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Cyberlibertarianism: The Extremist Foundations of ‘Digital Freedom’

1. Cyberlibertarianism

I use the term “cyberlibertarian” to refer to beliefs shared by people from an apparently wide range of political and philosophical orientations today, beliefs that might be summed up via a slogan like “*Computerization will set you free.*” This slogan is purposely vague, but no less powerful for that; beliefs need not be coherent or clearly-articulated for them to have adherents. While only a small number of people self-identify as cyberlibertarians (for an exception, as well as a typology of thinkers that parallels the one offered here, see Thierer and Szoka 2009), many more subscribe to the belief in practice. Among the corollaries that follow from this core belief include: a resistance to criticism of the incorporation of computer technology into any sphere of human life; a pursuit of solutions to perceived problems that takes technical methods to be prior to analytic determination of the problems themselves; a privileging of quantificational methods over and above, and sometimes to the exclusion of, qualitative ones; the use of special standards for evaluating computational practices that differ from those used in evaluating non-computational ones; and an overarching focus on the power of the individual and individual freedom, even when that individual is understood to be embedded in a variety of networks. While cyberlibertarianism appears to be and in many ways is a theory of technology, I will discuss it today as a

politics and as an *epistemic theory*, and above all an *ideology*, which is to say a belief system that serves purposes other than those goals at which it says it explicitly aims.

There is no lack of figures who deserve to be called cyberlibertarians, and a major part of my effort here is to draw attention to the remarkable degree to which, if it is grounded at all, that doctrine is grounded in thought that is quite far to the right, and often an explicitly right libertarianism. These terms require some unpacking, but for the moment we should just consider the obvious but rarely-remarked fact that of those theorists, writers, and practitioners who advocate some version of the cyberlibertarian dogma, the vast majority explicitly endorse some form of libertarian thought. This group includes Wikipedia founder Jimmy Wales, Open Source Software originator Eric Raymond, technology writer and founder of *Wired* magazine Kevin Kelly, WikiLeaks founder Julian Assange, cyberspace evangelist John Perry Barlow, business leaders like Sergey Brin of Google and Peter Thiel, and business writers like Don Tapscott and Clayton Christensen. The much smaller group who do not explicitly invoke Rand or Hayek—including Yochai Benkler, Tim O'Reilly, Jeff Jarvis, Clay Shirky, Lawrence Lessig, perhaps even Mark Zuckerberg of Facebook—nevertheless frequently begin their analyses from libertarian principles that they leave unattributed, and add what can at best be thought minor, sometimes populist or liberal modifications to the core doctrine, while rarely challenging its central precepts. The number of such thinkers who can be said to emerge from anything like genuinely leftist or even traditional conservative thought is vanishingly small: the best-known is probably Michel Bauwens of the P2P Foundation, and even he frequently traffics in what look like libertarian claims.

The word *cyberlibertarian* comes to us via pathbreaking work of the late 1990s by Richard Barbrook and Andy Cameron, Langdon Winner, and Paulina Borsook, work on which Fred Turner has more recently built. Barbrook and Cameron, in their famous diagnosis of what they called “The Californian Ideology,” elaborate the view as follows:

Information technologies ... empower the individual, enhance personal freedom, and radically reduce the power of the nation-state. Existing social, political and legal power structures will wither away to be replaced by unfettered interactions between autonomous individuals and their software. Indeed, attempts to interfere with these elemental technological and economic forces, particularly by the government, merely rebound on those who are foolish enough to defy the primary laws of nature. (Barbrook and Cameron 1996, 3)

This is the constellation of beliefs that many if not most of those I'm calling cyberlibertarians would say they endorse, and the particulars it names will be important for my analysis, but they can obscure the fundamental strategic purpose of the doctrine, which Winner puts this way: the linking of “ecstatic enthusiasm for electronically mediated forms of living with radical, right wing libertarian ideas about the proper definition of freedom, social life, economics, and politics” (Winner1997). What even Winner does not mention is the ideological and discursive point I want to derive today: that one of cyberlibertarianism's primary social and epistemic functions is to yoke what would have previously been seen as at least liberal if not actually leftist political energies into the service of the political far right, with enough rhetorical padding to obscure at least partly, even to adherents, the entailments of their beliefs. In other words, cyberlibertarianism solicits anticapitalist (or at least anti-neoliberal) impulses and recruits

them for capitalist purposes, to such a degree that many believers often do not notice and even disclaim these foundations, although they are typically unable to offer alternative grounding for their beliefs.

2. The Neoliberal Thought Collective

To understand how the cyberlibertarian program operates, we need to consider the history of the political programs that go under the name “neoliberalism.” While it is often thought, in part correctly, that “neoliberalism” refers to a kind of market fundamentalism prevalent in the US and worldwide especially since the late 1980s, the economic historian Philip Mirowski shows that the theory, or what he more usefully refers to as the *practice* of the neoliberal thought collective (NTC), forms part of an extremely complex, carefully-considered, and often contradictory series of ideological projects backed by many forms of institutional and financial power.

Some of the complexity can be gotten at by looking at the interactions between three core terms: “classical liberalism,” “neoliberalism,” and “libertarianism.” Some of the broad outlines here are well-known, especially that the general origin of this school of thought comes from the second-wave Austrian School economists Friedrich von Hayek and Ludwig von Mises, who in the 1930s and 1940s and in response to what they claimed to see as the equivalent totalitarian dangers of communism and fascism, extended that economic theory into politics more broadly. The best known exponent of this work is Hayek’s 1944 *Road to Serfdom*. In searching for a name for this theory, Hayek vacillated between “classical liberal”—since he traced its genealogy back in various ways to thinkers like Mill, Locke, and Adam Smith—and the until-then little-used term “libertarian,” since that word suggests a focus on freedom, a key concept for these thinkers. When work by Hayek and Mises was taken up by conservative

economists and political thinkers in the US later in the century like Murray Rothbard, Milton Friedman, and even Robert Nozick, the “libertarian” label was the one that stuck. In recent years, even that philosophy has become filtered through the works of ideologues, especially Ayn Rand, whose thought is nowhere near as coherent or deep as that of the others. What Rand makes clearer than some of the more sober theorists do is the florid sense of individual power and entitlement that contemporary neoliberalism fosters and that we see resurgent in cyberlibertarianism.

Less well-known than this history is that the term “neoliberal” originates in part not as a synonym but as something like an antonym for the classical liberal thought of Hayek and Mises within the NTC. In this case we have actual historical origin points, the 1938 Walter Lippman Colloquium and the 1947 Mont Pèlerin conference. Here the term “neoliberal” emerged in the context of *critique* of classical liberalism, one which insisted that some of its tenets remained too bound by existing liberal political principles, which still maintained some interest in overall social equality. Originally Hayek and Mises were essentially opposed to this way of thinking, but over time the work of the Mont Pèlerin Society (MPS) grew to encompass both classical liberalism and its neoliberal counterpart.

Mirowski argues that the neoliberal project takes advantage of these apparent contradictions, and that the project is most usefully understood as a set of what he refers to as Russian dolls or “shells” consisting of interlocking ideological systems and organizations such as the Mont Pèlerin society itself at the inner core, directly political foundations and think tanks outside of those, and apparently religious or single-issue non-profits at a further remove: “Outsiders would rarely perceive the extent to which individual protagonists embedded in a particular shell served multiple roles, or the strength and

pervasiveness of network ties, since they could never see beyond the immediate shell of the Russian Doll right before their noses” (Mirowski 2009, 431). Frequently shells are used to advocate for narrow ends whose connection to core neoliberal doctrine may have more to do with *realpolitik* or ideology formation than with the coherence of those ends with those of the NTC. Thus despite, for example, the dogmatic insistence on “spontaneous order” as the exclusive result of market-based transactions—transactions that in core neoliberal dogma are said to be the *only* permissible form of social planning—the social policies pursued by the MPS and its outer shells are often exquisitely planned, anything but spontaneous, and have nothing to do with any market.

Thus, for Mirowski, “the starting point of neoliberalism is the admission, contrary to classical liberal doctrine, that their vision of the good society will triumph only if it becomes reconciled to the fact that the conditions for its existence must be constructed and will not come about ‘naturally’ in the absence of concerted political effort and organization” (Mirowski 2009, 434). Suggestively, the “market” so treasured in neoliberal dogma is less an economic structure than “an *information processor* more powerful than any human brain, but essentially patterned on brain/computation metaphors” (435); despite the need for planned implementation and extensive political intervention on behalf of this market, “for purposes of public understanding and sloganeering, market society must be treated as a ‘natural’ and inexorable state of humankind” (435)—invoking much the same “natural” force as do Barbrook and Cameron. Critically for my subject today, “neoliberals extol freedom as trumping all other virtues; but the definition of freedom is recoded and heavily edited within their framework” (437). This freedom is known as “negative” freedom following writings of Isaiah Berlin, which is always freedom *from* certain

constraints or what neoliberals call “coercion,” which they insist *only* the State can do, and this “freedom cannot be extended from the use of knowledge *in* society to the use of knowledge *about* society, because self-examination concerning why one passively accepts local and incomplete knowledge leads to contemplation of how market signals create some forms of knowledge and squelch others” (437).

The most fundamental differences between neoliberals and most on the left and even the traditional right have less to do directly with economics than with two normative ideals: *freedom* and *equality*. The only freedoms neoliberals recognize that others do as well are those which entail the apparent prohibition of State-based constraints on individual action, especially when these focus on the individual (including the profoundly neoliberal idea of the limited liability corporation-as-person): this means that in addition to free economic markets, neoliberals tend to champion free speech and freedom of expression, although only with regard to their regulation by the State; one searches far and wide for any neoliberal or libertarian suggestion that corporations should be internally constrained from restricting speech, and of course most corporations today freely impose a variety of such restrictions on their employees and in some circumstances their customers; this, in neoliberal doctrine, *is* freedom, not its curtailment.

It is a direct consequence of the neoliberal attitude toward freedom that neoliberals must oppose almost all political efforts to ensure equality. Here we have one of the most fundamental points of contention between neoliberals and other political thinkers, and yet it is one that is easily overlooked. As Mirowski puts it, “Neoliberals see pronounced inequality of economic resources and political rights not as an unfortunate by-product of capitalism, but as a necessary functional characteristic of their ideal market

system” (Mirowski 2009, 438). The fact that an actor has accrued more wealth and power to him- or herself entails that he or she *should* have even more political and economic power. Thus the egalitarianism most presume to be an inherent feature of democracy is subtly but powerfully rejected by neoliberalism: rather than everyone getting a share of the political pie by dint of his or her citizenship, to each goes a part of that pie in virtue of his or her other forms of power, especially capital. Thus concentrated capital and power in the form of ever-larger corporations is not a mark of a dysfunctional democracy but of a functional neoliberal “democratic” system.

By construing political rights exclusively as economic rights, neoliberals have deliberately muddied the argumentative waters so much that few in the public sphere today even have a coherent account of what democracy means. By inscribing an almost entirely artificial and illegitimate distinction between State power and other forms of power, neoliberalism licenses the manipulation of huge parts of the social fabric by powerful actors (who by fiat are almost entirely unconstrained) as the realization of democracy, rather than its negation, and refers to any attempt to provide egalitarian rights as socialism, as some kind of frightful totalitarian planning that is dwarfed by actual practices of private corporations (witness the deep resistance of Tea Party “activists,” directly managed by neoliberal political operatives, to acknowledge in any way the fact that private insurers already have “death panels” that are more ruthless and far less subject to democratic oversight than any existing single-payer governmental system). Thus while the rhetoric of “free” and “open” pervades neoliberalism—note that one of its founders was Karl Popper, a remarkably contradictory thinker whose notion of “the open society” is quite different from what most leftists and traditional conservatives would describe that way—these become such

particularized versions of the concepts that they may not mean at all what most people think they mean. If there was something like a politically moderate consensus in the post-World War II years that suggested a strong social safety net, relatively well-funded public institutions, moderate market regulations including strong anti-trust provisions, arguably that consensus existed precisely because many if not most people thought that they promoted a free and open *society*. It is no accident that provisions for civil rights and support for the poor fall away under the new regime and are construed as the opposite of free and open; for the “open” society now means one full of absolutely free individuals, and when those free individuals impinge on the actions and interests of other people, the neoliberal response is: too bad.

3. Wikipedia as Russian Doll

I have characterized cyberlibertarianism as an ideology that can be captured by a slogan like “computerization will set you free.” I mean this slogan to be as vague as it sounds, both in terms of what “computerization” means, besides looking toward digital technology for solutions to whatever problems might confront us, and even more strongly what “free” means; here I’ll note that both “open” and “free” serve as foundational, unanalyzable neoliberal keywords in a “deep” shell in a parallel fashion to the way “innovation” and “efficiency” serve as keywords in a slightly more “external” shell. In practice the slogan is transmuted into a call-to-action that is almost its exact logical inverse, and that is somewhat consciously embraced by cyberlibertarians: *nothing about computers should be regulated by government*. To be more specific, following Mirowski, we should refine that formula slightly: *computers should be regulated so as to maximize economic freedom and the concentration of capital*. To put it more rudely:

Google and Facebook and Cisco and Verizon should get to make the rules, and (other) individuals, even via representative governance, should keep their hands off.

It is truly remarkable how many of the causes around which cyberlibertarians of all apparent political stripes congregate, and the ones toward which their efforts have historically been most effective, have at their core the insistence that government must not inhibit digital flows of capital. Often enough the emotion that accompanies these sentiments is quite strong, as if something very precious and important will have been lost if, for example, the US legislation known as SOPA and PIPA were to have passed, or governments were to try to regulate Bitcoin, or 3D printing, or encryption, or drone technology. This animus is largely reserved for government. It is secondarily directed at the so-called "content industries," which are then projected as if they make up the entirety of corporate capital instead of a distinctly small sector among them, and without regard for what the other parts of industry might be doing, including those parts Ken Wark helpfully refers to as "vectoral" or "vampire" capitalists, who subsist almost entirely on content produced by others. The extremity of these views is remarkable; the very wild and largely incoherent "anarcho-libertarian-capitalist" Kevin Carson routinely refers to companies like HBO, Warner Brothers and the New York Times as "copyright Nazis" and claims that open source software will dismantle capitalism, without reflecting on the widespread deployment of open source software by the most powerful institutions of capital in our world, who make just that much more profit by not needing to pay licensing or development fees.

Mirowski provides a surprisingly comprehensive analysis of Wikipedia along these lines, again relying on his Russian Doll model. The revolutionary rhetoric surrounding Wikipedia is one of a

fundamentally egalitarian and apparently democratic orientation toward knowledge, summed up in its most famous slogan, “the free encyclopedia that anyone can edit.” It is often presumed that the organizational structure implementing this dictum is “open” and “networked,” and that in contrast to “traditional” “hierarchical” structures, Wikipedia has a form of “spontaneous organization” that is flat, anti-hierarchical, and leaderless. Yet as Mirowski notes, Wikipedia is in fact “predicated on a strict hierarchy, in which higher levels exist to frustrate and undo the activities of participants at lower levels. The notion that ‘everyone can edit’ is simply not true: many controversial pages would not even exist were interventions from those lower down in the hierarchy not blocked” (Mirowski 2009, 422).

How can Wikipedia be a neoliberal project, when its apparent goals—freeing the world’s information and democratizing our ability to access and contribute to it—sound like the opposite of neoliberalism? That we must take it seriously is apparent if for no other reason than that Jimmy Wales, the founder of Wikipedia, is not merely an avowed libertarian but a follower of Ayn Rand so devout that he named his daughter after a character in Rand’s novel *Anthem*, and who says he explicitly built Wikipedia on what he sees as libertarian grounds. As Mirowski explains, Wales

claims that he got the idea for the site from his reading of Friedrich Hayek’s famous article on “The Use of Knowledge in Society,” the ur-text of the Mont Pèlerin thought collective. In other words, Wales subscribes to the precept that objective knowledge is a state rarely attained by any individual because his or her experience is subjective and idiosyncratic; that no individual is capable of understanding social processes as a whole; and that individual beliefs are frequently wonky beyond repair, but given appropriate (market-like) aggregation mechanisms for

information, the system ends up arriving at the truth through 'free' entry and exit. (Mirowski 2009, 423)

Thus despite its nonprofit status and continual exhortations of "free" and "open," the rhetoric of Wikipedia is profoundly based in the market as epistemic filter, from which "truth will out." Despite this surface reliance on openness, in its inner form, Wikipedia enforces just the sort of rigid hierarchy it claims to resist; it is no surprise that Wales's self-assigned position in Wikipedia is "benevolent dictator"; as with MPS thought, the disavowal and disparagement of individual authority turns out to be a ruse to direct us away from its desire to install certain people and certain powers as, if anything, even more dictatorial than that which they displaced, and that fits with the florid and dictatorial sense of self found in Rand. Lest this be seen as rhetorical overstatement, it is fascinating to note that the most direct political intervention of the MPS thought collective before it rose to such prominence in the Global North was its close engagement with the Pinochet regime in Chile in the early 1970s, whose imposition of privatization and corporate-friendly policies under the aegis of a ruthless military dictatorship represents neoliberal freedom much better than did the freely-elected Marxist Salvador Allende (see Fischer 2009). One might say that youthful revolutionaries once sided hopefully with Allende; today they side, often without knowing they do, with Pinochet.

What remains is to understand how a "free" and "open" product can function so as to serve the profit interest that must be at the heart of any neoliberal program. Mirowski writes:

[one] secret to a successful website in the dawn of the twenty-first century is that it attract or expropriate free information and repackage it into formats that allow for capitalization and the

creation of “derivatives” that can themselves be marketed. Sites like YouTube or Facebook or Twitter sucker people into providing free content, which can then be leveraged into something that can be retailed, such as advertising, personal information, marketing surveys, or surveillance. (Mirowski 2009, 424)

This results in what is never described as a “partnership” between Wikipedia and Google, one of the world’s largest corporations:

What Google needed for effective search was some other entity to preprocess the vast masses of dreck clogging the Web and cross reference the refined results in such a way that it would show up early (usually on the first search page) on Google search results. ... Conveniently, Wikipedia’s policy of citing everything from other sources exactly meshed with Google’s ranking algorithm. As in so many other instances, Google wanted access to such services for free. Thus Wikipedia materialized as a Godsend for Google’s business plan. Moreover, the supposed Chinese Wall between Google and Wikipedia makes it possible for Wiki-workers to think they are squirreling away for the betterment of humankind, while Google positions itself to be the premier portal for information. (Mirowski 2009, 425)

The logic here is one that should disturb any of us who immediately take “free” and “open” as unassailably good values that everyone, especially on the left, should endorse. Unless the most concentrated powers of capital are somehow to be opened via such dicta, a signal effect of these regimes is to concentrate capital and power even more.

4. "Hackers": Cyberlibertarian Insiders

Like other cyberlibertarian key terms, the word "hacker" has become so elastic that its meaning is often almost entirely unclear. One indication of this is the Wikipedia page "Hacker (Term)," a page of more than 4500 words which serves in part to point to the two best-known definitions of the word, (1) "someone who seeks and exploits weaknesses in a computer system or computer network" ("Hacker (Computer Security)") and (2) "someone who loves to program or who enjoys playful cleverness, or a combination of the two" ("Hacker (Programmer Subculture)"). The "Hacker (Term)" page itself has been such an object of attention and controversy that it sports 6 pages of 7500 or more words apiece discussing the rights and wrongs of defining and attempting to define the term (see "Talk: Hacker (Term)"). These discussions often reach a high pitch of emotion, reflecting how much is at stake over the controversy and/or over the term. People, especially people who identify themselves as hackers, care a huge amount about who *is* and who *is not* (and who *should* or *should not* be) labeled a "hacker." People who identify as hackers care a great deal that others they do not consider hackers not be labeled that way. People who consider "hacker" to have a positive connotation take umbrage at the use of the word in a negative fashion (one of the main points of contention in the "programmer subculture" vs "security violator" debate visible in Wikipedia). People who consider "hacker" to be a positive label get very concerned about the technical definition of "hacking," so that in a number of cases where individuals have been arrested and prosecuted for a variety of computer-related crimes, a persistent and largely irrelevant line of discussion about them is whether or not the activity in question "was" or "was not" hacking, often as if the prosecution actually

depended on whether or not the definition really did apply, when the words “hacker” and “hacking” do not appear at all in the relevant law.

What *is* at stake in the label “hacker” today? I think it connects very directly to cyberlibertarianism, its picture of the self, and its orientation toward freedom and power. To be a “hacker” is to be on the side of this a power that is in the process of freeing society from an enslavement that can only be described in generic abstractions. It is to be a freedom fighter, for whom the main enemies of freedom are government regulation, and anything that gets in the way of the individual from accessing whatever information he or she wants, whenever he or she wants it. It is to be in the know, savvy in a way others aren't; it is to be at the vanguard of a revolution so profound that it is both obvious and nearly impossible to describe other than in sweeping platitudes. Perhaps more than anything else, and in a way that hackers can temporarily deny even to themselves, it is to exist in a *potential* relation to power and to capital, as I'll explain in a second.

Thus one of the real ironies of the way hackers are presented in the media, including the way they present themselves, is that on the one hand they claim to stand for a kind of anti-corporate “people power,” trumpeting nostrums like “political control is moving away from power elites” (Bennett 2013), and supporting overtly anti-corporate movements like Occupy Wall Street; but on the other, in part by denying the validity of the different meanings of the word “hacker,” they also promote themselves as the most effective and most highly-skilled candidates for employment at many of the largest companies. All of this is accepted so easily by our media today that there is almost no recognition of the contradictions inherent in the images of hackers being the same group, and even sometimes the same individuals, sought

after by Facebook, Google, and other major and small companies as their lead technology and security developers. Not only does Facebook like other companies continue to identify “hacking” as a primary qualification for employment, but it (also like other companies) regularly holds company-internal “hackathons” directed at improving products in a number of ways (see “Hackathon”), and has a history of hiring specific individuals who make themselves famous by breaking into computer systems (Jacob 2011). What is even more striking is that apparent lack of cognitive dissonance that this hacker-industrial cooperation produces in hackers themselves. It makes sense because it speaks to the concentration of personal power and authority that drives cyberlibertarianism to begin with, putting what should be disparate social entities like Anonymous and Google on the same well-worn pathway.

It is not hard to understand how this strange mixture of pro-corporate and anti-corporate sentiment can coexist so readily. What most of those who write about hackers seem to miss, perhaps purposely, is the chronological dimension to the phenomenon, something like Mirowski’s Russian Doll working over time. Reportedly, although anonymity makes this hard to corroborate, most of the self-identified idealistic anti-corporate hackers and hacktivists are very young—from their late teens to their twenties. There is even a mildly derisive term for this phenomenon, “script kiddies.” For the most part, these people have not yet had to earn a living in the world at large; many may be in school, and others may subsist in quasi-communal settings not atypical of post-graduate lifestyles the world over. Due to their general lack of income it is easy for such people to see themselves as underprivileged, and thus their pursuit of power and privilege seems to them justified. But from other perspectives, they are already highly privileged. There is something to be valued in the idealism and the passion to fix the world’s many

very serious problems evidenced by people in this mode, but here that idealism is directed almost exclusively in what Mirowski, following Foucault, calls the “entrepreneurship of the self.”

So what is very prominent in these individuals is a love of power, often most directly expressed in their certainty of their own technical skill and their disdain for others who do not (in their own opinion) have that same level of skill. The self-importance and arrogance such individuals display readily in public (particularly on comment boards and other forms of social media) can be startling. A quality they share is the need to portray themselves as *inside* the internet revolution: as native to it, identified with it, one with it, so that others who doubt their presumptions must be on the outside, not part of it. As these individuals get older and realize the seriousness of the economic imperatives we all face, and as they come to understand that their technical skills and quasi-political bravado have served as terrific sales tools for future careers as technology developers and businesspeople, some of these same individuals (as we all do) change their perspective and hop on board a train that before they had been lobbing grenades at. No doubt, a few stick to their guns and remain outspoken critics of large aspects of the digital world and much of the corporate and governmental power that rules it, and this includes some of today's best-known hackers; but I suspect that numerically, a much larger number of lesser-known hackers quietly slip into lucrative careers as highly-skilled businesspeople, who often tell themselves and others that their job is not (or not just) to make money, but to change the world. Yet what “change the world” means has itself changed a great deal in the process—toward “innovation” and “efficiency” and away from equality and democracy.

In her recent book, *Coding Freedom: The Ethics and Aesthetics of Hacking*, the “freedoms” Gabriella Coleman focuses on are almost exclusively the freedoms championed by libertarians, but she writes as if she is talking about freedom in general. Coleman extols the work of the Debian Linux software developers as hackers while knowing full well that this is not how most people will hear the term (and Coleman herself muddies the water by frequently writing about Anonymous and other hackers in other venues), and offers a set of political principles so transparently libertarian that Eric Raymond himself has called her out for failing to own her own politics. Coleman responds by claiming that hackers maintain a “political agnosticism” that is “neither right nor left,” which she says is based in a “classical liberalism going back to Mill”: one can only imagine she has read very little of the history of neoliberalism, since she is practically quoting from Hayek (the “classical liberal” Hayek who predates the MPS neoliberal doctrine) while denying her work has anything to do with libertarianism, and never discussing or even acknowledging the nearly identical formulations she offers of “liberal” to those of Hayek:

Liberalism [means]: protecting property and civil liberties, promoting individual autonomy and tolerance, securing a free press, ruling through limited government and universal law, and preserving a commitment to equal opportunity and meritocracy. (Coleman 2)

While these sound reasonable in many ways, so does Hayek in 1944 when he describes himself as a classic liberal (see Gray 1982):

To the great apostles of political freedom the word had meant freedom from coercion, freedom from the arbitrary power of other men, release from the ties which left the individual no choice but obedience to the orders of a superior to whom he was attached. (Hayek 1944, 26)

Further, it is hard not to note that this formulation fits exactly into the libertarian model by emphasizing some values key to that point of view (property rights, limited government, equality of opportunity) and carefully avoiding just those terms with which we associate other models of freedom, such as civil rights, equality other than equality of outcome, constitutional guarantees that may mean more than "limited" government, representational government, and citizenship. This at least partly blind adoption of a philosophy that its own author disclaims is an especially apparent example of cyberlibertarianism at work in its most potent form: the implicit but unstated articulation of hard-right politics as if they embody values that are something else. It is clear that Coleman does not want to be seen as rightist thinker, but I have rarely seen her develop any substantial conceptual distance between her views and neoliberalism as Mirowski describes it.

5. Weev, the "Socratic Gadfly"

There are few more stark examples of the assimilation of left politics to the right under cyberlibertarianism than the reactions to the prosecutions under the Computer Fraud and Abuse Act (CFAA) of Andrew Auernheimer, aka "Weev." There is a lot to say about many aspects of this story, but I'll conclude by confining myself to one particular instance. In a blog on *The New York Times*, the Northwestern University philosopher and admitted cyberlibertarian Peter Ludlow compares Weev to Socrates, and dismisses without even discussing it the jury's finding that Weev had economic motives

and not selfless ones in mind when he downloaded over 100,000 email addresses from AT&T. Hackers like Weev, writes Ludlow, are our society's gadflies, telling us all unpopular truths we don't want to hear:

When the federal judge Susan Wigenton sentenced Weev on March 18, she described him with prose that could have been lifted from the prosecutor Meletus in Plato's "Apology." "You consider yourself a hero of sorts," she said, and noted that Weev's "special skills" in computer coding called for a more draconian sentence. I was reminded of a line from an essay written in 1986 by a hacker called the Mentor: "My crime is that of outsmarting you, something that you will never forgive me for."

When offered the chance to speak, Weev, like Socrates, did not back down: "I don't come here today to ask for forgiveness. I'm here to tell this court, if it has any foresight at all, that it should be thinking about what it can do to make amends to me for the harm and the violence that has been inflicted upon my life." (Ludlow 2013)

Yet the analogy Ludlow offers simply has no basis in reality. Socrates chose to drink hemlock because he chose to stand by his profoundly unpopular ideas that the leaders of the State did not understand themselves, and were not able to fully justify the grounds from which they were speaking. Weev, even if we accept his aggrandizing self-portrayal, was at best locating an obscure security flaw in a commercial software application—that is, he was at best *debugging software*, something that every company and many individuals do millions of times each day, without fear of criminal penalty. While it is this *action* that Ludlow and others see as Socratic, if we step back and examine Weev's statements, we find him uttering nothing other than libertarian pieties about the failure of innovation in the US and the lack of

(economic) freedom—apparently “unpopular” wisdom for which neither Rand nor Ron Paul, not Grover Norquist, and not anyone at the American Enterprise Institute has been prosecuted, let alone convicted, despite uttering it in detail and repeatedly all over the US. It is only through the incredibly blinkered lens of cyberlibertarianism that we can look at someone stating obvious platitudes that are widely if not ubiquitously distributed in society, especially by its most powerful actors, and claim that they are being “persecuted” as a Socratic gadfly for holding such views.

Weev is a tremendously disturbing character, because the totality of his statements shows that he simply is an embodiment of Fascism in every usual sense of that word. That is disturbing enough, but what I find perhaps even more disturbing, and my reason for discussing him here, is that he has a tremendous amount of support, including from academics and activists who overtly claim to be part of the political left, including Coleman, who writes that Weev is “hard to pin down” and “tremendously complex.” Because Weev is seen as a cyberlibertarian freedom fighter, everything he does is not merely forgiven but championed, even if he overtly and repeatedly embraces the discourse, tropes, and beliefs of the farthest-right actors in our world today.

When Weev spoke just before his sentencing, his own exclusive commitment to libertarian principles and his easy use of Fascist tropes were both on clear display:

So, I stand outside this courthouse today, and I feel like America is in a cultural decline. That, I look around the kind of pace, and the kind of people, that we've had in the past 50 years, and it doesn't match the 50 years previous. I feel like, I feel like [laughs], there's something wrong. And in my country there's a problem. And that problem is the Feds. They take everybody's freedom, and they never give it back. And if you go, if you go to Georgia, and you have a staph infection,

they can have a bacteriophage that they genetically engineer eat your staph. Like, no joke. Whereas here they're like, we're gonna cut your arm off, or flood you with antibiotics until you die. Like there, they can have a treatment that's known to be the best in the world, because their FDA doesn't define each individual bacteriophage as a new treatment that has to go through clinical trials. If you want to put a drone in the air, how many commercial applications of drones are there? There's a shit-ton. If you want to put a drone in the air and have it speak TCAS, the Traffic Collision Avoidance System, you just can't do that. There's no licensing path for the FDA, for the FAA, to do this. You're not allowed to innovate. Stop thinking outside the box, Western man.

I feel [laughs], I feel like, you know, we could have laptop batteries, that last a hundred fucking years. Fuckin... with betavoltaics. And we can't have this, because the NRC says no.

(Auernheimer 2013)

It is hard not to see how exactly and exclusively Weev is concerned with that most persecuted of belief systems, neoliberalism. The neoliberal concept of innovation occurs here even more strongly than does its realization as economic freedom. There is no concern with equal rights, civil rights, democracy, any of that; there is concern only with the ability of corporations and individuals to make as much money as possible, and the consequences be damned: the betavoltaics Weev mentions, for instance, are radioactive batteries containing tritium with half-lives as long as the "hundred fucking years" for which Weev says they will work, and they have not been licensed out of what one might see as a prudent concern for having laptops and cellphones carrying radioactive material inside of them widely among the general population. It is no stretch to say that society is freer because the NRC prohibits radioactive batteries than

it would be if we had no NRC and junior Teslas could go out and play with fire however they like and whomever gets hurt.

As frightening as Weev is, not least because he seems interested in political as well as other forms of power, it is the support for him that is blinded by cyberlibertarianism that sit my main concern. This is not simply a war of ideas; it is a real struggle over real issues with direct impact on real human lives, and unless we develop more critical attitudes toward digital ideologies and in particular toward cyberlibertarianism, we will find much more than our “digital freedom”—whatever exactly that is supposed to mean—put increasingly at risk.

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