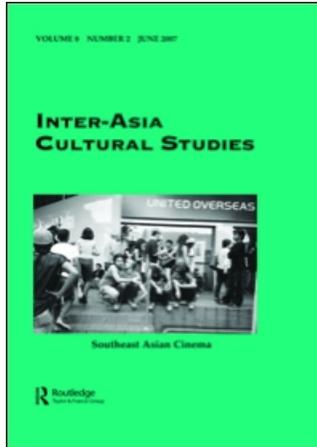


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Subject to technology: internet pornography, cyber-terrorism and the Indian state¹

Nishant SHAH

ABSTRACT *The Indian state, when it announced the opening of its borders – physical and imaginary – to globalisation, also embraced new digital technologies of telecommunication and transportation in its attempt to reconfigure itself as a global player in the world market. The neo-liberal economic policies and the restructuring of the State had immediate and far reaching impact on the question of citizenship. The technologised State posited the need for a technosocial subject – a subject that was not only a consumer/user of technology but also subject to the different technological networks instituted towards a new-modernism. The fetishisation of such a technosocial subject entails a new regime of discipline and containment that produces certain glorified non-legal subject positions which challenge the efforts of the State to create a homogeneous sanitised cyberspace. This paper is an attempt to examine the production of illegalities with reference to cyberspace, to make a symptomatic reading of new conditions within which citizenships are enacted, in the specific context of contemporary India. Looking at one incident each, of cyber-pornography and cyber-terrorism, the paper sets out to look at the State's imagination of the digital domain, the positing of the 'good' cyber citizen, and the production of new relationships between the state and the subject. This essay explores the ambiguities, the dilemmas and the questions that arise when Citizens become Subjects, not only to the State but also to the technologies of the State.*

KEYWORDS: technology, cybercultures, identity, pornography, terrorism, state, citizenship

Ever since their inception, the cyberspatial matrices in India have been looked upon with suspicion as creating a world of the forbidden, the dirty, and the desired. Questions of legitimacy, authenticity, and excesses of the internet have been a major preoccupation in the public domain that has given rise to three greatly intriguing figures that have gained currency as the faces of cyberspace – the pervert in his cubicle, the terrorist wielding a cell phone and the pirate in the network.² Over the years, some of the most popular imaginations and detrimental legal action around cyber-crime have revolved around these three figures in an attempt to contain, chastise and control the overflowing cyberspaces that affect the domains of life, labour and language as we know them. This paper is an attempt to examine the production of illegalities with reference to cyberspace, to make a symptomatic reading of new conditions within which citizenships are enacted, in the specific context of contemporary India. Looking at one incident each, of cyber-pornography and cyber-terrorism, the paper sets out to look at the State's imagination of the digital domain, the positing of the 'good' cyber citizen, and the production of new relationships between the state and the subject.

Before I begin to focus on the specific instances, it might be useful to do a brief review of cyber-publics and the emergence of the IT revolution in India. Unlike in the West (largely North America but also some privileged sites of Europe), where the internet grew as a 'hacker ethic' that was wedded to the ideological apparatus of liberal academia and free

society preceding the New World Order of Globalisation (Himanen 2001),³ the internet technologies came to India as a signifier of neo-liberal politics and a globalised (post)modernity, hand-in-hand with satellite Television, international music videos, beauty pageants and Coca-Cola.⁴ The internet, like all of these products and services was a joint venture by the Indian State that was trying to reconfigure itself as the new global player – the outsourcing capital of the world – and the market that was making a paradigm shift from a developmentalist economy to a globalised network. The internet was a part of a larger package of paraphernalia that the age of globalisation was ushering in. The internet technologies, although a commercial venture, banked heavily on the State's investment in terms of infrastructure and subsidies for it to survive. The arrival and promotion of internet technologies saw the emergence of many important and decisive State policies.

The technosocial subject

There was an invested effort on the part of the Indian State to create a condition that Arturo Escobar identifies as Technosociality. Technosociality, is not just about the social order of the technical world but the technologisation of the social order so that it brings about significant changes in the way people relate to themselves, to their immediate surroundings and with each other. In 1996, four years after the internet technologies (known then as 'communication technologies') made their first public appearance in India, the State announced one of the three mega-projects that gave an early directive of what was to come. The projects were aimed at developing certain skill sets and knowledges, which would have value in the immediate future.

The first of the projects that was regionally dubbed as the 'One Home, One Computer' project was possibly the one that was talked about the most because it not only fuelled the global dreams of becoming a networked city/country but also because (and probably largely because) of Bill Gates' visit to India and the State's tie-up with the Multi Billion Dollar corporate giant Microsoft as a collaborative partner in the project.⁵ There was, however, some rather understated criticism from the Open Source movements and the first generation of techno geeks in India about how this equates computer literacy with Microsoft skills and produces technicians that operate computers rather than skilled engineers who know computers. The State-owned school for computer studies – Centre for the Development of Advanced Computing (CDAC) – was initiated and while there were certain Open Source initiatives at CDAC,⁶ it was Microsoft that joined the new brand universe of Nike, Coca Cola and Microsoft. With a loan from the World Bank and UNICEF and with lucrative subsidies offered to IT multinationals to invest in India, this project was the official marker of the State's adoption of new digital technologies as a part of its logic and imagination of itself as well as the citizen who occupies the space of the Technosocial State.

The second project that made a significant impact and also made clearer the transitions that the State was making in imagining the new Public Domains was the 'E-literacy' campaign that was encouraged by the centre and was variously implemented by the various states in different degrees.⁷ The 'E-literacy' programme was an extremely noteworthy change in terms of the State's policies. The State's development policies were triangulated on the ideas of literacy, reform and 'upliftment', focusing on 'rural India' and the 'peasant citizens' who needed to be 'educated' into becoming good citizens who would contribute to the national development. They were also looked upon as the solutions to the various problems of over-population, poverty and unemployment. However, this reformist rhetoric that carried on, in some ways, the colonial-nationalist agenda, underwent a subtle but well-marked change with the liberal economy and the emergence of digital technologies. The digital technologies become significant because the arguments for the new policies were

premised upon the advent of these technologies and the proliferation of the same. The state, instead of focusing on literacy campaigns and establishing schools and other public institutions like libraries, started concentrating on establishing neighbourhood networks across India. There were attempts made at introducing publicly accessible computer kiosks and terminals that offered free or inexpensive services to the population. The buzzword changed from 'Education' to 'Training', where it was suddenly strategically more important to make a large section of the population receptive of and skilled in computer skills. The 'E-literacy' campaign also introduced computer training in elementary schools across India, thus also promoting English as the desired language of communication, education and progress. The focus had clearly shifted from designing five-year 'upliftment' plans to short term but more cost-effective programmes that equipped people with new skills that the global markets demanded. The 'E-literacy' campaign that started in 1998, has, in less than ten years, by the year 2003 had already produced 'India's first e-literate district' – Mallapuram in Kerala, where more than 600,000 families were being trained to be employed directly or indirectly in the IT industry and to start using computers and computerised services in their daily professional and personal lives under the 'Akshaya Project'. As a newspaper report quotes Kunahallykutty, the then IT minister of the State of Kerala, 'By 2006, all fourteen districts of Kerala will have Akshaya centres and the state will be completely e-literate' (*The Hindu* 2006).⁸

The third project is perhaps a culmination of the efforts that the State made in the ten years of IT development and made its first Public appearance as recently as in 2005. The Right To Information Act⁹ (more popularly dubbed the RTI) was one of the largest projects that the State has ever launched in modernising its own apparatus and machineries of governance and administration by which the gargantuan information records stored in hitherto inaccessible and often bureaucratically 'made invisible' data banks were to be digitalised and made available in the Public Domain by any citizen wanting to know it. However, the RTI is not simply an overhauling of the administrative processes. While it did entail a massive infrastructural support, what was interesting about the RTI was that it defined a new Public Commons which seemed to enable, simultaneously, a new way of looking at processes of governance and, more importantly, a site of Public access upon which, through the language of rights, citizenship could be enacted. What we have with the RTI is a shift in the way we understand the relationship between the State and the Citizen.

I want to explore this relationship between the State and the Citizen, as premised on new digital technologies and shaped through the deployment of these technologies and see if they can bring into sharper focus, the way in which the legal or the good citizen is envisioned by the state. I premise my arguments on the idea that there is a certain way in which processes of construction of the State and the Self are so linked together, that the changes in the ways either is produced affects the other. This mutual relationship between the State and the Subjective Self have been contested and re-configured over many years. While Habermas' idea of the participatory Public Sphere and its 'Structural Transformation' which effected a new set of relationships between the State and the Self subject to it, seems to be the more obvious stepping stone at reading my arguments around cyberspatial technologies, the State and the Citizen Subject (Habermas 1989), I prefer to follow a different trajectory, which takes off from Foucault's ideas of technologies of the State and the self. Foucault, in his essay entitled 'Governmentality',¹⁰ narrates the story of the changing nature of Power and looks at the relationship between the King and the Subject. For Foucault, the essential relationship between the King and the Subject was that the King ruled sovereign and had the power to 'make die' (Foucault 1991). This logically meant that the Subject had a dependant relationship where the Subject was alive because the King had not yet 'made die' the Subject. The King had an individual relationship with the Subject where the Subject was treated as himself and in the context of his relationship with the King.

In his subsequent discussions of modernity, Foucault goes on to trace how, with Biopolitics, the new State with its Ideological Apparatus and machinery of governance, relates to the individual as a collective or a representative of his/her species. He explains how, with modernity, the relationship between the State and the Subject is mutually defining where the State justifies its existence through its power of 'Making Live' (Foucault 1978: 140). It is with this power that we have new forms of segregation and containment that come into being. The different modes of collecting data and studying the Subject, like census and surveys for instance, also come into being as a result of this power. The State thus exists to 'make live' the Subject, thereby submitting him/her to a battery of normative regimes through which the Subject becomes a fetishised, idealised Subject. This Subject, while on the one hand is the object of the State's actions, is also the subject to/of the State's discourse.

The Subject is not born but created through different processes of disciplining and punishment that etch the Subject into the State's narrative.¹¹ The State, through the creation of public commons, collective property, commonly shared ways of making meaning and commonly agreed codes of conducts, enables conditions of subjectivity. The citizen enacts his/her subjectivity by subscribing to these sites of commonality. A good/moral/ideal/fetishised citizen would have access to these sites. Conversely, citizens who subscribe to these sites and have access to these sites will automatically embody the ideal posited by the State.

This relationship becomes more acute when you read something like the Right To Information (RTI) Act. The RTI appears on the Indian horizon after about 10 years of rigorous implementing of certain skills and promoting certain technologies. The RTI defines Information in an interesting way:

Information means any material in any form including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force... (RTI 2000)

It now creates a site of commonly owned data and information that would be made available to a citizen who knows how to manipulate and navigate through these particular technologies in order to reach the data. The Information in the pre-digital format was not always available in the Public Domain. It is a question worth asking, why, at a particular point, the State recognised the making available of Information as a means of empowering its Citizens? This aesthetic of visibility and transparency, I would suggest, are borrowed from the digital technologies that the State has been promoting in the construction of the Technosocial Subject and State. There is a subtle way in which Information of the State and the Citizens, who now have access to it, are defined. My reading of the RTI Act hopes to trace how new digital technologies add to the Foucaultian discussion of the relationship between the State and the Subject.

The RTI Act was passed as a way of attaining 'transparency' in the decisions that the state makes for the public good. It is premised on the rhetoric of how knowledge made in the public domain should belong to the public domain and should be available to the Public. However, what it does in effect is describe a particular kind of Public – what I call the Cyber-Public; a Public that has been brought into existence through the different regimes of new digital technologies that came to India with globalisation.¹² The new digital technologies seem to enable a new relationship between the State and the Citizen, where the Citizen is defined as somebody who is given the Right to demand and Possess Information and at the same time performs his/her citizen subjectivity on the site of the RTI. Because of its being embedded in the new digital technologies – the same technologies that were

promoted and proliferated through the 'One House One Computer' and the 'E-literacy' campaigns in the last ten years – while new levels of transparency are introduced in the processes of accessing data which was hitherto existent in the Public Domain but not easily accessible, new barriers of accessing data and information are also created. The RTI presumes a technologically literate (e-literate) citizen who identifies these transparencies as empowerment.¹³ In thus creating this new techno-subjectivity it posits transparency in processes of access as a trope of understanding the relationship between the State and the Citizen. This notion of transparency is something that I attribute to the cyberspatial aesthetic.

Cyberspatial forms necessitate a dispensing of the medium in order to engage in sustained activity within the cyberspace. There is a willing suspension of belief so that the interface becomes a visible entity through which the user can, so to speak, simply pass through (in an Alice in Wonderland sort of an alternative reality) to access what is behind it. While the objects behind the medium are also as elusive and 'non-real', they are believed to be more real than the interface (which is actually physically more 'un-non-real').¹⁴ I use 'Transparency' as a specific trope by which to understand the complex processes of production of the technologised citizen subject. Transparency – a corporate buzzword that seems to be closely linked with 'all things modern' – seems to suggest a way of looking at things clearly, without distortion and thus producing a sacred object that can be looked upon without interference. However, Transparency needs to be read as a double-edged word. While it does indicate an unhindered access to the object behind a barrier (but a barrier nonetheless), it also produces this object which needs to be guarded by the barrier and looked at. It is the looking through the barrier that seems to produce the object. Taking the metaphors of looking and transparency one step further, I argue that Transparency might simultaneously refer to the 'making invisible', not only of the barrier but certain other 'Objects' which might otherwise have to be dealt with in order to access the Object being looked at. To make it simpler, Transparency does not refer only to the making invisible of the medium but also to the making invisible of other obstructions or problematic objects that might otherwise have created irruptions in the seamless act of looking.¹⁵ It makes the process of seeing the things and the medium through which they are seen, invisible, creating new layers of opacity that need to be, for lack of a better word, deconstructed. I talk about this particular form of aesthetic because in the State's adoption of the RTI Act, I read not only the embracing of a certain technology but also the acceptance of an aesthetic built into that technology.

Let me stitch this discussion into a concrete reading. The RTI Act makes sense only within new technologies of digital archival, retrieval and access. It thus defines a new Public Commons which can belong to and conversely possess, a new Public. This new Public is what I call the cyber-public. The RTI Act further uses transparency as a mode of defining the relationship between the State and the Citizen. The Foucaultian description of the State's need and ability to constantly generate data and discourse around the citizens seems to be reversed where the process seems to be made 'transparent.' Transparency seems to suggest that the activities of the state – activities of violation of privacy, of surveillance, of making visible certain kinds of citizenships and subjectivities – can be read as 'fair' or 'just' or necessary because they are made visible. The need to make the 'Information' visible is in direct correlation with the actual act of making certain Citizen Subjects invisible. It would seem that with the RTI Act, the State defines its relationship with the Citizen Subject in its power to 'make visible'.¹⁶ This is to say that the State now grants visibility to only a desired set of population and posits a technologically augmented imagination of the ideal citizen subject. The power of making objects visible through the aesthetic of transparency is imagined to be so powerful that the underbelly of this process of making visible is ignored. The RTI Act, through making the Information and processes visible, renders invisible the technology through which it works. It makes invisible the new barriers of access

and rights that the citizens have and, more importantly, it makes invisible the new power that the State now has to make citizens visible (the citizens belonging to the cyber-publics), and thus, by logical extension, also make certain citizens or groups of citizens invisible (or transparent). It is in this power to render invisible or make transparent, groups or collectives of citizen subjectivities that I find a way of reading the cyberspace and its excesses, its perversities, and its illegalities and explore the creation and emergence of the two figures mentioned at the beginning – the pervert in his cubicle and the terrorist wielding a cellphone.

Internet pornography and the pornographer

The internet in India arrived at a time when pornography and 'obscenity' were already emerging as public concerns. With the rise of e-literacy and the easy availability of computers and internets – personally owned or publicly accessed from cyber cafes – there was also a growing concern about what is being accessed through these technologies. The Right Wing Political Party and its allies were already looking upon the internet as threatening to 'our' culture and corrupting the youth of the nation with its 'foreign' content. India had already witnessed a spate of public interest litigations and law-suits which critiqued the liberal values and individuated processes of globalisation. Most of these resistances came from the political Right Wing. However, some also emerged from within the women's movement as well as the organisations that promoted a certain Gandhian economy and paradigm of modernity. There were riots, demonstrations, strong letters of protest written in newspapers and journals; and almost all of them looked upon the liberating modes of sexual behaviour as a signifier of the post-modernity that India was embracing. It is within a quagmire of moral panic, redefinition of the notions of decency, obscenity and culture that the internet made its presence felt. In May 1997, a national film magazine – *Stardust*, carried a morphed picture of Pooja Bhatt with the title: 'Scoop of the Month: Actresses caught nude in the net.' The first public face of the internet was the possibility of unmoderated, unpoliced pornographic material on the WWW.

The State's initial reactions to the internet were also rooted in technophobia and pathology and a strong desire to police this new space. From attempts at blocking the ports that supply pornographic material to passing laws against the underage use of internet and the public consumption of internet in cyber-cafes,¹⁷ the State has tried and failed to monitor or thwart the proliferation of pornography on the internet. Eventually, unable to predict or control the cyberspaces, the State took a new approach towards the internet and its users. Computers and technology were looked upon as the panacea for curing all the diseases that Development had spawned in India. The policing of these technologies was taken to a new level of 'responsible usage' and 'ethical consumption' of material, thus creating a Subject of internet pornography.¹⁸

The subject of netporn is then an interesting figure. The body in the circuits of internet pornography is not just a desired but also a realised body. The pornographic body is interactive in nature – in fact the pornographic resides in the processes of interaction that constitute cyberspace. The digital body is made of sweat, blood and code – an integral part of the space within which it is defined. Marcos Novak, in his formulation of fluid architecture – something that we now know as information architecture – had talked about the person within a space as a part of the space itself. The person, for that particular instance, becomes a data set, an object, a thing unto itself. The subject of internet pornography becomes one such thing, where the very presence of the subject is crucial to the manifestation of the space that it occupies. Conversely, the subject has no validation outside of that particular space. The subject indeed enters into a state of psychesthesia, where the presence of this particular body identity forces the physical user to change the way they look upon themselves and the

world. The subject – the created body and the physical body – becomes a site upon which the triad of technology, biology and culture can be erected.

It is with such a notion of the subject – in its duality, in the physical and the digital realms, each mapped onto the other – that I shall approach an exploration of the recent MMS (Multi Media Service) videos that had taken the nation by the storm in late 2004.

The Delhi Public School MMS was the first of its kind in India. Two underage teenaged children were recorded in the midst of sexual activities through a mobile phone. Within 24 hours of the recording, the low resolution, 'home made' sex video that lasted for about 5 minutes, had spread faster than a virus across cell phones and internet sites in India. Anybody who had an MMS enabled cellphone had the video clip resting on their phone. Everybody who had internet access searched frantically for this particular video clip. Torrent engines reported furious searching and downloading of the video and the State was at a loss to react to this phenomenon. The video in itself had all the makings of a big headline – underage sex, unsafe sex, 'children' identified by their school uniforms, unauthorised recording, distribution, swapping, exchange and circulation of the sexual act and a stunned apparatus unable to deal with the reality of what had just happened.

While narratives differ, one can put together a story from different fragments available in popular press and other media. The Delhi Public School is a school for the elite urban in South Delhi and caters to a student base that almost entirely belongs to an upper middle class – upper class family cluster. The students speak in English, belong to a globalised consumerist culture, have fancy gadgets as a part of their informal uniform and are looked upon by the students of other schools, as the ideals of all that is cool and 'hap'. Two such students – let us call them, for the sake of convenience, Rahul and Anjali, in their mid-teens, were sexually interested in each other. Rahul, who in popular press has been repeatedly referred to as the 'son of a wealthy man' and Anjali who was painted as 'the honours student' shot themselves on a Mobile Phone camera performing a sexual act. The clip lasted for 2:37 minutes and was originally kept for private consumption. However, Anjali soon 'dumped' Rahul and, in anger, and to demonstrate his conquest, he passed on the MMS (Multi Media Service) clip to his friend – somebody who, throughout the entire controversy, remained anonymous and peripheral. This particular anonymous friend – a nobody who could be anybody – passed on the MMS clip amongst his friends in the school.

Within 24 hours of the passing around, the clip had escaped boundaries and was doing a free round of all the cellphones in the nation. Blogs wrote of it, there were comments on web-rings requesting for the clip, sites dedicated to pornographic consumption quickly put it on for download and the two students got their unwanted share of fame as everybody talked of the 'DPS Dhamaka.' Not to be left behind, the MMS clip soon found a video format and was being sold at Rs. 40 a disc/tape in the grey markets around the country – from Palica Bazaar in Delhi to the National Market in Bangalore. However, the high profile economic market of this particular film clip was when a student, Ravi Raj who studied at the engineering institute – IIT kharagpur, put up the MMS video clip for auction on the famous e-shopping and auction site bazee.com.

Within two days of putting up the clip for auction, on 15 December 2004, Ravi Raj was arrested for possession and selling of a porn video.¹⁹ The students were identified and the minor boy – Rahul, was placed under Judicial custody. The girl, though her face was visible and was identified, was not punished by the law. The State released a directive in Delhi that put a ban on usage of mobile phones in schools for students and staff alike. In the meantime, under the Economic Offence act, Avneesh Bajaj, the CEO of Bazee, the internet site where Ravi Raj had put the objectionable CD for sale, was held and arrested without bail for two days. Bajaj approached the High Court for bail and got it and subsequently, surrounded by huge media support and severe criticism of the law from his peers, got acquitted of the charges. Ravi Raj, who pleaded not-guilty because he had not sold any of the alleged tapes,

had removed the offer for sale from the website and had only an 'incidental possession' of the data, was also acquitted from all criminal charges. Rahul, who was placed in a juvenile delinquent centre was also let off after 'severe warning and counselling' and one of the most sensational cases of digital pornography in India was left in the lurch with nobody to blame for it and no recognisable individual on whose shoulders the law could rest the blame.

The DPS MMS was however only the beginning of a spate of MMS sex scandals that took the public imagination by the storm. The different clips dubbed 'Chandigarh Express', 'Anar Gupta MMS', or the MMS clips that showed look-alikes of Bollywood celebrities like Mallika Sherawat, Riya Sen and Ashmit Patel, etc, had their own market and audience. After a futile attempt at trying to regulate the spate of MMS and inability to deal with the complaints of the people who claimed to be victims of digital pornography, eventually, the High Court, on 1 February, 2005, passed a directive that anybody found in possession of such MMS clip shall be punished by a fine up to Rs. 10,000 and/or imprisonment for up to a year. It is this attempt of the State to create a cyborg-terrorist or a disestablishmentarian citizen as mediated through technology that I shall focus on in this particular section. I am aware of the various dynamics of sex, gender, politics and economics that surround this particular incident, but I shall keep my argument free of it and concentrate on locating the cyborg citizen – an identity that is mediated through technology and recognised by the state – as produced in conflicting conditions of morality and criminality; of transparency and invisibility, as discussed earlier.

While the DPS MMS was indeed 'sexual' in nature and does talk about sexuality recorded on a digital format – the logical extension of entertainment where home videos meet reality TV – those are not the issues that I am going to explore. What is more interesting for me is the reason why such a video would be circulated all around the place and the furore it created in terms of policing, disciplining and punishing. A passing look at the video will show that the quality of the video in itself was 'lo-res'.²⁰ The images were extremely blurred, the shot was jerky and there was neither the finesse nor the aesthetics that corporate-produced pornographic videos include. The video in itself was grainy – like television on a bad weather day – and the actors were not 'performing' for the audience. There was nothing even remotely appealing or different about the video that would distinguish it from the innumerable 'home made' sex videos available on the internet for a free download. Moreover, the way the clip was shot did not follow the patterns of a full frontal cinematic realism (Rajadhyaksha 2003) but a certain hypervisual quality that is associated with manga, anime or even quick action animation. What then, would have inspired the many thousand users to search for, exchange and spread the video amongst their networks? Voyeurism comes as too easy an answer. To place this digital pornographic act in the realm of cinema studies and claim the pleasure it provided in scopophilia or spectatorship would be to overlook the channels of production and distribution as well as containment and disciplining that it evoked.

I would like to propose that the pornographic, as discussed earlier, did not reside in the sexual act that the MMS video captured but in the processes of distribution and interaction that it initiated. A better understanding of this might come from trying to figure out who the subject of this pornography was. At the first glance, the female student looks to be the subject of the video. Caught in performing sexual acts on her male friend, identified because of her face being shown and so obviously the victim, the first hue and cry was about hiding the identity of the female student and in protecting her from the onslaught of moral policing that this video evoked. Steps were taken to preserve her identity, to hide her real name, to dissociate her from the body which became a performative body in the capturing of the video. This was an interesting attempt to turn surveillance into performance and hence a mask that could be easily removed. The non-sexual equivalent of such a trope would be a biometric identification of anybody who enters into an arena of Close Circuit Television.

Unaware of being captured on CCTV, such an individual cannot be claimed as a performer. In fact, the recordings and the images produced by the CCTV are considered as 'factual evidence' in the court of law. The refashioning of the individual because of his/her presence in a condition that allows for it makes them into unwilling or unaware synthesis of technology and selves. I would not claim this as a technosocial status. The presence of an individual in a technology mediated environment or condition of cyborgification does not make them into a technosocial subject. The female student in the MMS video, similarly, cannot be attributed with either the status of a technosocial subject or the privilege of performance. The law too, did not really bother with chastising or punishing the female student.

The male student – the producer of the MMS video was also not the immediate subject of pornography. While his own body was being captured in digital images by himself – something akin to the 24 × 7 webcam performance²¹ sites which have captured cyberspatial imaginations – he was still not identified as the body under inspection. He was expelled by the school and became some kind of an underground hero in the cults on the internet. He was taken in the custody of the state but was eventually released with nothing more than a 'severe warning'. Despite the fact that he produced something that was eventually 'banned and forbidden' by the law; despite the fact that he circulated the video without going through the proper channels of censorship and approval; despite the fact that he was the obvious 'perpetrator' of the act and also cognisant of the act as a performance being captured on video, he was still not the person that the law had to punish or discipline. Because of his young age and his status, a lot of the daily newspapers started blaming the 'society' and the 'class' to which he belonged to for enabling 'young children' into acts such as these. The student was fashioned in a state of psychesthenia, where the guilt of his actions is no longer his own but belongs to the entire space that he is embedded in.

It was an interesting inversion again where there was a constant effort to paint both the students caught on video as sexless, innocent beings who were inspired to engage in sexual acts because they were in a condition where capturing of the act is possible. It was as if the availability of the technology for documenting it was responsible for them engaging in sexual activity. The law too was uncharacteristically sympathetic to their cause and after a brief stern warning allowed them to continue with their lives.

This leads me to seek the body upon which this pornographic act was inscribed. The state inscribed the crime on the body of the consumer. The only persons convicted in the entire case were Avnish Bajaj, the CEO of Baazi.com and Ravi Raj who offered to sell the clip on the particular site. Bajaj was neither the consumer, nor the producer or the actor in the DPS MMS. He simply happened to be in a condition where the state could attribute ownership and hence he was fashioned as a subject who needed to be punished. While Bajaj won the case and was acquitted of all the charges against him, it brings to the fore some interesting questions on how the State imagines the excesses of internet technologies.

There is recognition of cyberspace as producing infinitely uncontrollable conditions of pornography, which can enable, very inexpensively, a huge part of the population, to become pornographers in different roles – as producers, as performers, as consumers. It also makes a departure from traditionally accepted pornography where the role of the producer, performer and the consumer is generally distinct and separate. What we have, in the case of the internet pornographer is the production of a criminality that is enabled by the State and hence potentially available to any citizen of the State; the site of internet pornography and the role of the pornographer become Public Commons upon which the citizen can enact his/her citizenship. It was interesting that in the DPS case as well as the other MMS scandals which followed and hit the headlines (and now have become passé), the State did not attempt to punish or penalise the content. As in other instances, the focus was not on identifying the first point of dissemination or the culpable producer of the MMS clips. The larger public discourse was also around the documentation and distribution of the act rather than

the content of it. The State's interest in internet pornography, then, is not in the sexual content of the material but in the way it sidesteps the State's authorial positions and produces mutable, transmittable and transferable products as well as conditions of illegality and subjectivities.

Cyber terrorism and its discontents

The Indian State does not legally recognise Cyber Terrorism as an entity. The Information Technology Act of 2000 and its subsequent modifications have never defined or recognised terrorism within or with the aid of technology as an independent entity. Most discourses about cyber terrorism in India are inspired by the US-launched 'Global War Against Terrorism' campaigns. The explanations and theories of cyber-terrorism provided by the few, who are trying to understand it, have been cursory and often misleading. They often confuse cyber-crimes and cyber-terrorism and use it as interchangeable categories. I accept the FBI definition of terrorism as

The unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

The Indian Penal Code, identifies two strains of terrorism – one that rises from the outside and is looked upon as 'peacetime equivalent of war activities' and pathologises the Other as something that comes from the outside. However, with its history of internal conflicts and demands for cessation in the North and the North-East India, there is also a clear identification of a different strain of terrorism as arising from 'anti-national' collectives or individuals within the country. While the identification differs in identifying the source of terrorism, it is strictly defined as an act of defiance against Nation or National Interest.²²

In spite of these, the dominant discourse on Cyber Terrorism in India seems to focus around acts that inspire terror (as against terrorist attacks or acts of terrorism against the state) and hence they revolve around questions of privacy and theft, of ownership and possession, of crackers and spammers. While it is possible to read their understanding of Cyber Terrorism as against the backdrop of a Global Cyber Nation, it becomes a fruitless exercise for my project which is located within a particular geo-political and spatio-temporal idea of the nation. I find it extremely difficult to talk about an America-fuelled figure of the Global Terrorist or International Cyber Terrorism. I also find it equally incomprehensible to talk of cyber-crimes in the language and rhetoric of Terrorism, which has its own history and narrative in the context of India.²³ Hence, I am going to look upon Cyber Terrorism only as within the context of India and as defined by the only body that can define terrorism – the Nation State. I am, hence, going to look at three instances which the State defined as moments of terrorism augmented and/or aided by cyberspatial technologies and further read in them the futility of regulation and the State's positing of the cyber terrorist as a potential figure rather than a specific one.

The story of cyber-terrorism: terrorism augmented by, facilitated by, organised or coordinated by the use of cyberspatial technologies in India, starts with the Indian Government putting a ban on a small and insignificantly represented collective of people from the North Eastern State of Meghalaya, who had formed a small discussion group and mailing list on the Yahoo! Groups services offered by the Yahoo! Domain.²⁴ In 2003, invoking the IT Act of 2000, the Indian State passed a directive that this particular group should not be given access to citizens accessing cyberspaces from India. Under this directive, the Indian Computer Emergency Response Team (CERT-IN) issued orders to more than 400 Indian Internet Service Providers (ISPs) to block access to the discussions of the group. The reason cited by the state sources, was that the group 'contained material against the Government of

India and the State Government of Meghalaya.' The ISPs, who did not have the technical know-how of blocking just one particular group, blocked all of Yahoo! Domains and servers, thus creating a massive unprecedented blockage of services that Yahoo! provided freely to consumers in India. This massive shut down resulted in a huge hue and cry from the users and theorists of internet technologies in India. Adding to this fuel was the fact that Yahoo! whose servers are hosted in North America, declined to remove the user created content from the website, citing freedom of speech and expression as their justification for doing the same. This decision of the State came under severe criticism and protest from different standpoints. The first and the most obvious critique came from the State's unwarranted interest in regulating and censoring the 'free utopian space' that cyberspaces had come to occupy in the imaginations of the Public. However, the State authorities refused to see it as an infringement on the freedom of speech and expression rights and looked upon their intervention as a 'balanced flow of information' and 'not censorship'.

The IT Act of 2000 had never been invoked before for blocking any sites, even when they contained material that was not permissible by law to be accessed by citizens – material containing pornography, obscenity, slander, racialism, communalism, etc. Once the State recognised the futility of the ban, after 48 hours of blocking all Yahoo! services, the ban was lifted and all the activities were resumed as before. When the blocked group came back to access points, the people who had been up at arms around the obvious censorship were left bewildered. The group that had been banned by the State turned out to be a group with about 25 members who had posted less than 20 messages on the group. The messages were all 'fair and square' public criticism of the Meghalaya government, its corruption, its false promises and squandering of public wealth for personal interests of the people in power, and the bad treatment meted out to some of the minority tribes and communities in the state of Meghalaya; all in all it was bad yellow journalism meets gossip and discussion, the kind that happens in a Sunday café over coffee and smokes with friends. There was nothing 'revolutionary', 'anti-national' or even remotely 'unpatriotic' about the discussions documented on the group. The ban and the subsequent protests seemed to be an exaggerated parody; a song and dance about a damp squib instead of the fireworks that it had been imagined to be.

Once the shock of this revelation receded, the protesting people and the theorising publics were left with some inexplicable questions: why did the State, which otherwise seems to be promoting internet technologies and cyberspatial forms as the panacea for curing national problems and painting it as the new utopia of public expression and networking, suddenly take a step which worked counter-intuitively to the entire process? Why did such a small group that was so insignificant that it would have died its own natural e-death due to lack of participation and traffic, become the rallying point for the State to assert its presence in cyberspaces and pathologise certain conditions of cyberspatial interaction as potentially destabilising and threatening? If the State did not intend to punish anybody for what it claimed to be 'anti-national terrorist activities', why did it go through the entire process of implementing the ban and catapulting the otherwise insignificant group into such public attention? The initial response to these questions was that of 'teething trouble.' It was jocularly passed off as a mistake done by authorities who were unable to understand either the nature of the problem or the solution to it; older generation users who transferred their technophobia on to the contents found within the technologised discussion groups.

However, this easy waving away of the questions only intensified when the next act of the cyberspace censorship and regulation drama began. The plot of the play actually predates the Yahoo! Groups story but it reaches a climax only recently. Hinduunity.org, which, though it is based and run from the USA, is the official website of the Bajrang Dal – a right-wing political party subsidiary which does not contest in elections but indulges

heavily in some dictatorial electoral politics. The Hindu Unity site breeds anti-Muslim Hate speech, some innovative interpretations of the Quran and a notorious 'hit-list' of people who it considers as anti-Hindus. The hit-list is a long list of people to be 'inhumed' for their anti-Hindu sentiments and promotion of corruption in structures of Hinduism.

In 2001, the site was shut down when Addr.com received complaints, in spite of Rohit Vyasmaan's (the then owner of the site) repeated insistence that his site did not promote or endorse violence. The site was later resurrected by Rabbi Meir's Kahane group, a banned Zionist organisation in the USA. Hinduunity in its new avatar, advocates 'Hindu militancy' on its site and takes a very strong political stance in anti-Palestine causes. Hence, it is naturally blocked in many Middle Eastern Countries.

Hinduunity.org was in vogue in India till 2004, when it started calling Atal Bihari Vajapayee, the then prime minister and the head of the National Defence Alliance, the political party in rule in India, some very unflattering names for his 'post-secularism bug.' It was subsequently banned and blocked from Indian ISPs and disappeared without a trace. However, in July 2006, when the State identified a SIMI (Student's Islamic Movement of India – a group that proclaims the 'liberation of India through Islam') blog on the domain blogspot.com, endorsing bomb blasts in public trains and spaces in Mumbai and other parts of India, the DoT sent another list of sites to be blocked from the Indian ISPs and Hinduunity.org, a blocked site was on the top of the list. While there was indeed a furore about the blocking of blogspot.com, one of the most famous individual and personal free blogging sites among bloggers in India, there was also a sniggering at blocking a site that was already blocked.

However, the maximum amount of indignation and shock was at the State's repetition of an earlier mistake. For two days, the blogspot.com domain remained inaccessible to most of the users. Popular media and internet discussions had a field day criticising the State for once again trying to establish a totalitarian regime and control over information and the right of expression. Cyber gurus and geeks of course immediately came up with alternatives to bypass the block and by the end of the first day of the blocking, more people knew of ways to bypass the State's block and access 'sites of illegality' which, they had no 'right' to, as citizens. When the State realised the futility of its actions and probably the 'error of its ways', it lifted the ban on blogspot.com but brought back into sharp focus, the way it has been blocking several websites without public knowledge, so that, as prolific blogger, activist and student, Shivam Vij²⁵ points out, if you come across a 404 error while accessing pages from India, chances are that it means "404 Error. These pages are not meant for you" (Vij 2006). On a cursory level, this does seem to be laughable – the attempts of a pre-technological, un-technical State and its authorities carrying out a series of bloopers to public wrath and subsequent entertainment. However, it is necessary to realise that just because these incidents did not lead to arrests or punishments of any sorts, does not make them any less grievous. While the bans and the need to censor and control on the cyberspace might not have led to immediate identification of a single victim who might have suffered, it has not always been the case.

Shuddhabrata Sengupta, a new media practitioner in New Delhi, gives an extremely interesting and a largely alarming reading of these attempts at censorship and containment. He looks upon these efforts as a part of the State's larger repressive apparatus that constantly shapes the citizen subject in a condition of extreme surveillance and threat. Sengupta describes the body of the citizen subject as a site for the State to assert its power to make visible and invisible, as the subject gets sorted as data types which replace his/her body and render it into a condition where the State can make it invisible.

Thousands of people routinely disappear in India...The video tape, the hidden microphone, the intercepted phone call, the thumb impression, the signature, the blood sample, the

photograph, the forged confession and the overheard conversation are as effective as weapons, prisons and instruments of torture. Information and secrecy can be used to incriminate, imprison and terrify far more economically than the heavy hand of coercion and violence. People are kept under control with the implied threat of violence. (Sengupta 2003)

He further goes on to describe the State's surveillance apparatus as not only inspiring the 'terror of the surveilled' but also producing conditions within which the 'surveilled' becomes a potential terrorist. While Sengupta's interest lies more in looking at the history of surveillance and subsequently reading the increased surveillance practices in the city of New Delhi as symptomatic of a modernist apocalypse, I find his mapping of the relationship between surveillance technologies, especially cheap digital technologies, and the construction of the citizen subject fairly useful to strengthen my reading of the state's presence in the internet pornography and the cyber terrorism cases discussed earlier. In particular, Sengupta looks at the case of SAR Gilani and how the figure of the terrorist was constructed by placing the subject in technologised conditions.

SAR Gilani was a professor of Arabic literature at the Delhi University. He also happened to be a Kashmiri Muslim. After 'terrorist' attacks on the Indian Parliament in 2002, Gilani, through a series of deliberate mistranslations and a reconstruction of technologised subjectivity, was awarded a death sentence at the end of the first phase of his trial. The Prosecution, as evidence provided grossly mistranslated conversations between SAR Gilani and his brother in Kashmir as proof of SAR Gilani's being a terrorist. The argument was based, not on solid content or proof but in the fact that the digital networks of the cell-phones allowed the police to verify and present the possession of the cellphone, the record of the phone call and a (mis)translation of the conversation as conditions of terrorism, so strong that in a severe breach of justice, SAR Gilani was sentenced to death. While SAR Gilani currently awaits the trial of his appeals at higher courts, another strange tangent came into being.

Iftikhar Gilani, who is a Muslim journalist based in Delhi and has absolutely no connections whatsoever, to SAR Gilani, was arrested, following a police raid at his house. Iftikhar Gilani was arrested under the Official Secrets Act and the arrest was televised on all major television networks as a 'breakthrough.' As Sengupta very wryly mentions,

Outside the prison walls, a trial by media took place: every official press release about the case was faithfully printed. The charges against Gilani were based on a raid on his house and a search of his computer, which was said to yield 'classified' documents. These documents included research articles from an online journal freely available in print form at university libraries in Delhi... In a peculiarly Kafkaesque travesty of justice, Iftikhar Gilani was accused of being a 'separatist sympathiser because of the presence of these documents in his computer'. (Sengupta 2003)

It is almost stupendous, the power of fantasy and terrorism that the State seems to have invested in the new digital and cyberspatial technologies. In both these cases, the State was able to classify these two extremely inoffensive, respectable, educated, middle class professionals with a wide social network and support system, as potential terrorists who threatened the national safety and security. Interestingly enough, there was never more than incidental evidence in either of the cases. It was in fact a series of very vindictive communal violences carried out by the State authorities by invoking certain ambiguous laws and appropriating a vanguard's position in order to justify their failure at actually containing or chastising the situation of hyper-terror that had been created in the city. What was of interest was that in both the cases, the rhetoric and the argument, the evidence and the trial, were all premised upon certain technological conditions rather than the content of the evidence. It was repeatedly made clear that the availability of technological forms of interaction and communication which can bypass the otherwise plugged in ears of the State, was

necessarily a condition of being anti-state. In these two cases, we suddenly find that anybody who introduces him/herself in these conditions of technology that the State on the one hand promotes so heavily and on the other seeks to contain and censor so vehemently, becomes a potential terrorist who, because of his/her presence in the technologised condition, might subsequently be constructed as a terrorist and punished. The reconstruction of the cyber-terrorist makes potential cyborg figures out of all of us who leave physical and digital imprints in the matrices created by mobile and transmitting cyberspatial forms.

The cyborg citizen

There have been many conceptions of the Cyborg Citizen. Most of them deal with questions of biotechnology like cloning and designer babies (Turkle 2000; Balsamo 1996), or the socio-economic orders created by new technological forms (Escobar 1994; Rheingold 2000). The cyborgification of the citizens is looked upon as a willing and voluntary state of being – the high individualism of Western traditions of understanding citizenship, allows for the notion of an informed rational citizen who participates in processes of becoming a cyborg. This allows for Kevin Warwick to then announce in his autobiography *I, Cyborg* that he is the first living human cyborg (Warwick 2000). In many similar discourses, different practitioners and subjects of cyborg experiments have also talked about the synthesis of biology and technology in order to become cyborgs. The Becoming of the cyborgs is seen as a scientific experiment – detached from the sphere of our realities and contained within a hypothetical environment; sterile and uninterrupted. The only actors that are thought of as involved in the project are the scientists and the subjects – often the two are the same. As a reaction to such a controlled idea of the cyborg, many proponents of Everyday Cyborgs started to talk about cyborgs as present everywhere. David Bell and Barbara Kennedy in their introduction to *The Cybercultures Reader* suggest,

Taking Viagra, or [engagement] with a pacemaker, or riding a bike, or withdrawing cash from an ATM, or acting out their fantasies as Lara Croft in the latest Tomb Raider game or as a Nato bomber pilot blitzing Kosovo, or anyone watching footage from Kosovo live on the late-night news... (Bell and Kennedy 2000: ix)

Even in the very recent work by Andy Clark, where he draws from Artificial Intelligence to posit the model of the *Natural Born Cyborg*, the cyborg seems to be a part of a small independent system with no external connections (Clark 2003).

When the Cyborg Citizen is talked about – a cyborg who is also a part of the larger network of everyday practices and embroiled in the crucial mechanics of urban survival, it is with a sense of paranoia and alarm. The State, when it does feature in the discourse, appears as the central power, especially in Western discourse, as an omnipotent omniscient body that contains the new technologically augmented citizen identities through heavy regulation and censorship. The State is not seen as a player in the construction of the Cyborg identity but only an outsider who tries to contain these new forms of practices that seem to have irrupted outside of the knowledge or the practices of the state. The State has no materiality in Cyborg discourse of any sort. This also allows for a certain strain of Utopic positing of the cyborg as an ontologically new subject position rather than tracing cyborgification to earlier technologies and looking at how new digital technologies change the relationship between the State and the Cyborg Citizen.

However, in the case of India (and in most third world Asian countries, I suspect), the relationship that a Cyborg Citizen has with the State is complex. The production of the Cyborg Citizen seems to be on a dual trope of idealisation and criminalisation. The State, in the context of India at least, is an active though often befuddled player in the making of the Cyborg Citizen. However, it is in the nature of the State to recognise the 'Criminal' (what

Ravi Sundaram [2001], would call 'non-legal') potentials of the very technologies through which it tries to institute this relationship. This essay was an attempt to map the ambiguities, the dilemmas and the questions that arise when Citizens become Subjects, not only to the State but also to the technologies of the State.

Notes

1. This paper is indebted to many people for their academic and personal support and help. I would specially like to thank S.V. Srinivas and Ashish Rajadhyaksha who have heard me speak ad nauseum about these questions. I would also like to thank the English Department and the Centre for the study of Sexualities at the National Central University, Taiwan, where this paper was first written in my six month stay as a visiting scholar and also presented there. Special thanks to Josephine Ho, Amie Parry and Nai-fei Ding for all their advice and help; and to Chen Kuan-Hsing for his help with my PhD project from the very beginning.
2. This paper concentrates on the first two instances of illegal identities – the internet pornographer and the cyber-terrorist. Cyber piracy has a story that moves significantly different to the stories of internet pornography and terrorism and requires an exhaustive account of its own. Ravi Sundaram's work on 'Uncanny Networks' (Sundaram 2004) and Laurence Liang's formulations on piracy and the circuits of flow are recommended for those more interested in the issue (Liang 2005).
3. I use the term Hacker as a very political choice. I use it to talk about a set of techno geeks who are an integral part of the development of digital technologies and who, in turn, have inextricably internalized the technologies as modes of understanding and narrating their selves.
4. The story of Coke in India is fascinating. Coca-Cola, the world's largest cola drink was available in India till the 1960s and was emblematic of a certain Western modernity and urbanism in Indian cinema and art. However, following the closed market policy, Coca-Cola disappeared from the Indian markets, only to reappear after almost 30 years when the Indian economy adopted the free market structure. Coke once again became the brand that skipped a generation to arrive as the new sign of modernity and progress. The reappearance of Coke in the Indian markets was a sign of a new way of living and critiques of the State's economic policies and globalization have often revolved around this particular phenomenon.
5. The project in its implementation was later modified to become the 'One village, One computer' programme for various parts of rural India. The impacts of these programmes were quick to appear on the national public consciousness as different processes of information sharing and dissemination were put into practice for the development of rural India. The way the rural India was imagined to be a part of the global circuits has its own dramatic stories. An illustrative report can be found at <http://www.indiatogether.org/2004/jun/wom-onevill.htm>.
6. CDAC, an academic body that was founded on the Open Source initiatives as they trickled from the web, eventually failed and became a semi-academic semi-commercial entity which, after ten years of existence, still has nothing significant to mark its presence in India. The most noteworthy effort on the part of CDAC was to provide Multilanguage support for the internet browser Mozilla Firefox in 2005. However, this effort has met with severe criticism because the language supports do not take into account the cultural contexts within which the languages emerge. The translations are non-intuitive and forced. The User Interface is still alien and is not particularly useful to the users. If anything, the venture only reinforces the need to know English in order to participate within cyberspaces. Sarai, the new media initiative in New Delhi, has a much more integrated and nuanced, sensitive programme for creating alternative modes of learning technologies, called The Ankur/Sarai Cybermohalla project. More details about the project are available at <http://www.sarai.net/cybermohalla/cybermohalla.htm>.
7. There were many non-State promoted initiatives and programmes to implement 'indigenous computer learning' and dissemination of computer skills. Sugata Mitra in collaboration with the computer teaching giant NIIT, implemented the 'Hole in the Wall' programme in 1999 and has subsequently been invited to Cambodia and South Africa to repeat the 'success' he has had in India. Mitra is only one of the many who started various such initiatives in India. A detailed newspaper report on Mitra's efforts can be found at <http://www.csmonitor.com/2006/0601/p13s02-legn.html>.
8. For a detailed report on the investment by the State and the setting up of the infrastructure, refer to <http://us.rediff.com/money/2003/nov/05kerala.htm>. The Kerala state government also started installing computers in prisons to train prison inmates with the manual skills required to run computers as part of their future rehabilitation programmes.

9. The entire RTI has been explained in detail from its processes to its structure at <http://righttoinformation.gov.in/>.
10. While Foucault has severally discussed the hermeneutics of the relationship between the State and the Subject and in fact, does introduce the idea of 'Making Live' and 'Making Die' for the first time in *Care of the Self* (Foucault 1986), I find his ideas at their clearest in 'Governmentality' and the subsequent essays that follow in the anthologized collection.
11. The Subject is the subject and the object of the State's discourse. The Subject indeed, as Foucault argues, becomes displaced by the discourse itself and has to be excavated (Foucault 1986).
12. I make a very clear departure from the popular usage of Cyber-Public in Cybercultures theory. Most references to Cyber-Public talk about the constitution of a 'new social order' within the digital networks. In a few disciplines, where the theorists document the overflow or causal effects of cyberspaces, they deploy a cyber-public to talk of the direct users of cyberspace; people who narrate themselves using cyberspatial forms and technologies. I am looking at the production of Cyber-Public as more a sphere of active governmental and personal politics that might resemble the early nineteenth century public spheres that were mobilized and were predicated upon the Print Industry.
13. These barriers are already visible in the e-governance handbook that the Centre for Development and Technology (CDT) in India has developed for the Indian State. While the initial introduction puts a cautionary note: 'E-government is not a panacea. Although it can facilitate change and create new, more efficient administrative processes, e-government will not solve all problems of corruption and inefficiency, nor will it overcome all barriers to civic engagement. Moreover, e-government does not happen just because a government buys more computers and puts up a website. While online service delivery can be more efficient and less costly than other channels, cost savings and service improvements are not automatic. E-government is a process that requires planning, sustained dedication of resources and political will.' The entire E-governance handbook can be accessed at <http://www.cdt.org/egov/handbook/>.
14. The questions of reality and fantasy, reality and escape, reality and virtuality, have haunted cybercultures studies since its beginning. Different theorists have variously tried to make sense of this binary. I have demonstrated elsewhere that I do not intend to perpetuate these schisms or posit any binaries. I look upon the cyberspace as constitutive of a certain reality and a part of the larger experiences that make up the Real. I use the terms non-real and un-non-real only to distinguish between the experiences within cyberspace. I use these categories simply as a means of identifying different levels of experiences and do not refer to any hierarchical understanding of reality.
15. I first encountered 'Transparency' in my research on how physical spaces like the City, for instance, are being reconfigured to match the imaginations fuelled by IT dreams. The State has carried on a series of violences and 'making invisible' literally, of thousands of citizens who did not easily fit into the globalised imaginings of IT cities or Mega Cities.
16. Take, for instance, the Gujarat State Government's initiatives to create a G2C – Government to Citizen – programme as a part of its e-governance initiatives. Initial information about the Gujarat Government's e-governance programmes and the way it envisions itself and the citizens can be obtained at <http://dst.gujarat.gov.in/egovnanace.htm>.
17. In many Indian states, the cybercafés still demand a photo identity proof of age before allowing the users to access the net. In a recent discussion in the Indian parliament about the access to pornography in public spaces, the concerned minister declared that they are encouraging cybercafés to do away with private cubicles and display panels, thus not giving privacy to the users.
18. I argue elsewhere that it is necessary to make a distinction between pornography on the internet and internet pornography. While pornography on the internet refers to the easy availability and proliferation of different forms of pornography – written erotica, photographs, moving images, anime, manga, etc; internet pornography refers to a particular form of pornography shaped by the technologies of the internet. Internet pornography exploits the characteristics of the technologies it is shaped by and becomes a unique form where the sexual in the pornographic is incidental. I further argue that it is in the very nature of interactive cyberspaces to be pornographic in nature and demonstrate through an analysis of blogs, how, the pornographic pleasure principle serves as a trope of understanding interactive cyberspaces. A copy of the paper can be found online at <http://www.cut-up.com/news/detail.php?sid=413>.
19. India had already established the first charter of the Information Technologies Act in 2000 which specifically addressed the question of publication and/or transmission of 'pornographic' material. The Section 67 of Chapter 11 of the IT ACT 2000 states: 'Whoever publishes or transmits or causes to be published in the electronic form, any material which is lascivious or appeals to the prurient interest or if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant

- circumstances, to read, see or hear the matter contained or embodied in it, shall be punished on first conviction with imprisonment of either description for a term which may extend to five years and with fine which may extend to one lakh rupees and in the event of a second or subsequent conviction with imprisonment of either description for a term which may extend to ten years and also with fine which may extend to two lakh rupees.' Further changes were made in this act following the DPS MMS case, which also made it a criminal liability to 'own' such material, even if it is without consent or knowledge of the person in possession of it.
20. Low Resolution is one of the distinguishing features of digital products produced for quick circulation and distribution over the internet. High compression and a regard for the thing itself rather than the quality of the thing are a part of internet distribution. This also facilitates the easy and quick piracy on the internet.
 21. JenniCam, the first website which allowed users to view the life of Jennifer Kaye Ringley without filtering the contents and exhibiting the owner/subject/object of the site, Jennifer in different sections of her 'private' life, ran for seven years from April 1996 to December 2003, when she finally shut it down. JenniCam was one of the first websites that exploited the characteristics of cyberspatial technologies and explored the boundaries between 'non-criminal exhibitionism and commercial photography.' The www now teems with thousands of sites which have parodic or evocative relationship with JenniCam. More information on JenniCam can be obtained at <http://en.wikipedia.org/wiki/JenniCam>.
 22. The narrative of communal violence and carnage is often also stitched upon these narratives of terrorism. However, that is a trajectory that needs special discussion and is not in the immediate gambit of this project.
 23. The Indian Independence Revolt is historically marked as beginning with the Revolt of 1857, which was dubbed as the 'Mutiny of 1857' by the British colonisers. Similarly, a large number of national freedom fighters and figureheads of the Indian Independence Movement were listed as terrorists in Anglicised histories and textbooks. It has taken a long time to re-claim these figures and acts as acts of Independence and martyrdom. Similar more obvious problems crop up while talking of a global terrorist. It brings into question, otherwise ambiguous positions of power, as one starts looking at who defines terrorism and against whom 'terrorist activities' are perpetuated. India's conflicted history with Pakistan has produced a nationalist discourse on terrorism, which is now further read in acts of terrorism as augmented by technologies. It is clearer to define the State as the legitimizing body of defining terrorism and focusing on particular instances where the State has interacted with technologies in order to control/contain/chastise actions or individuals that it deemed as threatening.
 24. The story was reported in two of the major news dissemination services in India, in great detail. The initial reports of the bans can be obtained at <http://www.hindu.com/2003/09/23/stories/2003092312761100.htm> and at <http://www.rediff.com/netguide/2003/sep/23yahoo.htm> where the newspaper reports have been subsequently archived.
 25. Shivam Vij is one of the most popular bloggers documenting the growth and advent of new technologies in India. His blog, entitled 'National Highway' can be accessed at <http://www.shivamvij.com/>.

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