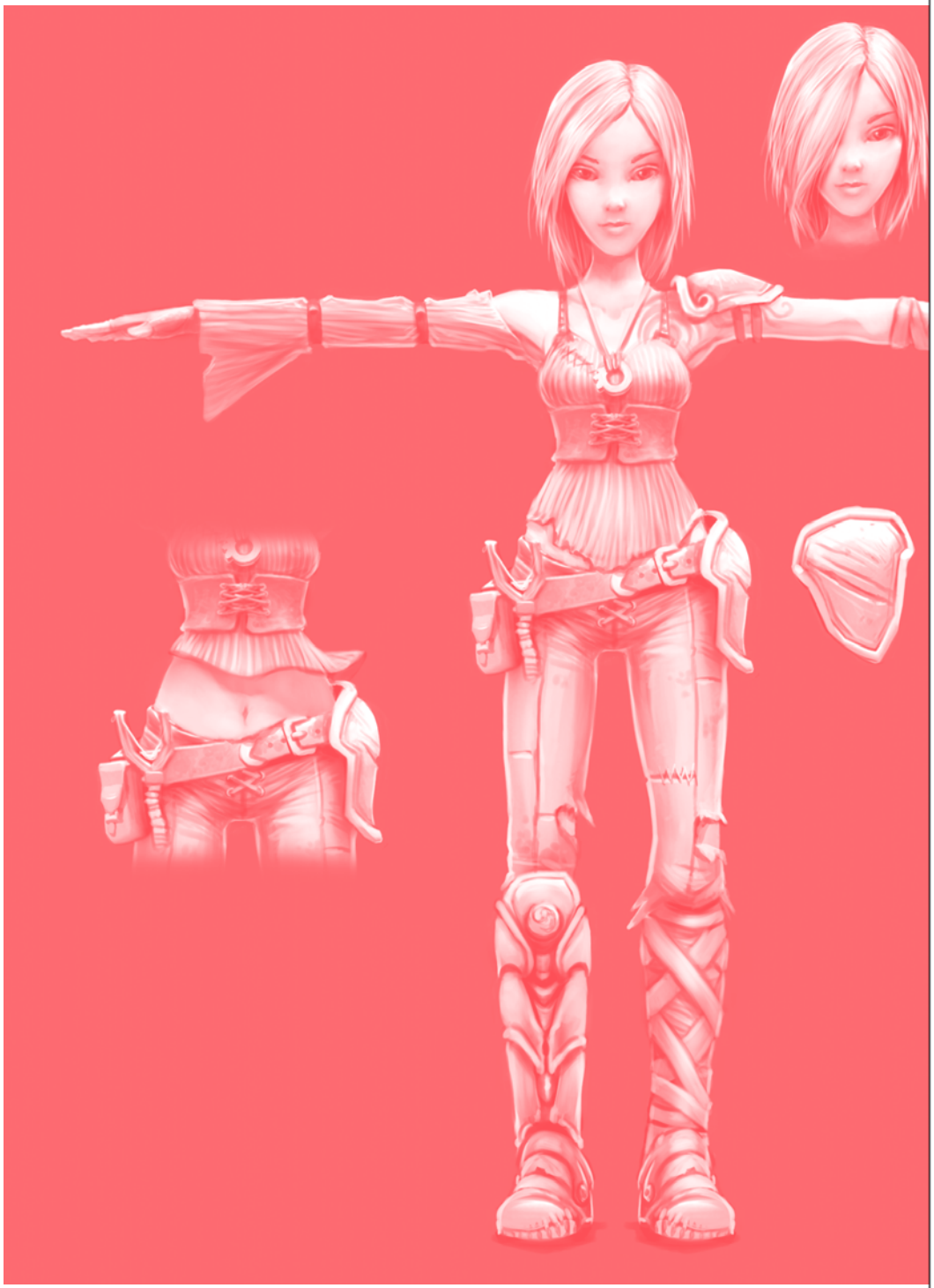
INTERVIEW WITH *STEPHEN LAPORTE* FROM *HATNOTE* PROGRAMMER AND INTERNET LAW ENTHUSIAST SAN FRANCISCO CA, USA



Stephen is legal counsel for the Wikimedia Foundation by day and writer of free software at all other hours (sometimes overlapping). In this interview, he discusses what Wikipedia is and what he does for and with it, ruminating on the relationships between law, programming, and culture.

I.C.D.
A.B.

How do you define “Do It Yourself”? How do you see your work relating to this idea?

Stephen LaPorte

Do It Yourself (DIY) is a philosophy or culture that believes that anyone can build and create. The phrase reminds me of early hardware hacker forums that I would visit when I was younger. People were eager to describe how they accomplished something (like overclocking a CPU), and this enables others to learn how to do it themselves. It’s incredible that a community will form around an obscure topic, but DIY groups tend to be focused on genuine personal interest. I think you can find a DIY group around any topic.
I see a lot of Internet culture, especially in open source communities, driven by the same desire to problem solve, share instructions, and enable others to build and create. I think sharing and

personal interest are a great foundation for a community. In this spirit, I release all of my software as open source. Occasionally, others take a DIY attitude and contribute back a little to my software projects, or reuse them for a new or unexpected purpose. It's very rewarding when this happens and I get to see a project take on a life of its own.

I.C.D.
A.B.

Do you relate your activity, practice or way of life to this method / principle / technique of "I can do anything badly" and/or "Do it Yourself"?

Stephen LaPorte

I am a self-taught programmer, so I can relate to doing things badly and doing things myself. I usually learn programming through trial and error, which means you do things badly a lot before you do them well.

I.C.D.
A.B.

What do you think about the title "I Can do Anything Badly"?

Stephen LaPorte

It's curious — people do not usually celebrate doing things badly.

I.C.D.
A.B.

What need is this idea responding to?

Stephen LaPorte

I am not sure. It's either responding to: (1) the idea that I cannot do anything, only some specific things; or (2) the presumption that I should try to do things well, instead of being happy with just doing things at all (even if I'm doing them badly). Maybe these ideas are related.

I.C.D.
A.B.

Is it contesting something?

Stephen LaPorte

If you try to be a perfectionist, you risk never learning something new. I think this is contesting the idea that you should be uncomfortable doing things badly.

I.C.D.
A.B.

How and why did you become interested in programming?

Stephen LaPorte

I have been interested in how computers work from a very young age. I didn't study programming in college or grad school or anything; but I always looked at it in terms of community building, thinking about how technology helps provide or create community, so I thought it was something I would do with my spare time. I saw the stuff that

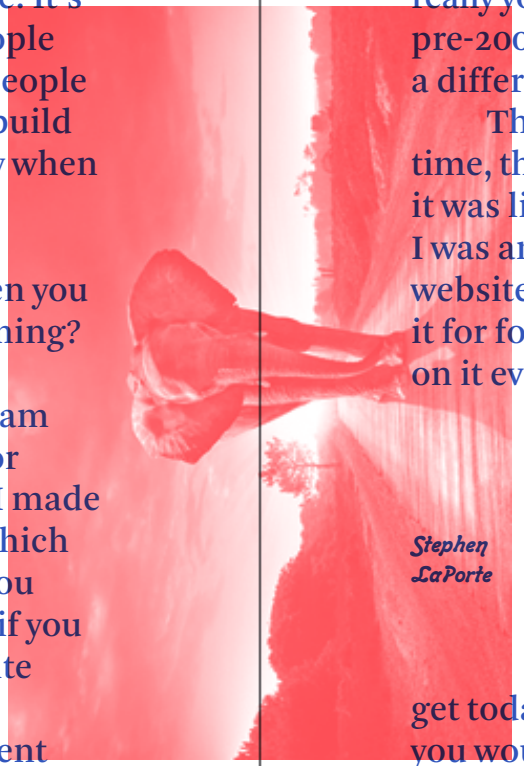
was going on on the Internet, and I thought: Oh I could do this, I could do that...The benefit of web technologies is that it's not that hard to develop something simple. There is not much learning necessary before you can do something. Basically, with a few lines of code you can have a website. It's incredible that you can deliver thought to people who give you feedback on things, that other people become interested and communities sort of build that way. This is what interested me primarily when I started.

I.C.D.
A.B.

How old were you when you first started programming?

Stephen LaPorte

When I first started to try to program something I was maybe thirteen or fourteen, it was horrifyingly bad. I made a content management system, which is basically like — when you have a website, you need to easily manage the content especially if you have more than one, you need to basically write some context for the database and pull it out somewhere. That's what a content management system does. My friend was working on a video game, he needed something to run it hypothetically, and I thought: Oh it shouldn't be too hard to figure out! And I ended up putting something together in a really terrible way, but the fact that you could hit run and it worked, you could



Elephant Dream

do it wrong a bunch of times and eventually do it right, and when it worked you knew you had figured it out. That was exciting. The punch line I guess is: it might not really work if ten people look at it, it's something you really had to test, but when you're really young you just experiment around. It was pre-2001, so in the nineties I guess. It was a different era, Internet was different.

There is a website I made probably around that time, that is still alive. My friend and I drew cartoons, it was like a fish in a tank, really stupid drawings, I was an enemy of the gif files! The fact that this website is still here today despite me not touching it for fourteen years, is sort of crazy. I go check up on it every once in a while.

I.C.D.
A.B.

What's the URL?

Stephen LaPorte

Gibs.20m.com, I am not entirely sure. 20m was a free platform, they would give you fractions of the web server. Which is something you can kind of still get today, but back then it was absurd to think that you would just give someone space on the Internet. But as always, there is a constant discovery to the Internet because you don't know really what's possible. People are still inventing what is out there.

I.C.D.
A.B.

How did you become interested in the law?

Stephen LaPorte

I liked debating in college, and it seemed like a way to learn about things and debate them...That was and is a fundamentally interesting thing to me. So I went to law school. It was a fun interesting experience in its own way. It is sort of a structure that you can put on the world and evaluate certain things, it is a way to understand stuff.

I.C.D.
A.B.

What did you study in college (before going to law school)?

Stephen LaPorte

English and Latin. So nothing computery! But to me translating Latin poetry is not that different from writing software. I'd studied Latin before, in highschool, and I just kept doing it. I could, so why not! I am not very good at music and not very good at studying modern languages; but when you study Latin you can just focus on the theoretical aspects of the language. You don't have to worry about going to Rome and embarrassing yourself. I never got English poetry, but there is a lof of Latin that stayed with me, the structure. And now, working at Wikimedia, I have coworkers who have Graduate degrees in Latin, they take care of the Latin Wikipedia, it is sort of intimidating! You don't want to embarrass yourself.
I feel like with Latin I really learned how grammar functions, and it is the same feeling with

programming. You have to understand the grammar of it, understand the tool that other people are also familiar with and understand it as the standard and that makes things work.

I.C.D.
A.B.

What relations do you see existing between law and programming?

Stephen LaPorte

Law has existed a lot longer than programming. The legal system is much more ancient, it has a lot of old issues that have stayed around because people continue with the same legal system for a long time. The analogy I use is: When you are dealing with a legal question, you are basically writing a program. You write a contract, you have to define your terms. The thing is, in programming you hit "run" and you see if your program works. In law, you get to to find out maybe ten years later if it works. If you get sued, the consequences are, for example, you could lose your entire company. The risk is much higher, and the ability to check to see if you did it right is much lower, it's really hard to do. There are a lot of similarities but also a lot of differences. But with both, whether you are doing legal analysis or you're doing programming stuff, you can drive by your tests, and if your tests are passing then you can record the results for future tests.

I.C.D.
A.B.

How would you respond to a hypothetical argument involving a reality in which all of the data that was being collected about all of us through the Internet was used to create a simulation of real life, so that then you could actually hit the "run" button to test a legal concept and see how it works out in this simulated world?

Stephen LaPorte

The simulation concepts are more like Wikipedia rules, you draw a line, because you're basically working off intention. There are two people and they enter in a contract. You don't really know what the other person thinks when they read your contract. You sort of guess. Language tells you a lot about it, but if you could actually know what they're thinking it would be really simple, right? You would come to an agreement. But when you can't actually know what they're thinking, there is a game around taking advantage of the fact that you have more information than they do, you are a better guesser than they are, or, you can be really precise and you read everything line by line. Litigation is different.

I.C.D.
A.B.

How?

Stephen LaPorte

In litigation, facts are unknown. a lot of litigation involves trying to figure out exactly what happened; recreating a scenario after it's already played out. Things have gone wrong, now let's figure out what did people say, what did people do, you have to read a lot of emails, and then people are going to argue about the facts.

I.C.D.
A.B.

What are your feelings on the terms Open Source and Free Culture?

Stephen LaPorte

I like Free Culture more than Open Source. You probably heard about the back story...

I.C.D.
A.B.

You mean the Open Source / Free Software distinction? Like how they both often "do" the same thing (release software under a license that permits freedom to use and modify the source code), but for different reasons, or based on different philosophies — with "open source" being motivated by the belief that these freedoms lead to better software, and "free software" being

motivated by the belief that there is a moral imperative to install these freedoms in all software?

Stephen LaPorte

Yes. I identify a little more with the kind of moral arguments at the free software end of things. I think Free Culture carries more of that, the moral imperative of making things accessible and open because that is what needs to be done for humanity, not just to make things more efficient.

I.C.D.
A.B.

How do you define Free Culture?

Stephen LaPorte

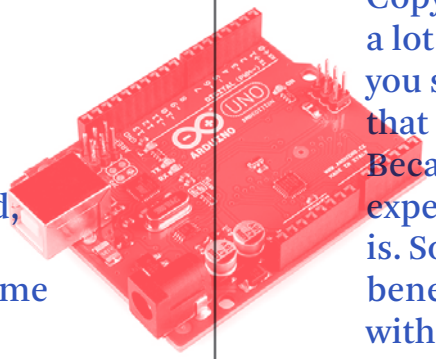
Culture and cultural objects that are open to be reproduced, redistributed, remixed, but in ways that encourage other people to also engage in the same remixing collaboration. So not just releasing something, but contributing it back into the commons.

I.C.D.
A.B.

Why are you involved in Open Source / Free Culture projects and how did you get involved?

Stephen LaPorte

I am involved because it's a really inclusive place. There is a lot of drama that you would see in any sort of culture,



Arduino

but Open Source is fundamentally the sort of place that is not about credentials, not about background or degrees. It is about: if there is a problem, do you have a solution? If so, propose it. That's a great way to learn stuff. Just trying to fix things, and see if other people accept it. I was first involved post law school. I started being a little clear about the fact that I was doing things Open Source, but before then I operated in a world where people share code, and didn't think about it as an Open Source thing, it was just how you learned. And then you learn about the Copyright system and the companies that benefit a lot from proprietary ownership of software, and you start to realize that just being clear about the fact that something is Open Source adds a lot of value to it. Because ambiguity costs the time or the legal expenses to think about what the state of something is. So even though when you're learning you can benefit from Open Source without actually engaging with it, it's important to engage. Otherwise, you add transaction costs later.

I.C.D.
A.B.

Has your work in the Open Source / Free Culture community added value to your life or has it caused some problems?

Stephen LaPorte

I think I'm really lucky to have a job where I can advise on Open Source issues.

I am really thankful that there actually is an Open Source community, but I also think that there are not many people who have an opportunity to work on this full time, and get paid for it. It hasn't caused any problems exactly, it's very open which means there are of course lots of human problems that you have to deal with. In a typical company, users would not be able to directly email the legal team and pose questions, but with Wikipedia they can, because we are very transparent and very inclusive.
Of course, some people are difficult or don't have the best intentions, and it can be difficult to prioritize between things which are worth your time and things that waste your time. But I think that is a human problem rather than an Open Source problem. I think a lot of bureaucracy is about shielding people from human problems.

I.C.D.
A.B.

What do you do exactly at the Wikimedia Foundation?

Stephen LaPorte

I am legal counsel. At the moment I focus on governance, internal governance. As a non-profit organization you have to make sure you're complying with the IRS regulations for a non-profit. We're not just one organization, we're part of a larger movement of organizations, practically forty international chapters, which are independent non-profits from us. They are funded through

branch agreements, and trademarks. So we have relationships with them and we need to make positive relationships in the overall project. For example, there is a German non-profit in Germany, it supports Wikipedia, the German language Wikipedia. But the German Wikipedia is hosted by the Foundation within the United States. So they do outreach to museums and universities, just generally get people to edit Wikipedia in German, and then we do more infrastructure things.

I.C.D.
A.B.

So are they in charge?

Stephen LaPorte

There is not really "someone in charge" with Wikipedia, it is more like other chapter structures, non-profits. Similar to how Creative Commons has chapters they negotiate with. But in order to make something global we actually need people in other places to make that happen. We can easily host a website in the United States and then serve it around the world, but that doesn't mean every country around the world is going to use it. So it requires a lot of nonprofit organizations. I do a little bit of advising on Open Source licences and Creative Commons licences. Creative Commons is a culture licence, you don't apply it to software, you apply it to text (or music or images), and Wikipedia is one of the largest repositories of Creative Commons content. So we end up with practical questions of:

How do you comply with Creative Commons? How do you build a systems that allows other people to give you Creative Common licenses? Those are the sort of questions that come up.

I.C.D.
A.B. What is your day-to-day work like?

Stephen LaPorte You get questions from people internally, and you advise them on those questions. You research some larger issues.

I.C.D.
A.B. How do you define "Wikipedian"?

Stephen LaPorte A Wikipedian is anyone who feels like a part of the Wikipedia community. So, there are some people who write software, some people who edit articles. There are different groups of editors: people who have like 2000 edits, they are really the core; the people who have over five edits, we consider them free editors; and there are the people who are negative one edit, they haven't even made their first edit, they are sort of just out there reading Wikipedia. And I think a lot of them are Wikipedians, if they identify with the website or the goal. The community is not just people who make the edits but people who understand how to use Wikipedia, understand how to teach other people

how to make edits, understand the Wiki philosophy, I guess? There are a lot of people who use Wikipedia and are not Wikipedians, because they sort of take it for granted, but there are a lot of potential Wikipedians out there, potential editors. Maybe they can take a photograph, maybe they have photographs that they have taken, they can just give their license to illustrate a Wikipedia article. In the same way Wikipedia tends to be non-hierarchical, I like to think about it as a pretty inclusive place; but there are people who disagree with me, and will try to make it less inclusive.

I.C.D.
A.B. Why?

Stephen LaPorte Because there are a lot of rules; you need to understand the rules in order to play by them. If people get too obsessed with the rules, they tend to be less inclusive. The classic question regarding Wikipedia's exclusion versus inclusion is: should everything in the world have a Wikipedia article? There is an infinity problem. If every building in the world gets a Wikipedia article, does every architect, who worked on every building? Every company that builds any part of any building? You have to draw a line somewhere. So we set up a notability guideline, and notability is not about solving the content, it's not a too much or too little kind of problem, it is about making sure that Wikipedia

can have reliable sources. So if there are no reliable sources available out there, maybe the thing could be acceptable for a Wikipedia article in the future, but it is not notable yet. So “notable” is where an artificial line has been drawn, because we can’t talk about it in a neutral, reliable way, because third parties haven’t discussed the topic enough.

I.C.D.
A.B.

How much do third parties have to discuss something for it to be notable?

Stephen LaPorte

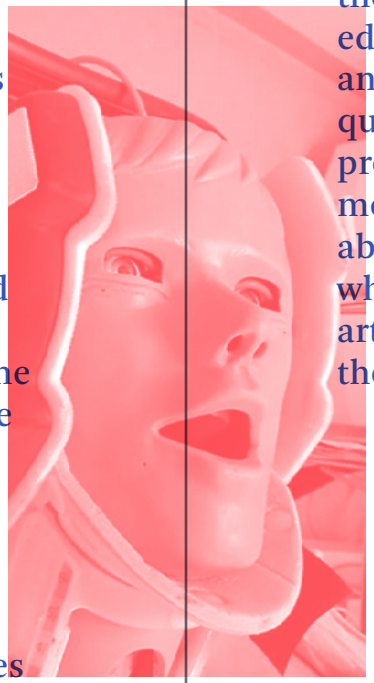
Enough. Those are pretty vague lines, right? We need a few sources. It is hard to draw a line clearly; but you don’t need a thin line, you just need some line that gives a space to discuss and that doesn’t make Wikipedia the entire planet. Otherwise, people could put their blogs on Wikipedia, and it would end up being, just everything.

I.C.D.
A.B.

What do you think of situations where companies hire people to edit Wikipedia articles?

Stephen LaPorte

You need to be transparent about who is editing the article. It’s Wikipedia’s policy that people need to disclose on conflicts of interest and things like that.



But Wikipedians are all people, and we’re all flawed, so you can’t expect everyone to perfectly interpret the rules, and there is not a clear authority you can appeal to if someone is a bit unjust towards you. Which means sometimes people are afraid of being completely honest and transparent about who hired them and why they’re editing, because then their edits would just get undone. Anyone can undo anyone else’s edit right? It’s very open. I guess the question is still open if being paid to edit could produce neutral reliable material. But I think the most important thing is that people are upfront about when they’re being paid. I have seen that when people are commissioned to write Wikipedia articles they’re often not transparent, and when they get caught, usually it’s great.

I.C.D.
A.B.

How do you feel about whistle blowing in the context of knowledge and information sharing, for example through wikileaks? Do you think it is possible for an independent organization to have power through the release of information or the distribution of some privileged or protected knowledge?

Stephen LaPorte

I am generally suspicious of an organization that seeks power through

restricting knowledge. I think that this applies equally to governments and independent organizations. Restricting knowledge is usually bad for the sake of knowledge itself, as well all those who depend on it.

I.C.D. A.B. Do you relate your way of life and your modes of transmission, organization, and gathering of knowledges to an economical, political or artistic drive?

Stephen LaPorte Personally, I don't think about my way of life in economic terms, although it's hard to discuss knowledge without discussing economics or politics in the abstract. I believe that knowledge works best in a legal and economic system that enables all types of creators to share and remix (instead of systemically favoring certain classes of creators).

I.C.D. A.B. You were present during the SOPA protests wherein Wikipedia went dark for a day in protest of legislation being introduced by the US government that would severely prohibit Internet freedoms, correct? Could you say more about this?

Stephen LaPorte Yes, I did some legal and policy research on SOPA (Stop Online Piracy Act), and helped with the protests. The SOPA protests were ultimately a decision of the Wikipedia community, so it was really incredible to see such a decentralized decision making process. It took a surprising amount of work to turn off a website. Wikipedians take their project very seriously, and we did not want the protests on English Wikipedia to unintentionally disrupt service on other Wikipedias, or to deprive people who depend on Wikipedia for information. For example, we provided a way for people to get directly to the Wikipedia articles on SOPA and other topics, since a lot of other websites and users would turn to Wikipedia for a neutral description of the law. We had to be careful to balance that service against our ability to protest an existential threat like SOPA to the project. It's great that these protests were successful against SOPA and PIPA (Protect IP Act), but now we have to figure out how to sustainably advocate for free knowledge.

I.C.D. A.B. What do you consider to be the difference between "I can do anything badly", and "I can teach myself to do anything"? Is "badly" here considered as the opposite of "correctly"?

Stephen LaPorte

It's a daunting task to teach yourself anything. I think that allowing yourself room to do something badly gives you room to become great.

I.C.D.
A.B.

To what extent is your work in search for or has achieved autonomy (from a larger mode of mass production and distribution of objects and knowledges)?

Stephen LaPorte

I am really thankful to get to work on the Internet in a time when the Internet is so accessible. The Internet solves a lot of production and distribution problems for me — I essentially don't have to think about distribution. I build things on the Internet, and then my projects can live on the Internet.

I.C.D.
A.B.

Do you see Wikipedia as something that is autonomous?

Stephen LaPorte

Wikipedia, like any community, has a mind of its own. It has moods and makes complicated, nuanced decisions. Wikipedia can be slow and idiosyncratic, but I think it shares a lot of traits with encyclopedias throughout history. Even though it is written

by hundreds of thousands of authors, at its core, Wikipedia is very human. Wikipedia cares about neutrality and reliability. Wikipedia challenges a lot of contemporary power structures. Wikipedia is built on openness and decentralized processes instead of usual editorial control. It's easy to mistake this for anarchy, but in fact Wikipedia relies on some very simple and conventional tools, rules, and structures. Users are all roughly equal and watch over each other to loosely enforce agreed-upon norms. Precisely how Wikipedia's autonomy works is a bit of a mystery and fascinating to study, but the proof is visible in the end results. One of my favorite sayings is that Wikipedia works in practice, never in theory.

I.C.D.
A.B.

What relationship do you see between knowledge and fabrication?

Stephen LaPorte

I think knowledge inevitably depends on the way it is produced. This means that we should choose ethical tools for knowledge production and fabrication.

I.C.D.
A.B.

What relation do you make between knowledge and creativity?

Stephen LaPorte

Knowledge enables people to

understand themselves and the world around them, which is important for creativity and expression.

I.C.D.
A.B.

To what extent do you see Do It Yourself techniques as being related to being part of a group or a community?

Stephen LaPorte

I think that DIY culture naturally forms communities. When you figure out how to do something yourself, you want to share and discuss with others who have similar interests.

I.C.D.
A.B.

How is knowledge and experience transmitted among the group that creates and maintains Wikipedia? Is it important?

Stephen LaPorte

Wikipedians share knowledge by continuously and comprehensively documenting, usually using wikis or mailing lists. When your primary focus is writing about knowledge (in Wikipedia articles), you are naturally inclined to write about the process of writing knowledge (in Wikipedia documentation). If you are new to the Wikipedia community, the most difficult task is sorting

OSE
(Open Source Ecology)

through all of the documentation. There is plenty of context, almost too much context: there are many times the number of meta pages than articles on Wikipedia. Each article edit creates a revision history, and may be connected to a policy or discussion. This means that wikis create rich cultures with deep memory and persistent norms. I think C2 and MeatballWiki are great sources for this sort of wiki culture and history.

I.C.D.
A.B.

Could you say more about Listen to Wikipedia? What is it, and what motivated you to create it? What impact has it had so far on the Wikipedia community, and what impact do you hope/anticipate it having in the future?

Stephen LaPorte

Listen to Wikipedia was a project I made with my friend and fellow Wikipedian, Mahmoud Hashemi within the context of Hatnote, a name we give to our collaborative enterprise that uses Wikipedia dataxto create open source projects that reflect on Wikipedia perspectives on life. The project visualizes and sonifies Wikipedia edits in real time. Each sound represents the size of a change to a Wikipedia article, and also encodes some other metadata about each change using color, size, and pitch (e.g., is it a net addition or subtraction?

Was it by a bot, human, or unregistered user? Was the same page edited multiple times recently?) You can also click circles to see the exact change on Wikipedia, or welcome new users to the site.

Our goal was to expose the Wikipedia Recent Changes feed (real time list of changes to Wikipedia) to more people. Recent Changes is one tool that Wikipedians use to review each edit on the encyclopedia. Many Wikipedians vigilantly watch the standard, text-only Recent Changes feed.

Visualizing and sonifying Recent Changes in real time, instead of a simple static page, also illustrates that Wikipedia is a living project. It's mesmerizing to see the random topics that people are currently editing. It's a mixture of pop culture, recent events, and surprising, obscure topics. While writing some of the test code for Listen to Wikipedia, I was fascinated to watch one user spend an entire Saturday edit an article entitled "List of goats" on Wikipedia.

I relied on a number of great open source projects that made Listen to Wikipedia possible (including D3, which is a brilliant Javascript library). I am happy to see others remixing my project, and I hope that it will inspire users to dig deeper into Wikipedia (and click the edit button!) and inspire developers to create new tools to look at Wikipedia's open data.

I.C.D.
A.B.

What are the strategies of making knowledge available that you use?

Stephen LaPorte

I commit knowledge to a git repository.

I.C.D.
A.B.

What is your relation to hierarchy? By what types of hierarchies do you feel constrained?

Stephen LaPorte

I am rather comfortable with hierarchy. As long as I feel like I have room to express my independence, I am not opposed to hierarchies.

I.C.D.
A.B.

to

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What is your strategy to be able sustain your practice, as a creative programmer, from economical point of view?

Stephen LaPorte

I have a day job. I am fortunate, because my practice as a creative programmer is connected to my day job. I like to work on a variety of projects.

I.C.D.
A.B.

Do you wish to record or conserve your methods, objects, actions, in order to transmit them?

Stephen LaPorte

I work on the Internet, so I don't think much about recording or transmission. Most aspects feel automatic to me, or they are deeply embedded within my projects. I like the idea of building expressive infrastructure. I wish I did a better job recording my process, though.

I.C.D.
A.B.

Do you think the methodology of Wikipedia could be extended on a large scale, if it is not already? To what extend or how long do you think it would keep its autonomy without being standardized into more efficient modes of mass-production?

Stephen LaPorte

Wikipedia is large scale, already! Wikipedia reaches a significant number of people in hundreds of different languages, and everyone is invited to participate.
I also think that Wikipedia may be undervalued as a methodological model. Wikipedia is not just an encyclopedia, it's also a comprehensive record of how people write an encyclopedia. Wikipedia's open data and permissive and powerful APIs allow researchers to learn from Wikipedia, but I am surprised that it's not better understood. The methodology of Wikipedia works well

for collaborative writing, but also faces many challenges. I hope that Wikipedia can extend itself to adapt to the changing Internet.
Maybe I am biased, but I am really excited to see how mass online collaboration can influence the law. When I was in law school, I read a speech by Jimmy Wales (Wikipedia's founder) about the importance of accessible legal resources. That is one thing that drew me towards Wikipedia and open source technology, and I am optimistic about the large-scale benefits of a free/open legal system.