Social Media, Political Change, and Human Rights

Sarah Joseph
Monash University, sarah.joseph@griffith.edu.au

Recommended Citation

SOCIAL MEDIA, POLITICAL CHANGE, AND HUMAN RIGHTS

Sarah Joseph*

Abstract: In this Essay, the role of social media in progressive political change is examined in the context of the Arab Spring uprisings. The concept of social media is explained, and Clay Shirky's arguments for and Malcolm Gladwell's arguments against the importance of social media in revolutions are analyzed. An account of the Arab Spring (to date) is then given, including the apparent role of social media. Evgeny Morozov's arguments are then outlined, including his contentions that social media and the Internet can be tools of oppression rather than emancipation, and spreaders of hate and propaganda rather than tolerance and democracy. The United States' policy on Internet freedom is also critiqued. Finally, the role, responsibility, and accountability of social media companies in facilitating revolution are discussed.

Introduction

In early 2011, revolutionary fervor spread across the Arab world. Unarmed and largely peaceful uprisings in Tunisia and Egypt overthrew long-standing dictators, and unprecedented protests arose in most other Arab States. Violent protests erupted in Libya, sparking a civil war between the government and armed rebels. With the aid of an international coalition, the rebels overthrew longtime Libyan dictator Colonel Muammar Gaddafi in August 2011. At the time of writing, the future of the uprisings in Yemen and Syria remains uncertain. Protests spread beyond the Arab world to States as diverse as Uganda,[1] Israel,[2] and Spain.[3]

---

[1] *See, e.g.*, Press Release, Human Rights Network for Journalists, Uganda: ISPs Harassed, Told to Shut Down Facebook, Twitter for 24 Hours (Apr. 25, 2011), *available at* http://allafrica.com/stories/201104260238.html.

[2] *See, e.g.*, Dan Williams, *Factbox—Israel's Cost of Living Demonstrators and Their Demands*, Reuters, Aug. 6, 2011, *available at* http://uk.reuters.com/article/2011/08/06/uk-israel-economy-factbox-idUKTRE7752HB20110806.

The role of social media in these uprisings has been lauded, and the term "Twitter Revolutions" has become ubiquitous.

Does social media really deserve the plaudits it has received? After all, popular revolutions overthrew brutal governments long before the advent of Web 2.0: Iranians overthrew the Shah in 1979, Filipinos overthrew President Marcos in 1986, Communist bloc States in Eastern Europe crumbled one by one in 1989, and huge demonstrations precipitated the fall of Indonesia's President Suharto in 1998. Vast numbers of Westerners are engaged with social media; is it possible that we are narcissistically trying to inject ourselves into the picture? In this Essay, I will examine the phenomenon of social media and its role in promoting and prompting progressive political change, particularly in autocratic States.

I. What is Social Media?

Social media is defined as "a group of Internet-based applications that build on the ideological and technological foundations of Web 2.0, and that allow the creation and exchange of User Generated Content."[4] "Web 2.0" refers to Internet platforms that allow for interactive participation by users.[5] "User generated content" is the name for all of the ways in which people may use social media.[6] The Organization for Economic Cooperation and Development (OECD) specifies three criteria for content to be classified as "user generated:" (1) it should be available on a publicly accessible website or on a social networking site that is available to a select group, (2) it entails a minimum amount of creative effort, and (3) it is "created outside of professional routines and practices."[7] Although purely commercial websites are excluded under this definition, interactive blogs run by firms are included because the conversation generated therein extends beyond the purely commercial. Emails and text messages are also excluded from the defi-

---

[3] *See, e.g.*, Leila Nachawati Rego, *Spain: 'Yes We Camp,' Mobilizing on the Streets and the Internet*, Global Voices (May 20, 2011, 15:26 PM), http://globalvoicesonline.org/2011/05/20/spain-yes-we-camp-mobilizing-on-the-streets-and-the-internet/.

[4] Andreas M. Kaplan & Michael Haenlein, *Users of the World, Unite! The Challenges and Opportunities of Social Media*, 53 Bus. Horizons 59, 61 (2010).

[5] *Id.* at 60–61 (noting that Web 2.0 may be contrasted with Web 1.0 platforms, which simply provide content to users without giving them the opportunity to interact with or modify the information online).

[6] *Id.* at 61.

[7] OECD, Participative Web and User-Created Content: Web 2.0, Wikis, and Social Networking 18 (2007) [hereinafter OECD Report] (emphasis omitted); *see also* Kaplan & Haenlein, *supra* note 4, at 61.

nition because they are not available via websites or social networks. Nevertheless, mass texting (or mass emailing) operates in a manner similar to social networking sites by facilitating the immediate distribution of information, including information from social media sites, to a large audience in a form that is easily re-transmittable.

There are different types of social media: collaborative projects, virtual worlds,[8] blogs, content communities, and social networking.[9] Collaborative projects involve people working together to create content; Wikipedia is the most famous example of these.[10] Wikipedia is an influential source of global information, partly because a Wikipedia entry will often be among the first retrieved by an Internet search. Online collaboration platforms can also allow people in different locations to share and edit documents together; these can be particularly useful for persons with similar political goals to collaborate on strategy documents. For example, Google Docs were used to convey protest tactics and demands during the Egyptian uprising in early 2011.[11]

Blogs, the most rudimentary form of social media, involve the creation, by a person or group, of web-based content on any topic of the author's choice. Individuals may interact with a blog by commenting on its content. Originally, blogs were mainly text-based; now, many incorporate pictures and videos.[12] Video blogs (vlogs) are also becoming more common;[13] Mohammad "Mo" Nabbous ran a "television station" in Benghazi—the rebel stronghold in Libya in early 2011—that could classify as a vlog through which Nabbous reported events in his city to the world via a live video stream.[14] Blogs are key tools for dissident activity in States that control mainstream media.

---

[8] Virtual worlds include virtual games or virtual social worlds such as Second Life. In the former, "players" must adhere to game rules and protocols. In the latter, players "essentially live a virtual life" and are constrained by little more than "basic physical laws such as gravity." *See* Kaplan & Haenlein, *supra* note 4, at 64. Virtual worlds are not particularly relevant to this essay, though it is worth noting the existence of new gaming developments relevant to human rights, such as games designed to teach people about social justice. *See* Laura Stampler, *'America 2049' Facebook Game Promotes Social Justice*, Huffington Post (Apr. 19, 2011, 10:55 AM), http://www.huffingtonpost.com/2011/04/19/facebook-game-social-justice-america-2049_n_850892.html.

[9] *See* Kaplan & Haenlein, *supra* note 4, at 62–63.

[10] *Id.* at 62–63. *See* Wikipedia, http://www.wikipedia.org/ (last visited Jan. 6, 2012).

[11] David Wolman, The Instigators, at location 400 (Kindle ed. 2011).

[12] *See* OECD Report, *supra* note 7, at 36.

[13] *See id.*

[14] Nabbous was killed by a sniper on March 19, 2011, while reporting on the Gaddafi regime's claims that it was adhering to a ceasefire in the wake of the UN's authorization of the use of force. *See* Matt Wells, *Mohammed Nabbous, Face of Citizen Journalism in Libya, Is Killed*,

Content communities are sites where users can share content with other members of their online community.[15] Well-known examples of these communities include Flickr, for photos, and YouTube, for video. Sites like these are invaluable resources for exposing government brutality to the world. The video of the killing of Neda Agha-Soltan during the Iranian protests of 2009 is a particularly poignant example. The video "went viral" and drew widespread condemnation of the Iranian government's tactics.

Finally, people share information on social networking sites, of which Facebook and Twitter are among the most popular. These sites are very versatile, enabling the sharing of text, pictures, videos, audio files, and applications. Facebook enables users to create a profile page and share information with an unlimited number of virtual "friends." These "friends" are usually known to the user in real life, but this connection is not essential. For groups, brands, or companies, it is more common to set up pages that attract an unlimited number of "fans" who do not have to be approved. The user chooses whether to limit access to their profile by adjusting an intricate series of privacy settings. The site has become phenomenally popular; as of September 2011, the company boasted 800 million active users[16]—more than ten percent of the world's population.

The micro-blogging site Twitter allows users to "tweet" text-based content of up to 140 characters to a global audience. Users share a surprising amount of information in 140 characters by including links to articles, pictures, photos, videos, and audio streams. A user's tweets are immediately visible to "followers," though a user can institute controls over the persons who can follow his or her feed; all users can "block" other users to deny them access to the feed. Ordinarily, though, a person can follow any other person such that, unlike a Facebook user's relationship with "friends," a Twitter user may know very few of his or her followers. Further, most tweets are public and searchable on the Internet, and are easily distributed via the "retweet" function. Twitter is an extraordinary source of information, partly because it links vast numbers of people otherwise unknown to one another. In this context, users often learn more from strangers than from friends. Twitter is also searchable by topic. Tweets can be organized by "hashtags," which indi-

---

Guardian News Blog (Mar. 19, 2011), http://www.guardian.co.uk/world/blog/2011/mar/19/mohammad-nabbous-killed-libya.

[15] *See* Kaplan & Haenlein, *supra* note 4, at 63.

[16] Emil Protalinski, *Facebook Confirms It Now Has 800 Million Users*, ZDNet (Sept. 22, 2011), http://www.zdnet.com/blog/facebook/facebook-confirms-it-now-has-800-million-users/3949.

cate that a particular tweet relates to a certain topic. For example, stories about the uprising in Tunisia were often tagged "#Tunisia," making it easier for people to find tweets on that topic. In April 2011, *Business Insider* reported that there were 21 million active Twitter users.[17] While its user base is only a fraction of Facebook's, Twitter is becoming an extremely influential source of real-time news.[18]

One common characteristic among social media sites is that they tend to be free and are therefore widely accessible across socioeconomic classes. Anyone can create a Facebook or Twitter account, upload a YouTube video, or write a WordPress blog without cost. Of course, access to social media depends upon access to the Internet, which is ubiquitous in the West but less available in the developing world. Internet access is expanding rapidly, however; as of February 2011, one-third of the world's population has Internet access.[19]

A crucial development is the advent of mobile social media.[20] Mobile phones with Internet capabilities are becoming common, and mobile phone usage in the developing world is far more extensive than usage of personal computers.[21] Mobile phone subscriptions are even increasing exponentially in notoriously closed societies like North Korea.[22] Smartphones and other phones with Internet capabilities are also becoming more common, especially as earlier generations of phones are replaced. In July 2011, the *Sydney Morning Herald* reported that global mobile penetration is predicted to reach one hundred percent by 2016, and that half of all mobile phones will be Smartphones with

---

[17] Nicholas Carlson, *Twitter Has Less Than 21 Million 'Active' Users*, BUS. INSIDER (Apr. 4, 2011), http://www.businessinsider.com/twitter-has-less-than-21-million-active-users-2011-4.

[18] *See* Blake Hounshell, *The Revolution Will Be Tweeted*, FOREIGN POL'Y, July 1 2011, at 20, *available at* http://www.foreignpolicy.com/articles/2011/06/20/the_revolution_will_be_tweeted.

[19] Hillary Rodham Clinton, U.S. Sec'y of State, Internet Rights and Wrongs: Choices and Challenges in a Networked World, Address at The George Washington University, Washington DC, (Feb. 15, 2011), *available at* http://www.state.gov/secretary/rm/2011/02/156619.htm [hereinafter 2011 Clinton Address].

[20] *See* Kaplan & Haenlein, *supra* note 4, at 67.

[21] *See, e.g.*, Kara Andrade, *Citizen Media: Mobile Phone Democracy*, REVISTA HARV. REV. LATIN AM., Spring/Summer 2011, at 36, 37; Anonna Dutt, *How 3G Can Change the Face of Rural India*, YOUTH KI AWAAZ (Apr. 27, 2011), http://www.youthkiawaaz.com/2011/04/how-3g-can-change-the-face-of-rural-india/.

[22] *See* Adam Rawnsley, *Smartphone Fever Hits North Korea: Kim Looks for Cure*, WIRED DANGER ROOM BLOG, (Apr. 13, 2011) http://www.wired.com/dangerroom/2011/04/gadget-fever-hits-north-korea-kim-looks-for-cure/.

Internet access.[23] Indeed, trends indicate that soon anyone with a phone will be able to access social media at any time, in any place.

II. Malcolm Gladwell and the Skeptics

Malcolm Gladwell is a prominent skeptic of the importance of social media in progressive social and political change. In an October 2010 article in the *New Yorker*, he argues that real social change is brought about by high-risk meaningful activism, pointing to a number of famous examples:[24] the 1960s sit-ins by black college students in Greensboro, North Carolina; the year-long Montgomery bus boycott organized by Martin Luther King, Jr. in 1955 and 1956; and Australia's indigenous "Freedom Ride"[25] and the "Green Bans."[26] According to Gladwell, such movements are characterized by strong group identity and cohesion with strong ties.

Gladwell argues that social media connections promote weak ties and low-risk activism, or "slacktivism." He argues that "liking" something on Facebook, or retweeting a story, requires little effort, yet those actions might lull the protagonists into thinking they are doing something meaningful.[27] Gladwell caustically notes that "Facebook activism succeeds not by motivating people to make a real sacrifice but by motivating them to do the things people do when they're not motivated enough to make a real sacrifice."[28]

Gladwell also argues that successful activism requires strategic hierarchies, with a careful and precise allocation of tasks, like the structure used to sustain the Montgomery bus boycott.[29] Social media, he argues,

---

[23] *See* Lucy Battersby, *Total Coverage: Mobile Service Set to Go Global by 2016 as World Gets Smart*, Sydney Morning Herald, July 19, 2011, at B2, *available at* http://www.smh.com.au/business/total-coverage-mobile-service-set-to-go-global-by-2016-as-the-world-gets-smart-20110718-1hllk.html.

[24] *See* Malcolm Gladwell, *Small Change*, New Yorker, Oct. 4, 2010, at 42, *available at* http://www.newyorker.com/reporting/2010/10/04/101004fa_fact_gladwell.

[25] *Id.* University of Sydney students traveled through New South Wales on the Freedom Ride, protesting in the country towns. The Freedom Ride was designed to draw attention to discrimination against and disadvantages of Australia's indigenous peoples. Daniel Lewis, *Freedom Ride Inspires a New Generation*, Sydney Morning Herald, Feb. 5, 2005, *available at* http://www.smh.com.au/news/National/Freedom-Ride-inspires-a-new-generation/2005/02/04/1107476802617.html.

[26] The Green Bans were imposed by Australian construction unions in the early 1970s to prevent the demolition of heritage sites in Sydney. Meredith Burgmann & Verity Burgmann, *Green Bans Movement*, Dictionary Sydney (2011), http://www.dictionaryofsydney.org/entry/green_bans_movement.

[27] *See* Gladwell, *supra* note 24. People can express their approval of something on Facebook by clicking on a "like" button.

[28] *Id.*

[29] *See id.*

creates loose and essentially leaderless networks he does not believe are capable of organizing revolutions:

> Because networks don't have a centralized leadership structure and clear lines of authority, they have real difficulty reaching consensus and setting goals. They can't think strategically; they are chronically prone to conflict and error. How do you make difficult choices about tactics or strategy or philosophical direction when everyone has an equal say?[30]

As a chilling example of his thesis, Gladwell notes that Al Qaeda, which engages in a very extreme form of activism, "was most dangerous when it was a unified hierarchy," rather than a loosely affiliated network of cells.[31] Finally, Gladwell claims that social media is a conservative force—that it distracts people from "real" activism by deluding them into thinking that they are effecting change when in reality they are not. In his words, "it makes it easier for activists to express themselves but harder for that expression to have any impact."[32]

Evgeny Morozov, visiting scholar at Stanford University, has also commented on the tendency of the Internet to distract people from important issues. He believes that few use it for political activism, while people use the Internet in huge numbers to view pornography, play games, watch movies, or share pictures of "lolcats."[33] While these trivial uses of the Internet and social media are well known in the West, there is no reason for the situation to be different in authoritarian States. Morozov cites the apparent de-politicization of East German youth caused by access to West German television as an example of the lethargy that can be induced by popular but unserious pastimes.[34] Is it possible that the Internet is helping to spawn a version of Aldous Huxley's *Brave New World* of hedonism and triviality? Need Big Brother no longer

---

[30] *See id.*

[31] *Id.*

[32] *Id.*

[33] Evgeny Morozov, The Net Delusion 81–82 (2011). "LOL" means "laugh out loud." Definition of LOL, Merriam-Webster Online Dictionary, http://www.merriam-webster.com/dictionary/lol (last visited Jan. 6, 2012).

[34] Morozov, *supra* note 33 at 65–68 (*citing* Holger Lutz Kern & Jens Hainmueller, *Opium for the Masses: How Foreign Media Can Stabilise Authoritarian Regimes* 17 Pol. Analysis 377–99 (2009)). Indeed, Morozov notes the tendency in the West to believe that Internet use in authoritarian States focuses on noble causes and emancipation, while acknowledging that it is not generally used for that purpose in the West. For example, President Obama extolled the emancipating virtues of the Internet when visiting China in 2009, but six months later in a speech in Virginia, he said that the net could be a distraction and a diversion. *Id.* at 242.

fear revolt because the population is too busy chattering about *Big Brother* on social media?

Morozov notes the danger that the sheer volume of information available through social media—coupled with its increased general availability via the Internet and 24/7 news cycles—creates shorter attention spans in which important news is quickly supplanted by new developments elsewhere. For example, the "Twitterverse" flocked to read and retweet news of the ultimately unsuccessful Iranian uprising of June 2009. Yet the story was swiftly cast aside upon the death of pop megastar Michael Jackson.[35] While social media may create quicker and louder conversations, those conversations may tend to be shallow, short, and easily displaced by the newest "big thing."

III. Clay Shirky and the Believers

Not all commentators share Gladwell's skepticism of the power of social media. New York University media professor Clay Shirky believes that social media is an important new tool for promoting social and political change. In a January 2011 article in *Foreign Affairs*, written before the Arab Spring, he cites a number of examples where social media was the catalyst for significant political change, such as its role in coordinating protests that ultimately forced out Moldova's communist government after a fraudulent election in 2009.[36] Shirky argues that "political freedom has to be accompanied by a civil society literate enough and densely connected enough to discuss the issues presented to the public."[37] He endorses the theory of sociologists Elihu Katz and Paul Lazarsfeld that the formation of well-considered political opinions is a two-step process.[38] The first step requires access to information; the second, use of that information in conversation and debate. Under this framework, Shirky argues that social media has revolutionized how people form political opinions and has made information so widely accessible that more people than ever are able to develop considered points of view.

---

[35] *Id.* at 66.

[36] Clay Shirky, *The Political Power of Social Media*, 90 Foreign Aff. 28, 28–29 (2011).

[37] *Id.* at 34.

[38] *See* Elihu Katz & Paul Felix Lazarsfeld, Personal Influence: The Part Played by People in the Flow of Mass Communications 32–34 (1955).

A. *Step One: Access to Information*

By making "on the ground" eyewitness accounts widely available, social media has expanded access to information in an important new way. Reporting is no longer confined to traditional sources like journalists; instead, social media grants access to unfiltered information related by *any person* affected by an event who chooses to share the story. For example, a key voice on Twitter during the Arab Spring has been @angryarabiya,[39] the daughter of Abdullhadi Al Khawaja, a human rights activist in Bahrain who was jailed for life in June 2011 for dissident crimes. Her tweets have been followed closely by those monitoring developments in the Arab uprisings.

Furthermore, information is spreading faster and farther: @angryarabiya's tweets reach a global audience in real-time. This means that information from far corners of the world is accessible to exponentially larger and more geographically diverse groups. Although in the context of a revolution the most important audiences for such information are the local people, regional and global audiences help to ensure that a person's message is heard and spread. This attention also means that an activist's disappearance is more likely to be noticed and reported.[40] Knowledge that their message is widely available may even embolden activists, reinforcing "their conviction that they are not alone."[41]

Social media also expands access to evidence of human rights abuses beyond that offered by the mainstream media and non-government organizations (NGOs), and penetrates veils of secrecy thrown up by repressive regimes.[42] "[T]echnology has allowed us to see into many parts of the world that were previously shrouded by oppressive governments or geographical boundaries."[43] Anyone in the vicinity of an event with audacity and a camera can document brutality and spread it on the Internet. And the proliferation of camera phones means this information often can be disseminated instantaneously. In-

---

[39] Every username on twitter commences with the symbol "@".

[40] *See* Ethan Zuckerman, *The Cute Cat Theory Talk at ETech*, My Heart's in Accra Blog (Mar. 8, 2008, 11:29 AM), www.ethanzuckerman.com/blog/2008/03/08/the-cute-cat-theory-talk-at-etech.

[41] Lev Grossman, *Iran Protests: Twitter, the Medium of the Movement*, Time, June 17, 2009, *available at* http://www.time.com/time/world/article/0,8599,1905125,00.html.

[42] *See* Daniel Joyce, *New Media Witnessing and Human Rights*, Hum. Rts. Defender, Mar. 2011, at 23–25.

[43] Ben Cole, *The Web as a Spotlight: An Alternative Look at Technology in the Arab Spring*, Huffington Post (Apr. 18, 2011), http://www.huffingtonpost.com/ben-cole/the-web-as-a-spotlight-an_b_850679.html.

deed, the way NPR's Andy Carvin reported on the Arab Spring epitomizes this new type of reporting: a marriage of sorts between traditional and social media. Carvin's novel approach, curating and retweeting information from verified sources on the ground, has received widespread acclaim.[44]

Moreover, social media amplifies the message of its users.[45] In late April 2001, for example, the *New York Times* reported that written accounts, photos, videos, and other information from demonstrators in Syria were being relayed around the world via social media by a small, dedicated group of roughly twenty Syrian exiles scattered across the globe.[46] The work of this relatively tiny team of activists helped ensure that the world was kept aware, in real time, of the Syrian government's attacks on unarmed and generally nonviolent protesters.[47] It is worth noting in this regard that at the time of writing the number of civilian deaths attributed to the Assad regime's crackdown by the U.N. was more than five thousand over nine months.[48]

By comparison, in 1982 the Syrian army apparently massacred tens of thousands of residents of the town of Hama in roughly one month. The world did not learn of the killings until much later, and even then the information that emerged was incomplete and difficult to verify. The extent of the Syrian government's brutality did not become fully known to the world until years later, and by then it was far too late. Today, through the work of cyber activists, the Syrian government came under immediate pressure to refrain from cracking down violently on dissident protests. Indeed, the regime has been confronted with the reality that it "ha[d] almost entirely ceded the narrative of the revolt to its opponents at home and abroad."[49]

---

[44] *See* Blake Hounshell, *Tweets of Gore*, Foreign Pol'y, May 6, 2011, *available at* http://www.foreignpolicy.com/articles/2011/05/06/tweets_of_gore.

[45] *See* Sarah Kessler, *Why Social Media is Reinventing Activism*, Mashable (Oct. 9, 2010), http://mashable.com/2010/10/09/social-media-activism.

[46] *See* Anthony Shadid, *Exiles Shaping World's Image of Syria Revolt*, N.Y. Times, April 23, 2011, at A1.

[47] *See* Andrew Osborn, *At Least 2660 Killed in Syria Since Start of Protests*, Telegraph (U.K.), Sept. 12, 2011, *available at* http://www.telegraph.co.uk/news/worldnews/middleeast/syria/8757583/At-least-2660-killed-in-Syria-since-start-of-protests.html.

[48] Khaled Yacoub Oweis, *Syria Death Toll Hits 5,000 as Insurgency Spreads*, Reuters (Dec. 13, 2011), http://www.reuters.com/article/2011/12/13/us-syria-idUSTRE7B90F520111213.

[49] Shadid, *supra* note 46; *see* Amanda Flu, *The Revolution Will Be YouTubed: Syria's Video Rebels*, Time World, (May 5, 2011) http://www.time.com/time/world/article/0,8599,2069721,00.html; Robert Mackey, *April 15 Update on Mideast Protests and the Libyan War*, N.Y. Times Lede Blog (April 15, 2011, 11:55 AM), http://thelede.blogs.nytimes.com/2011/04/15/latest-updates-on-mideast-protests-and-libyan-war-2.

Finally, outside the social media field, an important new platform for information access is taking shape with the emergence of WikiLeaks.[50] Described as a "whistleblower" site, WikiLeaks received information through a secure website from individuals within governments, corporations, and organizations, and posted the original documents online. In 2010 and 2011, working in part with news outlets in the United States and Europe, WikiLeaks released huge tranches of classified information, allegedly leaked to it by a solider in the U.S. Army: the information included military documents from the wars in Afghanistan and Iraq and thousands of State Department cables.[51] The WikiLeaks model will almost certainly evolve and be replicated, posing the most significant challenge to date to the secrecy of government, corporate, and even personal information.

B. *Step Two: Conversation & Debate*

Access to information leads to conversation and debate, through which "political opinions are formed."[52] Shirky argues that "access to information is less important, politically, than access to conversation."[53] Social media is a great facilitator of mass conversation. After all, conversation is among its primary purposes.[54] Social networks, and the Internet as a whole, are of course awash with trivial exchanges. But there is also much meaningful debate. A novel aspect of conversation on social networks is that it is not limited merely to one-to-one conversation; the unique capabilities of social networks enable conversation from many-to-many.[55]

Shirky's point regarding the effectiveness of conversation via social media is borne out by the steps States take to block, limit, and monitor social networks. The United States recently underscored the political

---

[50] WikiLeaks, http://wikileaks.org/ (last visited Jan. 6, 2012).

[51] Scott Shane & Andrew Lehren, *Leaked Cables Offer Raw Look at U.S. Diplomacy*, N.Y. Times, Nov. 28, 2010, at A1.

[52] *See* Shirky, *supra* note 36, at 34.

[53] *Id*. at 35.

[54] *See* Zeynep Tufekci, *Delusions Aside, the Net's Potential Is Real*, Atlantic (Jan. 12, 2011), http://www.theatlantic.com/technology/archive/2011/01/delusions-aside-the-nets-potential-is-real/69370. Tufekci discussed the reaction on social media sites to the January 2011 attempted assassination of U.S. Congresswoman Gabrielle Giffords: "Every internet community I am part of is roiled and there is widespread discussion on most of them about the event. Fifteen years ago, we'd all be watching TV, not communicating with each other." *Id*.

[55] *See* Fareed Zakaria, *Fareed's Take: The Role of Social Media in Revolutions*, CNN World GPS (Mar. 27, 2011), http://globalpublicsquare.blogs.cnn.com/2011/03/27/the-role-of-social-media-in-revolutions.

power of online conversation by concentrating its foreign policy efforts on promoting Internet freedom on social media rather than Web 1.0 tools.[56]

Furthermore, under Ethan Zuckerman's "cute cat" theory of digital activism, it is very difficult for States to shut down popular sites where the majority of people engage in trivial activities.[57] That is, shutdowns of popular social media sites will aggravate those who were previously apathetic, including supporters of the regime.[58] Those who lose access to their "cute cats" may become politicized and interested in learning more about available "anonymous proxies," which can be used to gain access to censored sites.[59] In Zuckerman's view, the dominance of trivia on social networking sites is in fact beneficial for the use of such sites by activists.[60] A related danger for governments in shutting down certain sites is that they may focus greater attention on those sites than would have otherwise existed; the previously apathetic suddenly develop the curiosity to find out what all the fuss is about.[61] Finally, shutting down social media can necessitate shutting down the Internet and mobile phone networks, which entails great economic costs.[62]

---

[56] *See* Katie Kindelon, *What Should the US State Department Do on Social Media?*, Social Times (Apr. 26, 2011), http://socialtimes.com/what-should-the-u-s-state-department-do-on-social-media_b59425; Simon Mann, *New US Diplomacy Sets Middle East a-Twitter*, Brisbane Times (Feb. 19, 2011), *available at* http://www.brisbanetimes.com.au/technology/technology-news/new-us-diplomacy-sets-middle-east-atwitter-20110218-1azlh.html.

[57] *See* Zuckerman, *supra* note 40. In 2005, Zuckerman co-founded *Global Voices,* a site that collates, translates, and reports from social media in the developing world, and is the director of MIT's Center for Civil Media. Ethan Zuckerman Biography, MIT Media Lab, http://www.media.mit.edu/people/ethanz (last visited Jan. 6, 2012).

[58] *See* Shirky, *supra* note 36, at 37.

[59] *See* Zuckerman, *supra* note 40.

[60] *See id.*

[61] *See* Shirky, *supra* note 36, at 39; Zuckerman, *supra* note 40. For example, in 2006 activists in Bahrain discovered through Google Maps that a significant amount of land in Bahrain—a "small, crowded nation"—is owned by the royal family. One activist created and distributed PDF copies of the Google Maps image. In response, the Bahraini government blocked access to Google Maps, which only increased interest in the images. Zuckerman, *supra* note 40.

[62] *See The Economic Impact of Shutting Down Internet and Mobile Phone Services in Egypt,* OECD, http://www.oecd.org/document/19/0,3746,en_2649_201185_47056659_1_1_1_1,00.html (last visited Jan. 6, 2012). The OECD estimated the economic cost to Egypt of shutting down the Internet and mobile phone networks for five days during the protests in January and February 2011 to be US$90 million in "direct costs" and far more in "indirect costs." *See id.*

IV. The Arab Spring and Social Media

So what role has social media played in the Arab Spring? Certainly, social media alone did not cause the revolutions and demonstrations. The underlying cause of all the uprisings has been mass dissatisfaction with incompetent, corrupt, and oppressive systems of government and growing gaps between rich and poor. Skyrocketing food costs, which ironically have been caused by global conditions rather than local economic incompetence, have deepened dissatisfaction.[63]

A. *A Social Media Profile of the Region*

Large percentages of Arab populations are under thirty years old and are far more educated than their parents. Many resent being unemployed and are frustrated by an apparent lack of future opportunities. Many are also tech-savvy and use social media: people under thirty constitute 70% of Facebook users in the region. A study by the Dubai School of Government estimated that the number of Facebook users in the region almost doubled from 11.9 million in 2009 to 21.3 million in 2010. The growth in Facebook users in the region in the first quarter of 2011 was a further 30%. As of April 2011, Facebook penetration was 1.37% in Yemen, 1.94% in Syria, 3.74% in Libya, 7.66% in Egypt, 13.1% in Palestine, 21.25% in Jordan, 22.49% in Tunisia, and 36.83% in Bahrain. Twitter is not nearly as popular as Facebook; its active user base constitutes less than 1% of the population in the Arab world, excluding the Gulf States and Lebanon.[64] One reason for the small user base is that Twitter does not yet offer an Arabic interface, though one was scheduled to launch in 2011.[65]

B. *A Twitter Timeline of the Uprisings*

Tunisia witnessed the first major demonstrations of the Arab uprisings and the first ousted dictator, President Zine el Abidine Ben Ali. In 2008, Zuckerman drew attention to sophisticated cyber activism in Tu-

---

[63] *See* Perry Anderson, *On the Concatenation in the Arab World,* New Left Rev., Mar./Apr. 2011, at 5, 10 (2011).

[64] For comprehensive data on the use of social media in Arab States, see generally Dubai Sch. of Gov't, Civil Movements: The Impact of Facebook and Twitter (2011) [hereinafter Dubai Civil Movements Report], and Dubai Sch. of Gov't, Facebook Usage: Factors and Analysis (2011) [hereinafter Dubai Facebook Usage Report].

[65] *See* Neal Ungerleider, *Twitter Arabic Launching in 2011 to Win Over Middle Eastern Market,* Fast Company (Nov. 18, 2010), http://www.fastcompany.com/1703698/twitter-launching-arabic-interface.

nisia, including "mashups" of iconic videos designed to mock Ben-Ali, and the use of data from a plane-spotting website to determine that Ben Ali's personal jet travelled more often than he did, which lead to the exposure of his wife's European shopping junkets.[66]

WikiLeaks stirred simmering Tunisian discontent when, in partnership with *The Guardian*, it released leaked U.S. State Department cables detailing the United States' opinion of and dealings with the decades-old Ben Ali regime. The cables alleged gross corruption within Ben Ali's family and systematic oppression by the regime.[67] In fact, TuniLeaks—a site linked with *Nawaat,* a Tunisian dissident site—released the leaked cables a few days earlier than WikiLeaks.[68] The existence of corruption was common knowledge within Tunisia, but publication of the cables brought the issue starkly into the open. This clear evidence of Western complicity in, or at least tolerance of, the egregious conduct of the Ben Ali regime sparked outrage and conversation in both real and virtual communities.[69]

On December 17, 2010, in the Tunisian town of Sidi Bou Zid, the police told a young street vendor named Mohammed Bouazizi that he could not continue his business unless he paid a bribe that he could not afford. After the governor declined to hear his grievance, Bouazizi set himself on fire in protest. News of his self-immolation spread throughout the town, sparking protests and clashes with police.[70]

Videos of the Sidi Bou Zid protests were uploaded to Facebook, which, unlike other video sharing sites, was not blocked in Tunisia. In-

---

[66] *See* Zuckerman, *supra* note 40.

[67] Ian Black, *WikiLeaks Cables: Tunisia Blocks Site Reporting 'Hatred' of First Lady*, Guardian (U.K.), Dec. 7, 2010, at 7, *available at* http://www.guardian.co.uk/world/2010/dec/07/wikileaks-tunisia-first-lady.

[68] The cables had been leaked to TuniLeaks from within WikiLeaks by someone who was apparently upset that WikiLeaks was releasing the cables through mainstream media rather than citizen media. *See* Ethan Zuckerman, *Civic Disobedience and the Arab Spring*, My Heart's in Accra Blog (May 6, 2011, 4:20 PM), http://www.ethanzuckerman.com/blog/2011/05/06/civic-disobedience-and-the-arab-spring/.

[69] Emily Dickinson, *The First WikiLeaks Revolution?*, Foreign Pol'y WikiLeaked Blog (Jan. 13, 2011, 6:17 PM), http://wikileaks.foreignpolicy.com/posts/2011/01/13/wikileaks_and_the_tunisia_protests; *see* Amnesty Int'l, Report 2011: The State of the World's Human Rights (2011); Judy Bachrach, *WikiHistory: Did the Leaks Inspire the Arab Spring?*, World Aff. (July/Aug. 2011), *available at* http://www.worldaffairsjournal.org/article/wiki-history-did-leaks-inspire-arab-spring.

[70] Yasmine Ryan, *How Tunisia's Revolution Spread*, Al Jazeera (Jan. 26, 2011), http://www.aljazeera.com/indepth/features/2011/01/2011126121815985483.html. Bouazizi initially survived his self-immolation but died on January 4 after having been visited by President Ben Ali in hospital.

deed, Ben Ali's attempt to censor Facebook in 2008 simply encouraged more Tunisians to join via proxy sites, an episode that may be a real life manifestation of Zuckerman's "cute cat" theory.[71] Websites like *Nawaat* curated and captioned Sidi Bou Zid videos that Al Jazeera, the Qatar-based cable network, in turn broadcast to the region. Though officially blocked in Tunisia, Al Jazeera was nevertheless able to broadcast citizen media from the ground into the country via satellite. Given that print and broadcast media was controlled within Tunisia, social media served a vital role in spreading word of the uprising.[72] A Facebook group entitled "Mr President, Tunisians are setting themselves on fire" was established,[73] while Tunisian Twitter users spread the hashtags #bouazizi, #tunisia, and #sidibouzid to show solidarity with the protesters and to organize and galvanize country-wide protests.[74] The Dubai School study found that the number of Facebook users in Tunisia increased by 8% in the first two weeks of January 2011 alone.[75]

Regarding international reporting of events in Tunisia, social media was the "canary in the coal mine," as it has been for all of the Arab revolts since. Global Voices—a website that monitors, collates, translates, and sources stories from social media in the developing world—began reporting early on the Tunisian demonstrations.[76] By December 30, 2010, Global Voices noted the seepage via social media of news of the unrest from within Tunisia, though mainstream media coverage other than Al Jazeera was still absent.[77] Among the tweets highlighted in that story was the following from Egyptian activist Wael Nofal: "@stephenfry Are you following what's going on in #SidiBouZid #Tunisia? It's odd why western media turned face away, unlike #Iran last

---

[71] *See* Open Net Initiative, Internet Filtering in Tunisia 2–3 (2009), *available at* http://opennet.net/research/profiles/tunisia; Zuckerman, *supra* note 68 (discussing Sami ben Gharbia's view that "[r]eacting to censorship taught Tunisians how to disseminate information through alternative paths and helped them use social media for advocacy in a time of crisis.").

[72] *See* Hisham Almiraat, *Tunisia, Algeria: The Revolution Will Not Be Televised*, Global Voices (Jan. 10, 2011, 10:06 GMT), http://globalvoicesonline.org/2011/01/10/tunisia-algeria-the-revolution-will-not-be-televised/.

[73] *See* Andy Carvin, *Sidi Bou Zid: A Jasmine Revolution in Tunisia*, Storify (Jan. 17, 2011), http://storify.com/acarvin/sidi-bou-zid-a-jasmine-revolution-in-tunisi.

[74] Ryan, *supra* note 70.

[75] Dubai Facebook Usage Report, *supra* note 64, at 3.

[76] *See* Lina Bena Mhenni, *Tunisia: Unemployed Man's Suicide Attempt Sparks Riots*, Global Voices (Dec. 23, 2010), http://globalvoicesonline.org/2010/12/23/tunisia-unemployed-mans-suicide-attempt-sparks-riots/.

[77] Amira Al Hussaini, *Tunisia: The Cry of Protesters Echoes Around the World*, Global Voices (Dec. 30, 2010), http://globalvoicesonline.org/2010/12/30/tunisia-the-cry-of-protestors-echoes-around-the-world/.

year." Nofal's interesting attempt to spread the message through British comedian and prolific tweeter Stephen Fry—who at the time had over one million followers on Twitter—demonstrates the diverse avenues social media offers for spreading a story effectively. Nevertheless, by January 12, only two days before Ben-Ali's fall, Ethan Zuckerman posted a blog on the lack of mainstream media coverage entitled "What if Tunisia Had a Revolution, But Nobody Watched?"[78]

Of course, once Ben Ali fled the country on January 14, the world started paying attention to Tunisia.[79] Overwhelming support expressed via social media from its Arab neighbors, along with a feeling of "we can do it too," became immediately apparent. A prescient tweet from Al Jazeera's Dima Khatib a day later read: "No Arab leader is sleeping tonight. #SidiBouzid has invaded their bedrooms."[80] This was likely true for Egyptian President Hosni Mubarak, who soon encountered the #sidibouzid spirit himself.

Social media-driven protests existed in Egypt prior to the 2011 revolutions. In 2007, a young activist named Ahmed Maher noticed that the Facebook page for the Egyptian football team had attracted 45,000 "fans," and wondered if a political movement could be formed on the network. In March 2008, Maher and colleague Israa Abdel-Fattah created a Facebook page called "April 6 Youth," which supported a planned industrial strike and promoted it through emails and viral "marketing." The page attracted 70,000 members in three weeks, turning the strike into a major protest that embarrassed the Mubarak regime. Group members subsequently used the page to share organizational tactics and other information in preparation for additional protests. Members also fostered online and face-to-face connections with Serbia's Otpor movement, which had helped remove Slobodan Milosevic from power in 2000 through non-violent demonstrations. Although the April 6 Youth group attempted to organize other major protests, such as a beach protest in Alexandria, police thwarted the attempts after monitoring the group's online activities. Interviewed after

---

[78] Ethan Zuckerman, *What if Tunisia Had a Revolution, but Nobody Watched?*, My Heart's in Accra Blog (Jan. 12, 2011), http://www.ethanzuckerman.com/blog/2011/01/12/what-if-tunisia-had-a-revolution-but-nobody-watched/.

[79] *See* Angelique Chrisafis, *Zine al-Abidine Ben Ali Forced to Flee Tunisia as Protesters Claim Victory*, Guardian (U.K.), Jan. 14, 2011, at 1, *available at* http://www.guardian.co.uk/world/2011/jan/14/tunisian-president-flees-country-protests.

[80] Sarah Joseph, *Social Media and Human Rights*, Monash Univ. (June 16, 2011), http://www.monash.edu.au/news/show/social-media-and-human-rights.

the 2011 Egyptian revolution, Maher claimed that those failed protests in fact represented an important step in the group's progress:

> Because of this day, we know we are an important group. They came for us right away. Why? Because we are a real problem for them. Thanks to that day, people all over Egypt and outside of Egypt—they *know* us. They know of this group that is against the government and that we are dangerous to the regime.[81]

After Tunisia, the April 6 Youth movement, along with important social media allies, saw an opportunity to turn their annual but "little-noticed" protest on Egypt's Police Day (January 25) into a much larger demonstration.[82] The hashtag #jan25 began trending,[83] calling people to attend rallies and signaling to the media and the outside world to watch out for major protests in Egypt on January 25. Tens of thousands of people turned out, prompting the swift organization—again by social media—of another protest, a Day of Rage, on January 28.[84] The momentum of protest snowballed into seventeen days of massive demonstrations that ultimately forced the resignation of Mubarak on February 11.[85]

Beginning on January 27, Egypt shut down its Internet for five days, disrupting social media communications. However, the Internet blackout probably backfired by provoking a surge in protest activity, because getting out in the streets was the only way "to find out what was happening."[86] According to the Dubai School survey, over half of the respondents in Egypt (56.35%) and Tunisia (59.05%) felt that blocking

---

[81] WOLMAN, *supra* note 11, at location 487 (quoting Waleed Rashed, April 6 Youth founder). In this e-book, Wolman provides a discussion of how the April 6 Youth movement developed in Egypt.

[82] David D. Kirkpatrick & David E. Sanger, *A Tunisian-Egyptian Link that Shook Arab History*, N.Y. TIMES, Feb. 13, 2011, at A1.

[83] A "trending" topic on Twitter is one that experiences a surge in discussion, rather than one that appears on a regular basis. Hence, a topic that is constantly discussed at a high level (such as "Justin Bieber") does not trend, whereas a topic that becomes "hot" compared to previous levels does trend. This enables Twitter to identify global and local trends. *See About Trending Topics*, TWITTER HELP CENTER, http://support.twitter.com/entries/101125-about-trending-topics (last visited Jan. 6, 2012); *cf.* WOLMAN, *supra* note 11, at location 322 (explaining the origins of the hashtag #jan25, which highlights how users can create trending hashtags).

[84] WOLMAN, *supra* note 11, at locations 389–400, 456).

[85] David Kirkpatrick, *Egypt Erupts in Jubilation as Mubarak Steps Down*, N.Y. TIMES, Feb. 12, 2011, at A4.

[86] Philip N. Howard et al., *Opening Closed Regimes: What Was the Role of Social Media During the Arab Spring?* 16 (PROJECT ON INFO. TECH. & POL. ISLAM, Working Paper No. 2011.1, 2011), *available at* http://pitpi.org/?p=1051.

the Internet mobilized people to "find creative ways to organize and communicate."[87]

Main stream media coverage of the protests accompanied social media coverage. Coverage of the Arab protests since Tunisia's have consisted of a mixture of social and traditional media. Given that the action is taking place in its backyard, it is not surprising that Al Jazeera has led the way. Al Jazeera pioneered the integration of traditional services with social media, ensuring that its syndicated stories are prompted and informed by a multitude of citizen journalists on the ground.[88] This model was crucial in spreading the news of Bouazizi and Sidi Bou Zid, news that spread with devastating effect to Tunis, Cairo, Benghazi, and beyond. Unlike in Tunisia, in Egypt the coverage was live. In Cairo, Al Jazeera trained its cameras—which had not been allowed into pre-revolution Tunisia—on Tahrir Square, the iconic site of the main protests, for the entire protest period. Egypt became the biggest story in the world as the protests rolled on to the increasingly inevitable climax of Mubarak's downfall.[89]

Just as the iconic #jan14 and #sidibouzid hashtags for Tunisia led to #jan25 trending for Egypt, Twitter hashtags for planned "days of rage" in other States also began trending: #jan30 in Sudan, #feb3 in Yemen, #feb5 in Syria, #feb12 in Algeria, #feb14 in Bahrain, and #feb17 in Libya. The Dubai School study reveals that calls to protest in the region, which first appeared on Facebook, resulted in actual street protest in all but one instance.[90] This does not mean that the relevant Facebook pages "were the defining or only factor in people organizing themselves on these dates, but as the initial platform for these calls, it cannot be denied that they were a factor in mobilizing movements."[91]

In Sudan, the Al-Bashir government quickly stifled the planned protests. In Algeria, although protests were not as heated or as constant as in other parts of the Arab world, they resulted in some welcome reforms such as the lifting of a long-standing state of emergency. In Yemen, protests began on the scheduled day and continue to the time of writing; President Saleh is clinging to power and his days as leader ap-

---

[87] Dubai Civil Movements Report, *supra* note 64, at 7.

[88] *See* Rachel McAthy, *#media140—Al Jazeera's Early Start Reporting Revolutions*, Journalism.co.uk (April 26, 2011), http://www.journalism.co.uk/news/-media140--al-jazeera-s-early-start-reporting-revolutions/s2/a543674/.

[89] *See generally* Tweets from Tahrir (Nadia Idle & Alex Nunns eds. 2011) (providing a unique account of the Egyptian Revolution told entirely through contemporaneous tweets).

[90] Dubai Civil Movements Report, *supra* note 64 at 4 (indicating that the call to protest in Syria initially failed).

[91] *Id.* at 5.

pear to be numbered. In Syria, protests were thwarted on the original planned date of February 5, but erupted belatedly in March, and have continued to the present, despite the government's demonstrated willingness to use deadly force against protestors. The violent response continues to isolate President Assad's regime from the international community. In Bahrain, protests began as scheduled on February 14 and an enormous percentage of the country's population mobilized to call for reforms of the monarchist government. Nevertheless, the Bahraini government—with the aid of its Gulf allies in Saudi Arabia, Qatar, and the United Arab Emirates—seems to have successfully cracked down on the opposition.[92] It has, for the time being, put the protest genie back in the bottle, though outrage continues to be voiced via social media, such as by @angryarabiya.

Finally, in Libya, protests began in Benghazi and quickly spread throughout the country. After a reportedly brutal response by Muammar Gaddafi, the unarmed protests quickly morphed into an armed rebellion and civil war, and the rebels were supported by NATO airpower authorized by the United Nations (U.N.). In August 2011, Gaddafi was forced to flee the capital Tripoli and a transitional government took power. On October 20, 2011, Gaddafi was killed after being captured by rebel forces.[93] Given the very different trajectory of the Libyan uprising—namely, its rapid metamorphosis from unarmed protests to armed rebellion to international war—the importance of social media as a catalyzing force for revolution took a back seat. Twitter's influence paled in comparison to NATO bombs.

While the "Twitter revolutions" outside Egypt and Tunisia have not been as successful, the contagion effect—including the enthusiasm whipped up by trending hashtags, dissident Facebook groups, and mainstream media—continues to threaten some of most oppressive regimes in the world. At the very least, the Twitter revolutions reveal that the apparent stability of these regimes often is merely a facade.

C. *Leaderless Revolutions*

In light of Gladwell's assertion that successful social movements require organized hierarchies rather than loose networks, it is interesting to note that the Arab protests lack a hierarchy. Traditional organized

[92] *See Gulf States Send Forces to Bahrain Following Protests*, BBC NEWS (Mar. 14, 2011, 18:54 GMT), http://www.bbc.co.uk/news/world-middle-east-12729786.

[93] *See* Kareem Fahim et al., *Violent End to an Era as Qaddafi Dies in Libya*, N.Y. TIMES, Oct. 20, 2011, at A1.

anti-government bodies, like the Muslim Brotherhood in Egypt, or prominent opposition figures, such as Egypt's Mohammed El-Baradei, came to the protests late and had little or no leadership role. The faces of the Arab revolutions have not been icons like Martin Luther King, Jr., Ayatollah Khomeini, Corazon Aquino, Alexander Dubcek, Vaclav Havel, or Lech Walesa, but rather unknown figures like Mohammed Bouazizi and Khaled Said, a young man beaten to death by Egyptian police in 2010, whose deaths were associated with oppressive regimes and generated viral outrage online.

Among the organizers in Egypt were Ahmed Maher, founder of the April 6 Youth movement, and Wael Ghonim, a Google executive who set up the Facebook page "We are all Khaled Said" after Said's murder. Ghonim helped the protests come about, but he was not a "leader" per se. Due to the fact that he disguised his identity as administrator of the "Khaled Said" page, few actually knew who he was until he disappeared at the hands of the police.[94] His release twelve days later, by which time his identity was widely known, provided a boost to the protests at a time when they seemed to be waning.[95] One organizer in Tunisia, a blogger named Slim Amamou, was arrested on January 6, only to be appointed the Minister for Sport and Youth in the post-Ben Ali government when he was released after Ben Ali's flight.[96] The loose networks at work in Tunisia, Egypt, and other Arab States have proven to be quite resilient, and perhaps harder to break than a smaller clique-ish hierarchy.[97] Indeed, Executive Director of Human Rights Watch Ken Roth pointed out a key advantage of leaderless revolutions: it is not as easy to decapitate

---

[94] *See* David D. Kirkpatrick & Jennifer Preston, *Google Executive Who Was Jailed Said He Was Part of Facebook Campaign in Egypt*, N.Y. Times, Feb. 7, 2011, at A10; Jillian C. York, *Egypt: On Twitter, the Search for Wael Ghonim*, Global Voices (Jan. 31, 2011, 02:35 GMT), http://globalvoicesonline.org/2011/01/31/egypt-on-twitter-the-search-for-wael-ghonim/.

[95] *See* Keith Johnson, *Google Executive Released by Egypt Government*, Wall St. J. Dispatch Blog (Feb. 7, 2011, 11:12 AM), http://blogs.wsj.com/dispatch/2011/02/07/google-executive-released-by-egypt-government/; Jillian C. York, *Egypt: Our Hero, Wael Ghonim*, Global Voices (Feb. 7, 2011, 21:39 GMT), http://globalvoicesonline.org/2011/02/07/egypt-our-hero-wael-ghonim/.

[96] *See* Hisham Almiraat, *Tunisia: Slim Amamou Speaks About Tunisia, Egypt and the Arab World*, Global Voices (Feb. 11, 2011, 23:36 GMT), http://globalvoicesonline.org/2011/02/11/tunisia-slim-amamou-speaks-about-tunisia-egypt-and-the-arab-world/; Robert Mackey, *Tunisian Blogger Joins Government*, N.Y. Times Lede Blog (Jan. 18, 2011, 11:09 AM), http://thelede.blogs.nytimes.com/2011/01/18/tunisian-blogger-joins-government/.

[97] *See* Kessler, *supra* note 45; *Can You Social Network Your Way to Revolution?*, Economist Free Exchange Blog (Sept. 27, 2010), http://www.economist.com/blogs/freeexchange/2010/09/information.

them as it was with some of the failed "color revolutions" in the former Soviet States.[98]

Gladwell's suggestions regarding networks and hierarchies are probably more relevant in assessing the aftermath of the revolutions in Tunisia and Egypt. Regarding the latter, there is widespread concern that the revolution will be co-opted by more conservative but better organized groups like the Muslim Brotherhood, and taken out of the hands of the more liberal youth who brought about the revolution in the first place.[99] A sophisticated level of organization is required to form political parties and run for office in the new "democratic" Egypt. While loose networks may play a key role in forcing dramatic and profound political change, more organized hierarchies are needed to anchor that change, otherwise counter-revolutionary hierarchies might take advantage of the chaos to reverse or pervert the course of events.[100] Nevertheless, the same Egyptian youth returned to Tahrir Square in huge numbers to press the army, which currently controls Egypt in the post-Mubarak vacuum, to push forward with democratic reforms.

D. *Conclusion on the Role of Social Media in the Arab Spring*

In September 2011, the University of Washington released a study based on an analysis of tweets during the revolutions in Tunisia and Egypt, and used that analysis as a proxy to conclude that social media played a central role in shaping political conversations inside and outside the Arab region in early 2011.[101] Before and after the revolutions, social media was used to spread information about liberty, revolution,

---

[98] *See* Kenneth Roth, *New Laws Needed to Protect Social Media*, GLOBALPOST (Apr. 14, 2011), http://www.globalpost.com/dispatch/news/opinion/110413/facebook-twitter-social-media-revolution.

[99] *See, e.g.*, William McCants, Op-Ed., *Al Qaeda's Challenge*, N.Y. TIMES (Aug. 22, 2011), https://www.nytimes.com/2011/08/23/opinion/23iht-edmccants23.html; Sherif Tarek, *Egypt's Muslim Brotherhood and Ruling Military: Deal or No Deal?*, AHRAMONLINE (Sept. 28, 2011), http://english.ahram.org.eg/NewsContent/1/64/22042/Egypt/Politics-/Egypts-Muslim-   Brotherhood-and-ruling-military-Deal.aspx (exploring whether the Muslim Brotherhood struck a behind-the-scenes power-sharing deal with Egypt's Supreme Council of the Armed Forces).

[100] *See, e.g.*, Esther Dyson, *Change-Is-Hard.com*, SLATE (May 19, 2011, 3:07 PM), http://img.
slate.com/id/2295106/ (noting that the Internet has proven to be an important and necessary tool in social revolutions, but that it is not by itself sufficient to ensure permanent change).

[101] *See* Howard et al., *supra* note 86, at 2–4. For another analysis of the role of social media in the Arab Spring, *see* Zeynep Tufekci and Christopher Wilson, *Social Media and the Decision to Participate in Political Protest: Observations from Tahrir Square*, 7 J. COMM. (forthcoming 2012) (on file with author).

and freedom. Spikes in "online revolutionary conversations often preceded major events on the ground."[102] Social media also helped spread the revolutionary contagion across the region; for example, advocates of democracy in Tunisia and Egypt picked up significant numbers of followers in countries that later had uprisings of their own. Interestingly, the viral messages of the time increasingly emphasized messages about democracy, liberty, and freedom, as opposed to economic issues or Islam.[103] While "[s]ocial media alone did not cause political upheaval in North Africa," it "altered the capacity of citizens and civil society actors to affect domestic politics."[104]

The Dubai School survey, which was distributed to Tunisian and Egyptian Facebook users in March 2011, revealed the following information about the primary uses of Facebook in early 2011:

- Organizing actions and managing activists (Egypt 29.55%; Tunisia 22.31%);
- Spreading information to the world about the civil movement (Egypt 24.05%, Tunisia 33.06%);
- Raising awareness inside the country on the movement (Egypt 30.93%, Tunisia 31.4%); and
- Entertainment or other (Egypt 15.46%, Tunisia 13.22%).[105]

Similarly, considering the popularity of the hashtags #egypt, #jan25, #libya, #bahrain, and #protest, along with surges on the dates of major protests, it appears that political issues dominated Twitter use in the region.[106] These results indicate that social media fulfilled the functions in Shirky's two steps by providing information and facilitating conversation about political matters.

In the Arab uprisings, the key steps of "galvanization" and "organization" followed Shirky's two steps.[107] Regarding the former, social media revealed the depth of feeling and commitment on an issue; it is easier to desire change and to be willing to act to effect it if one knows that others feel the same way. The same point is made in the University of Washington study: "[T]he public sense of shared grievances and potential for change can develop rapidly."[108] Regarding "organization," social

---

[102] *Id.* at 3.

[103] *See id.* at 13.

[104] *Id.* at 23.

[105] *See* Dubai Civil Movements Report, *supra* note 64, at 6.

[106] *Id.* at 19–22.

[107] *See* Shirky, *supra* note 36, at 34; *see also* Joyce, *supra* note 42, at 25.

[108] Howard et al., *supra* note 86, at 23.

media clearly synchronized the actions of the galvanized many, as exemplified by the January 25 protests in Egypt. As Shirky argued in April 2011, "these tools alter the dynamics of the public sphere" by allowing citizens to "coordinate more rapidly and on a larger scale than before these tools existed."[109] This organization function is particularly important in the context of States that tightly control access to traditional sources of information and means of communication. Indeed, Gladwell's dismissal of social media can be criticized for ignoring the political role of social media in developing states.

There is little doubt that the "weak activist" tool of social media has been used in the Arab world by a loose network of people to encourage or facilitate their taking of very great risks. They poured out onto the streets—a long way from clicking "like"—to demonstrate against and even overthrow some of the world's longest lasting and most brutal dictatorships.

V. The Forces of Light and Darkness

The highly visible use of social media to foment Arab revolutions may change the way oppressive States confront the medium. When the alternative is revolution, the comparatively minor risk of a "cute cat" backlash may be worthwhile. A recent report from Freedom House indicates that Internet freedom decreased overall in thirty-seven studied countries.[110] Furthermore, some States, such as China, now possess the technology to selectively censor content, such that activist pages may be filtered out while the cute cats remain.[111] That said, most authoritarian States do not yet have the resources to impose such technically sophisticated censorship.

A major criticism of the role of social media in revolutions is that social media and the Internet can facilitate oppression as easily as they can facilitate pro-democracy activism. Cell phones and GPS systems make it much easier to track people. Iran and Belarus, for example, used the Internet to identify, locate, and target online dissidents. China recently conducted a major crackdown on bloggers and other activists

---

[109] Malcolm Gladwell & Clay Shirky, *From Innovation to Revolution: Do Social Media Make Protests Possible?*, Foreign Aff., Mar. 1, 2011, at 153. *available at* http://www.foreignaffairs.com/articles/67325/malcolm-gladwell-and-clay-shirky/from-innovation-to-revolution.

[110] *See* Sanja Kelly & Sarah Cook, *New Technologies, Innovative Repression: Growing Threats to Internet Freedom, in* Freedom on the Net 2011: A Global Assessment of Internet and Digital Media (2011).

[111] *See* Zuckerman, *supra* note 40; *see also* Morozov, *supra* note 33, 96–99.

in the wake of post-Egyptian revolution call for a "jasmine revolution" in China.

Further, social media creates new risks of repressive surveillance. Data from relevant sites can provide information about a particular dissident and that person's connections; social media can therefore facilitate the uncovering of an entire dissident network rather than just one person. While seasoned dissidents may be cautious, they cannot control the activities of enthusiastic but inexperienced "fans" who might talk about their Facebook page. Another danger is that search engines can streamline surveillance; government secret services can data-mine particular keywords to spot likely subversive activity much more efficiently than by intercepting "snail mail." New technologies—such as facial recognition software that can facilitate the identification and subsequent persecution of protesters who bravely or inadvertently ended up on YouTube—are similarly problematic.[112]

One response is to fight the dangers of new technology with newer technology. For example, Whisper Systems, a California company, donated its encryption software to assist the Egyptian protesters in protecting mobile phone messages from government surveillance.[113] In early 2011, Hillary Clinton announced that $20 million had been awarded from 2007 to 2010 "to support a burgeoning group of technologists and activists working at the cutting edge of the fight against Internet repression," and that another $25 million would be awarded in 2011.[114] In the battle of technologies, however, there is no guarantee that free enterprise favors freedom. The British firm Gamma International, for example, offered spyware to the Egyptian government to *facilitate* surveillance of demonstrators.[115]

A problem with relying on technological experts to battle authoritarianism is that technological expertise does not necessarily include an understanding or appreciation of the possible social and political consequences of new technologies. Internet companies, for example, are using new filtering techniques to tailor content to one's perceived tastes,

---

[112] *See* Morozov, *supra* note 33, at 150–56.

[113] Ilana Kowarski, *In Egypt, Encryption for Free Speech*, Christian Sci. Monitor (May 4, 2011), http://www.csmonitor.com/Innovation/Tech/2011/0504/In-Egypt-encryption-for-free-speech; Neal Ungerleider, *Web Anonymizers and the Arab Spring*, Fast Company, May 20, 2011, *available at* http://www.fastcompany.com/1754491/web-anonymizers-and-the-arab-spring.

[114] 2011 Clinton Address, *supra* note 19.

[115] *See* Karen McVeigh, *British Firm Offered Spying Software to Egyptian Regime—Documents*, Guardian (U.K.), Apr. 28, 2011, at 15, *available at* http://www.guardian.co.uk/technology/2011/apr/28/egypt-spying-software-gamma-finfisher; *see also* Morozov, *supra* note 33, at 178.

including one's political preferences.[116] Google now personalizes search results, and Facebook personalizes users' news feeds. Users may notice that the advertisements that pop up in Google searches and on Facebook seem oddly relevant. This bespoke Internet experience is possible because Internet sites harvest information about people to draw conclusions about what those people want to see in their searches and Facebook feeds. It is designed to assist marketers and to enhance one's Internet experience. A frightening aspect of this development, however, is that such technology would be extremely useful to authoritarian regimes seeking to identify political opponents, or even "cultural opponents" such as, in many States, gays and lesbians.[117] It seems unlikely that technology companies have considered such inherent dangers in developing this new personalized version of the Internet.

The fact is that revolution is always a dangerous business. As noted above, contrary to Gladwell's assertions, social media can prompt high-risk activities. It will be very difficult for a "Twitter Revolution" to succeed, however, if a regime responds with brutality and oppression, as Iran did against the Green movement in 2009 and as Bahrain did in early 2011. Nevertheless, unfinished Twitter Revolutions, having exposed the underlying resentment against and vulnerability of an oppressive regime, plant seeds that may grow in the future. In this regard, I note that Syrians seem to have responded to the murderous suppression of protests by the Assad regime by mounting more and ever larger protests.[118] Thus, at the time of writing, the success of Assad's heinous and oppressive tactics is far from assured.

A. *The United States Leads the Way (Not)*

In early 2010, U.S. Secretary of State Hillary Clinton declared in a speech on Internet Freedom that the U.S. State Department was "supporting the development of new tools that enable citizens to exercise their rights of free expression by circumventing politically motivated

---

[116] *See generally* Eli Pariser, The Filter Bubble (2011) (describing how companies customize search results, a trend that threatens to control how the public consumes and shares information as a society).

[117] *See* Morozov, *supra* note 33, at 158–67.

[118] *See* Liz Sly, *Apparent Torture of Boy, 13, Sparks Protests in Syria*, Wash. Post, May 29, 2011, at A12, *available at* http://www.washingtonpost.com/world/middle-east/torture-of-boy-reinvigorates-syrias-protest-movement/2011/05/29/AGPwIREH_story.html.

censorship."[119] She left no doubt that the United States would promote offshore cyber-activism and its interests:

> We want to put these tools in the hands of people who will use them to advance democracy and human rights . . . [W]e will work with partners in industry, academia, and nongovernmental organizations to establish a standing effort that will harness the power of connection technologies and apply them to our diplomatic goals.[120]

Despite the stated goal, there have been hiccups in the implementation of Clinton's plan. For example, a major blunder occurred when the United States planned to facilitate the export of Haystack, technology that was supposed to circumvent censorship and protect privacy. The technology, however, turned out not to be so secure; users that installed the technology in places like Iran would have been put in considerable peril.[121]

Furthermore, other aspects of U.S. foreign policy undermine its stated goal of facilitating global Internet freedom. Its sanctions on Iran, for example, obstruct the ability of American companies to provide important information systems in that country. Ironically, the U.S. government's call to Twitter to maintain its connections in Iran during the uprising of mid-2009 was probably a call to Twitter to continue breaking U.S. sanctions.[122] Thus, U.S. policy in this area is not particularly coherent.

Shirky criticizes the Clinton plan, explaining that it "is difficult for outsiders to understand the local conditions of dissent."[123] Indeed, support from the United States risks "tainting even peaceful opponents as being directed by foreign elements," particularly given widespread disdain for and suspicion of its agenda in the Arab world.[124] The cofounder of TuniLeaks and the Tunisian dissident site *Nawaat*, Sami ben Gharbia, scathingly characterized the Clinton policy as "hypocritical," designed to use activist bloggers and their causes for the United States'

---

[119] Hillary Rodham Clinton, U.S. Sec'y of State, Remarks on Internet Freedom, Address at The Newseum (Jan. 21, 2010), *available at* http://www.state.gov/secretary/rm/2010/01/135519.htm [hereinafter 2010 Clinton Remarks].

[120] *Id.*

[121] *See* MOROZOV, *supra* note 33, at 208; Shirky, *supra* note 36, at 31.

[122] *See* MOROZOV, *supra* note 33, at 205–206, 211.

[123] Shirky, *supra* note 36, at 32.

[124] *Id.*

own agenda "or simply for domestic consumption."[125] He does not see its Internet Freedom policy as "independent from the broader and decades old U.S. foreign policy, which has been based on practical rather than ethical or moral considerations such as the support of Human Rights."[126] After all, the United States clearly is not a consistent supporter of democracy in the Middle East, preferring in many cases the "stability" offered by allies such as Saudi Arabia, Bahrain, and, previously, Mubarak in Egypt.[127] Furthermore, the WikiLeaks cables revealed blatant hypocrisy by the West regarding its tolerance of Ben-Ali and other oppressive and corrupt regimes: many cables exposed U.S. indifference to repression and corruption. In any case, it is not for the United States to guide democratic revolutions abroad. The interests of a remote and self-interested superpower will not often accord with the wishes and best interests of a State's population.

Morozov believes that Clinton's 2010 speech backfired. It alarmed rival regimes by suggesting that the Internet was not simply a forum for free speech but a foreign policy tool of the United States.[128] These regimes, such as Russia, reacted accordingly by clamping down harder on Internet freedoms.[129] Iran recently announced its plan to launch its own "Halal Internet" in late 2012, which will be extensively censored in accordance with its government's views of Islamic morality and its own "security" needs. Iran plans to offer this service to Islamic neighbors.[130]

In early 2011, Clinton updated her Internet Freedom speech and acknowledged an initiative "to connect NGOs and advocates with tech-

---

[125] *See* Sami ben Gharbia, *The Internet Freedom Fallacy and the Arab Digital Activism*, SAMI BEN GHARBIA BLOG (Sept. 17, 2010), http://samibengharbia.com/2010/09/17/the-internet-freedom-fallacy-and-the-arab-digital-activism/.

[126] *Id.*

[127] *See* AMNESTY INT'L, *supra* note 69, at xv–xvi; Kristen Chick, *Why US Silence on Bahrain's Crackdown Could Backfire*, CHRISTIAN SCI. MONITOR (Apr. 14, 2011), http://www.csmonitor.com/World/Middle-East/2011/0414/Why-US-silence-on-Bahrain-s-crackdown-could-backfire; Dan Murphy, *Joe Biden Says Egypt's Mubarak No Dictator, He Shouldn't Step Down*, CHRISTIAN SCI. MONITOR (Jan. 27, 2011), http://www.csmonitor.com/World/Backchannels/2011/0127/Joe-Biden-says-Egypt-s-Mubarak-no-dictator-he-shouldn-t-step-down. Notably, Saudi Arabia was absent from Barack Obama's May 19, 2011, speech on the Arab Spring. *See* Barack Obama, President, U.S., Remarks by the President on the Middle East and North Africa (May 19, 2011), *available at* http://www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-middle-east-and-north-africa.

[128] *See* MOROZOV, *supra* note 33, at 231–34.

[129] *See* Evgeny Morozov, *Freedom.gov*, FOREIGN POL'Y, Jan. 1, 2011, at 34, *available at* http://www.foreignpolicy.com/articles/2011/01/02/freedomgov.

[130] *See* Neal Ungerleider, *Iran Cracking Down Online with 'Halal Internet,'* FAST COMPANY (Apr. 18, 2011), http://www.fastcompany.com/1748123/iran-launching-halal-internet.

nology and training that will magnify their impact."[131] In fact, at the time of the speech links already existed between Arab activist groups and government-funded groups in the United States. For example, State Department cables leaked by WikiLeaks confirmed that the April 6 Youth Movement and the Bahrain Center for Human Rights received training from organizations including the pro-democracy NGO Freedom House, the International Republican Institute (affiliated with the Republican Party), and the National Democratic Institute (affiliated with the Democrats) on how to organize and build coalitions.[132] Nevertheless, the resulting revolutions and protests in the Arab world were not driven by the agendas of these U.S.-based organizations. The United States was a reluctant or, at best, belated supporter of the protests.

B. *Propaganda, Sock Puppets, Good Speech, Bad Speech*

Social media can be used to communicate misinformation as readily as it can be used to convey reliable information. For example, "A Gay Girl in Damascus" (Amina Arrat) was one of the more popular Syrian bloggers in the beginnings of the uprising, blogging about revolution, sexuality, and repression in Syria. The story fell apart, however, after "Amina" was revealed to be Tom McMaster, a masters student resident in Scotland. The unmasking of "Amina" as a straight man from Scotland reminded us all how easy it can be to spread lies and use a false identity in cyberspace. It also no doubt undermined the real Syrian activist blogosphere and its receptive audience.[133]

Similarly, while social media can be used to support pro-democracy forces, it can also be used to push pro-government propaganda.[134] In March 2011, *The Guardian* reported that the U.S. military was "developing software that will let it secretly manipulate social media sites by using fake online personas to influence Internet conversations and spread pro-American propaganda."[135] While such tactics may be designed to target extremist ideas that might foster terrorism, they could also thoroughly compromise the key "conversation" potential of social

---

[131] *See* 2011 Clinton Address, *supra* note 19.

[132] Ron Nixon, *U.S. Groups Helped Nurture Arab Uprisings*, N.Y. Times, Apr. 15, 2011, at A1.

[133] *See, e.g.*, David Kenner, *Straight Guy in Scotland*, Foreign Pol'y List (June 13, 2011), http://www.foreignpolicy.com/articles/2011/06/13/straight_guy_in_scotland.

[134] *See, e.g.*, Neal Ungerleider, *Syria's Facebook Wars*, Fast Company (May 10, 2011), http://www.fastcompany.com/1752528/syrias-facebook-wars.

[135] Nick Fielding & Ian Cobain, *Revealed: US Spy Operation that Manipulates Social Media*, Guardian (U.K.), March 17, 2011, at 15, *available at* http://www.guardian.co.uk/technology/2011/mar/17/us-spy-operation-social-networks.

media, especially if the same idea is adopted by other governments, companies, or NGOs. Propaganda is even being outsourced by some States, with U.S.-based public relations consultants providing "reputation management" services to governments such as those in Bahrain, Syria, and, previously, Tunisia.[136] One can only hope that social media will prove resilient to such "sock puppets." In reality, the tactic could seriously backfire, as the unmasking of a sock puppet thoroughly discredits any ideas from that source.[137]

Social media can also spread bad ideas and content just as it can spread good ideas and content. As Morozov points out, it is wrong to assume that all bloggers in Russia, China, or Iran favor democratic reforms and pluralist tolerance. Many such bloggers are more hardline than their government; the blogosphere in authoritarian States harbors reactionaries just as it does in the West. Such reactionaries can even be cultivated to report on perceived subversive activity, as has occurred in Thailand, Saudi Arabia, and China, or to engage in cyber-attacks on dissident websites.[138]

Morozov quotes James Lewis, a senior fellow at the Center for Strategic and International Studies, for the proposition that "[c]yberspace is increasingly Hobbesian," with a proliferation of egregiously hateful sites and pages.[139] In April 2011, Sultan Sooud Al Qassemi of the Dubai School reported on the rise of "McCarthyist" trends in social media in the Gulf region, which is particularly vulnerable to an "us vs. them" mentality due to sectarian societal divides.[140] In early October 2011, disturbing reports from Indonesia discussed thousands of tweets referring people to an Islamic extremist website in the aftermath of an Islamist suicide bomb attack on a Christian church.[141]

---

[136] Thor Halvorssen, *PR Mercenaries, Their Dictator Masters, and the Human Rights Stain*, HUFFINGTON POST (May 19, 2011), http://www.huffingtonpost.com/thor-halvorssen/pr-mercenaries-their-dict_b_863716.html.

[137] Jeff Jarvis, *America's Absurd Stab at Systematizing Sock Puppetry*, GUARDIAN (U.K.)*,* Mar. 17, 2011, at 15, *available at* http://www.guardian.co.uk/commentisfree/cifamerica/2011/mar/17/us-internet-morals-clumsy-spammer.

[138] *See* MOROZOV, *supra* note 33, at 46–47, 103–04, 108–10. A website can be brought down by being overloaded with virtual visitors using viruses and malware. These are known as Distributed Denial of Service attacks.

[139] *Id.* at 219, 250; *see* Lloyd Grove, *Facebook's Holocaust Problem*, DAILY BEAST (Aug. 18, 2011), http://www.thedailybeast.com/articles/2011/08/18/facebook-s-holocaust-denial-hate-speech-problem.html.

[140] Sultan Sooud Al Qassemi, Op-Ed., *McCarthyism in Gulf Social Media*, GULF NEWS, Apr. 24, 2011, *available at* http://gulfnews.com/opinions/columnists/mccarthyism-in-gulf-social-media-1.798619.

[141] Tom Allard, *Indonesia Tweets Fuel Acts of Violence*, AGE, Oct. 3, 2011, at W8, *available at* http://www.theage.com.au/world/indonesia-tweets-fuel-acts-of-violence-20111002-1l3te.html.

In the immediate aftermath of the British riots in August 2011, which resulted in widespread looting and property damage, British Prime Minister David Cameron partially blamed social media for the unrest, and raised the possibility of banning criminals from and otherwise censoring social networks.[142] The culpability of social media for the riots is disputed, and it seems likely that Blackberry's encrypted messenger service, rather than the open social media platforms, played a bigger role in fuelling the unrest. A joint study by *The Guardian* and the London School of Economics indicates that Twitter, at least, was used more to respond to the riots than to start them, as well as to organize post-riot cleanups (using the hashtag #riotcleanup).[143] Nevertheless, just as social media can coordinate legitimate and profound political mobilization, it can undoubtedly play a role in provoking mayhem.

Social media platforms are neutral tools that can be used to promote both good and bad causes. Of course, the traditional pro-speech argument suggests that in the free market of ideas, "bad" speech can be drowned out by "good" speech. Such a statement may seem trite and its premise cannot be proven, but the opposite cannot be proven, either. At the very least, social media increases participation; but greater participation does not necessarily lead to democracy and pluralism. It depends on "the values people bring to the table."[144]

At least when it comes to verifiable facts, social media is capable of self-correction. A good example is Andy Carvin's meticulous investigation and eventual debunking, via Twitter, of a rumor begun on Facebook by a Libyan expat news service that Israeli weapons were being used by the Libyan government to crush the rebels.[145]

---

[142] Josh Halliday, *David Cameron Considers Banning Suspected Rioters from Social Media,* Guardian (U.K.) (Aug. 11, 2011), http://www.guardian.co.uk/media/2011/aug/11/david-cameron-rioters-social-media.

[143] Paul Lewis et. al., *Twitter Study Casts Doubt on Ministers' Post-Riot Plans,* Guardian (U.K.), Aug. 24, 2011, at 1, *available at* http://www.guardian.co.uk/uk/2011/aug/24/twitter-study-post-riot-plans.

[144] Ethan Zuckerman, *Morozov v. Tufekci at the US Naval Academy,* My Heart's in Accra Blog (Apr. 13, 2011), http://www.ethanzuckerman.com/blog/2011/04/13/morozov-vs-tufekci-at-the-us-naval-academy/.

[145] *See* Andy Carvin, *Israeli Weapons in Libya? How @acarvin and His Twitter Followers Debunked Sloppy Journalism,* Storify (Apr. 3, 2011), http://storify.com/acarvin/how-to-debunk-a-geopolitical-rumor-with-your-twitt2; *see also* Craig Silverman, *Is This the World's Best Twitter Account? Meet Andy Carvin, Verification Machine,* Colum. Journalism Rev*.,* Apr. 8, 2011, *available at* http://www.cjr.org/behind_the_news/is_this_the_worlds_best_twitter_account.php. Carvin also played a role in the unmasking of the Gay Girl in Damascus. *See* Eyder Peralta & Andy Carvin, *'Gay Girl in Damascus' Turns Out to Be an American Man,* NPR Two-Way News

C. *Speech Ghettoes*

A potential downside of social media is the so-called ghettoization of speech. Many people will follow, view, and become a fan of only those sites that accord with their preconceived world view. This phenomenon may generate greater and more intransigent political divides, and, at worst, "enclave extremism."[146] Such a problem, however, already exists with regard to mainstream media, with, for example, conservatives reading the *Daily Mail* or watching the Fox News Channel, and progressives reading *The Guardian* or watching MSNBC. Certainly, some social media ghettoes, like certain Facebook pages, may be heavily protected and effectively visible only to invitees, so they are less transparent than mainstream media ghettoes. Furthermore, the personalization of searches and Facebook feeds increases the ghettoization problem, because people are artificially shielded, often without their knowledge, from views that they are expected by an algorithm not to agree with.[147] The walls of some social media ghettoes, however, are more porous than those of established media ghettoes; for example, it is very easy for outsiders to penetrate Twitter ghettoes and spread stories that challenge their prevailing narratives. Finally, the existence of speech ghettoes is often a positive thing, as it is indicative of a lively, broad, and diverse political debate.

D. *The People's Broadcasts*

Morozov bemoans the greater ability of the powerful, such as state actors and multinational corporations, to dominate the "decentralized space" of the Internet.[148] But social media, which is becoming increasingly accessible to the poor across the world, can give a voice to the previously invisible in a way that other broadcast media, like television or radio, cannot. The nature of social media, which provides a global public space that allows for an unprecedented level of citizen "broadcasting" and choice of sources, should help counter the phenomenon that the speech of the powerful generally overwhelms that of the powerless.

Blog (June 12, 2011), http://www.npr.org/blogs/thetwo-way/2011/06/13/137139179/gay-girl-in-damascus-apologizes-reveals-she-was-an-american-man.

[146] *See* Morozov, *supra* note 33, at 240 (quoting U.S. presidential advisor and former academic Cass Sunstein).

[147] *See* Bryan Walsh, *Bursting the Bubble: Are We in a World Wide Web of One?*, Time (May 16, 2011), http://www.time.com/time/arts/article/0,8599,2071746,00.html.

[148] *See* Morozov, *supra* note 33, at 136.

While acknowledging the potential dark side of social media, Zeynep Tufekci postulates that the Internet, including social media, offers the opportunity for a people's counterweight in the global political arena, which is otherwise dominated by remote entities such as superpower States, multinational corporations, and international organizations like the International Monetary Fund, the World Bank, and the U.N. In her words, "it has become very hard for citizens of any nation-state to confront these powerful global institutions or to start to meaningfully address the multiple global crises facing humanity," such as climate change, ongoing unpopular wars against terror, and financial collapse. People are also weary of cynical *realpolitik*.

Truly global communities of citizens, which may be uniquely created and facilitated by social media, offer at least some "hope of reclaiming leverage on institutions of power."[149] In this respect, signs of Internet-facilitated insurgency are evident in WikiLeaks and its present and future imitators, which pose significant challenges to government control over classified information. Indeed, outside the Arab world, an upsurge in mass global dissent is evident. The protests in Spain are an interesting example, where the crowd's grievances were so multi-faceted that it was difficult to know exactly what their focus was. What they all had in common, though, was the shared sense that "politics as usual" was no longer acceptable.[150] Furthermore, as I write, the burgeoning #occupywallstreet movement, a loose alliance with general grievances against corporate power and greed in the United States, is gaining traction in large part thanks to social media.

VI. Twitter, Facebook, YouTube: Who Are These Companies Anyway?

Private companies run the key global social media platforms.[151] What social or human rights responsibilities do these entities have to their users? Is it appropriate to place any faith in them as facilitators and guardians of a revolution? What if they oppose a progressive, democratic revolution? After all, the status quo often suits big business. Perhaps the-

---

[149] Tufecki, *supra* note 54.

[150] *See* Lisa Abend, *Protests: Has the Revolution Come to Spain?*, Time, (May 23, 2011), http://www.time.com/time/world/article/0,8599,2073524,00.html; Barbie Latza Nadeau & Mike Elkin, *Spain Protests Claim 'European Summer' Follows Arab Spring*, Daily Beast (May 28, 2011, 2:41 PM), http://www.thedailybeast.com/articles/2011/05/28/spain-protests-will-european-summerfollow-arab-spring/html.

[151] *See* Shirky, *supra* note 36, at 41.

se platforms are not as "neutral" as revolutionaries (or their adversaries) might expect.

Twitter executives are openly proud of the role their tool has played in the Arab Spring. Co-founder Biz Stone stated in an interview: "What I like to think of services like Twitter and other services is that it's kind of a supporting role. We're there to facilitate and to foster and to accelerate those folks' missions."[152] As noted, the Mubarak regime shut down the Internet in the initial days of the Egyptian protests. Twitter responded by quickly setting up a "Speak2Tweet" service that allowed people in Egypt to leave messages at a local phone number that were then transcribed and tweeted to the world.[153] Similarly, Google openly expressed its pride in its executive Wael Ghonim's role in the Egyptian uprising, though there has been no suggestion that the company helped him facilitate the protests.[154] YouTube, which is owned by Google, curated videos from Egypt to make them more easily searchable.[155]

In contrast, Facebook has not publicly embraced the revolutions. It actually removed the "We are all Khaled Said" page in November 2010 after discovering that its administrator, Ghonim, used a pseudonym. The site was restored only after U.S. resident Nadine Wahab agreed to take on the nominal role of administrator.[156] Anonymity will be desirable, even essential, for many activists to avoid identification, subsequent harassment, or worse. Facebook's strict policy against fake identities and pseudonyms led to the removal of activist webpages, sometimes at sensitive times.[157] U.S. legislators—notably, Illinois Senator Richard Durbin—lobbied Facebook to change its policy so as to protect pro-

---

[152] *See* Terry Gross, *Twitter's Biz Stone on Starting a Revolution*, NPR (Feb. 16, 2011), https://www.npr.org/2011/02/16/133775340/twitters-biz-stone-on-starting-a-revolution.

[153] *Some Weekend Work That Will (Hopefully) Enable More Egyptians to Be Heard*, Official Google Blog (Jan. 31, 2011, 2:27 PM), http://googleblog.blogspot.com/2011/01/some-weekend-work-that-will-hopefully.html.

[154] Jenna Wortham, *Google Praises Executive's Role in Egypt Revolt*, N.Y. Times, Feb. 15, 2011, at A11. The company expressed this sentiment through an official tweet: "We're incredibly proud of you, @Ghonim, & of course will welcome you back when you're ready."

[155] *See* Jacob Weisberg, *Tech Revolutionaries: The Arab Revolt Shows That Google's and Twitters Corporate Values Are Better Than Facebook's*, Slate (Feb. 24, 2011), http://www.slate.com/articles/news_and_politics/the_big_idea/2011/02/tech_revolutionaries.html.

[156] *See* Mike Giglio, *Middle Easy Uprising: Facebook's Secret Role in Egypt*, Daily Beast (Feb 24, 2011, 5:44 PM), http://www.thedailybeast.com/articles/2011/02/24/middle-east-uprising-facebooks-back-channel-diplomacy.html; Alexis Madrigal, *Facebook Placed Egyptian Protest Page Under "Special Protection,"* Atlantic (Feb. 25, 2011), http://www.theatlantic.com/technology/archive/2011/02/facebook-placed-egyptian-protest-page-under-special-protection/71718/.

[157] *See* Giglio, *supra* note 156.

democracy activists, but Facebook refuses to do so.[158] The company claims the policy is necessary to avoid fraud and to ensure user accountability.[159] Regardless, Facebook's core concern is hardly the promotion of revolutions: its "overriding objective is the much more typical one of expanding its market while avoiding bad PR and staying out of trouble with governments that set the rules."[160]

A. *Censorship Policies*

A key concern regarding the value of social media sites to political change is the extent to which the relevant sites are censored. While the perception of social media is that it facilitates interaction between users sharing content, the fact is that the content is mediated through, and can be suppressed by, a private intermediary. There are two distinct issues here. One issue concerns the extent to which a company assents to local censorship laws in order to conduct business in a particular State. The second issue concerns censorship of content imposed by companies themselves.

The first issue is particularly prominent with regard to Internet companies doing business in China. Internet companies that operate in China must comply with the country's strict censorship rules, or be banished outside its firewall, which means that content is either inaccessible or slow to upload, and therefore less likely to be accessed.[161] At the time of writing, Facebook is reportedly in negotiations to enter the Chinese market, and has clearly signaled its willingness to comply with China's censorship demands.[162] The benefits to Facebook of access to China means that it may itself work out how to separate the cute cats, which will presumably be allowed by China, from anti-government activism, which will almost certainly not be. Of course, local censorship rules stifle the utility of a site as a catalyst for spreading or fomenting dissent.

---

[158] *See* Dick Durbin, Op-Ed., *Tyrants Can Use Facebook, Too*, Politico (Mar. 7, 2011), http://www.politico.com/news/stories/0311/50739.html.

[159] *See* Mike Giglio, *supra* note 156; *cf.* Hayley Tsukayama, *Google Plus Relaxing Real Name Policy,* Wash. Post (Oct. 20, 2011), http://www.washingtonpost.com/business/technology/google-plus-relaxing-real-name-policy/2011/10/20/gIQA81140L_story.html (stating that the new social networking site Google+ has stepped back from using a similar "real name" policy due in part to backlash about danger to political dissidents).

[160] Weisberg, *supra* note 155.

[161] *See* Sarah Joseph, Blame It on the WTO: A Human Rights Critique 138 (2011).

[162] Tania Branigan, *Facebook May 'Block Content' Claim as Speculation Grows over Entry into China*, Guardian (U.K.)*,* Apr. 20, 2011, *available at* http://www.guardian.co.uk/technology/2011/apr/20/facebook-considers-censorship-claim-china.

Although the issue of business acquiescence in State censorship receives more attention, company-imposed censorship is potentially more pernicious in undermining progressive social movements.[163] A government's censorship rules may be more transparent than those of a company. In States that respect the rule of law, one might be able to successfully challenge a State's censorship of material in court. By contrast, there are few official remedies available if Facebook chooses to take one's page down: it is, after all, Facebook's platform. It is extremely difficult, if not impossible, to reconstruct a site elsewhere on the Internet, particularly if the site had tens of thousands of followers and sophisticated multimedia. In that light, I briefly examine the censorship policies of three key social media sites: Twitter, Facebook, and YouTube.

Twitter claims that it avoids censorship as much as possible.[164] For example, while "specific threats of violence against others" are removed, Twitter's policy appears to allow offensive language, abusive language, and even generalized threats or hate speech, except where illegal under local law.[165] In late 2010, Twitter encountered controversy when it temporarily halted access to the account for "Anonymous"—a group of cyber-vigilantes who attack governments and companies—after the group apparently tweeted private credit card details.[166] The removal of such private information seems reasonable. In any case, Anonymous has since resurrected its Twitter account.

Facebook's Statement of Rights and Responsibilities provides that its users cannot "post content that: is hateful, threatening, or pornographic; incites violence; or contains nudity or graphic or gratuitous violence," or that is "unlawful, misleading, malicious, or discriminatory." These rules sound reasonable, except that Facebook reserves the right to remove content if it "believes that it violates [the] Statement."[167] There is no provision for appeal or even a hearing prior to the content removal. Facebook may not always exercise its discretion wisely. For ex-

---

[163] *See* Rebecca MacKinnon, Address at TEDGlobal, Let's Take Back the Internet! (July 2011), *available at* http://www.ted.com/talks/rebecca_mackinnon_let_s_take_back_the_internet.html.

[164] *See* Biz Stone & Alex Macgillivray, *The Tweets Must Flow*, Twitter Blog (Jan. 28, 2011), http://blog.twitter.com/2011/01/tweets-must-flow.html.

[165] *See The Twitter Rules*, Twitter, http://support.twitter.com/groups/33-report-a-violation/topics/121-guidelines-best-practices/articles/18311-the-twitter-rules (last visited Jan. 6, 2012).

[166] Bianca Bosker, *Anonymous "Operation Payback" Twitter Account Suspended*, Huffington Post (July 2, 2011), http://www.huffingtonpost.com/2010/12/08/anonymous-operation-payba_n_794130.html.

[167] *Statement of Rights and Responsibilities*, Facebook, https://www.facebook.com/legal/terms (last visited Jan. 6, 2012).

ample, on April 16, 2011, Facebook removed a photo of two fully clothed men kissing from a user's profile for alleged breach of its Terms; it turned out that the photo was in fact a still image from the British soap opera *Eastenders,* which screens during family hours in the United Kingdom.[168] It is difficult to discern exactly what part of the Terms the photo breached.

On April 29, 2011, Facebook was accused of "purging" activist accounts in the United Kingdom when it suddenly removed dozens of pages that challenged a variety of government policies, such as the tripling of tertiary student fees. As with "We are all Khaled Said," Facebook claimed that the pages breached its Terms because they used fake profiles.[169]

Facebook also found itself mired in controversy over its initial refusal, and then acquiescence to, a request by the Israeli government to remove a page promoting a Third Intifada in the Occupied Territories, on the grounds that the page promoted violence against Jews. From a human rights perspective, there is certainly nothing illegitimate about Facebook being used to promote peaceful protests in the Occupied Territories, just as it has been used to promote protests in other parts of the Middle East and the world.[170]

Facebook also came under fire from the Syrian government for taking down pages associated with the Syrian army.[171] Syrian protesters likely welcomed this instance of censorship, but it gave rise to concerns that Facebook was "taking sides," and therefore manipulating the political or revolutionary messages broadcast on its powerful site. Given the importance of Facebook pages in promoting demonstrations against, and even the overthrow of, Arab governments, Facebook must tread a fine line between allowing its platform to be used for the or-

---

[168] *See* Suzanne Choney, *Photo of Gay Men Kissing Booted from Facebook*, Digital Life Today (Apr. 18, 2011), http://digitallife.today.com/_news/2011/04/18/6489405-photo-of-gay-men-kissing-booted-from-facebook; *Hey Facebook, What's So Wrong About a Pic of Two Men Kissing?*, Dangerous Minds (Apr. 16, 2011), http://www.dangerousminds.net/comments/hey_facebook_whats_so_wrong_about_a_pic_of_two_men_kissing/.

[169] *See* Shiv Malek, *Facebook Accused of Removing Activists' Pages*, Guardian (U.K.) (Apr. 29, 2011), http://www.guardian.co.uk/technology/2011/apr/29/facebook-accused-removing-activists-pages.

[170] *See* Neal Ungerleider, *Social Media's Sticky Role in Anti-Israel Uprisings,* Fast Company (May 13, 2011), http;//www.fastcompany.com/1753320/the-facebook-intifada-israel-palestine-and-social-media.

[171] *See* Neal Ungerleider, *Syria's Facebook Wars*, Fast Company (May 10, 2011), http://www.fastcompany.com/1752528/syrias-facebook-wars; *see also* Ghada Hamdy, *Facebook Shuts Down Syrian Military's Page*, Egypt Indep. *(*May 9, 2011), http://www.almasryalyoum.com/en/node/429709.

ganization of peaceful protests—which often contain comments that are not peaceful—and pages that promote violence and hate.[172] One can only speculate how Facebook decides what content crosses the line from political speech into hateful speech, and what the credentials are of the people making these decisions. Furthermore, even violence is sometimes legitimate, as in the case of proportionate self-defense against a government crackdown, as may have occurred in Libya, Yemen, and Syria. In such situations, should Facebook remove pages that advocate fighting back against a violent regime?

YouTube's Community Guidelines specify that videos should not show "bad stuff" including "animal abuse, drug or substance abuse, or bomb making," "pornography or sexually explicit content," "graphic or gratuitous violence," "gross-out videos," and "hate speech."[173] Google, as the owner of YouTube, amended the policy on violence after it was criticized in 2007 for removing videos showing police abuse in Egypt.[174] In response to allegations that it was removing videos of post-election violence in Iran in 2009, YouTube addressed the controversy on its blog:

> We've noticed some claims going around that YouTube has been engaging in acts of censorship and removing some of these videos from the site. Unless a video clearly violates our Community Guidelines, we will not take it down. In general, we do not allow graphic or gratuitous violence on YouTube. However, we make exceptions for videos that have educational, documentary, or scientific value. The limitations being placed on mainstream media reporting from within Iran make it even more important that citizens in Iran be able to use YouTube to capture their experiences for the world to see. Given the critical role these videos are playing in reporting this story to the world, we are doing our best to leave as many of them up as we can. YouTube is, at its core, a global forum for free expression.[175]

---

[172] *See Facebook Removes Page Calling for 'Third Palestinian Intifada,'* Haaretz (May 24, 2011), http://www.haaretz.com/news/diplomacy-defense/facebook-removes-page-calling-for-a-third-palestinian-intifada-1.352623.

[173] *YouTube Community Guidelines,* YouTube http://www.youtube.com/t/community_guidelines (last visited Jan. 6, 2012).

[174] *See* Morozov, *supra* note 33, at 215; Verne G. Kopytoff, *Sites Like Twitter Absent From Free Speech Pact,* N.Y. Times, Mar. 6, 2011, at B4.

[175] Olivia Ma, *More Footage from Protests in Iran on YouTube,* Official YouTube Blog (June 16, 2009), http://youtube-global.blogspot.com/2009/06/more-footage-from-protests-in-iran-on_8218.html.

Nevertheless, YouTube is still criticized on occasion for censorship of content, and likewise for its failure to censor certain content, such as that which is allegedly hateful.[176] As with Facebook, the process by which YouTube decides to remove content is opaque, the credentials of the decision-makers are unknown, and its censorship decisions are not reviewable by a third party.

B. *Privacy*

Privacy is another important human rights concern that has been affected by the proliferation of social media. Internet companies and social networking sites harvest vast amounts of users' personal information, which enables the ongoing development of personalized Internet searches.[177] Facebook is constantly criticized for changing its platform in ways that tend to undermine the privacy preferences of its users; its default settings generally favor openness at the expense of personal privacy. While a user can restore his or her privacy settings, he or she does not always know that the rules and privacy settings have changed, and therefore may inadvertently share personal information much more widely than he or she intends. Julian Assange, the founder of WikiLeaks, has bluntly described Facebook as "the most appalling spy machine that has ever been invented," constituting a giant database of willingly volunteered information.[178]

In addition, the danger exists that a social media company could release a user's private information to unfriendly governments. In early 2011, the United States subpoenaed Twitter to hand over information on certain users associated with WikiLeaks. Twitter informed those users, who unsuccessfully challenged the subpoena in court.[179] A key

---

[176] *See, e.g.*, steveberkecomedy, *YouTube Censorship of "Should Be Legalized" Prop 19 Video—Join the Fight*, YouTube (Oct. 27, 2010), http://www.youtube.com/watch?v=mUHWZ z6owA8 (user-uploaded content) (criticizing YouTube's decision to censor material in favor of Proposition 19, a California proposal to legalize marijuana).

[177] At the time of writing, Facebook was facing suit in the United States with respect to its alleged tracking of users' online activities even after they had logged out of Facebook. *See* Asher Moses, *Facebook Exposed Again on Privacy*, Age, Oct. 5, 2011, at 3.

[178] Stan Schroeder, *Julian Assange: Facebook Is a Spy Machine*, Mashable (May 2, 2011), http://mashable.com/2011/05/02/julian-assange-facebook-spy-machine/.

[179] *See* Somini Sengupta, *Twitter Ordered to Yield Data in WikiLeaks Case*, N.Y. Times (Nov. 10, 2011), https://www.nytimes.com/2011/11/11/technology/twitter-ordered-to-yield-data-in-wikileaks-case.html?_r=2; *see also* Richard Gray & Nigel Green, *Twitter Reveals Secrets: Details of British Users Handed Over in Landmark Case That Could Help Ryan Giggs*, Sunday Telegraph (U.K.), May 28, 2011, at 1, *available at* http://www.telegraph.co.uk/technology/ twitter/8544350/Twitter-reveals-secrets-Details-of-British-users-handed-over-in-landmark-case-that-could-help-Ryan-Giggs.html.

point to note is that Twitter was not required to tell the users of the subpoena; it could have handed over the information without their knowledge. One wonders how many times such information might have been surrendered to governments without users' knowledge in the past. In a famous instance in 2004, Yahoo turned over information that helped China identify a dissident blogger, Shi Tao, leading to his arrest and imprisonment.[180] Furthermore, governments place significant pressure on providers who fail to acquiesce in attempts to monitor data. Smartphone manufacturer RIM, maker of BlackBerry, has been involved in a dispute with a number of States, including the United Arab Emirates, Saudi Arabia, Indonesia, Lebanon, and India, over the level of security it provides to users, because it hinders the ability of those States to monitor data.[181]

While these companies' policies, particularly on censorship, may not be challengeable via official channels such as the courts or administrative agencies, the companies are susceptible to other pressure through criticism that harms their image and brand. For example, Facebook faced a revolt on its own pages in response to its decision to take down the *Eastenders* photo. Additionally, videos critical of YouTube are routinely loaded and shared on YouTube. While such protests may generate disdain for the company, the use of their own platforms is hardly a form of protest that hurts them. In this respect, it is worth recalling "Quit Facebook Day" on May 31, 2010, a protest against Facebook's continued tinkering with its privacy policies. The campaign was not particularly successful; only 32,000 people, or just 0.008% of all Facebook users, actually quit Facebook that day.[182] Indeed, just as the "cute cats" theory might work to insulate social media sites from government restrictions, it might also work to insulate social media sites from the wrath of censored activists. That is, people who use these sites to share photos and videos of cute cats might not care if another person's protest page is removed. This enduring loyalty of the majority means that companies have a wider margin within which to upset the activist minority.

---

[180] *See* Robert Marquand, *Yahoo, Chinese Police, and a Jailed Journalist*, CHRISTIAN SCI. MONITOR (Sept. 2, 2005), http://www.csmonitor.com/2005/0909/p01s03-woap.html/.

[181] *See* Josh Halliday, *UAE to Tighten Blackberry Restriction*s, GUARDIAN TECH. (Apr. 18, 2011), http://www.guardian.co.uk/technology/2011/apr/18/uae-blackberry-emails-secure.

[182] *See* Tom Spring, *Quit Facebook Day Was a Success Even as It Flopped*, PCWORLD (June 1, 2010), https://www.pcworld.com/article/197686/quit_facebook_day_was_a_success_even_as_it_flopped.html.

C. *The Responsibility and Accountability of Social Media Corporations*

Sparked in part by the Shi Tao incident, concern over the human rights responsibilities of Internet companies prompted the creation of a voluntary global initiative for such companies to pledge to protect online privacy and free expression. Launched in late 2008, the Global Network Initiative constitutes a "multi-stakeholder group of companies, civil society organizations, investors and academics."[183] The initial corporate members were the then-Big Three of the Internet: Google, Yahoo, and Microsoft. Nearly three years later, they remain the only three corporate members; neither Facebook nor Twitter, nor indeed any other corporation, has joined the Global Network Initiative.[184] The Initiative faces great criticism; for instance, in the three years since its launch (which followed a two year gestation period), the Initiative has failed to generate any assessment of the participant companies' compliance with its principles.[185] One of the world's key human rights NGOs, Amnesty International, was involved in the initial discussions but refused to join the Global Network Initiative, citing its disappointment with the weakness of the final outcome.[186]

The major social media companies exercise a power over politics and potential social change that is not commensurate with their expertise or responsibility. The problem of the lack of corporate accountability—particularly on the part of major multinationals—under traditional human rights law is well known, and prompted the UN Human Rights Council to adopt the Guiding Principles on Business and Human Rights in July 2011.[187] They are not binding, however, and much work must be done if the Principles are to be adopted into corporate practice. The same is also true of the Global Network Initiative.

---

[183] GLOBAL NETWORK INITIATIVE, http://www.globalnetworkinitiative.org/ (last visited Jan. 6, 2012).

[184] Kopytoff, *supra* note 174.

[185] Larry Downes, *Why No One Will Join the Global Network Initiative*, FORBES (Mar. 11, 2011), http://www.forbes.com/sites/larrydownes/2011/03/30/why-no-one-will-join-the-global-   network-initiative/. On its website, the Global Network Initiative announced that the first assessments would be published in early 2012. *GNI Announces Next Steps in its Assessment Process*, GLOBAL NETWORK INITIATIVE (June 17, 2011), http://www.globalnetworkinitiative.org/newsandevents/GNI_Announces_Next_Steps_on_its_Assessment_Process.php.

[186] Bobbie Johnson, *Amnesty Criticizes Global Network Initiative for Online Freedom of Speech*, GUARDIAN (U.K.) (Oct. 30, 2008), http://www.guardian.co.uk/technology/2008/oct/30/amnesty-global-network-initiative.

[187] *See* Human Rights Council Res. 17/4, Rep. of the Hum. Rts. Council, 17th Sess., June 16, 2011, U.N. Doc. A/HRC/RES/17/4 (July 6, 2011); Special Rep. of the Sec'y-Gen., *Guiding Principles on Business and Human rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, Hum. Rts. Council, U.N. Doc. A/HRC/17/31 (Mar. 21, 2011).

To be fair, the major social media companies have largely been passive facilitators of revolution, not obstacles. Certainly, the iconic Western companies are safer intermediaries for users than smaller but still popular local companies, such as the Chinese or Russian versions of Facebook, which are more susceptible to government pressure.[188]

However, activists can perhaps only expect social media companies to "do the right thing" to the extent that such activism does not conflict with their commercial goals. The potential for such conflict may rise as relevant companies do more business with oppressive governments in lucrative markets like China. The potential for conflict could also rise if revolutions begin to challenge free market ideals, which suit the goals of Western social media companies as well as those who pay to use their advertising space. Indeed, the potential for conflict could rise as social media platforms continue to search for ways to improve profitability and raise revenue. Thus far, their extraordinary growth and social influence has not translated into major profits, though the companies themselves are valuable commodities. Facebook, despite being used by 10% of the population of the planet, is projected to record a $1 billion profit in 2011—a relatively small figure in the world of multinational business.[189] Likewise, Twitter's wholehearted embrace of revolutionary speech might slacken once it starts to make money. After all, revolutions necessarily lead to some instability that is not a favored marketplace condition for profitable business.

Conclusion

Despite the apparent contributions of social media to the seismic events of the Arab Spring, Malcolm Gladwell remains an unrepentant skeptic. He has stated that twitter revolution enthusiasts like Shirky must show "that in the absence of social media, [the] uprisings would not have been possible."[190] Gladwell, however, asks for the impossible; after all, one cannot prove the counterfactual.

Perhaps Gladwell's skepticism over the revolutionary potential of social media is correct with regard to the developed world. There, social media may be merely adding a cherry atop existing deep layers of

---

[188] *See* Morozov, *supra* note 33, at 238.

[189] *See* Matthew Goldstein & Alexei Oreskovic, *Goldman Customers Get Facebook Financials*, Int'l Bus. Times (Jan. 6, 2011), http://www.ibtimes.com/articles/20110106/goldman-customers-get-facebook-financials.htm; *see also* Charlie White, *Is There a Social Media Tech Bubble?*, Mashable (May 29, 2011), http://mashable.com/2011/05/29/social-media-bubble-infographic/.

[190] *See* Gladwell & Shirky, *supra* note 109 at 153.

information and conversation, and in doing so it may dull rather than contribute to progressive social activism. On the other hand, the increase of unfiltered connections between people of different cultural, political, and economic outlooks is likely to have some unprecedented and beneficial consequences for the development of local, national, regional, and global activism.

In any case, Gladwell too readily ignores the value of social media in States that efficiently suppress information and conversation, and in developing States, where long-voiceless people are suddenly connected to each other and to the outside world. It is in the developing world—Moldova, Iran, and now the Arab States—that it has had the most revolutionary impact, though watchful eyes must be kept on Greece, Spain and the #occupy movement. Certainly, many of the Arab revolutionaries themselves believe that social media played a significant role in the uprisings.[191] Its importance for this young, tech savvy Arab generation reflects and perhaps surpasses the role of music in the counterculture protests of the 1960s. Both mediums played the role of providing information—albeit obliquely in the case of music—and facilitating conversation, galvanization, and organization.

Of course, it must be conceded that the revolutions are unfinished. At the time of writing, the revolutions had deposed autocratic leaders in Tunisia, Egypt, and Libya, but the governments that replaced them are yet to prove that they will adopt the liberal democratic values called for by the demonstrators. Moreover, the likelihood of civil war in Yemen and the continued deadly crackdowns in Syria cannot be ignored. In Tunisia, Egypt and Libya, the political and social situation may deteriorate. Certainly, there is much fear among some Western commentators that Islamist groups, such as the Muslim Brotherhood in Egypt, could ascend to power, perhaps signaling a step backwards for women's rights and the rights of religious minorities, and encouraging the promulgation of extremist ideologies.[192]

It is possible too that pro-democracy movements in the Arab world moved too quickly. The conversations arising from newly available in-

---

[191] *See, e.g.*, Wael Ghonim, Address at TEDxCairo, Inside the Egyptian Revolution, (Mar. 2011), *available at* http://www.ted.com/talks/wael_ghonim_inside_the_egyptian_revolution. html (discussing the important role of social media in the Egyptian revolution).

[192] *See, e.g.*, Greg Sheridan, *There's a Scimitar Behind the Smile*, Australian, Feb. 10, 2011, at F12, *available at* http://www.theaustralian.com.au/news/opinion/theres-a-scimitar-behind-the-smile/story-e6frg6zo-1226003211731; *see also* James Traub, *Is There Light at the End of the Egyptian Tunnel?*, Foreign Pol'y (Sept. 23, 2011), http://www.foreignpolicy.com/articles/2011/09/23/the_storm_before_the_calm.

formation might not have been sufficiently mature or sophisticated to establish a properly functioning public sphere or civil society. Perhaps the resultant loose networks moved prematurely towards galvanization and organization. As Morozov put it, "[j]ust because you can mobilize a hundred million people on Twitter . . . does not mean that you should; it may only make it harder to accomplish more strategic objectives at some point in the future."[193] Perhaps there is a danger that the authoritarian regimes in Tunisia and Egypt will be replaced by failed States. This may be even more likely in Libya, Syria, and Yemen.

It is patronizing to assume, however, that the Arab world is not ready for democracy, or that it is better for them to remain perpetually under the thumb of stagnant, autocratic, brutal, and corrupt regimes whose promises of reform are illusory. It is axiomatic that their destinies should be determined by the citizens themselves—something that was impossible for Tunisians under Ben Ali, for Egyptians under Mubarak, and for Libyans under Gaddafi. Furthermore, the success of the revolutions should be judged by the conduct of the new governments that eventually emerge, not by their palatability to Western interests. Finally, there are some signs that the revolutions will lead to excellent human rights outcomes. For example, the interim Tunisian government has ruled that political parties in its upcoming elections must present equal numbers of male and female candidates.[194] This development is remarkably progressive, particularly by regional standards.

The need for caution in promoting social media as an instrument of progressive political change must be acknowledged. There is the potential for governments to subvert the utility of social media through the extensive use of "sock puppets," which would poison people's trust in the platforms. There is no doubt that Internet-based technology can be used to track and profile dissidents, just as it can be used to promote the views of those dissidents. Good and bad ideas can be spread, and one cannot guarantee that the former will prevail.

The commercial, for-profit nature of the most popular social media platforms also poses a threat to their long-term utility as progressive political tools. The integration of the U.N.'s Guiding Principles on Business and Human Rights and the Global Network Initiative into company policies must proceed apace to ensure, at the very least, that company personnel are aware of their very important influence on po-

---

[193] Morozov, *supra* note 33, at 196.

[194] David D. Kirkpatrick, *Tunisia Postpones Election, Possibly Aiding New Parties*, N.Y. Times, June 8, 2011, at A10; *Tunisia Gender-Parity Revolution Hailed*, Al Jazeera (Apr. 21, 2011), http://www.aljazeera.com/news/africa/2011/04/2011421161714335465.html.

litical and social change and on human rights, and of the need to exercise that power responsibly. A preferable long-term solution might be for key social media tools to be developed on a non-commercial basis in the public domain. Such tools already exist for blogs and collaborative projects—Wikipedia is a prime example. However, the development of a serious "public domain" rival to Facebook or Twitter that can capture enough users to make it influential, without utilizing expensive proprietary technology, seems unlikely in the near term.[195] For the time being, through no particular fault of those companies, they must wield political power that far outweighs their official responsibility and levels of accountability, and that is beyond their area of expertise.

Presently, social media in its various forms has created an unprecedented global public space that vastly increases and amplifies the number of accessible voices and connections in all parts of the world. In the future, governments or other powerbrokers might seize control or compromise these platforms, and social media corporations might change their largely benign or even supportive attitude toward activism. For now, however, this digital communications Hydra provides a unique platform for millions of people to proclaim, in voices and actions heard around the world, that they are "as mad as hell and they aren't going to take it anymore."[196]

---

[195] There are "open source" social networks, such as Diaspora*. Diaspora, https://joindiaspora.com/ (last visited Jan. 13, 2012).

[196] These words are taken from Peter Finch's immortal role in the 1976 film *Network*. Network (Metro-Goldwyn-Mayer 1976).