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Research Note

Anonymity on the Internet: A Tool for Tyranny?

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Abstract: Anonymity has been a precept of free speech and democracy since the establishment of the U.S., and courts and citizens recognize its role in facilitating dissent and debate. In the internet age, however, anonymity enables tyrannical and stifling behaviors. The hosts and moderators of internet forums have struggled to protect both the principle of anonymity and its victims.

“Anonymity is a shield from the tyranny of the majority,” wrote Justice John Paul Stevens of the U.S. Supreme Court in *McIntyre v. Ohio Elections Commission* (1995). It is a relatively recent quote, but anonymity has been a precept of free speech and democracy since the establishment of this country, and since then, numerous Supreme Court decisions have recognized both the right to free speech and the principle of anonymity. Many of these decisions – and *McIntyre* in particular -- present a one-dimensional view of anonymity and fail to comprehend its negative consequences. The *McIntyre* court went on to say, “...we also believe that keeping authorship anonymous moves the focus of discussion to the content of speech and away from the speaker- as it should be.” On the internet, this is not always the case. The Supreme Court wrote the *McIntyre* opinion less than ten years ago, in full view of the digital era emerging, but it failed to anticipate the real harms made possible by internet anonymity. In fact, anonymity and the internet in combination have been used to engender the very tyranny “we the people” abhor.

That is not to say anonymity is incompatible with the internet. In the digital era, anonymity is no less important because technology is both an enabler of democracy and a tool of repression. On one hand, the internet lowers barriers for free speech. Protestors, whistleblowers, and dissidents today rely on the internet instead of the printing press. It lowers the cost of copying and distributing information and enables that information to cross cultural and geographic boundaries more easily. Similarly, content can reach audiences directly, bypassing the mass media gatekeepers of the past.¹ Finally, content can be forwarded and amplified, building to a digital rallying cry. In the last five years, digital and social media networks played an important role in democratic uprisings and protests in Iran, Egypt, Tunisia, Venezuela, and most recently, Hong Kong. On the other hand, the internet gives governments and other entities exponential power to track and trace individual activities. For people living under repressive

regimes, anonymity is particularly important. In 2010, following the “Green Revolution”, the Iranian authorities began to investigate those who protested or supported the protestors. Authorities easily identified many protestors via social media accounts that used real names, and those accounts became life-threatening liabilities.ⁱⁱ

However, while anonymity can enable free speech, others have used it to stifle and silence debate. It may be time for our legal or regulatory system to formally recognize the ills of unbridled and unaccountable internet speech. Recent news presents a stark example: the treatment of Anita Sarkeesian and other (mainly female) internet journalists and gaming-industry notables in an internet blow-up dubbed “GamerGate”. The complicated personal and professional dramas that spawned “GamerGate” are too lengthy to recount in this account, but it hinged on one (mainly female) side decrying gaming-culture misogyny, and the other side alleging a lack of journalistic integrity. Many of the female individuals involved, including Sarkeesian, received anonymous death threats, were spammed with child pornography, and were “doxed.”ⁱⁱⁱ Doxxing is the collection and publication of an individual’s personal information, usually with the intent to harass, threaten or harm said person digitally and/or in real life.^{iv} Ironically, doxxing done anonymously with the goal of intimidating someone holding a contrary position into silence. In other words, anonymity becomes a shield for tyranny. Indeed, well-known actor and gamer Felicia Day wrote in a blog post about GamerGate about her experience with this.

“I have been terrified of inviting a deluge of abusive and condescending tweets into my timeline. I did one simple @ reply to one of the main victims several weeks back, and got a flood of things I simply couldn’t stand to read directed at me. I had to log offline for a few days until it went away.”^v

Day was too frightened to exercise her right to speak^{vi}. And while “GamerGate” is an extreme example of online terrorizing that made national headlines, abusive speech and cyberbullying large and small happens daily.

In contrast to the view contained in McIntyre, GamerGate demonstrates that anonymity on the internet does not always keep the focus on the message and not the messenger. Why is this the case? The first amendment does not protect threats or the right to incite actions that would harm others, but on the internet, relative anonymity, decentralized distribution, and multiple points of access all make it difficult to control speech or action online.^{vii} The perpetrator often remains undetected. Cultural norms cannot be brought to bear because public censure is impossible. Is there a solution to this? How can we protect the anonymity necessary to free speech and democracy while protecting the individual from anonymous ad hominem attacks? Technological or legal remedies are certainly possible, but either have not proven adequate or have not been fully explored.

In the absence of legal, regulatory or technological solutions, internet entities have been experimenting with various forms of self-regulation. One approach is to ban anonymity. Facebook, for example, requires real identities (with a notable exception for drag queens). This may encourage greater civility, but for many Facebook is simply a place for sunny status updates and a like (but no equivalent dislike) button, not a go-to forum for debate. Moreover, personalization efforts at Facebook may be narrowing our view away from a diversity of opinions. In a TED Talk, author Eli Pariser described how Facebook’s personalization algorithms edited out the news feeds of friends on whose content Eli clicked less frequently. Eli noted that these friends generally held political or other views he did not agree with, but he

believes those opinions are valuable to him nonetheless and he wanted to see them.^{viii} In essence, the algorithms were filtering opportunities for discussion and debate. Finally, as discussed, real identities can be a liability when agitating for political freedoms in societies where internet speech is monitored and censored.

Another possible solution is the elimination of online gathering points such as comment boards. This is not a violation of free speech; a media platform is private property, and its owner is not required to host a debate any more than the owner of a store is required to let you and your friend hang out and conduct a loud and heated debate. The shop owner would show you out or call the police. However, eliminating venues for debate is a heavy-handed approach for an issue caused by a minority of users. Moreover, discouraging or eliminating discussion is counterproductive for democracy and democratic societies, so perhaps society should not widely practice or encourage this approach.

As an alternative or a complement to other tactics, many websites employ moderators to scrub their user-contributed content. It is no small task. Recent estimates say that there are as many as 100,000 workers worldwide viewing and censoring hundreds of images per day, eliminating offensive material such as pornography, gore, minors, sexual solicitation, sexual body parts/images, and racism.^{ix} Nevertheless, moderating has a financial cost and even a human one: viewing the imagery repeatedly has a psychological impact on the moderators, some of whom end up in counseling. Moreover, while much of the population would be grateful for this policing if they knew of it, it is in fact censorship of a sort. Another question arises: who is moderating the moderators?

Other websites enlist the users themselves to act as moderators. Reddit, an entertainment, news and social networking site allows registered members to submit content and vote site submissions up or down. These votes organize the posts and determine their position on the page. Unpopular, irrelevant, or offensive speech should settle to the bottom. Users do not have to share their real names. The site declares itself an “open platform and free speech place” and has a lengthy list of values called “Reddiquette”^x but very few rules. The first “Reddiquette” listed is “Remember the human”, a plea for users to keep in mind that online communications should retain the civility we would afford a face-to-face conversation. If users were to comply, Reddit might, indeed, be a shining example of constructive free speech, but despite the site’s policies – or perhaps because of them – Reddit has generated a sizable list of controversies. These include the infamous misidentification of an innocent student as one of the Boston Marathon bombing perpetrators and even a “hate speech problem”. Journalist Jason Abbruzzese writes that:

“A persistent, organized and particularly hateful strain of racism has emerged on the site. Enabled by Reddit’s system and permitted thanks to its fervent stance against any censorship, it has proven capable of overwhelming the site’s volunteer moderators and rendering entire subreddits unusable. Moderators have pled with Reddit for help, but little has come.”^{xi}

The subreddit prominently featured is called /r/blackladies, but a letter of protest to Reddit’s organizers was co-signed by the moderators of more than 60 other subreddits, hinting at the breadth of the problem. On Reddit, community-based moderators were unable to turn back the tyranny of a racist minority.

While not perfect, each of these self-regulatory solutions offer small-sized experiments for how we should govern ourselves online, and each can have some positive effect against misuse of anonymity. However, despite these efforts, the internet allows free speech to go too far. There is no easy answer, but it is clear



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that society must examine the current modes of governance for online anonymity and free speech across the legal, regulatory and self-regulatory landscape.

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