

REST MY CASE

A DECENTRALIZED INFRASTRUCTURE FOR BUREAUCRATIC COMMODIFICATION

Thesis:
Özgür Korkmaz

Supervisors:
Prof. Dr. Andrea Sick
Prof. Dennis P. Paul

Hochschule für Künste Bremen
Digital Media – WS18

RMC is a decentralized infrastructure
for bureaucratic commodification.

RMC is an individual revolt.
It is a circumvention platform.

RMC is an autonomous organization.
It is distributed, yet collective.

RMC is uncategorized.
It is a meandering narrative.

RMC is a versatile hack.
It is independent and stand-alone.

RMC is an exploitative tool.
It doesn't abide typologies.

RMC is disruptive.
It bends structures to its needs.

RMC is a resentful acceptance.
It proposes no solution but an escape.

RMC is immutable. It is here to stay.

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I FORCED RITUALS – APPROACHING BUREAUCRACY

„Humans being the social creatures that they are, birth and death are never mere biological events. {...} Death is even more complicated because those same social relationships that one has acquired in life have to be gradually severed, rearranged. {...} but it is precisely paperwork, rather than any other form of ritual, that is socially efficacious in this way, that actually effects the change. {...} Without those forms, neither my mother, nor any of the other people cremated at this establishment, would be legally – hence socially – dead“ (Graeber 2015: 50)

Jelena, a lady in her 50s who lives in a grey and dusty, still standing depiction of brutalist Belgrade, finds herself stuck in despair. The movie „Requiem for Mrs J“ starts its narration on a Monday, where it becomes clear that Jelena, widowed precisely one year ago, has lost her will to live and starts her tangled journey of trying to commit suicide. A mother of two more or less grown girls, she seeks to prepare everything as smooth as possible. She lets her name engraved next to her husband's on the tombstone and deciding to spare her children the ugly sight of her head disfigured by a bullet, she tries to get the medication necessary to bring her life to an end. By Friday, she decides, everything has to be done and thereon she takes off to an endless row of waiting rooms. In order to get the medication, she is being sent to her insurance institution to re-validate her health card. There, her record of years of service is improper, which she is to validate in the next administration, so the story goes on with her in the end facing such a vast bureaucratic labyrinth that in the end makes it impossible for her to do one of the most basic things in life – to end it. Certainly, director Bojan Vuletić narrates his side-critique to a rusty post-communist Serbia with a twinkle in the eye. But the joke is

nothing that is specific to post-communist states and societies. Similar narratives about bureaucracy can be found throughout the globe: whether we take a look into neoliberal versions of corporate administration in Western countries or the antiquated over-blown apparatuses prevailing in the Global South – populations, no matter where or what kind are being ordered, counted, administered. And as the example just given shows us, even death and birth are bureaucratically conceptualized events that socially and therefore legally bracket one's existence. For everything that happens in between, one will just as well be able to find a form to be filled out.

The standardization of humans and their bodies, Steven Epstein (2009: 35–36) argues, is being driven by medical research trying to „make use of a typological standard human“. This process has severe consequences, for example when we look into insurance. „[T]o standardize policies is to standardize those administered by them“ (Busch 2000, quoted in Epstein 2009: 36). Not only are our bodies standardized and our life traced back in forms and documents, bureaucracy uses a lot of the most valuable resources of our times – time. „[I]n the late 20th century, middle-class citizens spent ever more hours struggling with phone trees and web interfaces, while the less fortunate spent ever more hours of their day trying to jump through the increasingly elaborate hoops required to access to dwindling social services“ (Graeber 2015: 4). Modern civilization's regulations become more explicit and concrete, regulate more aspects of life, production, trade, etc. and therefore simply quantify exponentially. It's a phenomenon that directly stems from law and administration, as Graeber (2015: 149–150) points out: bureaucratic structures that aim to address a problem, inevitably will create new problems, for which in turn new regulations will be necessary.

How can it therefore be possible that, despite its obvious direct impact on people's lives and its pervasiveness, bureaucracy is still a concept difficult to grasp and often invisible? Graeber (2015: 140) argues

that we simply don't see the wood for the trees, as administrative practices have become all-pervasive and we lost the imagination of living our lives in a different way. Further, standardization has an intrinsic ahistorical aspect to itself, as it is usually a previous step to the actual task and, thus, easily overlooked. Standards are part of invisible infrastructures, just take the electricity grid and the standards that come with it as an example (Star & Lampland 2009: 10-11). „Standardizing has become a central feature of social and cultural life in modernity. The purpose of standardizing – to streamline procedures or regulate behaviors, to demand specific results, or to prevent harm – is rarely queried because it has come to be understood as a valuable and necessary, even if cumbersome, process“ (Star & Lampland 2009: 10).

When visible though, the prominent claim of bureaucracy being ultimately rational is a highly contested one considering the arbitrariness of standards (Star & Lampland 2009: 15). Standards have to be set somewhere – the exact point to which they are set might be a pure coincidence. Not only does bureaucracy in this case fail to hold its promise to ultimate rationality but also becomes arbitrary. Arbitrariness is one of the core features of the critique of bureaucracy and the frustration, anger and confusion that people facing it express. Standards are an incomplete and inadequate depiction of the reality they try to regulate. „The push to standardize presumes to constrain a phenomenon within a particular set of dimensions, as well as the ability to dictate behavior to achieve the narrowly defined dimensions that stimulate its outcome“ (Star & Lampland 2009: 14). There is a certain dichotomy between „the constructed“ and „the real“ in bureaucratic procedure (Hull 2012: 5). Certainly, in order to deal with a messy reality one needs to simplify things. But the gap that results from this process is large and affects peoples lives seriously. David Graeber (2015: 48) goes further to the point of framing bureaucracies as utopian projects, arguing that „a significant proportion of actors will not be

able to perform their tasks as expected". Modern civilization becomes, thus, constructed and an ideal type of order that humans can not possibly live up to. Rationality as a „myth“ of the twentieth century is constructed as superior to humanity (Greisman & Ritzer 1981: 44) and for that very reason is in itself utopian. Is it, then, the mythical, the de-facto irrational of bureaucracy that makes it so bad?

Throughout this chapter various aspects of bureaucracy and its critique shall be explored. I will shortly outline its spatial dimension, the materiality and performativity that red tape comes with. Then, I want to look into several theoretical perspectives in order to historically approach bureaucracy and a critique on it departing from David Graeber (2015) and his „Utopia of Rules“. The metaphor of the Iron Cage of bureaucracy, described by Max Weber shall be followed by the concept of „Total Administration“ put forward by post-marxist representatives of Critical Theory. Michel Foucault's conceptions of power, Governmentality and Biopolitics, can further provide a fruitful basis to a critique on administrative apparatuses. Before moving on to the aspect of structural and physical violence that facilitates any administrative action (Graeber 2015), a field situated at the fringes of bureaucratic realm, the refugee camp, will be introduced so as make the invisibles of bureaucracy more obvious. In the chapter's conclusion the crucial role of capitalism in the historical development of bureaucracies, the claim of rationality, and the need for administering a chaotic reality will be discussed.

MAGICAL OBJECTS CONVEYING POWER IN THEIR OWN RIGHT – THE MATERIALITY OF RED TAPE

„The management of the modern office is based upon written documents (the “files”), which are preserved in their original or draught form. There is, therefore, a staff of subaltern officials and scribes of all sorts. The body of officials actively engaged in a “public” office, along with the respective apparatus of material implements and the files, makes up a bureau” (Max Weber 1978: 957).

Visualizing bureaucracy, one tends to think of offices, waiting rooms, convoluted hallways, forms, and interfaces, into which one occasionally enters their data. It is no coincidence that these physical representations and kafkaesque scenarios of something initially pretty abstract come to mind. As Matthew S. Hull's thorough analysis of the materiality of Pakistani Bureaucracy shows, the materiality of graphic artifacts matters to the bureaucratic context, for it largely constitutes the semiotics of its processes. Documents, just like buildings, uniforms or cars are part of a material culture of the state and therefore represent and reproduce the state (Hull 2012: 26). Broadly ignored in writings on bureaucracy from the side of other social sciences, anthropologists' point of view can provide a better perspective on the artifact itself. „[R]epresentations exist as things in the world [...] A medium of representation is not only something that stands ,between' those things it mediates, it is also a ,thing' in its own right” (Keane 1997: 8). The physical representation of a file, document, form, letter or software tells us a lot not only about their meaning in the first place, but also about the actors involved, the way these representations circulate, of which importance they are, how they are to be interpreted, and even more. Hull (2012: 14) terms these semiotic functions of graphical artifacts „graphic ideologies”. The users of graphical artifacts share a set of conceptions about their meaning, use, value, and interpretation.

Paperwork follows an overall impersonal aesthetic, „simple and self contained“ (Graeber 2015: 52). Not only for the purpose of simplifying a complex reality, but also for the prevention of the re-contextualization of documents by their users, producers of bureaucratic writing decontextualize their writing. While this aspect refers to most of bureaucratic writing, there are substantial differences in modes of inscription, like Hull (2012: 16) has shown in his study of administration in Islamabad. Whether a letter is handwritten or machine typed can say something about the importance given to the recipient or the case. The material qualities of a paper document, as in size, color, thickness, etc. determine and underline their purpose (ibid. 17). As such, one might be less likely to disburse, say, a handwritten fine from the municipality on an A5 squared paper. It is therefore our shared belief in that materiality of documents that makes us trust them, eventually unfolding their power. Another familiar example is the materiality of a photocopy. Content and appearance of a photocopy are obviously the same to its original counterpart, but the signature, the performative act of authorizing a document through signing it, is lost in the copying procedure (ibid.). It is an untrustworthy document to be authorized and in some contexts not credible for the same reason. Giving the example of academic degrees and the confidence in them, Graeber (2015: 22) criticizes an explosion of credentialism since the 1980s referring to the U.S.: „[...] official credentials are seen as a kind of material fetish – magical objects conveying power in their own right, entirely apart from the real knowledge, experience, or training they’re supposed to represent“ (Graeber 2015: 22). Measuring and standardizing is believed to give evidence and validate (Star & Lapland 2009: 10), which almost implicates a superstition.

Another aspect revealing the importance of materiality to the bureaucratic myth is fraud. Matthew Hull illustrates this in his study on Pakistan. Whereas, writing as a mode of inscription has been introduced by the British, managing the East India Com-

pany, in order to gain larger control over the employees in the periphery and later Indian society, Hull observed that „[i]t is precisely this regime of presumptive written truth that establishes the social possibilities of noncorrespondence, including fraud. [...] The very claim of graphic artifacts to transparency motivates their use to generate opacity or false clarity“ (Hull 2012: 246). Sometimes, when confronted with paper fraud, bureaucrats in Islamabad would return to taking decisions or issuing communications through the spoken word, in order to keep control and avoid paper fraud. This reveals the ambiguous character of bureaucratic writing: „Writing is usually seen to nail things down, but it can also set them in motion— often it does both simultaneously. Thus, state control can be extended not only through specification, but through ambiguity, by leaving matters undocumented“ (Hull 2012: 248). The materialized form of state control – files, documents, and such – does not only create a certain level of distance between the administration and its subjects, it also constitutes the state’s penetration into everyday life (Das & Poole 2004: 15).

Among all examinations of graphical artifacts, Hull gives a special attention to the file as a medium. Keeping track of its own path through various forms of inscriptions, a file becomes its own chronicle and at the same time the material artifact of authoritative decision making (Hull 2012: 116–127). The file also serves well to illustrate the concept of „associations of paper“, which serves here as an analytical tool to grasp the whole complex of actors, objects and relations that emerge from the circulation of documents. Studying associations of paper can help defining the border between administration and administered, and contribute to the understanding of social relations underlying bureaucratic processes and how they may change over time (ibid. 19–22). A more thorough look into the path of documents will in effect lead to the performative aspects of bureaucracy.

PLAYING THE GAME – PERFORMATIVE ASPECTS OF BUREAUCRACY

„red tape n [so called from the red tape formerly used to tie up legal documents in England.]: bureaucratic procedure, especially as characterized by mechanical adherence to regulations, needless duplication of records, and the compilation of an excessive amount of extraneous information resulting in prolonged delay or inaction“ (Webster’s 3rd International Dictionary).

Most adults have in one way or another experienced the performative character of bureaucracy. Deconstructing this aspect of administration from an anthropological perspective leads us again to perceive the seemingly very rational realm of government as a collection of rituals, shared experiences, beliefs and habits. Considering performance further leads to the visibility of power and control and a more sound critique of bureaucracy. Hull (2012: 25) accentuates that „bureaucratic texts are produced, used, and experienced through procedures, techniques, aesthetics, ideologies, cooperation, negotiation, and contestation“. Hence, there is a vast range of processes to be considered. Throughout decades, scholars and government officials alike have sought for solutions to reduce these procedures or what is referred to as „red tape“. One of the biggest hopes was put into evolving information technologies, but despite their fast development, information technologies have not been the key to streamline administration, as David Graeber (2015) makes clear. It might exactly be the performative aspect, Lee (1980) argues, why neither analysis nor technologies could help making administration more efficient.

Examining the signature as a familiar ,ritual' that was briefly mentioned, the argument becomes clearer. The signature on a document answers the question of the author, and therefore enables authorization. Further, the signature clearly distinguishes the original document from its copy. From the official side there are further performatives (stamps, seals, bills) with a similar purpose. They are designed so as to be hard to mimic and thus serve as the institutional signature. We might not notice those gestures anymore, because they have become such an ubiquitous routine of daily life (Lee 1980: 2-5).

There is obviously two distinct performative spheres in bureaucratic procedures: encounters between clients and officials on the one side, and the handling of the cases within the administration behind closed curtains on the other (Hull 2012: 113). Weber referred to this inner-administrative area, which is trying to keep its knowledge, its most powerful resource, secret as an administration of „secret sessions“. Since on the other side, clients have no access to that secretive area, they as well turn to performatives in order to ensure their case is being properly understood and worked on, as Hull has described for his study of Islamabad (Hull 2012: 119). Clients' performance can also be witnessed in the long queues outside of government buildings that start growing long before offices even open. The administered often find themselves stupefied by the whole process, or as Graeber puts it: “Contrary to popular belief, bureaucracies do not create stupidity. They are ways of managing situations that are already inherently stupid because they are, ultimately, based on the arbitrariness of force” (Graeber 2004: 73). Aradhana Sharma and Akhil Gupta (2006: 12) draw a direct connection from this ,proceduralism' to state control: „routine, repetitive practices of rule following—and its violation are central to “how the state comes to be imagined, en-

countered, and reimagined by the population" (Sharma & Gupta, quoted in Hull 2012: 26). But also within the structures proceduralism and aesthetics, the observance of „the correct bureaucratic rule“, or the use of the properly patterned language, can be of higher importance than the actual content of a document itself (Riles 1998).

Looking into structured documents, the connection between the materiality and performativity of these artifacts becomes more explicit. Structured documents make the content valid to be entered predictable. They act like a recording medium in a procedure (Lee 1980: 7–8) that filters unlimited diversity, and therefore reality (Star & Lapland 2009: 8). If we for example consider gender queries in standardized forms, we can easily see that all people not identifying with the binary gender system are being filtered out of statistics. Susan Leigh Star and Martha Lampland (2009: 8) indicate that such performatives become problematic in various circumstances, as for example minorities can be filtered out of distributive processes. Moreover this example demonstrates how ethics and values can be morally inscribed into seemingly sober standards. On a positive record though, just as making things invisible, standards can help pushing forward positive change, such as the inclusion of environmental standards into trade, for example (ibid.).

Another factor increasing and complicating bureaucratic procedures is the diffusion of responsibility (Lee 1980; Hull 2012: 115). As Lee (1980: 8) specifies, it is the act of giving permission that in many cases causes significant delay, because the initial action is being divided into sub-levels of granting permission, which of course causes wait times at each step of the queue. This can especially be observed with controversial cases, which then go up and down the organizational hierarchy, for no official alone wants to take responsibility and thus diffuses the process of permission (Hull 2012: 126). „I argue, rather, that the intensification of file-mediated decision making undermines the ability of superiors to isolate individual functionaries and hold

them responsible for particular actions. In short, these practices make it hard to understand who does anything" (Hull 2012: 115). This practice further can be observed with the principle of „plausible deniability“, a concept first termed by the CIA in the 1960s that protects high ranking officials in diffusing responsibility through the chain of command.

In his very unorthodox approach to a critique of bureaucracy, David Graeber (2015: 190 – 205) portrays the game-like character of bureaucracy starting off from a linguistic point of view, from the playing of games. While in most languages the words ‚play‘ and ‚game‘ are not distinguished, hence carry the same meaning, English language reveals their difference. The word ‚play‘ refers to free-form creativity, whereas ‚game‘ refers to a set of rules (ibid. 190). In listing certain features that games have in common, Graeber makes the analogy to bureaucracy obvious: games are restricted in time and space, what sets them apart from real life and sets a frame. Within that frame the actors are clearly defined and the rules define the pool of actions the players can chose from. A goal for the end is clearly defined, and „critically: that’s all there is. Any place, person, action, that falls outside that framework is extraneous; it doesn’t matter; it’s not part of the game“ (Graeber 2015: 190–191). He then goes on describing that despite its clear appeal of absolute freedom, ‚play‘ has a clearly anti-authoritarian side to itself, that can be randomly destructive and therefore can create fear, taking cats playing with mice or kids torturing insects as a form of play into account (ibid. 191). In the trinity of sovereignty, politics, and administration that Graeber takes as a fundament for his critique, ‚play‘ corresponds to sovereignty, while ‚game‘ is assigned to administration. The sovereign has the freedom to change the rules of the game, to play. Witnessing arbitrary acts of power, the governed identify the arbitrariness, the play, and therefore freedom, as the crucial problem instead of power itself. This is where the game becomes contracted by more and more rules in order to limit

that freedom, that play, that is highly feared. The further arrangement of the game in adding rules to it becomes experienced as a freedom and a massive complex of bureaucracy, in fact curtailing freedom instead of enhancing it, is the result:

„Whether motivated by a faith in „rationality“ or a fear of arbitrary power, the end result of this bureaucratized notion of freedom is to move toward the dream of a world where play has been limited entirely – or, at best, boxed away in some remote location far from any serious, consequential human endeavor – while every aspect of life is reduced to some kind of elaborate, rule-bound game. It’s not that such a vision lacks appeal. Who hasn’t dreamed of a world where everyone knows the rules, everyone plays by the rules, and – even more – where people who play by the rules can actually still win? The problem is that this is just as much as a utopian fantasy as a world of absolute free play would be. It will always remain a glimmering illusion that dissolves away as soon as you touch it“ (Graeber 2015: 204–205).

Bureaucracy, as a consequence, seems to be an ever-expanding relationship between the state and its population, curtailing freedom and containing society into something that Weber called the „Iron Cage“. The aspects of materiality and performativity of bureaucracy were discussed not only to shed light onto rarely considered aspects of governance but also because they play a central artistic role in this very work, RMC, as they become mirrored, subverted, and exposed.

MAX WEBER & THE IRON CAGE

„The Puritan wanted to work in a calling; we are forced to do so. For when asceticism was carried out of monastic cells into everyday life, and began to dominate worldly morality, it did its part in building the tremendous cosmos of the modern economic order“ (Max Weber 2005: 123).

Max Weber’s work on bureaucracy is most dominantly linked to the aspects of rationality, efficiency, and impersonality. Before stepping into Weber’s concerns about a potential Iron Cage, it might be valuable to discuss these claims: does the game we are forced to play hold up to its promise of efficiency, rationality and impersonality? David Graeber is examining these

claims in his writing on bureaucracy as a utopia. His strongest argument, opposing claims of efficiency, is bureaucracy's blindness to what it is efficiently regulating. Considering the differences between regimes, especially on an ideological level, Graeber illustrates the broad spectrum of efficiently regulated as follows: „[...] civil servants pride themselves on being able to find the most efficient means to pursue whatever national destiny their country's rulers happen to dream up: whether that might be rooted in the pursuit of cultural brilliance, imperial conquest, the pursuit of a genuinely egalitarian social order, or the literal application of Biblical law" (Graeber 2015: 20). Efficiency as a goal in itself, is therefore neither genuinely good or bad in a normative sense - it simply depends on the regime whether efficiency is to be feared or praised. In a less skeptical perspective Weber (1978) indicated a similar uneasiness, although for Weber this aspect was also part of a necessary separation of powers that would limit the administrative, an therefore executive branch.

Another critique in that context is that bureaucracy might seem efficient from the top perspective, assessing reality and breaking it down into cases and numbers. But from a bottom perspective, or from the point of view of the administered this is often not the case (Graeber 2015: 41). Basing a further aspect on Weber's work, he then goes on remarking that an administration once put into place, will always try to make itself indispensable to ruling powers, as in monopolizing access to information and knowledge. As a consequence it becomes nearly impossible to get rid of an already existing administrative apparatus (Graeber 2015: 150-151). The catchy, appealing buzzword it appears to be, 'de-regulation' in many cases is likely to inflate bureaucracy even further (ibid. 17).

Nonetheless, Weber has rightfully pointed out some appeals of bureaucracy, as Graeber acknowledges in his discussion, referring to impersonality: „Cold, impersonal, bureaucratic relations are much like cash transactions, and both offer

similar advantages and disadvantages. On the one hand they are soulless. On the other, they are simple, predictable, and—within certain parameters, at least—treat everyone more or less the same” (Graeber 2015: 151–152). Without doubt, rationality to some extent constitutes the very concept of justice in modern societies (ibid. 7). But when a conquest of „triumph of reason over chaos” (Graeber 2015: 167), weighs out the conception of bureaucracy as a neutral social technology, rationality becomes an end in itself, and thus, an utopian project (ibid.).

Being the most important historic voice on the matter, Max Weber clearly acknowledged both sides of the coin when it comes to bureaucracy. Largely approving administration for the qualities briefly discussed above, his writing is distinctively perturbed when it comes to its dehumanizing outcomes (Greisman & Ritzer 1981). Weber drew a clear line between the concepts of formal rationality (as a decision-making tool incorporating means-ends calculations) and substantive rationality, „in which action is chosen within an overall context of values, such as socialism or communism” (Greisman & Ritzer 1981: 36), explicitly elevating formal rationality as an achievement of modern civilization over substantive rationality.

In his work „The Protestant Ethic and the Spirit of Capitalism” Weber historically traced the development of formal rationality and emphasized the substantial impact of an ascetic Protestant work ethic on the genesis of bureaucracy and capitalism on one hand and the abandonment of mystical faiths and aesthetic values on the other (Greisman & Ritzer 1981: 36–37). While the fundament of protestant faith almost entirely diminished over time, capitalist economy, bureaucracy, and a fully rationalized society had remained and replaced the vacancy Protestantism had left. It is this vast expansion of the principle of rationality into all branches of social life that Weber described as an Iron Cage:

„The Puritan wanted to work in a calling; we are forced to do so. For when asceticism was carried out of monastic cells into everyday life, and began to dominate worldly morality, it did its part in building the tremendous cosmos of the modern economic order. This order is now bound to the technical and economic conditions of machine production which today determine the lives of all the individuals who are born into this mechanism, not only those directly concerned with economic acquisition, with irresistible force. Perhaps it will so determine them until the last ton of fossilized coal is burnt. In Baxter's view the care for external goods should only lie on the shoulders of the "saint like a light cloak, which can be thrown aside at any moment". But fate decreed that the cloak should become an iron cage" (Weber 2005: 123).

What is striking here, is the religious aspect in the genesis of modern social organization, that in the process becomes more and more marginal. Rationalism in this way becomes the new belief system. It is furthermore important to acknowledge that Weber in no sense tried to perform a critique of capitalism. On the contrary, for Weber one of the few powers (next to a charismatic sovereign) capable of curbing the expansion of bureaucracy into all spheres of life, was capitalist economy. Opposing the socialist model with the capitalist model, Weber anticipated that socialist societies would turn out even more bureaucratized, as management positions in the economic realm would automatically be held by government officials as well (Greisman & Ritzer 1981: 48).

DAVID GRAEBER – THE NEW CORPORATE BUREAUCRATIC CULTURE

„The Iron Law of Liberalism states that any market reform, any government initiative intended to reduce red tape and promote market forces will have the ultimate effect of increasing the total number of regulations, the total amount of paperwork, and the total number of bureaucrats the government employs" (Graeber 2015: 9).

Between Weber's analysis and David Graeber's accounts on bureaucracy more than one hundred years have passed. It is therefore no surprise that their appraisals on the relationship between bureaucracy and ca-

pitalism differ profoundly. Assessing from today's perspective, the private sector in Graeber's writings is no more a guardian preventing the iron cage, but the catalyst of a more and more bureaucratized world. Departing from German and U.S. Liberalism, he historically approaches this argument. Graeber outlines how the initiation of the Bretton Woods Institutions after World War II by the Americans created the starting point of a global administrative system, that according to him was less about free trade than it was about administering the world (Graeber 2015: 12-13). With the rise of the financial sector in the second half of the 20th century, private and public sectors, he argues, became more and more entangled, especially considering the outsourcing of one-time government functions to private corporations (ibid. 14-15).

„The vast majority of the paperwork we do exists in just this sort of in-between zone –ostensibly private, but in fact entirely shaped by a government that provides the legal framework, underpins the rules with its courts and all of the elaborate mechanisms of enforcement that come with them, but – crucially works closely with the private concerns to ensure that the results will guarantee a certain rate of profit“ (Graeber 2015: 15-16).

Graeber identifies this new corporate bureaucratic culture as a result of this development, which is characterized by bureaucratic technologies established within the financial and corporate domains (e.g. focus groups, performance reviews, time-allocation surveys, etc.), invading all other aspects of society (ibid. 21). This can be perceived very vividly when examining language. Words like vision, streamlining, or best practices are textbook examples for a new administrative vocabulary, that expose the blurred lines between private and public. Graeber comes to a scathing judgement, that leads back to the aspect of administration as a means of control: „For all its celebration of markets and individual initiative, this alliance of government and finance often produces results that bear a striking resemblance to the worst excesses of bureaucratization in the former Soviet Union or former colonial backwaters of the Global South“ (Graeber 2015: 22).

But not only is such a type of administration a new opportunity of government control but it also gives power to those who control the markets. Elizabeth Cullen Dunn (2009: 118–120) illustrates an example from Poland, where small-scale slaughterhouses after a so-called „harmonization“ process imposed by the European Union, couldn't afford the infrastructure necessary to comply with new standards and regulations:

„The point here is that, although harmonized regional standards, such as those of the European Union are supposed to reduce technical barriers to trade, they often create the technical barriers to trade when they enter locales that have markedly different infrastructures than those in countries where they were developed. A standard without an appropriate infrastructure cannot be put into force without major upheavals in the physical environment and the social organization of production. [...] The problem of infrastructure is almost never raised in discussions of global standards, which are often assumed to operate in the ideal-typical homogenous space of the world market“ (Dunn 2009: 119).

In contrast to small-scale businesses, such as the example given above, multinational corporations either already have the necessary infrastructure in place or can afford the means to comply to given standards (ibid.) Further, taking lobbyism into account, multinational corporations have the necessary capital to influence regulation. Referring to the U.S., David Graeber goes further by arguing that the financial sector uses legislation as a means of extracting profits. He gives an example how the financial sector and training institutions together lobbied the government for additional qualification examinations of pharmacists, so that profit could be generated from the debtors, in that case the pharmacists who cannot bypass those additional exams, as they become mandatory with the new regulation in place (Graeber 2015: 23). He concludes that „[o]ne result of all this debt is to render the government itself the main mechanism for the extraction of corporate profits“, as corporate profits are more and more derived from the financial sector (ibid. 24). In such cases the government acts as the coercive apparatus delivering the regulations for such extractions, using means such as the seizing of assets or the imposition of penalties. Another way of

using coercion to back the extraction of profits from debtors, Graeber argues, is „to force the debtors themselves to bureaucratize ever-increasing dimensions of their own lives, which have to be managed as if they were themselves a tiny corporation measuring inputs and outputs and constantly struggling to balance its accounts“ (Graeber 2015: 24). In a pretty different context but a very similar application, this practice can be observed with the German unemployment benefit system, where beneficiaries are exposed to excessive amounts of paperwork and face severe sanctions when non-compliant to regulations. Furthermore, Graeber mentions how transnational administrative institutions like the UN together with the Bretton Woods institutions get to formulate and develop policies in large parts of the Global South as a consequence of the existing debt system (ibid. 30-31). Some of these aspects shall be explored later in the writing when examining refugee camps (see e.g. Hyndman 2000).

THE „OMINOUS AND SINISTER WORLD OF TOTAL ADMINISTRATION“ – CRITICAL THEORY

„Of all the modern entrepreneurs of escape, Walt Disney must rank among the greatest. His Disneyland epitomizes the bureaucratization of myth in a place where fairytales are animated by the spirit of rational organization“ (Greisman & Ritzer 1981: 46).

Derived from Marxist thought, Critical Theory is a school innately tracing all forms of domination back to the prevailing mode of production (Greisman & Ritzer 1981: 39). From this perspective the economic system engenders a standardization and rationalization that, imposed on all other realms of society, serve as an unrestricted control mechanism. The consequence is a domination termed „total administration“ by representatives of Critical Theory (ibid.). In the scenario of a total administration „[...] that which still appears to be ‚outside‘ owes its extraterritoriality more to toleration or

to intentional planning, rather than that something ,exotic' still exists" (Adorno 1974: 83). The most important aspect, according to Herbert Marcuse, is culture becoming an agent of administration through its commodification. With the economic realm of society becoming less individualistic and laissez-faire but more governable, the same is to happen with culture. Culture becomes an object of marketing, just as other consumer goods (Greisman & Ritzer 1981: 39-40). While for Max Weber the escape of a total domination of the rational was to be found in capitalism, for Critical theory, just as in Graeber's writing, capitalism is portrayed as the catalyst. The loss of culture to rationalization is specifically tragic for Marcuse and his colleagues, as the feature of constituting a possible realm of escape had been designated to culture (ibid. 40-41). After the fall of culture, Marcuse describes a

„state of unfreedom because its total administration is systematic restriction of (a) ,technically' available free time; (b) the quantity and quality of goods and services ,technically' available for vital individual needs; (c) the intelligence (conscious and unconscious) capable of comprehending and realizing the possibilities of self-determination" (Marcuse 1964:49).

Culture playing such a prominent role in the critique of bureaucracy from a Critical Theory perspective, ' Greisman and Ritzer (1981: 45-46) take this as an opportunity to examine possible counter-cultures. They identify a renaissance of spiritual quest in the rise of the 1960s counterculture incorporating movements such as Buddhism, Yoga, Satanism and psychedelic drugs. Confirming the worries of critical theorists' though, they also portray the commercialization and bureaucratization of that counterculture:

„What, however, is the source of such beliefs and movements? Does not the Maharishi employ a massive cadre of managers, administrators, and computer-technicians to administer the various enterprises of his TM kingdom? Have not Satanism and Astrology become immense commercial enterprises run by rational, profit-oriented business persons? Have not evangelical churches also become a part of the managed society? Even the counter-culture of the 1960's, which was a kind of „spontaneous“ response to the dominant culture, became administered and marketed as exotica: its styles have been integrated into fashions and diets without too much difficulty. These are questions that must be asked if we are to determine the extent of „derationalization“ and breakdown of the iron cage. Of all the modern entrepreneurs of escape, Walt Disney must rank among the greatest. His Disneyland epitomizes the bureaucratization of myth in a place where fairytales are animated by the spirit of rational organization. Today, most forms of escape are themselves administered with an efficiency that Hegel, Weber, or even the Frankfurt sociologists would find upsetting (Roof, 1978)“ (Greisman/Ritzer 1981: 46).

In accordance with the notion of totality and the importance of culture, Graeber (2015: 26-28) further acknowledges the emergence of a culture of complicity that comes with a bureaucratized society. He advances the argument that from within institutions the principle of loyalty is being carried out into society as a whole. He illustrates this example along the conception of merit. Suggesting that career achievement is being based on merit is just as much a fiction as the idea that career achievement is being based on kin. But, as Graeber states, it is exactly that fiction of merit, that society as a whole perpetuates, which establishes a culture of complicity and therewith a meritocracy (ibid. 27-28).

Marcuse's analysis of culture and administration, finally, outlines the symbiotic relationship between administration and the administered. Being able to assess the needs of a populace and cater for those needs, the rationally economized order has the power to manipulate minds and bodies of that populace in creating false needs. Since these needs can only be catered for by the very system that created them, „masses of people develop a harmful and enslaving dependency on the very administration that dominates them“ (Greisman/Ritzer 1981: 40). Such a framing might rightly evoke associations to the thought of Michel Foucault. His writings on governmentality and biopolitics shall now be taken into account.

MICHEL FOUCAULT – THE GOVERNMENT OF THE SELF AND OTHERS

„(...) the theme of man, and the human sciences that analyze him as a living being, working individual, and speaking subject, should be understood on the basis of the emergence of population as the correlate of power and the object of knowledge. (...) [M]an (...) is nothing other than a figure of population.“ (Foucault, quoted in Sellenart 2007: 492)

Maybe the most important turnover in a long tradition of political theory brought by Michel Foucault, was his reconceptualization of the notion of power. As described above Max Weber ascribed bureaucracy with such a great power, as to transform society possibly to an iron cage. Compared to Weber, Foucault was much more subversive, but in the sense that he „endowed bureaucratic power with more effectiveness, not less“ (Graeber 2015: 55). Having explored the vast impact of social control, that governments exercise on the bodies and minds of their people, in his manifold examinations of institutions, such as clinics, asylums, and prisons, in his last two conceptions, governmentality and biopower, the importance of knowledge as an administrative instrument for control is emphasized – to a distressing extent that Weber could never have anticipated (Graeber 2015: 55).

In his essay on governmentality, Foucault pictured a history of government studies throughout the centuries. Departing from Machiavelli's „The Prince“, he described a transformation from „the art of government“ to political and administrative science, from a focus on the family as a unit of governance to the administration of populations. He saw the development of statistics crucial to this transformation, government techniques, knowledge and discipline (Foucault 1991: 102–103). He identified three stages throughout this transformation: the first one he based on the state of justice, which was brought forth by a territorial feudal system, and which he mainly characterized as a society

of written laws and customs and the development of a system of reciprocal obligation and litigation. Originating from the fifteenth and sixteenth centuries and the territoriality of national boundaries, the second stage that Foucault described, was what he called „the administrative state“. This administrative state corresponded to a „society of regulation and discipline“ (ibid. 104). The third one, Foucault terms as „the governmental state“, which is not defined by its territoriality anymore, „but in terms of the mass of its population with its volume and density, and indeed also with the territory over which it is distributed“ (ibid.). As crucial techniques of governance to this kind of state, Foucault identifies the „instrumentation of economic savior“ (ibid.) and control exercised through apparatuses of security.

The definition of governmentality given by Foucault himself, sums it up in an unparalleled way:

„By this word i mean three things: 1. The ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security. 2. The tendency which, over a long period and throughout the West, has steadily led towards the pre-eminence over all other forms (sovereignty, discipline, etc.) of this type of power which may be termed government, resulting, on the one hand, in the formation of a whole series of specific governmental apparatuses, and, on the other, in the development of a whole complex of savoirs. 3. The process, or rather the result of the process, through which the state of justice of the Middle Ages, transformed into the administrative state during the fifteenth and sixteenth centuries, gradually becomes, governmentalized“ (Foucault 1991: 102-103).

With governmentality as a concept the centrality of the notion of a population to be governed and administered becomes clear. The notion of population in turn is directly linked to medical statistics, life events and the control of the body, which leads to the concept of biopolitics. While in earlier writings Foucault had framed government control under the hypothesis of a „generalized disciplinary society“ (Sellenart 2007: 490), he adjusted this perspective linking tech-

niques of discipline with regulatory apparatuses. Michel Sellenart provides a thorough analysis on this relationship:

„The development in the second half of the eighteenth century of what was called *medizinische Polizei*, public hygiene, and social medicine, should be re-inserted in the general framework of a “biopolitics”; the latter aims to treat the “population” as a set of coexisting living beings with particular biological and pathological features, and which as such falls under specific forms of knowledge and technique. This “biopolitics” must itself be understood on the basis of a theme developed since the seventeenth century: the management of state forces” (Sellenart 2007: 474).

In such a renewed conceptualization of control the state apparatus regains much more significance as the centralized coordinator that exercises bioregulation (ibid. 494). Sellenart argues that both concepts, governmentality and biopolitics, highlight the role rationality played in exercising power over life in the West (ibid. 478). The concepts should be understood as a tool to grasp power making use of administrative practice in order to „conduct people’s conduct“. Power relations are being traced back on their micro-levels, such as the individual and the public, parent-child relationships, or population and medicine, etc. (ibid. 503. 504). With the historic transformation, that Foucault identified, from a state definition based on sovereignty over territory to one based on the regulation of a population, the aspect of security becomes much more relevant, especially in the construct of a liberal governmentality (ibid. 491). Enlarging on the dichotomous relationship between freedom and security that comprises liberalism, Foucault states that „[i]n short, everywhere you see this stimulation of the fear of danger, which is, as it were, the condition, the internal psychological and cultural correlative of liberalism” (Foucault 2008: 67). Government, from Foucault’s perspective becomes then management, or, „exercising power in the form of economy” (Foucault 2007: 134). Such a liberal modus of government in its macro- and micro political structures strongly relies on the regulation of the self and others (Lemke 2002: 60). As a conclusion, a foucauldian perspective on bureaucracy and government therefore, allows to re-concep-

tualize power and domination in the scope of its biopolitical nature and economy as a governmental practice (ibid. 2002: 61).

In this tradition Dorothy Smith gives a characteristic account of bureaucracy from the realm of humanitarian governance and the refugee regime:

„For bureaucracy is par excellence that mode of governing that separates the performance of ruling from particular individuals, and makes organizations independent of particular persons and local [...]. Today, large-scale organization inscribes its processes into documentary modes as a continuous feature of its functioning [...]. This [produces] a form of social consciousness that is the property of organizations rather than of the meeting of individuals in local historical settings“ (Dorothy Smith, quoted in Hyndman 2000: 74).

The gap that bureaucracy hence creates between the administration and the administered is something that becomes particularly visible in the microcosmos of refugee camps and settlements, as a very defined population is administered in a just as well defined manner. The following section intends to illustrate this further.

ADMINISTERED MICROCOSMOS – THE REFUGEE CAMP AS A TECHNOLOGY OF CARE AND CONTROL

“The observer, or observing colonizer, commands a knowledge of groups such as institutional inmates, welfare recipients, and the colonized, that is intimately linked with a classification and diagnosis of the inferiority or inadequacy of the latter, that establishes the need for management” (Thomas 1994: 41).

As suggested above, humanitarian aid and specifically the context of refugee camps and settlements provides an insight as to how administration is connected to power and domination. The defined setting of who is to be administered and who administers allows a more profound study, as it reduces the complex construct of societies along with their genesis therefore clearing the „wood of bureaucracy“ from the trees, as Graeber (2015: 140) had

put it. It is part of the institutional culture of humanitarian organizations to collect standardized information concerning the population to be administered. Hyndman (2002: 124) gives examples of the formats in which such information is collected and processed: so called „sitreps“ or situation reports, headcounts to assess total numbers of populations and their sub-groups, and refugee „biodata“, that is personal data concerning the individual's asylum claim. The example of headcounts leads to the application of „technologies of vision“. Partly an attempt to bring order into the messy reality of refugee camps, partly a strategy for planning and the allocation of funds, the visibility of displaced people is a primary concern of UNHCR and its implementing partners. The reality in „the field“ is being broken down and condensed into standardized comparable reports to make them digestible for headquarters in Geneva (ibid. 122).

Although less numeric in their character, sitreps as well bespeak a preoccupation with classification and numeric data, and it is common practice to use such data in order to drive forward a political agenda, that in some cases might put organizations' aspirations over client or staff welfare (ibid. 133). Hyndman (2000: 121) argues that while the endless maps, assessments, and statistics certainly are being conducted having client welfare as a primary goal, „their production often occurs without reference to the historical configurations of power that preceded them. In the context of refugee camps, cartography, counting, and recording are all acts of management, if not surveillance. They enact controversial power relations between refugees and humanitarian agencies“. During her research, Hyndman found field operations plans, that clearly present refugees as moral and statistical deviations from planning. She therefore refers back to Foucault's concept of governmentality with security, territory, and population as the key notions defining the scope of power relations:

„[T]he family is re-configured as the basic unit of a population, and re-emerges not as a model of government but as an instrument of government. Knowledge of the family provides the basis for a statistical accounting of the population as a whole. Thus the population, its pursuits and products, its very life, become appropriate objects of state management“ (Stewart 1997: 192).

In the context of managing displacement the power shift described by Foucault from a defined territory to a certain population and the centrality of technologies related to knowledge becomes very visible. Linking refugee management to colonial power, Hyndman moreover highlights the aspect of control and takes registration and verification practices for ration card allocation and their inherent administrative language and procedures as an example (Hyndman 2000: 130). Malkki (1992: 34) additionally remarks that refugee management directly links control with the notion of care: “The refugee camp is a technology of ‘care and control’ [...], a technology of power entailing the management of space and movement – for ‘peoples out of place’”. Hyndman (2000: 87–116) concludes that staffs and refugees in camps are in various forms and dimensions spatially segregated. This segregation, as the argument suggests, reproduces the construction of differences and hierarchical structures (Hyndman 2000: xviii). “The formal administrative practices employed, however, attest to authoritative structures and a quasi-military mode of operations [...]. Administration of the camps in this region involves a number of surveillance practices through which refugees are continually mapped, marked, and monitored” (ibid. 24). As already mentioned above, administrative grid fails incorporate local contexts in planning. Studies focusing on bureaucracy in (post-) colonial contexts suggest that such a „power without knowledge“ in its worst leads to paperwork and coercion as a substitute for the understanding of the population to be administered (Graeber 2015: 65). With the refugee regime and its vast administration it is easy to identify a supralocal administration (in that case usually located in Geneva) framing policy according to its understanding of local needs (the refugees), which creates a reality gap that the refugees themselves

within a framework of sub-citizens are exposed to (Hyndman 2000: 111). This observation can to a certain extent be transferred to any context of bureaucracy, and it might refer to the core of the bureaucratic problem: the gap between the messy reality and the administrative answers stripping reality down to a minimum, leaving out many cases that in their substance contain individuals and their life matters. Leading to the next section, the practice of headcounts further reveals the coercive apparatus bureaucracies unfold.

BEING HIT WITH A STICK ON THE HEAD – COERCION BEYOND FOUCAULT

„The police truncheon is precisely the point where the state’s bureaucratic imperative for imposing simple administrative schema and its monopoly on coercive force come together“ (Graeber 2015: 80).

As elaborated above, the microcosmos of refugee camps and settlements reveals mechanisms of power and control that subject bureaucracy. This is as well the case for the display of coercive mechanisms, which will be explored in this section. In the case of Kenyan camps, coercion has been employed in order to enforce restrictions on the freedom of movement. Montclos and Kagwanja (2000: 220) have described the practice of demolishing illegally self-settled refugees’ homes by Kenyan authorities in order to force the refugees back to the camps. If found outside of camps, refugees in Kenya have to pay high fines since 2006 (Hunter 2009: 15). These examples are not given in order to discuss the justice or injustice of the given incidents, but rather to display the coercion law enforcement, and thus, the enforcement of standards it relies on. In a compilation on standards, Lengwiler (2009: 96) highlights the privilege and power relation intrinsic to the ability of setting standards, examining how standards are set in life insurance policies. As Witold Kula has put it: „The right to determine measures is an attribute of authority in

all advanced societies" (Kula 1986: 18).

Discussing the position of the state in a more general perspective in his writing on anarchy, Graeber (2004: 65–68) calls states „imaginary totalities“, that are at the same time utopian in the sense of ideas as how to control social order, and on the other hand „forms of institutionalized raiding or extortion“. He argues that one should „reanalyze the state as a relation between a utopian, imaginary, and a messy reality involving strategies of flight and evasion, predatory elites, and a mechanics of regulation and control“ (ibid. 68).

Bureaucracy as a tool can serve governments to mask policies as mere regulations hiding the actual political agenda behind a regulation. Especially when trying to exclude certain groups of a population from legal processes, benefits, etc. regulations to processes can serve hitting minorities disproportionately. A recent example from the US are voting restrictions in republican states that disproportionately target African-American voters in the 2018 midterm elections. Especially the state of Georgia is interesting in that discourse, as Georgia this year for the first time introduced an „exact match“ system that came to be known as „disenfranchisement by typo“. It means that the voter's name on the voting registration form has to exactly match the name in the state system. Even if just a hyphen is missing the form is being blocked. An NPR article states that people of color are disproportionately impacted by the law, as it is largely white officials running the elections in Georgia that are unfamiliar with names of people from African-American, Latino, or Asian-American descent. Some journalists argue that such a voting suppression is being used by Republicans to get an advantage in close races between Republican and Democrat candidates (Gross 2018). It is furthermore worth examining a law passed by Syrian President Bashar Al Assad in April 2018. In the context of the beginning of the reconstruction of Syrian cities, the so called „law no 10“ on land and housing property claims has been issued. In order to claim their property, no matter if damaged

or destroyed, Syrians were to appear in person carrying their real estate documents within a period of 30 days (Fisk 2018). As technical and logical as this might seem in the first place, it is crucial to reflect on the practicality of these requirements. According to the UNHCR, more than 11 million Syrians have been internally or externally displaced during the war, of which 70 percent lack basic identification papers, because they were either burned or lost as a consequence of flight (ibid.). For refugees living abroad the time constraint of 30 days is only one obstacle that makes it unachievable to forward their claims. Many of the refugees living abroad face arrest if they step foot on Syrian ground, as many of them were opposing the regime in some way. While the law provides property holders with the right to provide relatives or lawyers to prove claims within the same 30 days, security clearance is needed for proxy authorization is needed to prove the appointed representative is not on a „wanted“ list (ibid.). For journalists and Assad’s opponents alike it is clear that the law has been put in place to facilitate „mass property expulsion in those areas of the country which rebelled against the Syrian government after 2011“ and the relocation of the seized properties to groups close to the regime, such as the Alawite minority, Shia Muslim allies, and Iranian businesses (ibid.). To underpin this assumption, the article gives a quote from Assad from last year: „It’s true that Syria has lost the best of its youth and its infrastructure, [...] but on the other hand it has gained a more healthy and more homogenous society“ (Assad 2017, quoted in Fisk 2018).

Besides the aspect of structural violence, David Graeber introduces the notion of physical violence that backs every enforcement of regulations in his comprehensive critique of bureaucracy (Graeber 2015: 32, 57). Some examples for the threat of force have already been provided in the section above on refugee camps and settlements. Historically tracing the invention of modern police back to the formation of free-market liberalism in the nineteenth century, he makes his point as follows:

„In contemporary industrialized democracies, the legitimate administration of violence is turned over to what is euphemistically referred to as „criminal law enforcement“ – particularly to police officers. I say „euphemistically“ because generations of police sociologists have pointed out that only a very small proportion of what police actually do has anything to do with enforcing criminal law – or with criminal matters of any kind. Most of it has to do with regulations, or, to put it slightly more technically, with the scientific application of physical force, or the threat of physical force, to aid in the resolution of administrative problems. [...] So: Police are bureaucrats with weapons“ (Graeber 2015: 72–73).

He criticizes the monopoly to define situations and the imposition of simple bureaucratic schemata that arise from the synergy between police forces and bureaucracy. People insisting on alternative perspectives and interpretations of social reality, he argues, are being attacked by such a bureaucratic violence (Graeber 2015: 80–81). „At the same time, if one accepts Jean Piaget’s famous definition of mature intelligence as the ability to coordinate between multiple perspectives (or possible perspectives) one can see, here, precisely how bureaucratic power, at the moment it turns into violence, becomes literally a form of infantile stupidity (ibid. 80–81).

In this chapter various aspects of bureaucracy have been explored and an attempt has been made to provide a narrative for a thorough critique of bureaucracy from several perspectives. Among these perspectives, this particular writing, with the help of the corresponding literature, aims to unveil the relatively unacknowledged facets of bureaucracy and tries to find itself room in this very realm to create

a discussion as a byproduct of its critique. A genuine concern guides this endeavor for the context of bureaucracy and its immediate components entail a destructive alliance with and an incorporation of capitalism as a tool for one-size-fits-all type of mandate. In its approach to the status quo, this writing acknowledges the necessity of schematization to deal with complex realities even when the body of the bureaucratic engagement consciously remains equivocal despite all efforts and claims for efficiency. Nonetheless it advocates anything but compliance for "the subtleties of real social existence" (Graeber 2015: 75) being reduced to "mechanical or statistical formulae" (ibid.) incrementally hinders the administered, more so as their misfortune in question worsens. Alas, on this disproportionately adjusted - rigged if you will - social scale, ignorance emerges as a natural and inherent out-turn of the aforementioned structural violence. To put it simply, in Graeber's words: "If you have the power to hit people over the head whenever you want, you don't have to trouble yourself too much figuring out what they think is going on, and therefore, generally speaking, you don't." (Graeber 2015: 75). This schematization, eventually the reduction or simplification of social arrangements, "ignore[s] the incredibly complex play of perspectives, passions, insights, desires, and mutual understandings" (Graeber 2004: 73) that are intrinsic and fundamental to social relations. Of such nature nothing but deliberately ignorant infrastructures spawn.

THE ABSENCE OF A RULER TELLING ONE WHAT TO DO

„I think it only makes sense to seek out and identify structures of authority, hierarchy, and domination in every aspect of life and to challenge them. Unless a justification for them can be given, they are illegitimate and should be dismantled to increase the scope of human freedom. That includes political power, ownership and management, relations among men and women, parents and children, our control over the fate of future generations (the basic moral imperative behind the environmental movement, in my view), and much else. Naturally this means a challenge to the huge institutions of coercion and control: the state, the unaccountable private tyrannies that control most of the domestic and international economy, and so on. But not only these. That is what I have always understood to be the essence of anarchism: the conviction that the burden of proof has to be placed on authority and that it should be dismantled if that burden cannot be met. Sometimes the burden can be met“
(Chomsky 1995, quoted in Doyle 2001: 435–436).

Anarchism as a political or social theory has received little attention in academic writing. It is mostly related to prejudices, such as infantility, brute violence, and simple chaos within the academia (Graeber 2004). From this point, Graeber (2004) in his „Fragments of an Anarchist Anthropology“ argues against the common misunderstanding, that anarchy should not be perceived as a system that is to replace government, but more as a collection of very pragmatic and local approaches of „remaining under the radar“ (ibid.), or staying away from nation state rule. He therefore sees a chance for the development of a „theory of political entities that are not states“ (ibid. 68) by the discipline of anthropology, which in his words has the tradition and the tools to study „the common property of human kind“ (ibid. 94). Anthropologists, who have studied parts of the world in which states have failed in their function or simply left, he argues, have actually documented societies that had to and did organize themselves (ibid. 95). Leaving behind classical historical notions of modernity, Graeber (2004: 47–54)

implies, can tear down the wall of modernity that in time and space for a long time served to separate what is referred to as „tribes“ or „ethnic groups“ from societies and nations. While „anarchism has tended to be an ethical discourse about revolutionary practice“ (ibid. 6), old notions of revolution in the sense of uprising should be revisited. Instead of a single revolutionary moment in history that will transform society and the global constellation of nation-states, he indicates to reframe anarchy in terms of „rejection of foreign oppression, [...] constant passive resistance to state institutions“, and the „elaboration of autonomous, and relatively egalitarian modes of self-government“ (ibid. 33). Borrowing the concept of exodus from Italian marxist Paolo Virno, he refers to an „engaged withdrawal“ and therefore rather slipping away from authority's grasp than confronting it (ibid. 60, 61). Bypassing the nation state, therefore, is about small units on a local level avoiding it until (in an utopian final version) the nation state becomes redundant (ibid. 40).

Having put the presumptions about anarchy aside, the shift on the opportunities the concept has to offer for communities becomes possible. Graeber (2004: 35) at this point frames counter power as something that is rooted in the imagination and capable of innovating the social, political, and economic forms in a

„gradual creation of alternative forms of organization on a world scale, new forms of communication, new, less alienated ways of organizing life, which will, eventually, make currently existing forms of power seem stupid and beside the point. That in turn would mean that there are endless examples of viable anarchism: pretty much any form of organization would count as one, so long as it was not imposed by some higher authority, from a klezmer band to the international postal service“ (Graeber 2004: 40).

On an institutional level, he states that imaginative counter power takes forms of direct democracy, consensus and mediation (ibid. 35). The consensus system as opposed to a majoritarian democracy is widely used by groups that can be identified as anarchist, for it has several advantages when it comes to decision making. Majoritarian democracies rely on coercive force

enforcing the decisions being made by the majority, whereas a consensus system allows decision making for groups in which minorities would not agree with a majority decision (ibid. 89). Decisions, thus, are less imposed on the whole group and in a more organic way agreed upon and complied to by the whole group. Besides consensus decision making, an important characteristic of anarchy is mass non-violent direct action (ibid. 94), which will be explored further throughout this chapter.

With its focus on smaller local entities, the concept of anarchy plays an important role for the challenging of nation states in a globalized world. Graeber (2004: 61-63, 77) indicates that a common claim among anarchists is that the current global system is not at all what they would call a „real globalization“ as it widely relies on nation states. The example of refugees, portrayed in the first chapter, illustrates this aspect quite well, for refugees in a globalized world as it is today, are the embodiment of statelessness. The anarchist argument, therefore, would be a tearing down of walls for the sake of a true freedom of movement for people and not only for goods (ibid. 61). The chance in new movements, inspired by anarchism, is a new form of internationalism, which the following section aims to reflect upon.

THE UNIMPORTANCE OF BORDERS

The concept of rhizomes suggested by Gilles Deleuze and Felix Guattari (1987) serves as a useful tool in rethinking social structures. In its origin, more a linguistic, semiotic, and philosophical concept, it offers the reconceptualization of a globalized world in the sense that Deleuze and Guattari abandon „tree-like“ hierarchical structures of organization, information, and memory and replace them with the image of a rhizomatic structure in order to avoid a conceptual deadlock: „The tree and root inspire a sad image of thought that is forever imitating the

multiple on the basis of a centered or segmented higher unity" (Deleuze & Guattari 1987: 16). The authors sum up the imaginary of a rhizomatic structure as follows:

„In contrast to centered (even polycentric) systems with hierarchical modes of communication and preestablished paths, the rhizome is an acentered, nonhierarchical, nonsignifying system without a General and without an organizing memory or central automaton, defined solely by a circulation of states. What is at question in the rhizome is a relation to sexuality—but also to the animal, the vegetal, the world, politics, the book, things natural and artificial—that is totally different from the arborescent relation: all manner of „becomings"" (Deleuze & Guattari 1987: 21).

One can now trace this metaphor to the cyberspace and its virtual communities. The internet being a network that consists of nodes and connections between these nodes has evolved in a non-hierarchical rhizomatic sense. There is no single entry and exit points to the internet, no tree structure. This was the early spirit of the internet and throughout this writing it will be explored how various groups were and are active defending the rhizomatic character of the internet. In his essay on Cryptoanarchy, Timothy C. May, specifies that anarchy – in a cryptoanarchist perspective – does not necessarily mean that there are no local hierarchies, indicating that on a local level various forms (also hierarchical) of organization might be existent that still operate outside of governmental control (May 1994). The problematic implications of this perspective shall be discussed at a later point. Stemming from the mid-90s' cybercommunity, a time of intense contestation about the course of cyberspace, John Perry Barlow published a „Declaration of the Independence of Cyberspace" as a response to the Telecommunications Act of 1996, which inclusively illustrates the refusal of integration into state structures:

„Governments of the Industrial World, you weary giants of flesh and steel, I come from Cyberspace, the new home of Mind. On behalf of the future, I ask you of the past to leave us alone. You are not welcome among us. You have no sovereignty where we gather. We have no elected government, nor are we likely to have one, so I address you with no greater authority than that with which liberty itself always speaks. I declare the global social space we are building to be naturally independent of the tyrannies you seek to impose on us. You have no moral right to rule us, nor do you possess any methods of enforcement we have true reason to fear. Governments derive their just powers from the consent of the governed. You have neither solicited nor received ours. We did not invite you. You do not know us, nor do you know our world. Cyberspace does not lie within your borders. Do not think that you can build it, as though it were a public construction project. You cannot. It is an act of nature, and it grows itself through our collective actions. You have not engaged in our great and gathering conversation, nor did you create the wealth of our marketplaces. You do not know our culture, our ethics, or the unwritten codes that already provide our society more order than could be obtained by any of your impositions. You claim there are problems among us that you need to solve. You use this claim as an excuse to invade our precincts. Many of these problems don't exist. Where there are real conflicts, where there are wrongs, we will identify them and address them by our means. We are forming our own Social Contract. This governance will arise according to the conditions of our world, not yours. Our world is different“ (Barlow 1996, quoted in Ludlow 2001: 1-2).

For various reasons this declaration has received a lot of criticism. Besides its libertarian character, Bennahum (2001) argues for the text being naive and delusional in the sense that we don't actually inhabit cyberspace, but the real world, composed of real places, real governments and legislation. Nevertheless, Ludlow (2001: 4) gives credit to Barlow arguing that people's virtual reality with its virtual identity in many instances might matter just as much as those of the real world.

All of these aspects indicate in one way or another the erosion of nation states. Timothy May observed the global flow of data and its implication for borders far before data would become the major resource of our century: „National borders are becoming more transparent than ever to

data. A flood of bits crosses the borders of most developed countries—phone lines, cables, fibers, satellite up/downlinks, and millions of diskettes, tapes, CDs, etc. Stopping data at the borders is less than hopeless” (May 1994). The global infrastructure the internet offers, various authors predicted (May 1994, Gilmore 1993, Ludlow 2001) challenge nation states in their fundamental privileges of legislation, censorship, and taxation, which will later on be explored in further detail. For the moment, however, it is crucial to point out the non-hierarchical, rhizomatic, non-physical nature of virtual communities in antagonism to the bureaucratic apparatus explored in the first chapter. The study of cypherpunks is particularly interesting in that scope: „Scattered around the world, communicating electronically in matters of minutes, and seeming oblivious to local laws, the Cypherpunks are indeed a community, and a virtual one” (May 1994).

CRYPTOGRAPHY, POETIC HACKERS AND THE NATION STATE

„Once upon a time in a place that was neither here nor there, we, the constructors and citizens of the young internet discussed the future of our new world. We saw that the relationships between all people would be mediated by our new world, and that the nature of states, which are defined by how people exchange information, economic value, and force, would also change” (Assange et al. 2012).

Having explored the anarchic character intrinsic to the internet, a specific movement is to be further explored – cryptoanarchy and cypherpunks. Rooted in the 1990s, the contestation between cypherpunks and governments about the right to use encryption technologies, the core of the cryptoanarchist movement evolves around the issue of protection of privacy (Assange et. al 2012). An infrastructure enabling increased communication, Julian Assange and his associates argue, necessarily leads to greater liberty facing powers that try to control ideas and synthesize consent, while on the other hand, for that very reason also introduces increased surveillance (ibid. 21–22). Surveillance from this point of view

is the governmental expression of coercive force on the internet (ibid. 3), which the authors define as a „threat to human civilization“ (ibid. 1), since it compromises the internet, referred to as „our greatest tool of emancipation“ (ibid.). Assange's foreword comes with a dystopian taste:

„The state would leech into the veins and arteries of our new societies, gobbling up every relationship expressed or communicated, every web page read, every message sent and every thought googled, and then store this knowledge, billions of interceptions a day, undreamed of power, in vast top secret warehouses, forever. It would go on to mine and mine again this treasure, the collective private intellectual output of humanity, with ever more sophisticated search and pattern finding algorithms, enriching the treasure and maximizing the power imbalance between interceptors and the world of interceptees. And then the state would reflect what it had learned back into the physical world, to start wars, to target drones, to manipulate UN committees and trade deals, and to do favors for its vast connected network of industries, insiders and cronies“ (Assange et al. 2012: 4).

Clearing up a common misunderstanding about privacy, Hughes (1993) in his „Cyberpunks Manifesto“ draws the clear distinction between privacy and secrecy, stating that „privacy is the power to selectively reveal oneself to the public“, instead of keeping everything secret. The cypherpunks frame the top-down perspective of governments on the internet as being perceived as a „disease“ that limits governmental power to control reality and the cure to this disease is, as they put it, mass surveillance (Assange et al. 2012: 23). Besides the control of communication flows on the internet, a control of its physicalities is being criticized: „The state, like an army around an oil well, or a custom agent extracting bribes at the border, would soon learn to leverage its control of physical space to gain control over our platonic realm“ (ibid. 3). Assange speculates that there might be a general tendency for technology to centralize control in the hands of those who control the physical resources of technology“ (ibid. 26).

Cryptoanarchists' solution to such a re-introduction of hierarchy to cyberspace is cryptography:

„But we discovered something. Our one hope against total domination. A hope that with courage, insight and solidarity we could use to resist. A strange property of the physical universe that we live in. The universe believes in encryption. It is easier to encrypt information than it is to decrypt it. We saw we could use this strange property to create the laws of a new world. To abstract away our new platonic realm from its base underpinnings of satellites, undersea cables and their controllers. To fortify our space behind a cryptographic veil. To create new lands barred to those who control physical reality, because to follow us into them would require infinite resources“ (Assange et al. 2012: 4)

The argument goes as such: because not even with an infinite amount of weaponry an encrypted information can be decrypted, cryptography is not only a useful tool against surveillance, it is considered „the ultimate form of non-violent direct action“ (ibid. 5) by cryptoanarchists. Despite the contested field of privacy, the internet opens up far more possibilities for individuals to anonymously interact, also in economic terms. In the early 90s Timothy May wrote „These developments will alter completely the nature of government regulation, the ability to tax and control economic interactions, the ability to keep information secret, and will even alter the nature of trust and reputation“ (May 1992). Such a transformation, therefore, opened up not only social discussion about communication, but any social transaction and interaction, which by default created a battleground between libertarian perspectives of the cryptoanarchy movement, corporations and national governments and legislations

This is where Gabriella Coleman's (2012) ethnography on the hacker community and free and open source software (F/OSS) adds some fruitful aspects to the discussion, opening up the ethics of hacking. Altruistic in its core, F/OSS seeks to provide useful tools in the form of code and software (Coleman 2013: 1). Given the notion of altruism, it is worth looking into Marcel Mauss' famous anthropological conception of „the gift“,

„which argued [...] that the origin of all contracts lies [...] in an unconditional commitment to another's needs, and that despite endless economic textbooks to the contrary, there has never been an economy based on barter: that actually-existing societies which do not employ money have instead been gift economies in which the distinctions we now make between interest and altruism, person and property, freedom and obligation, simply did not exist (Graeber 2004: 17).

Linking information freedom to what Coleman describes as „productive freedom“, hackers, despite their genuine affinity for technology and autonomous work ethic, base their ethical values on some key liberal ideals, such as „access, free speech, transparency, equal opportunity, publicity, and meritocracy“ (Coleman 2013: 3). Besides their values, she broadly describes artistic, poetic and humorous aspects of their work (ibid. 7, 13). Therefore, not only bypassing the nation state and its legislation, hackers on a level of performativity withdraw from it, reconsidering Graeber's (2015: 190–205) accounts on ‚game‘ and ‚play‘ and their relation to bureaucracy. In these terms hackers ‚play‘ as in seeking new interpretations for a new, virtual social reality. Coleman has given an apt description that opposes the „game“-perspective of bureaucracy encountered in the chapter above:

„Humor is not only the most crystalline expression of the pleasures of hacking [...]. It is also a crucial vehicle for expressing hackers' peculiar definitions of creativity and individuality, rendering partially visible the technocultural mode of life that is computer hacking. As with clever technical code, to joke in public allows hackers to conjure their most creative selves—a performative act that

receives public (and indisputable) affirmation in the moment of laughter. This expression of wit solidifies the meaning of archetypal hacker selves: self-determined and rational individuals who use their well-developed faculties of discrimination and perception to understand the “formal” world— technical or not—around them with such perspicuity that they can intervene virtuously within this logical system either for the sake of play, pedagogy, or technological innovation. In short, they have playfully defiant attitudes, which they apply to almost any system in order to repurpose it” (Coleman 2013: 7).

The playful, in this scope, is the common practice of repurposing something and creating something new. This is precisely how humor works and therefore it is no surprise to find the hacking community performing their work with a considerable amount of humor. It is striking how the notion of rationality though, in a context of hacking communities, is being altered. Not the rigid coercive rationality, encountered in the accounts on bureaucracy, but a rationality committed to the technical functionality of code becomes visible.

THE LIBERAL CONTRADICTION

With the questioning of the nation state from an anarchic perspective and the bypassing also in financial terms of states, such as through the questioning of taxation on the web, libertarian stance among cryptoanarchists and hackers must have been apparent. Barlow's (2001) „Declaration of Independence in Cyberspace“ has amongst others been widely criticized on that matter. Barbrook criticizes the privatization of cyberspace stating that „[u]nable to explain this phenomenon within the confines of the Californian Ideology, Barlow has decided to escape into neoliberal hyperreality rather than face the contradictions of really existing capitalism“ (Barbrook 2001: 50).

Having coined the term „Californian Ideology“ himself clearly referring to Silicon Valley, he reveals inherent contradictions to a libertarian cyberculture that withdraws from authority in concerns for its individual autonomy on the one hand, while being trapped in a global liberal marketplace on the other (Barbrook & Cameron 2001: 372–373). Barbrook and Cameron (ibid.) conclude that: „the Californian ideologues preach an antistatist gospel of hi-tech libertarianism: a bizarre mish-mash of hippie anarchism and economic liberalism beefed up with lots of technological determinism“ (Barbrook & Cameron 2001: 372–373).

Gabriella Coleman and her analysis bring a new perspective and more clarity into where the liberal contradiction in cyberculture stems from, arguing that hackers only make visible what is inherently contradictory in liberal thought itself. Rooting hackers in a liberal tradition in terms of F/OSS's visions of liberty and freedom on a broader scale, she indicates some of the core ethics underlying hackers' practice: „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 2013: 2). Two of these principles that touch hacking practice at its core stand opposing each other: the protection of intellectual property and the right to free speech.

„Because hackers challenge one strain of liberal jurisprudence, intellectual property, by drawing on and reformulating ideals from another one, free speech, the arena of F/OSS makes palpable the tensions between two of the most cherished liberal precepts – both of which have undergone a significant deepening and widening in recent decades. Thus, in its political dimension, and even if this point is left unstated by most developers and advocates, F/OSS represents a liberal critique from within liberalism. Hackers sit simultaneously at the center and margins of the liberal tradition“ (Coleman 2013: 3).

Coleman refers to David Harvey's „Brief History of Neoliberalism“ where he indicates that „[n]eoliberalism is in the first instance a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade“ (Harvey 2005: 2). Hackers, therefore, do not only reveal the tensions underlying the concept and its legal consequences, but furthermore offer a „targeted critique of the neoliberal drive to make property out of almost anything, including free software“ (Coleman 2013: 4). But not only in terms of a neoliberal dynamic is this relevant. Ray Patterson (1968: 224) pointed out that it is fundamental democratic principles clashing in a society „which has freedom of expression as a ba-

sic principle of liberty [but] restricts that freedom to the extent that it vests ideas with legally protected property interests". Resulting from the conflict between the principles of free speech versus property protection , US courts during the last decades have moved to balance in favor of the protection of copyright laws, arguing it „represents an acceptable restriction on speech because it is the basis for what is designated as ,the marketplace of ideas‘" (Coleman 2013: 10). The theory behind the terms implies that when ideas publicly complete, the truth becomes evident (ibid.). Most F/OSS developers oppose this logic of a restriction of free speech in favor of the protection of intellectual property, for they argue that „knowledge, inventions, and other creative expressions not as property but rather as speech to be freely shared, circulated and modified" (Coleman 2013: 10).

Coleman, therefore, presents a much more thorough and in-depth analysis on the matter, portraying the hacker communities claims to free speech, which makes clear where the community of F/OSS developers positions itself in the face of a liberal dilemma.

CODE IS SPEECH

*„Programmers’ art as
that of natural scientists
is to be precise,*

*complete in every
detail of description, not
leaving things to chance.*

*Reader, see how yet
technical communicants
deserve free speech rights;*

*see how numbers, rules,
patterns, languages you don’t
yourself speak yet,*

*still should in law be
protected from suppression,
called valuable speech!”*

*Excerpt from Seth Schoen’s 456-stanza haiku: the transcoding of a
short piece of the DeCSS free software, 2001.*

Enric Hughes in his „Cypherpunk’s Manifesto” from 1993 delivers a compelling argumentation for the freedom of speech as a consequence of group speech enabled though electronic communications:

„If two parties have some sort of dealings, then each has a memory of their interaction. Each party can speak about their own memory of this; how could anyone prevent it? One could pass laws against it, but the freedom of speech, even more than privacy, is fundamental to an open society; we seek not to restrict any speech at all. If many parties speak together in the same forum, each can speak to all the others and aggregate together knowledge about individuals and other parties. The power of electronic communications has enabled such group speech, and it will not go away merely because we might want it to” (Hughes 1993).

Gabriella Coleman appropriately indicates that many hackers share the background coming from liberal democracies and have therefore rely on and believe in certain properties of liberal thought, in this case the freedom of speech (Coleman 2013: 13). Freedom of speech in that scope is closely connected to the sharing of information, the right to learn and to explore (ibid. 19). The legal conflict over free speech between corporations and governments on the one side and hackers on the other has its roots and its peak in the 1990s by what is referred to as „encryption wars“. Encryption technology in the US was legally treaded as munition and therefore highly restricted, while hackers insisted on their right to freely publish and use software cryptography (ibid. 169). This narrative was then extended to the materialities of cyberspace with the notion that code, despite being a technical artifact, is speech:

„The first widely circulated paper associating free speech and source code was “Freedom of Speech in Software,” written by programmer Peter Salin (1991). He characterized computer programs as “writings” to argue that software was unfit for patents, although appropriate for copyrights and thus free speech protections (patents being for invention, and copyright being for expressive content)” (Coleman 2013: 169).

More openly hackers started engaging in contentious politics (Tilly & Tarrow 2006) in various forms as a response to several arrests, most famously in the cases of Johansen and Sklyarov. Jon Lech Johansen had written the code for a F/OSS software called DeCSS to decode DVD licensing that prohibited DVDs from running on Linux OS and distributed that code. Claiming the software would facilitate the illegal reproduction and distribution of DVDs, the US DVD Copy Control Association and the Motion Picture Association filed a lawsuit against Johansen. Through his arrest and prosecution, hackers became eloquent in a multitude of protest, as the notions of free speech, free software, and source code became intertwined and a controversy (Coleman 2013: 161–176). Seth Schoen’s 456-stanza haiku, of which an excerpt is given above this section, is maybe one of the most prominent examples. Titled „How

to decrypt a / DVD, in haiku form / Thanks,
Prof. D. S. T.", the poem describes, „using
only haiku-like verses with lines of five,
seven, and five syllables, all the mathe-
matical steps required to convert an en-
crypted DVD into a usable form" (Schoen
2001). The poem not only circumvents the
ban of the source code in reformulating it
into words - it makes visible that code is
speech. The arrest of Dmitry Sklyarov mo-
bilized direct political protest over the
matter of code as free speech. Sklyarov
had developped a software to circumvent
Adobe's e-Book file format via PDF for his
Russian Employer Elcom Soft and been ar-
rested after he attended DEF CON in 2001 by
the FBI (Coleman 2013: 8). „The first-ever
FBI arrest of a hacker signaled a one-si-
ded renegotiation of the relationship bet-
ween legal authority and the hacker world"
(Coleman 2013: 179) and led to protests
all over the US, Europe and Russia (ibid.
180). The protests had been successful in
the sense that Adobe withdrew its sup-
port of the case and the charges against
Sklyarov had been dropped (ibid. 181).
Concluding on the notion of code being
speech, Coleman (2013: 183) concludes:

„Many academics and programmers have argued convincingly
that the act of programming should be thought of as literary-
"a culture of innovative and revisionary close reading" (Black
2002, 23; see also Chopra and Dexter 2007). As with print cul-
ture of the last two hundred years (Johns 1998), this literary
culture of programming has often been dictated and delineated
by a copyright regime whose logic is one of restriction. New
free speech sensibilities, which fundamentally challenge the
coupling between copyright and literary creation, must there-
fore be seen as a political act and choice, requiring susta-
ined labor and creativity to stabilize these connections".

On a longer term, though, hackers had de-
veloped a consciousness and expertise in a
domain which would further prove useful - law.

CYBERSPACE LAWYERS

Given their practice, it is a common for hackers to find themselves in legally equivocal waters or on the fringes of legality. Therefore they inevitably reveal emerging dilemmas (Coleman 2013: 19) or the need for legislation where there has been none. It has hence become part of many hacker's daily repertoire to develop legal knowledge. For Debian developers, a community of F/OSS developers volunteering to work on a free and open source operating system, it has become even mandatory part of their practice, since such projects have come to require the legal knowledge in order to be able to operate (ibid. 164). Gabriela Coleman indicates the scope of this consequence: „F/OSS arena probably represents the largest single association of amateur intellectual property and free speech legal scholars ever to have existed. Given the right circumstances, many developers will marshal this expertise as part of broader, contentious battles over intellectual property law and the legality of software [...]“ (Coleman 2013: 168).

She then goes on to point out the significance and the capability of law to change cultural meaning and its power to shape and define social reality (ibid. 182). This is an aspect already encountered in the first chapter, which has shown how bureaucracy – and being its prerequisite, legislation – backed by the state's monopoly of coercive force holds and executes the privilege of the interpretation of reality (see Graeber 2015). The legal engagement of hackers, therefore, gives them the power to impact the interpretation of the legal regulation of cyberspace.

„Hackers have been in part successful in this political fight because of their facility with the law; because of years of intensive technical training, they have not only easily adopted the law but also tinkered with it to suit their needs. This active and transformative engagement with the law raises a set of pressing questions about the current state of global politics and legal advocacy. [...] Given the extent to which esoteric legal codes dominate so many fields of endeavor, from pharmaceutical production to financial regulation to environmental advocacy, we must ask to what extent informal legal expertise, of the sort exhibited by F/OSS developers, is a necessary or useful skill for social actors seeking to contest such regimes, and where and how advocates acquire legal literacy“ (Coleman 2013: 183–184).

In the domain of taxation and revenue policies legal questions concerning cyberspace have been a field of immense contestation. The matter has just recently resurfaced with new taxation plans of the EU for digital businesses. Given the anarchic nature of the web, national legislation comes to its limits and transnational agreements have lacked behind the technological development (Johnson & Post 2001: 145). With technologies further developing, such as blockchain, legal questions keep springing up, as Sharma (2018) notes: „With major regulatory implications, blockchain applications have already raised numerous legal questions even as they continue offering new capabilities for engaging in activities in ways that don't fit perfectly into the current legal frameworks“. Hackers, thus not only evade legislation, but also in many instances push legislation and try to shape it to their needs. Ludlow (2001) has widely explored virtual communities have developed their own procedures for conflict resolution and given speculative accounts on the emergence of „Cyberlaw“ that could impact legal theory on a worldwide scale (ibid. 16).

RHIZOMATIC GOVERNANCE: DECENTRALIZATION

„Peter Thiel observed that “we wanted flying cars, we got 140 characters.” I would add: We wanted democratization, we got a crisis of democracy; We wanted shared prosperity, we got grotesque inequality; We wanted transparency, we got the end of privacy; We wanted more information sources, we got a cacophony of fake news; We wanted an ecosystem of startups, we got a new era of monopolies; We wanted to connect with people from other walks of life, we got bubbles” (Prewitt 2018).

At several points of this writing refugees and refugee settlements have been used as a conceptual reference point for their protruding role in a globalized system based on nation-states. Fortunately, I got the chance to incorporate the work of a friend, who did her anthropological field research in a Ugandan refugee settlement, called Nakivale. Doing her research on clichés of refugeeeness, perpetuated by various actors from within and external to humanitarian assistance, she focused on the Somali Community for various reasons. Their self-organization and resistance to the humanitarian regime and the Ugandan government was striking and they offered a variety of community based systems to cope with UNHCR's self-reliance policies, which leave the refugees after half a year without assistance in the scope of food or income. One of these self-organized systems is a transnational system of money transfer that works on trust basis. A refugee settlement being usually – and in the case of Nakivale surely – a place with no bank or ATM around, it was crucial for the refugees to organize banking. The system connects the settlement located in a rural area of Uganda with the capital Kampala, Somalia, the US, Canada and Sweden, and with which Somalis transnationally organize remittance transfers. Communication in these transactions works over mobile phones or mouth-to-mouth and is relatively fast, considering the transfer of 100\$ from the US to the settlement usually takes 1-2

days. Transnationally connected refugees, therefore, could be perceived as a virtual community organizing social interaction on a transnational scale relying on trust basis. In doing so they evade national bureaucratic structures and develop own ways of self-governance. In this section we shall explore the utopian potential of virtual communities to generate social change and look deeper into the technologies developed and applied for that very purpose, such as the concept of decentralization of the internet and blockchain.

In his work on what he calls „Pirate Utopias“, Peter Ludlow (2001: 4) evokes the notion of governments being socially constructed reality. There is no physical body to states as social institutions. This notion gives space to open up a debate of reshaping social reality and for complementing it with virtual reality. Mnookin (2001: 278) argues for virtual realities' potential to serve as social laboratories, where „participants can test creative social, political, and legal arrangements“. Ludlow (2001: 22) choses to put it in buoyant words:

„Within these spaces experimentation with governance structures will be possible, and some of them may lead to communities that seem utopian to their denizens. These episodes will doubtless be temporary and may well dissolve from within, but that ephemeral quality does not diminish their value, for some of them will provide alternatives to the top-down, elitist, would-be utopias led by the Guardians, the Samurai, or the digerati. Indeed, their transience and permeability is ultimately important, for they should not be locations for escape from the world but rather places where we can rest, have fun, educate ourselves, and yet never lose sight of the business of helping each other (on this last point there is an apparent departure from the original pirate utopias)“.

In his talk at Devcon1 Vinay Gupta (2016: 00:00:21:10 – 00:00:21:24) starts by referring to the Cypherpunk vision which states that “individual-to-individual communication was going to result in the magical ability to construct increasingly complex social structures that would eventually rise to the point of being institutions”. As the internet itself alone is constituted of info-based communication the Cypherpunk vision has not completely come to fruition. Gupta assumes this is because “if there’s any degree complexity, you end up building things which are meta-structures on top of your initial core structure” (ibid. 00:00:21:35 – 00:00:21:44). Gupta then proceeds to describe blockchain as an “endless Swiss army chainsaw for building meta-structures” (ibid. 00:00:24:31 – 00:00:24:37) that permits building complex social machinery in the form of meta-structures which would ultimately unfold useful governance structures:

„We understand that keeping these systems running is as much about social compacts and, you know, social contract theory as it is about a given piece of technology. It’s about ongoing continual innovation. It’s about cooperation between open source, between commercial enterprises, between charities, individual activists, and everybody else. But if you’re gonna build this kind of „road to the future“-stuff, you end up needing systems which look a lot like local government. [...] The Cypherpunks had nothing between open source and proprietary. And as a result they took on the challenges, which would have made them kind of sort of peer to government, but didn’t have to stay in power to finish the job, which is why there was a ten year dead-period from 09/11 until Bitcoin. And what they kind of created, because it put an enormous injection of capital into this space where people are writing code to ensure human freedom, was that it created this enormous spike of innovation and we’re in the middle of the ongoing, you know, boom period” (ibid. 00:00:27:26 – 00:00:28:50).

What he then goes on to state refers directly to the liberal contradiction and the question of the position of the state, but also unfolds a clarification and possible solution to the dilemma in drawing a line for state intervention:

“This is how we generate to stay in power to get right way down the rest of the path and build what we all want, which is essentially a world in which we’ve got non-state public goods which cover the needs that humanity has and that the states have never been able to fulfill. And maybe in the long run, we’ll find more efficient ways of doing a lot of the jobs that the state currently does, so that we can leave the state to do the hard work that no one else seems to know how to do, like running public health systems efficiently, but get it out of areas where it consistently underperforms, which is pretty much everything else” (Gupta 2016: 00:00:29:17 – 00:00:29:50).

When the internet was first conceived, internet services were built on open protocols that were controlled by the internet community. The common assumption back then was that the rules would not change with time, which insinuated that people and organizations could grow their online presence leaning on this assumption. As the internet moved on to its second phase, “for-profit tech companies built software and services that rapidly outpaced the capabilities of open protocols” (Dixon 2018). The outcome of this transformation had both good and bad sides. While people were in this way able to access a large number of – mostly free – technologies, it also manifested itself in the form of monopolized decision-making authority on the part of central entities. Consequently “centralization has also created broader societal tensions, which we see in the debates over subjects like fake news, state sponsored bots, “no platforming” of users, EU privacy laws, and algorithmic biases” (Dixon 2018).

The issue with centralized technology, social media platforms and social movements, such as the uprisings in the Middle East in the beginning of 2011, has been widely discussed. Commenting on the revolution in Egypt and the role of twitter and facebook in the organization of the protests, Julian Assange states that movements organizing on such an infrastructure are under the pressure to mobilize a critical mass, to be fast, and that they need to win, for if they don't, „that same infrastructure that allows a fast consensus to develop will be used to track down and marginalize all the people who were involved in seeding the consensus“ (Assange et al. 2012: 24). Zeynep Tüfekçi (2017) in her writing „Twitter and Tear Gas“ has provided a comprehensive study on the role of social media - and digital technology in a broader sense - in protest. She observed that social movements organizing via social media tended to be something she calls “adhocracies”, thus, while allowing „large-scale organization of e.g. mass protests, such movements lack the more organically developed resiliences of other movements, such as decision-making and acting capacity that make movements more resilient“ (Tüfekçi 2017: 269–270). Further, she argues that commercial online spaces, such as twitter and facebook, have become „hegemonic activist tools“ (ibid. 272), that dominate non-hierarchical movements. Drawing from Feminist critique of „the tyranny of structurelessness“ put forth by Jo Freeman (1972/73), which illustrates how seemingly horizontally organized groups can evolve to a tyranny of the few rising to speak without having the actual accountability to speak for the whole movement, she recognizes this dynamic being reinforced by those very same „hegemonic activist tools“ (Tüfekçi 2017: 272). Besides, she lists that corporate platforms behave like echo chambers, perpetuating the same views people already have and consequentially encouraging polarization. The resulting spectacle attracts users to the platforms, „and corporate platforms can use this opportunity to bombard users with more ads and gather more behavior data to help profile users for the benefit of ad-

vertisers" (ibid. 271). Attention on such an infrastructure becomes the major resource, which changes the nature of censorship in the way that governments do not have to ban undesired publication, but can simply use their resources to drown them out. She evokes that the business of corporate platforms is monetizing attention and given all the arguments listed, Tüfekçi comes to a sobering conclusion: „The emergence of the digitally networked public sphere has not necessarily introduced new fundamental social mechanisms—humans still behave like humans. Digital technologies have, however, drastically altered the conditions under which these mechanisms operate on social movements" (Tüfekçi 2017: 268).

While the analysis of centralized corporate structures on the internet has left an ambiguous prospect for the future, Tüfekçi also acknowledges the evolution of digital infrastructures:

„Digital tools continue to evolve, too. Many movements seek decision making structures that align with their participatory impulses. In New Zealand, technically inclined veterans of its Occupy movement launched a platform called Loomio, a tool designed for horizontalist movements that want to keep the participatory structures of the assembly model to facilitate decision making. I met with one of its cofounders Benjamin Knight in New York. He was only in his twenties, but he was already a veteran of the Occupy movement and frustrated by its lack of tactical and strategic decision-making capacities. Teaming up with other people, he created Loomio, an online platform that blends practical considerations with a movement ethos. A wide range of actors, from activists planning movements to the government in New Zealand organizing a census, use the tool" (Tüfekçi 2017: 276).

As opposed to hardware-based networks of the past such as phone, radio, and TV networks the internet fundamentally differs from those in its software-based principles. As this writing has explored, such a software-based network gives way and room for it to be rearchitected if it need be, whether it is through the freedom of expression, entrepreneurial innovation, or market forces. "As the ultimate software-based network, the internet connects fully programmable computers to one other [sic] while offering a basically unbounded design

space” because “software is simply the encoding of human thought” (Dixon 2018). Thus decentralization favors the complete rearchitecture of the internet, leading the way to the decentralized internet also known as Web 3.0. As Juan Benet, designer of such an infrastructure named IPFS, puts it “if nobody notices there has been a switch, we have succeeded”. One outcome of such an endeavour would be cryptonetworks. “Cryptonetworks are networks built on top of the internet that use consensus mechanisms such as blockchains to maintain and update state, use cryptocurrencies to incentivize consensus participants and other network participants” (Dixon 2018). Besides the level of transparency natively enforced by open-sourced contracts between a cryptonetwork and its users, one important aspect of such a decentralized network in the scope of this writing is that it inherently employs mechanisms for “voice” and “exit” (Hirschman 1970). This implies that “participants are given voice through community governance, both “on chain” (via the protocol) and “off chain” (via the social structures around the protocol). Participants can exit either by leaving the network and selling their coins, or in the extreme case by forking the protocol” (Dixon 2018)” This removes the arbitrariness of ranking and filtering information or promotion and ban by unaccountable centralized network representatives. To quote Vitalik Buterin (2018), the creator of, and chief scientist at the Ethereum network as to why a migration to a decentralized realm might matter:

“Fault tolerance— decentralized systems are less likely to fail accidentally because they rely on many separate components that are not likely. Attack resistance— decentralized systems are more expensive to attack and destroy or manipulate because they lack sensitive central points that can be attacked at much lower cost than the economic size of the surrounding system. Collusion resistance — it is much harder for participants in decentralized systems to collude to act in ways that benefit them at the expense of other participants, whereas the leaderships of corporations and governments collude in ways that benefit themselves but harm less well-coordinated citizens, customers, employees and the general public all the time”.

When talking about decentralization in computational terms one should take note of cryptographic hash functions and hash trees since they constitute the kernel upon which relevant computational paradigms and tools propagate. Among the available contemporary technologies in regard to decentralization, blockchains would be cited as the most prominent. Ignored and framed since the mid 90s – at least in theoretical terms – the actual real-world conception of such a technology did not take place until 2008. David G. Post (2001: 207–208) offered an interesting speculation about a plurality of online rule systems:

„Although each individual network can be constrained from ,above‘ in regard to the rule sets it can, or cannot, adopt, the aggregate range of such rule sets in cyberspace will be far less susceptible to such control. A kind of competition between individual networks to design and implement rule sets compatible with the preferences of individual internetwork users will thus materialize in a new and largely unregulated, because largely unregulatable, market for rules. The outcome of the individual decisions within this market – the aggregated choices of individual users seeking particular network rule sets most to their liking – will therefore, to a significant extent, determine the contours of the ,law of cyberspace‘” (Post 2001: 207–208).

2008 the first ever cryptocurrency, Bitcoin, was created by a faceless, anonymous online entity referred to as Satoshi Nakamoto. Since then, a number of cryptocurrencies and cryptonetworks have – for better or for worse – emerged. Their cumulative or individual evolution so far abides a blockchain’s fundamental principles which might be cited as:

Decentralization – no single party has control over what information goes in; Consensus – many different parties store exact copies of the same ledger, so the majority has to agree on the information being added; ‘Add-only’, meaning one can not edit what is already there, one can only add information; New information can not conflict with what is already been added; Information is able to be accessed and replicated by everybody on the network” (Dossman 2018).

A blockchain stores information in groups that are called blocks. These blocks are linked in a linear chain, individually time-stamped and completely dependent on the previously generated one. Each of these blocks contain three types of information: transactional data, the block's hash, and the previous block hash. In the scope of a blockchain, hashes work essentially similar to a fingerprint – a unique string of numbers that identifies each block. By consequence this implies that if the content pointing to a hash is altered, the block's identity will also be as the hash is calculated based on the contained information.

Ethereum is an open-source, blockchain-based platform that additionally is able to implement scripting in the form of smart contracts which in turn open up ways to take it further than solely being a monetary transaction mediator. In short, "Ethereum can be thought of as a transaction based state machine, where transactions can change the state and the state keeps track of interactions" (CodeTract 2017). The term state in this context is meant in a computational sense. At its conception in 2013, the Ethereum white paper begins by laying out the essential intention behind it as well as what is novel about this platform "What this project intends to do is take cryptocurrency 2.0, and generalize it – create a fully-fledged, Turing-complete (but heavily fee-regulated) cryptographic ledger that allows participants to encode arbitrarily complex contracts, autonomous agents and relationships that will be mediated entirely by the blockchain" (Buterin 2013).

As mentioned several times in the scope of this writing, smart contracts are a crucial part of a decentralized infrastructure. Very similar to their “real-life” counterparts these contracts programmatically prescribe the conditions that need to be met for a transaction to take place. Obviously without the contemporary vocabulary, the framework for the smart contracts has been laid out by Szabo in his 1994 article:

„A smart contract is a computerized transaction protocol that executes the terms of a contract. The general objectives of smart contract design are to satisfy common contractual conditions (such as payment terms, liens, confidentiality, and even enforcement), minimize exceptions both malicious and accidental, and minimize the need for trusted intermediaries. Related economic goals include lowering fraud loss, arbitration and enforcement costs, and other transaction costs” (Szabo 1994).

The above mentioned ideas have come to fruition and have found a platform approximately 5 years after the conception of the first cryptocurrency. From the beginning on smart contracts have been native residents in the Ethereum network. This passage from the Ethereum white paper better illustrates their role in the network: “In Ethereum, there are actually two types of entities that can generate and receive transactions: actual people (or bots, as cryptographic protocols cannot distinguish between the two) and contracts. A contract is essentially an automated agent that lives on the Ethereum network, has an Ethereum address and balance, and can send and receive transactions” (Buterin 2013). Another prominent distributed technology, which is a hypermedia transfer protocol (just like HTTP) and network infrastructure is IPFS. IPFS is acronym for Inter Planetary File System. The name is a reference to J.C.R Licklider’s “Intergalactic Computer Network” when he envisioned a worldwide computer network before he paved the way to build ARPANET, the direct predecessor of the Internet. According to their webpage, IPFS is a „peer-to-peer, hypermedia protocol to make the web faster, safer, and more open” (IPFS 2018). It creates the possibility to distribute large volumes of data efficiently.

Instead of location addressing which is native to HTTP, it uses content addressing. In short, address by “what it is” instead of “where it is”. Therefore “IPFS powers the creation of diversely resilient networks which enable persistent availability with or without Internet backbone connectivity” (ibid.). In IPFS, links between two nodes are in form of cryptographic hashes.. Typically, along with content addressing, all content is tamperproof and resilient against duplication (see e.g. Hackernoon 2018a; IPFS 2018).

Now, given the important technical aspects, the chances and risks of blockchains as an infrastructure for decentralized governance shall be further explored. Lindmark (2018) uses Tüfekçi’s theoretical framework for analyzing the impact of digital technology on social movements and maps it onto the blockchain platform to make an assessment. Lindmark’s central argument is that blockchain could offer new capacities to social movements as it „enables the construction of meta-structures“ (Gupta, quoted in Lindmark 2018). As already portrayed above, Gupta (2016) argues that a capital backed infrastructure, which blockchain became through cryptocurrencies, will unfold the capacity to result in institutions. This is the crucial difference, Lindmark (2018) and Gupta (2016) put forth, that will make e-governance possible.

Matthew Prewitt (2018) is more careful and skeptical with his judgment, pointing to the high risks, but also to the advantages. Referring to the intrinsic capacity for organizing transactions, Prewitt highlights significance giving the following analogy: „We might say someday that blockchains did to governance what the internet did to communication“ (ibid.). He goes on to explain how smart contracts can assist in organizing collective action, as in supervising well-defined problems on one level and managing collectively defining the problem on the other. Therefore, most of middle management would no longer be necessary (ibid.)

Not only can smart contracts, he argues, decentralize decision making. They can be used to organize consensus processes

(ibid.), which directly refers back to the advantages of rhizomatic communities or small scale anarchic communities. Further, discourse could be organized in a much more effective way, eventually making parliaments - as an example - obsolete (ibid.).

„In this vision, governance is decentralized and effective, but it's also everywhere. This is exciting because good governance makes flourishing possible, but also troubling because bad governance is a nightmare. Blockchains' libertarian boosters overlook a very important point: Blockchains might mean less-centralized governance, but they might also mean deeper governance. Likewise, blockchains' left-liberal skeptics, traditionally comfortable with more government, fail to see certain positive opportunities“ (Prewitt 2018).

Moreover, digital forms of governance in their worst case could lead to more surveillance and less privacy for the sake of streamlining workflows. Still, Prewitt argues in favor of experimenting with blockchain-based governance as he sees the advancement of solving collective action problems worth not taking the risks, but working on them. Given the technology still being at its infancy, it is now, he argues, one needs to design it according to people's needs (ibid.). Many voices from within the virtual community see the risks confiding in technology with major societal matters but are at the same time enthusiastic and in many cases dissatisfied with the status quo, as the quote given above this section indicates.

„In the end, this is creating competition over who supplies public goods –a market for sustaining the commons. ...It can feel strange to think of crypto as a protest. To categorize it with Women's March, the Tea Party, and the Arab Spring. But it is. Crypto folks are fed up with the status quo and are looking to build a better future. With crypto-based capital, we may just have a chance“ (Lindmark 2018).

The further development and upgrades in both IPFS and Ethereum as decentralized/distributed technologies is definitely a constant and their evolution is progressive through a vibrant community of developers/hackers. Regardless of these technologies' - current - feasibility in building widespread "real-world" applications, they give way to a vast tinkering space that deserves genuine exploration when one is able to peek through the hype mist. Especially when they are used in conjunction, these tools are able to provide applications and individuals with better security, immutability, persistence, and transparency. Nonetheless one should take it with a grain of salt for it is rather an evolution than a revolution. Therefore in an absolute sense it might still be early to talk about for a complete change in the societal fabric from ground up since decentralization is still in its infancy but for the generally curious, oppressed, exploited, and the fed-up, the promises are definitely there to - at least - experiment with. What they mean for and how they are employed in RMC will be elaborated including their technical facets in the coming chapter.

During the course of this chapter the attempt has been made to on the one hand offer an antithesis to bureaucracy, standards and its tendency to expand into every corner of social and individual life with its power to interpret social reality backed by the threat of force (Graber 2015). On the other hand bottom-up approaches deriving from various parts of the history of ideas have been consulted to embed visionary, sometimes utopian models into the narrative.

Cryptoanarchy has opened debates in two directions: whether it will inevitably result from technological development and whether crypto anarchy and anarchy are desirable after all (Ludlow 2001; Rot 2001; Denning 2001; Tüfekçi 2017). Chances and advantages of rhizomatic structures and horizontal structures have been explored, and alongside risks and dangers, such as the „tyranny of structurelessness“ (Freeman 1972/73) have come up. Tüfekçi delivers a convincing statement:

„Collective action has always required a balance between empowering the individual voice and expressing the will of the group. Digital technology can often amplify this tension. Sometimes, great unity and collective identity can emerge as people coalesce around hashtags that sing the song of the excluded and the marginalized. But networked movements have few means of dealing with the inevitable internal conflicts of politics, as well as the natural jockeying for status and attention“ (Tüfekçi 2017: 270).

New technological channels transform interaction and offer possibilities, but this stands for the marginalized as well as for those in power. What is sure though, is that technological transformations impact massively social dynamics (ibid. 263). To study this transformation of dynamics is a crucial point when evaluating technology and its benefits or dangers (ibid.). Further on, we have encountered that technology is flexible to adaptation, but also is regulation and law. We have seen hackers become legal experts and protesters (Coleman 2013). The evasion and bypassing of nation states and their legislation and coercive apparatuses has been a common to the various groups examined – be it refugees in remote settlements or crypto anarchists. The argument of cyberspace serving as a field of experimentation might be the strongest notion though:

„The kinds of utopias that we should rather aspire to may be community-based, experimental, dynamic (in the sense that they constantly change), and perhaps short-lived. They may be places carved out of cyberspace and protected by encryption technology, and they may nonetheless be squashed out of existence by government action or by economic reality. But this makes them no less utopian“ (Ludlow 2001: 21).

For reasons already given, I have referred to refugees and refugee settlements on several occasions in this writing and portrayed a more or less analogue example of a self-organized transaction system by the Somali community. An interesting project in that scope should be briefly mentioned, which is put in place by Bitnation, a decentralized blockchain-based platform. Claiming to be „the world’s first Decentralised Borderless Voluntary Nation“ (Bitnation 2018), Bitnation has issued Blockchain Emergency IDs (BE-ID) to refugees, which partly serves as a humanitarian aid project cooperating with Receiving States in providing services for refugees, but partly circumvents the idea of the nation state in an area where the statelessness of individuals is obvious and leads to existential problems of the individuals concerned.

„The Blockchain Emergency ID is a rudimentary emergency ID, based on the blockchain technology, for individuals who cannot obtain other documents of identification. The purpose is to cryptographically prove your existence and family relations, recorded on the Horizon blockchain, a distributed public ledger (like an international public notary, of sorts).

What is striking here is the expression „cryptographically prove your existence“ as it unfolds and concludes at the same time

IV REST MY CASE

„Bureaucracies create games – they’re just games that are in no sense fun“. (Graeber 2015: 190)

I began this paper first by laying out its context, bureaucracy. As I went on with the writing in the first chapter, I tried to exhibit the arsenal of problematic characteristics inherent to this ubiquitous structure and its intertwined affairs with central entities such as nation states or corporations. In that sense the first chapter represents an analysis of the status quo. Furthermore, the second chapter was introduced as a theoretical groundwork in the social discourse for practical tools to be built atop. In its demeanor the second chapter acts like a showcase of rhizomatic circumvention. This narrative now leads me to introduce the somewhat unconventional platform that I built by observing and enduring the status quo, then by studying and employing the cryptographic tools in my reach. Respectively, my major concerns during this process have been to address the issues of impersonality in institutions and ownership in centralized infrastructures. For that, I tried to set up an interplay between the digital and physical, constantly meandering in between and evaluating their validities.

The work's subtitle 'A Decentralized Infrastructure for Bureaucratic Commodification' directly refers to the two major concerns mentioned above, while 'bureaucratic commodification' repurposes the impersonality in institutions in the form of a collectible, the latter, 'decentralized infrastructure' circumvents the centralized, laying the ground for a new kind of digital ownership. Rest My Case is a reappropriated legal term which finds its usage in the daily speech despite it being from straight out of a quintessential bureaucratic realm. In RMC, a case is a commodified, individual, bureaucratic experience. In its imperative form the phrase turns into a gentle call to revolt. This constant subversion or "playfully defiant attitude" (Coleman 2013:7) within RMC sets the tone in which other dualities also resonate.

I would like to at this point broadly refer to a few concepts that were upheld during the process as well as their respective roles. As such, physical space as an architectural embodiment of bureaucracy is one of the keystones of RMC because of the built-in performativity and materiality occurring constantly in these very spaces. This perception is also emphasized through the spatial constraints embedded in the work which are intended to always refer back to the architectural/urban representation of an institution. Furthermore, to counter the impersonal aspect of bureaucracy RMC introduces (crypto) collectibles that serve as a tool to personalize, repurpose, and take back the ownership of one's case. By the use of novel technology, the centuries old idea of 'collection' morphs into a new form of possession. Consequently when it comes to the act of commodification, the same technology brings in, as its by-product, the complete riddance of any central authority in regard to monetary transactions. The decentralized currency used allows the evasion of such authorities, be it banks or the state, while granting the individual with the sole accountability. Additionally RMC recognizes the isolation and exclusion imposed by bureaucratic engagements therefore while reacquiring one's individual case, RMC also supports a communal digital platform to bring back

a kind of solidarity in. Hence the decentralized community or autonomous organization, if you will, becomes one of the dominant concepts that characterize RMC.

The way I chose to speak about it was through code, as I find it to be a powerful realm for expressive disruption. Along the line this process introduced me to a number of tools. When it came to making a selection I have by default opted for the ones which are open sourced and peer-to-peer. Accessibility, sustainability, sovereignty, and transparency were aspects I gave the most importance to when I considered my options as I conceptually embrace these very attributes in RMC as well. In that regard, I strived for RMC to remain as stand-alone as possible regardless of what the changes in technology would further bring, with the intentions of propagating immutability throughout. To elaborate, at every step of the way, I used technologies that in no way rely on a central authority of any kind, as well as working with file formats (which will potentially surpass my lifetime) that are easy for humans to read and write, easy for machines to parse and generate. As an open sourced project, RMC's code is completely open for anyone who wants to view, or better, participate. Similarly I have tried to disclose as much data as possible as a default behavioral pattern within RMC's internal components to perpetually underline my intentions in transparency, also even when the computational paradigms they involve are obscure or esoteric.

FROM A CENTRAL PHYSICAL LOCATION TO A DECENTRAL DIGITAL MARKETPLACE

In this section I would like to talk about the actual components of RMC and how they relate to their theoretical background. RMC is comprised of two decentralized applications (dApps): one that is developed for mobile, another one that is developed for the web. The mobile dApp is the 'personal'. The web dApp is the 'communal'. The variety when it comes to platforms does in no way force confined or exclusive applications, on the contrary, these two dApps are deeply interwoven. At this moment, I believe, to thoroughly illustrate a more vivid image of the inner workings of RMC a user scenario might be in order:

Conceptually at its core, RMC builds itself on rudimentary ontological phenomena of time and space. These two concepts reveal themselves as the first two initial interactions for the user to commit to so as to allow further input to be laid upon. Firstly, the user is meant to initiate the case minting procedure by pressing a button interface on mobile. This interaction thereon allows the tracking of total duration of the actual bureaucratic experience and the total distance travelled for it until the point where the user eventually commits to minting.

At the end of the bureaucratic experience the user is presented with questions distributed in three focused sets. These questions reside in and are programmatically filtered from the Autonomous Question Pool (AQP).

As the user answers the questions, their rating and scores are collected as constituents of evaluative Location Based Level of Bureaucracy Assessment (LOBALOA) tool. Here, the LOBALOA score comprises of the user's rating inputs on a scale of 1 to 5 per question.

Finally, the minting is possible after the user has answered all the questions, and input a name and description for their individual case. At this point, the data collection for total duration and total distance comes to completion and takes part in the graphical conversion process of the case along with the LOBALOBA score.

The act of commodification is strictly only possible within a pre-defined periphery of a bureaucratic institution. In order to be able to finally mint their case, the user is restricted in the geolocations of such institutions, listed in the Autonomous Location Pool (ALP), surrounded by a circle of 50meters in diameter around their center.

Eventually, minting of a case leads to its commodification, thus to its placement on the digital marketplace on the web, where other individuals are also then able to view and purchase it.

The digital marketplace permits users to transact cases as cryptocollectibles. On this marketplace the users are able to see already minted cases as Non-Fungible Case collectibles. Therefore it is the realm where the bureaucratic commodification takes full effect as blockchain transactions in cryptocurrency (ETH) outlined by the smart contract which, as a matter of course, deals also with ownership.

AUTONOMOUS POOLS

I now would like to elaborate on the two major components that I just brushed over in the user scenario. In a general scope these components, by nature, cryptographically employ the concepts of 'community' and 'individuality', that I first mentioned in the introductory part of the chapter, while constantly checking in with the physical space.

The first one of those decentralized components is the Autonomous Question Pool (AQP) which is essentially a publicly curated question pool. The evaluative questions that the user is presented with are the product of this pool. As mentioned in the user scenario these questions within AQP are categorized in 3 different sets. The first set of questions relates to the physical space(s) and their spatial qualities, the second set is concerned with the clerk(s) that the 'administered' has interacted with, and the last one deals with the individual themselves. AQP is, as well, managed through a smart contract to provide fairness and immutability through the decentralized infrastructure. Besides functioning like a community run wall of aphorisms, this immutable platform allows participants to input their own question as they please while giving them the opportunity to vote on previously input ones aiming to favor them in the filtering process. Respectively, whether they may be about the space, the clerk, or the individual, the five questions per section will be programmatically chosen and filtered to become the current LOBALOBA questions for the evaluation of users' cases. Hence, this autonomy in the organization is intended to establish a thorough sense of interactive and participative community reinforcing the decentralized aspect as well as permitting an organic development instead of an imposed one on the users.

The second decentralized component that plays a fundamental role in RMC is the Autonomous Location Pool (ALP). As mentioned in the part about the spatial constraint when minting a case, the 'administered is bound to a physical location and its periphery. In that regard, the geolocations of bureaucratic institutions are collected and managed by the community in the ALP. Just like the AQP, ALP's behavior is also programmatically dictated by a smart contract. Between the two, the core functionality and ideas pointing to a community run platform are mutual. On the other hand, the main difference between the AQP and ALP is that the submitted locations need to be validated by the community in order for them to be registered as legitimate locations to employ the aforementioned spatial constraint as these inputs are less arbitrary in the sense that they deal with existing physical locations. If their validation checks out, the numerical values of latitude and longitude are then able to apply the peripheral constraint.

BUREAUCRATIC COMMODITIES AS NON-FUNGIBLE CASE CARDS

As a final note in this section I would like talk about the digital representation of a case as a commodity in the scope of RMC. The graphic representation of one's case can be shortly exemplified by its aesthetic and structural similarity to Role Playing Game (RPG) cards. As mentioned in the scenario, time and space (total duration and total distance) lay the ground that defines the most distinguishable visual characteristics of one's case. This data lodges itself on a typical Cartesian coordinate system with two dimensions as X corresponding to the total duration of the bureaucratic experience, and Y corresponding to the total distance travelled for the it to take place. A deterministic algorithm maps the data to their location on X and Y which is intended to discard arbitrariness from the process and introduce consistency when it comes to the processing of this kind of data. The (x, y) location, resulting from this deterministic operation, is the coordinate in the Cartesian space where the outcome of LOBALOBA will be positioned. This set of collected data visually manifests

itself by a dissected primitive geometry. These three partitions' surface areas are representatives of each LOBALOBA group's score. In order to achieve this, a geometric dissection algorithm has been implemented, although, this calculation is run in a non-deterministic way, meaning identical scores will not output identical graphics. Here, rather the subjectivity of the individual and their experience is upheld. Finally, every Non-Fungible Case (NFC) is marked with a distinct name and a description input by the user as the last step to minting a case collectible. Except a typical string validation the users are free to choose these without any restrictions. As a whole, these entities constitute the visual entirety of one's NFC collectible. Additionally, on the digital marketplace the users have been provided with a layer of transparency in the form of a metadata card. The metadata card comprises of three sets of data: one pointing to the case's IPFS hash, which at will, points to the address where every user input belonging to that case can be found in string format (human-readable); one stating LOBALOBA scores; and another one being an array of unsigned integers corresponding to the inputs in bytes (machine-readable).

V

CONCLUSION

The juxtaposition of bureaucracy and various forms of anarchism, crypto anarchy and rhizomatic communities has proven fruitful in various aspects. Not only inherent to my project, they unveil when confronted with, one another social dilemma on a very theoretical scale that at the same time impact an individual's life and the very practice of social organization around the globe.

The attempt to give a thorough critique on bureaucracy has been challenging, as bureaucracy at the first glance seems to be pretty invisible (e.g. Lampland & Leigh Star 2009, Graeber 2015). Acknowledging the performative and material aspects of bureaucracy from an anthropological perspective though has helped relocating it and challenging the underlying notion of rationality. The ritual aspects and the utopian attempt of a perfect game-like rule structure have revealed the extent to which that very notion is corrupted. Drawing on accounts from Max Weber, the thought of Critical Theory, Michel Foucault, and David Graeber, the history of the critique on bureaucracy has embedded administration into the context of the genesis of capitalism, apparatuses of coercive force, and its fusion with corporate culture, which serves to present the power bureaucracy has to unfold into every aspect of life. Minting one's individual bureaucratic case and commodifying it on the digital marketplace draws the connection back to close this circle in the scope of my project.

The contradictions inherent to liberalism are being revealed by hackers (Coleman 2013), operating within the tension between the liberal paradigms of free speech and property protection. This aspect further highlights how regulation and capitalist logic are intertwined and remain a contentious field of legal practice and social theory. Decentralized technologies will confront this matter in their ongoing evolution and serve as a terrain of renegotiating liberal ideals and governance. Judging a piece of technology without the consideration of its context and how humans interact with it has historically proven difficult (Tüfekçi 2017). Clear normative standpoints are therefore rather problematic to take at this point. What both the literature on the matter and my project can essentially suggest though is the potential of a decentralized cyberspace, which takes the internet back to its initial direction, to serve as a space for social experimentation and debate (Tüfekçi 2017, Ludlow 2001, May 1994, Prewitt 2018, etc.).

But most importantly playfulness has informed this work. Gabriella Coleman (2013) has given broad accounts on the humor, poetic aesthetics and cynicism the hacking community employs as a form of expression and as a tool for re-appropriation and social transformation. Playfulness is a good of considerable quality, given the rigidity of games we are forced to interact with (Graeber 2015). Play as opposed to game is the liberty to re-interpret and re-appropriate social reality. With these final words, I rest my case.

VI APPENDIX

PROGRAMMING SYNTAX

Javascript

Overall, the programming language of choice for RMC is Javascript. The reason for this is not only that JS is one of the core WWW technologies but also because it is ,characterized as dynamic, weakly-typed, prototype-based and multi-paradigm'. RMC heavily makes use of JS's multi-paradigm abilities while incorporating event-driven, functional, and object-oriented programming according to the different components and corresponding functionalities of the two dApps. As a scripting language standard, for the client-side and the server-side, RMC abides to ECMAScript2015 (ES2015/ES6).

Solidity

For the two smart contracts (NFC, AQP, ALP), RMC uses Solidity, the most common programming language to write dApps on the Ethereum Blockchain. „Solidity is a contract-oriented, high-level language for implementing smart contracts. It was influenced by C++, Python and JS and is designed to target the Ethereum Virtual Machine (EVM). Solidity is statically typed, supports inheritance, libraries and complex user-defined types among other features" (Solidity 2018). In that regard, RMC uses Solidity version 0.4.24 and above.

To be able to create the non-fungible cases, meaning, to provide with the ERC721 token standards, RMC's NFC contracts take OpenZeppelin's (a library for secure smart contract development) non-fungible token contracts and build upon them to be able to deal with issues such as ownership, transfer, pricing, and supply.

The necessary precondition to be able to partake in RMC, be it minting of a new case or buying a Non-Fungible Case (NFC) cryptocollectible, is that one would need an Ethereum wallet address. This address would be the unique identifier for the ownership of a non-fungible digital item as well as allowing blockchain transactions. For the above mentioned purpose, on the browser, RMC relies on the already established wallet provider Metamask. On mobile, RMC uses a custom implementation of such a wallet specifically developed for the purpose of commodifying a case.

TOOLSET

Truffle/Ganache/Infura

Truffle is an open-source development environment, testing framework and asset pipeline for blockchains using the EVM. It allows smart contract compilation, linking, deployment, and binary management (Truffle 2018). Additionally, it ships with Mocha which is a JS framework for writing tests for smart contracts which allowed various tests to evaluate the resilience of the contracts including edge cases.

Ganache is a personal Blockchain for Ethereum development that removes the need to download and operate a whole blockchain. While being developed it was used to provide fake Ethereum addresses, and fake Ether for testing purposes as well as keeping track of blockchain transactions.

Infura is a core infrastructure pillar of Ethereum and IPFS and is enabling decentralized applications to connect to corresponding nodes through its APIs (Infura 2018).

Web3

Web3 is a collection of libraries which allow one to interact with a local or remote ethereum node, using a HTTP or IPC connection (Read the Docs 2018).

A client library for the IPFS HTTP API, implemented in JS. This client library implements the interface-ipfs-core enabling applications to change between

an embedded js-ipfs node and any remote IPFS node without having to change the code. RMC makes use of this library for every IPFS related functionality such as writing data and fetching it back.

For AQP and ALP, as it is expected that the array of curated questions is subject to change, the application relies on IPFS's Mutable File System (MFS) which is a virtual file system on top of IPFS to be able to manipulate the state of input questions.

Vue

Vue is an open-source, progressive JS framework for building user interfaces. (Vue.js 2018a) Its non-monolithic character allows incremental adoption and scalability. As it favors a component based approach it brings substantial modularity and reusability in the project. Vue has been the main expressive tool to compose and communicate between different elements of RMC.

For the implementation of non-custom, generic HTML components such as tables or buttons RMC employs Element as UI Library on top of Vue which improves consistency and efficiency greatly.

RMC also uses Vue's state manager Vuex as a central store for all the components, variables, and data objects, with rules ensuring that the state can only be mutated in a predictable fashion'.

Nuxt

Nuxt is a higher-level framework that builds on top of Vue. It simplifies the development of universal or single page Vue apps. Nuxt abstracts away the details of server and client code distribution so you can focus on application development (Medium 2018).

As RMC deals with different APIs that require asynchronous requests be it for Ethereum blockchain or IPFS, the response time had to be compensated. To achieve this, Nuxt has been employed in order for the applications' components and pages to be rendered on the server-side (SSR) whenever it is possible. Consequently SSR allows substantial decrease in render time (time-to-content) which is crucial for the user

experience especially when it comes to a mobile application dealing with asynchronous promises from different APIs. In a nutshell:

„Faster time-to-content, especially on slow internet or slow devices. Server-rendered markup doesn't need to wait until all JS has been downloaded and executed to be displayed, so your user will see a fully-rendered page sooner. This generally results in better user experience, and can be critical for applications where time-to-content is directly associated with conversion rate" (Vue.js 2018b).

Moreover, Nuxt provides a clean and organized folder structure for the project which also is at the same time functional in the sense that the structuring directly maps to routing hence providing a much less convoluted back-end development.

Webpack/Babel

Webpack is an open-source JS module bundler. Its main purpose is to bundle JS files for usage in a browser, yet it is also capable of transforming, bundling, or packaging just about any resource or asset.

Alongside Webpack, Nuxt also comes pre-packaged with Babel. Babel handles compiling the latest JS versions like ES6 into JS that can be run on older browsers as well.

Jasonette

From the start, RMC favored a native mobile app over a hybrid mobile app that runs a web application on the mobile. To cite some reasons for this: accessibility, single-tap access from home screen; independence, control over user experience and no reliance on generic web browsers or generic wallet UIs; mobile-specific features, ability to access native features on mobile which can significantly improve user experience (Hackernoon 2018b).

Jasonette works similar to a web browser but with the intention of building native apps. Similar to the interpretation of HTML on the browser, Jasonette interprets a JSON markup to construct a native app on the fly on iOS and Android.

There are several reasons as to why JSON was chosen as the favored data format in RMC: It is easy for humans to read and write. Consequently this removes the enigmatic and cryptic properties of the software. It is easy for machines to parse and generate. Ergo reassuring the software's lifespan as JSON is the most widespread file format for data exchange.

Additionally, as JSON uses universal data structures, virtually all modern programming languages support them in one form or another. These allow RMC a fully platform-agnostic property regardless of syntactical constraints.

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