

## *Digilante Justice*

### Citizenship in Cyberspace

A spate of new websites aim to shame, bust, or at the very least publicize illegal, incompetent, and just plain indecent behavior—no, not of celebrities, of neighbors.

PlateWire.com, one of the latest and largest of these sites, takes road rage to the information superhighway by inviting users to vent about bad drivers and even post their license plate numbers. Founded by Virginian Mark Buckman in reaction to a hellish commute and a series of near-collisions, the site attracted 60,000 members in its first three months. As of this writing, over 6,800 plates have been added to PlateWire's hall of shame.

Bad drivers aren't the only ones targeted: women cat-called on city streets or otherwise harassed can shame boors and perverts on a network of "Holla Back" sites (such as [HollaBackNYC.blogspot.com](http://HollaBackNYC.blogspot.com)). There are sites for reporting bad nannies ([ISawYourNanny.blogspot.com](http://ISawYourNanny.blogspot.com)), and, blurring the lines between vigilance and vengeance, women can warn each other away from ex-boyfriends ([DontDateHimGirl.com](http://DontDateHimGirl.com)). On other sites, users can report littering, police harassment, and general rudeness. Thanks to these digital vigilantes—or *digilantes*, as some have called them—any public (and sometimes private) behavior is open to published scrutiny.

Vigilantism is always as old as the newest frontier, and digilantes saddled up in the earliest days of the Wild Wild

Web: Corporate vigilantes trapped malicious hackers in "honeypots," private citizens caught pedophiles in chat rooms, and "white-hat" (or ethical) hackers tattled on purveyors of child pornography. In those days when law enforcement was far less tech-savvy, vice and vulnerability bred the ideal conditions for vigilantism. But while frontiersmen led the way, it's no longer just security posses and lone rangers policing the perimeter. Today, in "Web 2.0"—woven with so much user-produced material, from blogs to wikis—it's the angry townspeoples' turn.

And, thanks to the ubiquity of camera phones, almost everyone is now just one user-friendly upload away from notoriety. Digilantes shoot cameras, not Colts, allowing almost anyone to fight even an offline wrong in cyberspace. In a famous 2005 incident, since replicated, a New York City flasher exposed himself to a fellow subway rider who was savvy enough to snap a picture with her camera phone. She enhanced his exposure by uploading the picture to Flickr, an online photo-sharing application, and the next day he made the cover of the *New York Daily News*. He soon got to pose for another photo: an NYPD mug shot.

While this particular offender was eventually convicted and sentenced, for many wrongdoers publicity is the only punishment. The new breed of digilante aims less to take cases to court than to shame the shameless—

an informal enforcement of lawfulness, moral codes, and social norms. Since shame, not procedural justice, is their goal, digilante websites have been described as “virtual pillories” or “digital scarlet letters.” When appropriated by others and published online, the markers of our identity—like photos, license plate numbers, phone numbers, street addresses, even physical descriptions—function as weapons of stigma. Shame is best evoked when we see ourselves through another’s eyes; the Internet provides billions.

At times, digilante websites function more like support groups than pillories. A user of Holla Back NYC documents an uncomfortable experience in the U.K. with a photograph that is indecipherable “but still worth sharing” since “it makes me feel better anyway.” On the site that monitors nanny behavior, nannies themselves write in for advice: a recent post in which a nanny asked whether to approach the parents about her charge’s “autistic tendencies” received 36 responses.

Meanwhile, posts on PlateWire often offer no more identifying information about dangerous drivers than their car brand—“Silver Audi cut me off!”—though their complaints are long and detailed. If you can neither catch nor shame an offender, what’s the point? “For the majority of people, it’s a venting mechanism,” Buckman recently told the *Chicago Sun-Times*. “It’s the cathartic act of actually being able to get it off your chest.” But according to Buckman’s website, complaining serves a higher cause: “If you as a driver are

treated rudely by someone, you are more likely to take that frustration out on someone else.” So even if the driver of the silver Audi won’t be deterred, at least his victim may be less prone to road rage if he can let off steam online.

Part support group, part pillory, digilante sites function as a virtual version of the public square, home to a spirit of sociability and small town gossip. This is no put-down: “gossip” relates etymologically to Old English words for kinsmen; it is the speech of special intimacy. Digilantes are, in spaces of anonymity, evoking the bonds of intimacy—of citizenship as a relationship not only of the individual to the state and the state’s laws, but to peers and, in the broadest sense, neighbors.

A number of digilante spokesmen cite the “small-town effect” in justifying their sites. As the wheelchair-bound founder of Caughtya.org, which monitors illegal use of handicapped parking spaces, told the *Montreal Gazette*, “Fifty years ago, people lived in communities. There was a sense of ownership about wrongdoing... This move toward using the Internet is trying to recapture the sense.” Emily May, a founder of Holla Back, told the *Village Voice*: “Street harassment happens in smaller communities, but you’re not dealing with strangers... In New York, you’re dealing almost exclusively with strangers. Whistling at a girl in your gym class is different than whistling at a girl you’re never going to see again.” As one commenter put it in an online discussion about the site DontDateHimGirl.com,

gossip is more useful than ever in the modern world: "In a small community, this kind of gossip can cover a large enough share of potential members of the opposite sex to be useful. In a larger community, it can't. Without a technology like the Internet, it is virtually impossible to know what sort of person you're encountering."

Therein lies the paradox, for *with* a technology like the Internet, it is virtually impossible to know what sort of person you're encountering. What's to stop a grudge-holding neighbor, a coworker with a chip on his shoulder, an ex-girlfriend with a vendetta, or even a total stranger from engaging in online character-assassination? Not necessarily the law. The *Wall Street Journal* reports: "Lawyers say alleged wrongdoers shamed online typically have little legal recourse under libel and privacy laws if the accusations in postings are true, if they are posters' opinions about behavior witnessed in a public place, and if the personal information listed is available to the public."

Even if accusations prove false, almost all posters are protected by anonymity. And the websites that host defamatory comments may be off the hook: In defending their client, DontDateHimGirl.com, against a recent lawsuit, lawyers argued that federal law protects the operators of websites when they merely host and transmit users' posts. (The case was thrown out of court on a technicality.)

But while some digilante sites and their users surely exploit anonymity, others are seeking ways to protect

the wrongly accused. According to the *Journal*, most digilante sites "say they will remove identifying information like phone numbers or full names when it comes to their attention or if asked." Caughtya.org moderates all comments before they are displayed "due to a handful of people who have been aggressive, insulting, or both." PlateWire's Buckman claims to be developing a system to rank each poster's credibility. "Right now, I just [require users to have] a valid e-mail address," he told the *Las Vegas Review-Journal*. "But I'm eventually going to be able to identify that person completely—whether it's by credit-card authorization or other methods. Not that it's legally binding, but if you make a statement on here, the higher level of validity is going to force people to be more honest and truthful." Sites truly concerned with promoting civility and accountability, it seems, will do so in their own backyards.

The boundaries and norms for digilante sites are still evolving, not least because the public is still largely uninformed about these online watchdogs and the formal legal system has yet to deal with them in a substantial way. It may, in the end, come down to striking a balance between the hope that someone is watching out for you—and the fear that someone might be watching you.

But perhaps, as Tocqueville pointed out, the most important consequence of citizens voluntarily associating with one another is their practice of self-governance. While PlateWire users have posted over 6,800 license plates

of bad drivers, they have listed more than 33,000 of their own plates in the database, so other motorists can call them out for bad driving (or laud them for driving courteously). Users are not just blaming others; they are signing themselves up to be watched

for the sake of safer roads. In seeking to render others accountable for their actions, we can become more accountable for our own.

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