would otherwise contribute in more tangible and meaningful ways. Indeed, it is possible that those whose sole form of participation is clicking "like" on Facebook never would have done more.[51] But when so many call themselves members yet are unwilling to do more than just click a button, it is easy to see why claims of slacktivism have been so compelling.

B. Danger to Activists

Although a lack of commitment from so-called members may render a cause ineffectual, at least it does not endanger the lives of participants. However, another criticism of online activism is that the tools activists use may be turned against an organization and its members. The danger is that these online tools are often owned or maintained by others, and changes to those tools (either malicious or not) can have significant negative impacts on activists.[52]

One way that activists' online activities can expose them to danger is through using tools that have been corrupted by governments or organizations

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[47] *Id.*

[48] *Id.*

[49] *See* Ellen Knickmeyer, *Fledgling Rebellion on Facebook Is Struck Down by Force in Egypt*, WASH. POST, May 18, 2008, at A1, A22.

[50] *Id.* at A22 ("[O]f the 74,000 people who had registered on the Facebook protest page, only 15 . . . were still eager to gather for a protest.").

[51] It is also possible that clicking "like" on Facebook may serve as a gateway into more serious forms of participation. *See* McAdam, *supra* note 9, at 70 ("Moreover, each succeeding foray into safe forms of activism increases the recruit's network integration, ideological affinity with the movement, and commitment to an activist identity, as well as his receptivity to more costly forms of participation.").

[52] *See* Youmans & York, *supra* note 35, at 316 ("These privatized goals of platform owners and developers can conflict with their use as tools for civil society and popular mobilization. Changes in architecture may thus adversely impact activists."); *id.* at 317 ("[O]ur goal is to highlight the mismatch between the commercial logic of platforms such as Facebook and the needs of activists using social media as public information infrastructure.").

seeking to spy on or disrupt the activists' cause. For instance, in early 2012, researchers at the University of Toronto discovered that proxy software commonly used by dissidents in Iran and Syria included a keylogger that would capture users' usernames, passwords, and other sensitive data.[53] Similarly, a program used by Vietnamese activists abroad was replaced with an "almost identical file" that "risked turning their computer into a powerful spy and attack hub."[54] And when Reporters Without Borders e-mailed a petition to their supporters, it had been infected with a malicious link: "Once clicked it did lead to what looked like a genuine petition—so one would not suspect anything inappropriate—but the website also contained a security trap, infecting the computers of anyone who clicked on the malicious link."[55] Thus, by using tools maintained by others, activists expose themselves and their computer networks to surveillance or attack.

Online activists do not even need to be infected by a virus to be placed in danger. Governments are quickly realizing the intelligence that can be gathered through social networking sites—intelligence that in many cases activists are voluntarily providing.[56] In Syria, for example, where Facebook, Blogspot, and YouTube had been banned since 2007, the government decided to unblock the services in the wake of protests in order to use them for surveillance.[57] Recognizing the potential intelligence value in social networking, Vietnam's Ministry of Information and Communications created its own social networking site, in the hope that the country's Facebook ban would leave people with no option but to use the government's homegrown alternative.[58] Because of the risk of government monitoring, simply using social networking tools (which have helped activists in many ways) can undermine an organization's efforts.

Between viruses and surveillance, the very tools that have been championed as the saviors of activism can easily be turned against their proponents. But fault is not necessarily inherent in the tools themselves. One

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[53] Lance Whitney, *Iranian and Syrian Dissidents Targeted by Spyware*, CNET (May 30, 2012), http:// news.cnet.com/8301-1009_3-57443678-83/iranian-and-syrian-dissidents-targeted-by-spyware/.

[54] MOROZOV, *supra* note 39, at 145.

[55] *Id.* at 147.

[56] *See id.* at 155–56 ("[G]overnments are quickly beginning to understand the immense intelligence value of information posted to social networking sites.").

[57] *See* Youmans & York, *supra* note 35, at 322 ("Syria's leader Bashar al-Assad, perhaps recognizing the failed approaches of the Tunisian and Egyptian regimes, chose to *unblock* Facebook, Blogspot, and YouTube, which were blocked since 2007, in order to increase surveillance.").

[58] *See* MOROZOV, *supra* note 39, at 156.

outspoken critic of online activism, Evgeny Morozov, blames activists' own ignorance for a lot of the risk: "That so many users exchanging sensitive information online—including activists and dissidents—do not have a firm understanding of the technologies they use is cause for serious concern. Eventually it puts them at completely unnecessary and easily avoidable risk."[59] Even to a pessimist like Morozov, all is not lost, however. When activists properly understand the new technologies that the Internet revolution has made possible, they can be far safer than before; cheap encryption and anonymization technologies can provide protection that was unavailable or unaffordable in years past.[60]

Even when tools are not being used maliciously to undermine activists, the simple act of relying on third parties for services necessitates surrendering some amount of independence and control. YouTube videos, for example, can be critical for raising awareness about issues and events.[61] But relying on YouTube entails relying on Google and its policies. For Egyptian activists, such reliance proved problematic when Google initially decided to take down their video of police abuse for being too graphic.[62] Google eventually restored the video,[63] but as William Youmans and Jillian York note, by that point the damage was done: "[W]hen videos are restored, however, the impact on behalf of activists may be diminished by the loss of viewers and because the video may be overtaken by more recent events."[64] Similarly, spam filters can automatically (but unintentionally) block the high-volume correspondence that typifies activist campaigns, making it difficult for activists to reach their

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[59] *Id.* at 170.

[60] *See id.* at 168–69.

[61] *See, e.g.*, Gilad Lotan, *[Data Viz] KONY2012: See How Invisible Networks Helped a Campaign Capture the World's Attention*, SOCIALFLOW (Mar. 14, 2012), http://blog.socialflow.com/post/7120244932/ data-viz-kony2012-see-how-invisible-networks-helped-a-campaign-capture-the-worlds-attention.

[62] Youmans & York, *supra* note 35, at 320.

[63] *Id.*

[64] *Id.* at 320–21. This problem is particularly acute on sites that rely on their community of users to police content. Any organization that has unpopular positions or is comprised of minority groups can easily find their content flagged for deletion, even if undeserving. *See id.* at 321 ("Community policing practices can easily be turned against dissidents with unpopular positions or members of minority identity groups."). More recently, Google unilaterally removed the controversial "Innocence of Muslims" video from YouTube in Egypt and Libya. *See* Eva Galperin, *Why Google Shouldn't Have Censored the Anti-Islamic Video*, TECHCRUNCH (Sept. 17, 2012), http://techcrunch.com/2012/09/17/why-google-shouldnt-have-censored-the-anti-islamic-video/. Although this video is probably not what many would consider to be "activism," it still highlights the risks of relying upon third parties for the hosting of content. Jillian York has written extensively criticizing Google's decision to do this in the absence of an official governmental request. *See, e.g.*, Julian C. York, *Should Google Censor an Anti-Islam Video?*, CNN (Sept. 26, 2012), http://www.cnn.com/2012/09/14/ opinion/york-libya-youtube/index.html.

supporters.[65] Reliance on third parties necessarily entails the risk that the content or services will be unavailable just at the moment when activists need them the most.

Whether through malice, ignorance, or accident, online tools can pose risks to both activists and the causes that activists pursue. The tools that form the basis of online activism are almost always made or maintained by others, requiring trust in those custodians. Sometimes that trust is not deserved; because of that, online activism can pose risks to activists. That said, the Internet as a whole operates on principles of trust,[66] making it impossible to become completely independent and isolate oneself from risk without entirely disconnecting from the network. Given the Internet's tremendous ability to help activists reach ever-greater numbers of people, disconnecting completely, even given the risks, is simply not an option for most.

C. Oversimplification of Complex Issues

Another critique of online activism is that in activists' rush to attract the millions of users that the platform promises, they reduce complex issues to slogans and memes. In other words, they take enormously complex geopolitical issues and grind them down into the pithy bumper stickers of the Internet age. While simplicity is not, in itself, a bad thing, it can be if in the process of grinding, important context and subtlety are lost. Perhaps no cause embodies this complaint more than Invisible Children's Kony 2012 campaign.[67]

Kony 2012 was an enormously popular video focused on bringing brutal Ugandan warlord Joseph Kony to justice.[68] The premise of the video is that by raising awareness about Kony's crimes, pressure would build on President Barack Obama to commit U.S. forces to Northern Uganda to root him out.[69] This slickly edited video reached 100 million views on YouTube in six days,[70]

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[65] *Id.* at 322.

[66] Jonathan Zittrain, *The Web as Random Acts of Kindness*, TED (Sept. 2009), http://www.ted.com/talks/jonathan_zittrain_the_web_is_a_random_act_of_kindness.html.

[67] The video may be viewed on YouTube. Invisible Children Inc., *Kony 2012*, YOUTUBE (Mar. 5, 2012), http://www.youtube.com/watch?v=Y4MnpzG5Sqc.

[68] Ethan Zuckerman, *Unpacking Kony 2012*, MY HEART'S IN ACCRA (Mar. 8, 2012, 10:53 AM), http://www.ethanzuckerman.com/blog/2012/03/08/unpacking-kony-2012/.

[69] *Id.*

[70] Lotan, *supra* note 61.

becoming what some called "the most viral video in history."[71] In that regard, the Kony 2012 campaign was incredibly successful at reaching a wide audience in a very short period of time.

According to some critics, however, Kony 2012's success came at a significant cost to context and accuracy. According to Ethan Zuckerman, Director of MIT's Center for Civic Media,[72] Invisible Children—the U.S.-based advocacy group that produced the video—drastically oversimplified the conflict to "a single bad guy, a single threat to eliminate" which "leads to an unworkable solution."[73] Among the many basic factual problems with the video that Zuckerman identifies, he notes that "Kony is no longer in Uganda, and it is no longer clear that the LRA [Lord's Resistance Army] represents a major threat to stability in the region."[74] In simplifying, the video simply gets things wrong.

Aside from factual errors, perhaps the worst sin the video commits is transmuting a Ugandan issue into an American one. Invisible Children's campaign "gives little or no agency to the Ugandans the organization wants to help. . . . And the Invisible Children approach focuses on American awareness and American intervention, not on local solutions to the conflicts in northern Uganda."[75] This Americentrism, combined with the factual inaccuracies, did not sit well with the Ugandans the video was trying to help. A reporter described a showing of the film in Uganda:

> Towards the end of the film, the mood turned more to anger at what many people saw as a foreign, inaccurate account that belittled and commercialised their suffering, as the film promotes Kony bracelets and other fundraising merchandise, with the aim of making Kony infamous . . . . The event ended with the angrier members of the audience throwing rocks and shouting abusive criticism, as the rest fled for safety, leaving an abandoned projector, with organisers and the press running for cover until the dust settled.[76]

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[71] Samantha Grossman, *'Kony 2012' Documentary Becomes Most Viral Video in History*, TIME NEWSFEED (Mar. 12, 2012), http://newsfeed.time.com/2012/03/12/kony-2012-documentary-becomes-most-viral-video-in-history/.

[72] *Team*, MIT CENTER FOR CIVIC MEDIA, http://civic.mit.edu/team (last visited Oct. 14, 2012).

[73] Zuckerman, *supra* note 68.

[74] *Id.*

[75] *Id.*

[76] Malcolm Webb, *Ugandans React with Anger to Kony Video*, AL JAZEERA (Mar. 14, 2012, 7:55 AM), http://blogs.aljazeera.com/blog/africa/ugandans-react-anger-kony-video. The local anger directed at Invisible Children was in part relating to the organization's self-promotion and fundraising, at the expense of directly

Although the video was wildly popular on YouTube, the oversimplification of the complex issues it sought to address proved offensive to the people who knew the most about the conflict—Ugandans themselves.

The oversimplification could perhaps be forgiven if the video was nonetheless successful in achieving change. Zuckerman, however, is not optimistic: "The theory of change it advocates is unlikely to work, and it's unclear if the goal of eliminating Kony should still be a top priority in stabilizing and rebuilding northern Uganda."[77] The compelling narrative that Invisible Children crafted was successful in educating millions about an atrocious individual. That it encouraged so many to be concerned about Uganda is laudable, but it raised the question of whether online activism must surrender complexity and subtlety in order to achieve mass support.[78] Had the video been more detailed and subtle, it is not clear that it would have been as popular.

D. Same Great Activism, New Packaging

The final critique of online activism is that most of the successes attributed to online activism are in fact due to the in-person contacts that were the core of activism long before there was an Internet. While watching tens of thousands of people stream into the streets in protest in the Middle East, it was easy to imagine that these crowds materialized out of the ether, responding to a Tweeted halcyon call in a flash mob for social change.[79] While the Internet has supplemented and aided traditional activities, according to this critique it has also obfuscated the months or years of hard work that went into laying the groundwork for protests such as the Arab Spring.

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helping Ugandans. *See* Zuckerman, *supra* note 68 (discussing how less than one third of Invisible Children's resources are spent on direct services for affected Ugandans). This particular critique is of online activism is not unique to Invisible Children. *See* Hill, *supra* note 22, at 6 ("[T]here is also an argument that online activism is ineffective and clutters the real issues. This argument is certainly not without foundation. A great deal of content on the Internet claims to be 'activism' but has in reality more to do with the promotion of personal or financial interests.").

[77] Zuckerman, *supra* note 68.

[78] *Id.* ("As someone who believes that the ability to create and share media is an important form of power, the Invisible Children story presents a difficult paradox. If we want people to pay attention to the issues we care about, do we need to oversimplify them? And if we do, do our simplistic framings do more unintentional harm than intentional good?").

[79] *See* MOROZOV, *supra* note 21 (referring to the belief that these protests were the result of "random people doing random things online").

Many who closely followed the Arab Spring protests have emphasized the important role face-to-face personal relationships played. For instance, many of the activists who were so influential in the protests had actually met previously at a myriad of workshops and conferences over several years.[80] These connections helped form interpersonal networks that "were not just practical and political, but also helped sustain a core network of activists over time."[81] Even Kony 2012's seemingly spontaneous growth relied upon a network of youth and young adults that Invisible Children had been building for many years.[82] Interpersonal networks, often based upon a foundation of in-person interactions, were critical to the eventual success of these causes.

In addition to interpersonal networks, face-to-face communications were often just as important as online communications, if not more so, in spreading the word about protests. In Egypt, for example, taxicab drivers "were as important as Facebook in spreading the word to potential demonstrators."[83] A careful study of those who attended the Tahrir Square protests in Egypt showed that almost half had learned of the demonstrations from face-to-face interactions, and not from Twitter or Facebook.[84] It is clear that online social media has not fully supplanted in-person connections or communications as a critical foundation for organizing social change.

Despite this critique, it is not fair to say that Facebook and Twitter played no role in the Arab Spring or other modern protests. Speaking about the protests in Iran, Malcolm Gladwell stated that "the people tweeting about the demonstrations were almost all in the West."[85] Such statements unfairly minimize the role of online social media. Instead, these protests were neither fully a "Facebook revolution" nor a "people's revolution."[86] Activists overlaid Internet tools on top of their existing social networks "to amplify and extend

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[80]   *See* Tufekci & Wilson, *supra* note 10, at 366.

[81]   *Id.*

[82]   *See* Lotan, *supra* note 61.

[83]   Lim, *supra* note 20, at 243.

[84]   Tufekci & Wilson, *supra* note 10, at 370 ("In spite of widespread media use, nearly half (48.4%) of those in our sample reported that they had first heard about the Tahrir Square demonstrations through face-to-face communication.").

[85]   Gladwell, *supra* note 39, at 44.

[86]   Lim, *supra* note 20, at 232 ("It is an oversimplification to frame the Egyptian revolt exclusively as either a 'Facebook revolution' or a 'people's revolution.' People and social media are not detached from each other.").

conventional modes of social action."[87] Additionally, these activists took advantage of the safe harbors that the online sphere offered as shelter from the more tightly regulated physical public spaces.[88] Youmans and York summarized how social media aided traditional activism during the Arab Spring by identifying four key roles:

> (a) by making it easier for disaffected citizens to act publicly in coordination; (b) by creating information cascades that bolstered protesters' perceptions of the likelihood of success; (c) by raising the costs of repression by the ruling regimes; and (d) by dramatically increasing publicity through diffusion of information to regional and global publics.[89]

In none of these roles do social media or traditional activism deserve all of the credit, but working in concert they formed a "key conduit of communication" that helped sustain the protests of the Arab Spring.[90]

The purpose of this Part is neither to confute nor confirm these various critiques. Instead, its intent is to show why the critiques of online activism should not be easily dismissed. While there may be counter examples and explanations, the critiques of online activism are rooted in legitimate concerns. Such concerns, however, are not sufficient reasons to abandon online activism; traditional activism is not without fault either.

II. BLEAK HOUSE: THE CHALLENGES OF TRADITIONAL ACTIVISM

While online activism may not be the unmitigated force for good that its proponents would hope, conventional activism is not without faults either. We can think of traditional activists groups as existing along a spectrum, with intensive-traditional groups on one side, which involve face-to-face interactions and often dramatic investments of time and energy (for example, the 1964 Freedom Riders or protestors in the Arab Spring). On the other side, we have casual-traditional organizations whose focus is on large-scale national advocacy and fundraising (for example, Greenpeace, Sierra Club, or the

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[87] *Id.* at 237; *see also* Tufekci & Wilson, *supra* note 10, at 376 ("Social media such as Facebook and Twitter, as well as E-mail, were, of course, superimposed on existing social ties between friends, families, and neighbors.").

[88] Tufekci & Wilson, *supra* note 10, at 366 ("In spite of increasing government repression, their early activity created a space in the public sphere where topics that were previously off limits could now be discussed.").

[89] Youmans & York, *supra* note 35, at 317.

[90] Tufekci & Wilson, *supra* note 10, at 373.

National Rifle Association).[91] Intensive-traditional groups are in some respects a mirror image of online activism; while online activism can generate immense interest and participation (but with sometimes questionable efficacy),[92] intensive-traditional activism has a history of achieving results[93] at a cost of *dwindling* participation. This reduction in membership occurs as the group becomes increasingly extreme and polarizing, slowly driving away more moderate participants. Casual-traditional activism has also struggled with participation, but for different reasons. There, weak ties between organizations and their members have made it difficult to retain members.[94] Given that activism relies upon the contributions (financial and otherwise) from the largest possible base of support,[95] this tilt toward increasing polarization and decreasing participation is concerning.

A. *Polarization and Toxicity*

Within intensive-traditional activism, participants are continuously under pressure to move to more extreme positions. This pressure creates two unfortunate toxicities that reduce overall participation: (1) moderates within the group are driven out,[96] and (2) moderates outside the group begin to see activism as something too extreme for them.[97] As Doug McAdam, a scholar who has conducted numerous studies of the Freedom Rides of 1964, has noted, a moderate observer "may be repelled by the 'extremist' ideology or goals that are espoused . . . . Or he may reject the role of activist as being inconsistent with his 'true' identity."[98] These negative experiences work to repel members or potential members and prevent organizations from building the kind of broad-based coalition that they need to effect change.

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[91] *See* PUTNAM, *supra* note 41, at 156 (differentiating between those who participated in the civil rights movement of the 1960s with those who contribute to Greenpeace).

[92] *See supra* Part I.A.

[93] Tufekci & Wilson, *supra* note 10, at 373. As described above, traditional activism may lay claim to much of the successes of the Arab Spring and similar protests for which online activism had been given much of the credit. *See supra* Part I.D.

[94] Member retention is a certainly a problem for both online and traditional activism. But because online causes can more easily attract millions of members, retention on an absolute scale is less of an issue for online activism. Hill, *supra* note 22, at 4 ("[T]he Internet has moved into peoples' everyday lives introducing unmediated 'many-to-many' communication on a large scale and at relatively low cost.").

[95] Some organizations require "intense civic commitment," but for some, "'membership' is essentially an honorific rhetorical device for fundraising." PUTNAM, *supra* note 41, at 156.

[96] *See* Michael Albert, *The Stickiness Problem*, Z MAG., Jan. 1998, at 17, 18.

[97] *See* McAdam, *supra* note 9, at 70.

[98] *Id.*

The move toward increased polarization and extremist positions appears to be inherent in the psychology of group dynamics. Researchers for the U.S. Air Force, investigating the process of radicalization, studied the forces that push groups toward greater political extremes.[99] They observed that social pressures within a group push the average opinion toward the view initially held by a majority of members.[100] Once group opinion has coalesced, the members who are "*more* extreme in their group-favored direction are viewed as more admirable and influential."[101] This in turn puts pressure on the less extreme group members to radicalize "in order to see themselves as more influential and admirable."[102] Thus, members either conform their opinions to the increasingly extreme views of the larger group, or they are left increasingly isolated. Those who do not radicalize eventually drop out, shifting the group average even further to the extreme until, "[o]ver time, only a fraction of hardened radicals remains . . . ."[103] This research suggests that even groups that start out with moderate views will face strong pressure to move toward more extreme positions.

These same pressures affect the group dynamics of in-person traditional activism. The researchers working with the Air Force were concerned with radicalization vis-à-vis terrorism, but their work still helps understand the pressures inherent in traditional activism. Clearly not every petition drive ends with car bombs, but a group does not need to succumb to violent inclinations to become radicalized to the point of reduced participation. Leading up to the protests in Egypt, one initially broad-based protest group became increasingly fragmented and polarized to the point of collapse.[104] Similarly, Michael Albert, founder of a left-wing media group in the United States, has described his experiences with increasing group polarization, which he called the "Stickiness Problem."[105] He noted how within a group, members may "meet a lot of other people who continually question [their] motives and behaviors . . . ."[106] He

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[99] Clark McCauley & Sophia Moskalenko, *Individual and Group Mechanisms of Radicalization*, *in* PROTECTING THE HOMELAND FROM INTERNATIONAL AND DOMESTIC TERROR THREATS 82 (Laurie Fenstermacher et al. eds., 2010).

[100] *Id.* at 85–86.

[101] *Id.* at 86 (emphasis added).

[102] *Id.*

[103] *Id.*

[104] *See* Lim, *supra* note 20, at 238 ("Kefaya [a protest group in Egypt] struggled with fragmentation and conflicts from within its ranks and, according to online press accounts, was unable to find a middle ground between liberals and Islamists." (internal citation omitted)).

[105] Albert, *supra* note 96, at 17.

[106] *Id.*

expressed the fear that increased radicalization within the left will leave them "running in ever narrowing circles with a movement of diehards rather than astute social critics."[107] Thus, the same pervasive social forces that can lead a group to violent extremes can also lead to dwindling participation.[108]

B. Declining Participation in Casual-Traditional Groups

Casual-traditional groups, which do not rely as much upon intensive commitments from their members, have also struggled with maintaining membership.[109] Similar to how online activist groups use technology to boost membership,[110] casual-traditional organizations have used mailing lists, e-mail, and phone calls to swell their membership.[111] "Membership," however, often means little more than making a donation, and that kind of weak support, according to political scientist Robert Putnam, "does not represent the sort of interpersonal solidarity and intense civic commitment that brought millions of students, African Americans, gays and lesbians, peace activists, and right-to-lifers to thousands of marches and rallies and sit-ins as part of the social movements of the sixties and seventies."[112] With only weak ties to bind them, these members are more likely to drop out, and less likely to participate in activities and feel an attachment to the organization.[113] For example, because of decreased group attachment, Greenpeace lost eighty-five percent of its members between 1990 and 1998, after having tripled its membership between 1985 and 1990.[114] Thus, some traditional activist groups have fallen victim to the same charges of slacktivism that have been leveled against online organizations.

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[107] *Id.*

[108] This is true not just on an individual level, but also on the macro level of the nation state. Governments that began as proponents of the global human rights regime subsequently became critics once the regime evolved and threatened to "constrain state behavior in domestic political affairs." Kiyoteru Tsutsui & Christine Min Wotipka, *Global Civil Society and the International Human Rights Movement: Citizen Participation in Human Rights International Nongovernmental Organizations*, 83 SOC. FORCES 587, 589–90 (2004).

[109] *See supra* Part II.

[110] *See supra* Part I.A.

[111] *See* PUTNAM, *supra* note 41, at 154, 156–57.

[112] *Id.* at 156.

[113] *Id.* at 158 ("As one might expect from this process of recruiting 'members,' organizational commitment is low. Compared with members recruited through face-to-face social networks (including recipients of gift memberships from friends and relatives), direct-mail recruits drop out more readily, participate in fewer activities, and feel less attachment to the group.").

[114] *Id.*

Just as in Part I's discussion of online activism, Part II does not provide an exhaustive rebuke of traditional activism. Instead, it aims to show that both approaches have flaws as well as undeniable positives. The question is whether there is a way to build on the best of both approaches.

III. TALE OF TWO CITIES: LEVERAGING THE BEST OF ONLINE AND TRADITIONAL ACTIVISM

The Internet has the potential to dramatically improve human rights activism.[115] Social media has exposed new vulnerabilities in oppressive regimes,[116] and can reduce the lag between human rights violations and intervention.[117] But what Parts I and II have demonstrated is that online activism has not lived up to the lofty expectations of many critics and that traditional activism is equally flawed. That said, Internet tools need not be perfect in order to be potent tools for change. It is undeniable that the Internet has created new ways to interact and collaborate, and by combining those unique attributes with some of the lessons learned from traditional activism, perhaps it is possible to ameliorate some of the criticism of online activism without sacrificing a broad-based coalition of supporters. With the Herdict project, we aim to show that is indeed possible. From the Internet side, we draw upon the medium's unique ability to thin slice labor and reduce the barriers to participation. From the traditional side, we recognize the importance of interpersonal networks and the participant's conception of their own identity. By merging these strengths, we hope to mitigate some of the standard critiques of online activism.

A. *The Internet*

In many ways, online activism's problems stem from the fact that often organizers have simply tried to supersize casual-traditional activism. Instead of

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[115] *See* Eric Sottas & Ben Schonveld, *Information Overload: How Increased Information Flows Affect the Work of the Human Rights Movement*, *in* HUMAN RIGHTS AND THE INTERNET 76, 86 (Steven Hick et al. eds., 2000) ("To rise to this challenge the human rights movement desperately needs vision. Without vision the mentality of 'this is the way we do things round here' will provide an extraordinary block to the very deep changes that technology implies for the struggle for human rights.").

[116] Tufekci & Wilson, *supra* note 10, at 365 ("Social media alter the key tenets of collective action and, in doing so, create new vulnerabilities for even the most durable of authoritarian regimes." (internal citation omitted)).

[117] Sottas & Schonveld, *supra* note 115, at 81 ("One of the main conclusions of the meetings that led to our foundation was the need to reduce the time lag between the violation or threats of violation, and the communication of that violation to bodies capable of intervention.").

direct mail, they use e-mail. Instead of collecting petition signatures at the mall, they get "liked" on Facebook. Instead of sending in a check, members give a credit card number. The mechanics are often the same, even if the scale is much larger. This supersize approach ignores the fact that the Internet enables relationships and interactions that are impossible offline—where there simply is no kinetic corollary. By taking advantage of how the Internet makes it efficient to divide tasks into incredibly small pieces and eliminates the need to join a cause prior to participating, online activism can strive to accomplish different things than traditional activism, rather than just doing traditional activities on a larger scale.

1. Thin Slicing Labor

One of the unique features of the Internet is that it makes it feasible to divide a job into incredibly small tasks that may only take a few seconds. While a participant can choose among many roles in traditional kinetic activism, there are few substantive roles that can be done in less than a few hours, let alone seconds.[118] In contrast, the Internet has made it easy participate in a task for as little as a moment because it has practically eliminated the costs of communicating with huge numbers of people.[119] Harvard Professor Jonathan Zittrain has written extensively about this potential market for labor, explaining that "[c]heap networks mean that nearly any mental task can become unbundled, no matter how minor it is."[120] These markets are not just hypothetical. Amazon already has Mechanical Turk, which contains "'HITs' (human intelligence tasks) for sale one unit at a time, from as low as $0.01 to as high as $10.00."[121] What works for employment can also work for activism.

By thin-slicing activism, we can do more than make it easy to participate— we can actually reduce the danger inherent in participation. Traditionally, participation tends to be more binary: you either attended the protest or you did not, or you either wrote the anti-censorship blog post or you did not. Talking about writing one-thousandth of a blog post does not make sense.[122] In

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[118]   Hill, *supra* note 22, at 6.

[119]   *Id.* at 4 ("[T]he Internet has moved into peoples' everyday lives introducing unmediated 'many-to-many' communication on a large scale and at relatively low cost.").

[120]   Jonathan Zittrain, *Ubiquitous Human Computing*, 366 PHIL. TRANSACTIONS ROYAL SOC'Y A 3813, 3814 (2008).

[121]   *Id.*

[122]   Tweeting or microblogging is in some ways comparable to writing one one-thousandth of a blog post, given how short the posts are compared to long-form writing. The key difference, however, is that a Tweet is

contrast, the ability to unbundle a task allows users to contribute meaningfully but in such a small way that legal persecution becomes potentially too onerous. With Herdict, for example, we ask users to contribute a small piece of information: whether or not they can access a site.[123] Because users' contributions are so slight, hopefully they are provided a measure of protection. Moreover, users' contributions are strictly factual in nature, as opposed to an opinionated screed. The more dangerous conclusions—whether or not a country or internet service provider may be engaging in filtering or censorship—is only possible through the efforts of many distributed users; no single user can be blamed.[124] While none of these protections completely insulate our users, there is no denying that if a single Chinese citizen wrote up a list of all blocked sites, she would be in much graver danger than a citizen who simply told Herdict that she could not access a single web site.

Certainly not every type of activism can be sliced into ever smaller tasks. Sometimes change requires being in Tahrir Square. But for those tasks that can be sliced, the Internet can reshape how we do them in ways that simply are not possible offline.

2. *Participate, Don't Join*

There is a significant difference between joining a cause and actively participating in it.[125] Traditional activism, and even many forms of online activism, has tended to emphasize increasing group membership.[126] This is in

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fully attributable to a single author, while thin slicing makes it so that a final product could be the collaboration of hundreds or thousands of people.

[123] HERDICT, http://www.herdict.org (last visited Sept. 20, 2012).

[124] The protection of anonymity within a distributed crowd has been used for less well-intentioned purposes, as well. Anonymous, the hacker collective, uses the same principle for its "Low Orbit Ion Cannon," which can be used as part of denial-of-service attacks against a website. *See Low Orbit Ion Cannon*, WIKIPEDIA, http://en.wikipedia.org/wiki/Low_Orbit_Ion_Cannon (last visited Oct. 14, 2012); *see also Anonymous Wikileaks Supporters Mull Change in Tactics*, BBC NEWS (Dec. 10, 2010), http://www.bbc.co.uk/news/technology-11968605 ("The tool launches what is known as a distributed denial of service (DDoS) attack."). This means that "'[t]oday, anyone with a $200 laptop can bring about a blockage, essentially silence a Web site into oblivion.'" Elinor Mills, *Old-time Hacktivists: Anonymous, You've Crossed the Line*, CNET (Mar. 30, 2012), http://news.cnet.com/8301-27080_3-57406793-245/old-time-hacktivists-anonymous-youve-crossed-the-line/ (quoting Ron Deibert, Director, The Citizen Lab at the University of Toronto's Munk School of Global Affairs).

[125] *See* PUTNAM, *supra* note 41, at 158 (noting how a group with weak ties may have many members but few who are actually willing to participate).

[126] *See id.* at 156. There are certainly exceptions. For instance, a protestor did not need to have joined any group to protest in the Arab Spring. *See* Lim, *supra* note 20, at 242–43 (describing outreach to non-members

part because joining is often a practical necessity and prerequisite for participation; how does an organization communicate and provide instruction about where to go or what to do if there is no member list? But the drive to amass members often comes with a proportional decrease in member commitment and participation.[127] For certain types of activism, however, the Internet enables participation without joining. Organizations can put in place structures for participation that anyone can choose to use. Using the same cheap networks that enable the thin-slicing of labor, users can connect to those structures whenever they want, without needing to declare fealty to the cause.

Anonymous, the hacker group, perhaps best exemplifies this ability to participate without joining. Gabriella Coleman, a scholar who has spent years interviewing and observing individuals affiliated with the group, notes:

> Anonymous provides discrete micro-protest possibilities that aren't otherwise present in a way that allows individuals to be part of something greater. You don't have to fill out a form with your personal information, you aren't being asked to send money, you don't even have to give your name but you do feel like you are actually part of something larger.[128]

Anyone can take part in Anonymous' micro-protests, as there exist no barriers to participation other than downloading freely available tools.[129] Indeed, the organization is so open that anyone can assert that they are part of Anonymous, regardless of whether they actually are.[130]

Operating without a defined membership does not require operating without an organizational structure. The absence of an organizational structure

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before the Egyptian protests). Indeed, by focusing on "members," one "may miss the greater number of persons who are, by some definition, 'active' in the movement." McAdam, *supra* note 9, at 66.

[127] *See supra* Parts I.A, II.B.

[128] E. Gabriella Coleman, *Anonymous: From the Lulz to Collective Action*, NEW EVERYDAY (Apr. 6, 2011), http://mediacommons.futureofthebook.org/tne/pieces/anonymous-lulz-collective-action.

[129] *See id.* ("Technically, Anonymous is open to all and erects no formal barriers to participation. However there are forms of tacit and explicit knowledge, skills, and sympathies that lead some people and not others to political engage in this domain.").

[130] *Id.* ("Anonymous functions as what Marco Deseriis defines as an improper name: 'The adoption of the same name alias by organized collectives, affinity groups, and [scattered individuals].' For instance, those coordinating the DDoS attacks may not be the same people who write manifestos, or launch blogs or news sites under this name . . . . " (quoting Marco Deseriis, Improper Names: The Minor Politics of Collective Pseudonyms and Multiple-Use Names 1 (2010) (Ph.D. dissertation, New York University)).

can make it more difficult to accomplish tasks and plan ahead,[131] but not even Anonymous is without hierarchy.[132] An organization can have an open participatory system while still providing structure. So long as the tools of participation are freely available, that is sufficient. With Herdict, we provide structure in that we determine what data we are seeking to collect (accessibility information about URLs) and we even encourage visitors to report on specific sites that we are curious about.[133] But this limited structure does not require joining the project. Anyone can choose to report on a single site or a thousand sites; the flexibility of the tool leaves it to the user to determine how they wish to participate.

This flexibility does more than make it easy for individuals to participate: It makes the platform itself more resilient. As Malcolm Gladwell said of social networking: "This structure makes networks enormously resilient and adaptable in low-risk situations."[134] But as noted earlier, online activism can sometimes be more perilous than the term "low-risk" implies.[135] By looking at lessons learned from riskier traditional activism, we can learn about some of the conditions that encourage greater participation, even in the face of danger.

B. The Lessons of 1964

To determine how to better encourage participation, even in the presence of risks, it is useful to look at two studies conducted by Doug McAdam on the 1964 Freedom Rides. According to McAdam, "[i]t would be hard to imagine many more costly or potentially risky instances of activism than the Freedom Summer campaign. Volunteers were asked to commit an average of two months of their summer to a project that was to prove physically and emotionally harrowing for nearly everyone."[136] The summer began with the kidnapping and murder of three project volunteers, and for the rest of the

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[131]   *See* Gladwell, *supra* note 39, at 48 ("Because networks don't have a centralized leadership structure and clear lines of authority, they have real difficulty reaching consensus and setting goals. They can't think strategically; they are chronically prone to conflict and error.").

[132]   Although it may be fluid, organic, and hard to pin down, a hierarchy within Anonymous does exist. *See* Coleman, *supra* note 128.

[133]   *See Browse Lists*, HERDICT, http://www.herdict.org/lists (last visited Oct. 14, 2012). The Reporter prompts visitors to test a queue of sites that we have selected for various reasons. *See* Ryan Budish, *An Improved Reporter: Herdict Under the Hood*, HERDICT (May 17, 2012), http://www.herdict.org/blog/2012/05/17/an-improved-reporter-herdict-under-the-hood.

[134]   Gladwell, *supra* note 39, at 48.

[135]   *See supra* text accompanying notes 7–10.

[136]   McAdam, *supra* note 9, at 71.

summer, volunteers endured numerous threats to their physical safety.[137] Unsurprisingly, the danger dissuaded many accepted applicants from making the trip.[138] Of 1,068 applicants, 720 were accepted and went, while 239 were accepted but withdrew.[139]

What motivated some people to stay and others to withdraw? Were some simply less supportive of the cause? According to McAdam, the answer to the latter question was no—based on a review of the applications, all of the applicants "emerge as highly committed."[140] Instead, he identified two motivations affecting why some dropped out and others did not: (1) those that stayed had strong networks tying them to the cause and (2) those that stayed saw participation as complimentary to how they viewed themselves.[141] Both of these motivations can be leveraged in Internet activism.

1. Importance of Networks

Prior to McAdam's research, many scholars believed that having grievances consistent with that of the movement was sufficient to produce activism.[142] But that conclusion did not explain why some of the Freedom Ride applicants dropped out. By reviewing all of the applications for participation, McAdam concluded that "[o]ne of the strongest predictors of participation is the total number of organizational affiliations listed on their applications."[143]

What McAdam discovered is that those who participated had more organizational and interpersonal connections than those who did not. Forty-eight percent of withdrawals had less than two organizational affiliations, while only thirty-five percent of participants did.[144] Sixty-six percent of participants belonged to two or more organizations, while fifty-two percent of

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[137] *Id.* at 71 ("Within days, three project members . . . had been kidnapped and killed by a group of segregationists which included several Mississippi law-enforcement officers. That event set the tone for a summer in which the remaining volunteers enduring beatings, bombings, and arrests.").

[138] *Id.*

[139] *See id.* at 72.

[140] *Id.* at 73. That said, McAdam did observe that intensity of interest did play some role, in that "[t]he participants' narratives are, on the average, nearly twice as long as those of the withdrawals." *Id.* at 76.

[141] *Id.* at 87–88.

[142] *Id.* at 65 ("Among the individual attributes that are most frequently cited as producing activism is a strong attitudinal affinity with the goals of the moment or a well-articulated set of grievances consistent with the movement's ideology.").

[143] *Id.* at 77.

[144] *Id.* at 77–78.

withdrawals belonged to two or more.[145] And when asked to provide names of other participants and known activists that they knew, "participants supplied many more names."[146] Thus, the more connected the applicants were to other organizations and activists, the more likely they were to stay.

The quality, not just quantity, of the connections also affected who participated. The closer the tie between the applicants and the people they listed, the more likely they were to stay.[147] "Of the 202 strong ties to other applicants listed by participants, only twenty-five were to persons who later withdrew from the project. This is a withdrawal rate of twelve percent as compared with the twenty-five percent rate for the study as a whole."[148] Accordingly, those who stayed had both more and stronger connections to a network of support.[149]

Leveraging existing networks of support is a technique that can be applied to online activism as well. As previously discussed, existing networks were important to both the spread of the Kony 2012 video and the Arab Spring protests.[150] With Herdict, one of the ways that we are leveraging our users' organizational networks is through our branded queue feature.[151] These queues allow organizations such as Electronic Freedom Foundation, Reporters Without Borders, OpenNet Initiative, Global Voices, and Twitter, to identify sets of sites that they care about.[152] Because Herdict maintains these sites in individual lists, it is easy for these organizations to direct their members to test the organization's list. Thus, people who strongly affiliate with these organizations hopefully will be more likely to participate because of the connections to their existing network. And both Herdict and our partner organizations benefit from this additional participation and reporting.

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[145]   *Id.* at 78.

[146]   *Id.* at 79.

[147]   *Id.* at 80 ("Having a close friend engage in some behavior is likely to have more of an effect on someone than if a friend of a friend engages in the same behavior.").

[148]   *Id.* at 80.

[149]   *See id.* at 87 ("[R]egardless of their level of ideological commitment to the project, it is the extent and nature of the applicants' structural locations vis-à-vis the project that best accounts for their participation in the Freedom Summer campaign."); *see also* Gladwell, *supra* note 39, at 44 ("High-risk activism, McAdam concluded, is a 'strong-tie' phenomenon.").

[150]   *See supra* Part I.C; *see also* Fuchs, *supra* note 23, at 282 ("The openness of the Internet simplifies the access to protest movements (but of course only for those people who are connected) . . . .").

[151]   *Create and Share Lists*, http://www.herdict.org (follow "Create and Share Lists" hyperlink) (last visited Oct. 14, 2012).

[152]   *Browse Lists*, *supra* note 133.

2. *Conception of Self*

After McAdam's initial study of the Freedom Rides, he went back and conducted interviews with former applicants to identify why networks mean so much to participation in high-risk activism.[153] What he discovered is that most participants' had a self-identity that was consistent with participation and their networks reinforced that identity.[154] In other words, organizational and interpersonal ties are important as a source of social influence.[155] As McAdam noted: "The conclusion is unmistakable: neither organizational embeddedness nor strong ties to another volunteer are themselves predictive of high-risk activism. Instead it is a strong subjective identification with a particular identity, *reinforced by organizational or individual ties*, that is especially likely to encourage participation."[156] Thus, how activists view themselves, and how those views are reinforced by their networks, is tremendously influential in determining whether they will participate in high-risk activism.

We have seen this pattern in the Arab Spring. In Egypt, prior to the protests, many of the oppositional groups were polarized and disconnected.[157] However, blogging provided a shared identity that brought together "otherwise unconnected individuals with different ideologies and backgrounds."[158] Thus, cooperation and participation was no longer tied to the other conflicting identities, but was instead based upon their shared identity as bloggers. Similarly, the "We Are All Khaled Said" group, which was an influential force in the Egyptian protest, was able to unify its followers by providing a common identity as heirs to Khaled Said's legacy.[159] Thus, just as McAdam discovered, the lens through which activists view themselves impacts what they will do.

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[153] *See* Doug McAdam & Ronnelle Paulsen, *Specifying the Relationship Between Social Ties and Activism*, 99 AM. J. SOC. 640, 650–51 (1993).

[154] *See id.* at 659; *see also id.* at 647 ("The ultimate decision to participate, then, would depend on the confluence of four limiting conditions: (1) the occurrence of a specific recruiting attempt, (2) the conceptualization of a tentative linkage between movement participation and identity, (3) support for that linkage from persons who normally serve to sustain the identity in question, and (4) the absence of strong opposition from others on whom other salient identities depend.").

[155] *See id.* at 655 ("[T]ies are less important as conduits of information than as sources of social influence.").

[156] *Id.* at 659.

[157] Lim, *supra* note 20, at 237.

[158] *Id.*

[159] *Id.* at 241–42 ("The group was able to unify its followers by providing a solid 'schemata of interpretation' that enabled individuals 'to locate, perceive, identify[] and label' what had happened. By propagating the message that 'We' are all Khaled Said, the group was successful in identifying who the 'we' was who could make change." (quoting ERVING GOFFMAN, FRAME ANALYSIS: AN ESSAY ON THE ORGANIZATION OF EXPERIENCE 21 (Ne. Univ. Press 1986) (1974)).

Having a self-identity that aligns with participation and network support is equally important for online activism. With Herdict, we have chosen to de-emphasize human rights in favor of more common, less controversial conceptions of identity. We could have positioned the project in an adversarial manner, declaring that Internet access is a human right, and issuing a strong call to action to defend this universal right. Such positioning, however, would probably be harmful to the project.[160] Framing the project in that manner would complicate things for many potential participants. For instance, it could trigger less than positive associations with other human rights organizations whose extreme members, positions, or actions may have alienated our potential participants.[161] Alternatively, our potential participant may simply not view herself as an activist or have any desire to view herself in that light. Additionally, the potential participant might get caught up in the debate over whether Internet access is in fact a human right. Thus, motivating participation by tapping into an individual's conception of herself as a human rights activist is unlikely to yield a broad-based coalition of support.

Instead, Herdict chooses to use other more common and less controversial identities in order to motivate participation. For instance, one does not need to view himself as a human rights activist in order to believe that he should be able to access Wikipedia for schoolwork, communicate with friends on Facebook, or engage in e-commerce. Such beliefs may be tied into people's conceptions of themselves as academics, friends, or entrepreneurs. Thus, by allowing participants to report on the sites they care about, without dictating a more alienating frame, Herdict can encourage participation based upon a self-identification that is already salient to that person.

CONCLUSION

Neither online nor traditional activism is perfect, but they need not be perfect in order to be effective tools for social change. While there are valid critiques of online activism, these critiques have not doomed online activism to irrelevance. By crafting forms of online activism that take advantage of some of the unique ways that the Internet lets us connect, instead of simply creating online equivalents of traditional techniques, the Internet can be a potent tool for organizing and change. Perhaps most importantly, online activism can

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[160] This leaves aside the fact that a more strident position would make the project more likely to become a target of censorship itself.

[161] *See supra* Part II.A.

become a way to involve the largest possible coalition of participants, but instead of just clicking "like" on Facebook, they will be able to contribute in meaningful and substantive ways.

If we can do that, online activism will have long term consequences beyond any single protest or petition. Of those who demonstrated in Tahrir Square in early 2011, about two-thirds had never been involved in a previous protest.[162] For those people, that event was transformative in ways that will last long beyond the end of the movement.[163] By using the Internet to create opportunities for small, safe tasks that make it easy for individuals to contribute to a cause, it will allow many more to share in those transformative experiences, while laying the groundwork for greater forms of participation later on.[164]

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[162] Tufekci & Wilson, *supra* note 10, at 369.

[163] *See* Francesca Polletta & James M. Jasper, *Collective Identity and Social Movements*, 27 ANN. REV. SOC. 283, 296 (2001) ("[P]articipation usually transforms activists' subsequent biographies, marking their personal identities even after the movement ends, whether or not this is an explicit goal." (citations omitted)); *see also* PUTNAM, *supra* note 41, at 153 ("Whether among gays marching in San Francisco or evangelicals praying together on the Mall or, in an earlier era, autoworkers downing tools in Flint, the act of collective protest itself creates enduring bonds of solidarity.").

[164] *See* McAdam, *supra* note 9, at 70 ("Moreover, each succeeding foray into safe forms of activism increases the recruit's network integration, ideological affinity with the movement, and commitment to an activist identity, as well as his receptivity to more costly forms of participation.").