

Mirosław Lakomy, Lilianna Lakomy

The future of the Internet – a pessimistic scenario

KEY WORDS

dystopia, PRISM, balkanization, panoptization, democracy 2.0

ABSTRACT

The communist regime, based on repressions, was shut down in 1989. The very same moment opened new possibilities for freedom, democracy and pluralism. Political and economic transformation after 1989 was accompanied by the birth of the 1st-generation Internet, an innovatory medium. Its original character was based on the hypertext and WWW technologies, allowing new forms of freedom of expression. Later on, however, globalization processes changed the nature of the Internet. At the end of the first decade of the 21st century, such pro-libertarian features of the Internet became problematic not only for the authoritarian but also democratic states. In this context, the evolution of the 2nd generation Internet became unsettled by its dystopia.

The idea of freedom as the foundation of the Internet

Poland suffered the loss of freedom many times, living under despotic regimes. Therefore, we are particularly entitled to guard it. Among many works referring to the notion of liberty, it is worth paying a particular attention to the anthology by Leszek Balcerowicz, titled *Discovering freedom: Against the enslavement of minds*. Inside we can find many essays dedicated to this issue. The author calls to make a distinction between the freedom of an individual and the freedom of a society or nation. “In the latter case we are discussing independence”¹. Freedom is commonly conceived as the opposite of slavery. According to Friedrich A. von Hayek, this approach has been observed since the ancient times. “In Greece people were divided into two groups of clearly different status: the free and the slaves”². Slavery was not crushed until Abraham Lincoln, who began by issuing the Emancipation Proclamation of 1 January 1863. This problem was effectively eliminated by the Congress of the United States by adding the 13th Amendment to the United States Constitution. It stipulated that “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any

¹ L. Balcerowicz, *Odkrywając wolność: Przeciw zniewoleniu umysłów*, [Discovering freedom: Against the enslavement of minds], Warszawa 2012, p. 16.

² *Ibidem*, p. 16.

place subject to their jurisdiction. Congress shall have power to enforce this article by appropriate legislation”³.

Currently we can say then that in different political systems people enjoy more or less liberty, which the state limits to a varying extent. Therefore, what is freedom and what is its range? In its broadest meaning, we may distinguish the following aspects of freedom: personal freedom, freedom of speech and the media, civil freedom, political freedom, economic freedom. There is also the so-called presumption of freedom, which means that whatever is not forbidden is permitted. In Balcerowicz’s opinion, “this proposition is founded on the assumption that freedom is a fundamental value in two senses: a) it is a value in itself, corresponding to the human nature and dignity; b) it is an instrumental value, as its wide range is beneficial for people. It enables intellectual explorations and—as a result—discoveries and innovations (which was particularly stressed by John Stuart Mill); provides wide opportunities to use various talents; makes it possible to use the practically important knowledge, which is inevitably dispersed in the society and so cannot be centralized”⁴. Freedom understood this way is close to the thought of Gabriel Tarde, a French scholar, who in his works focused on the mechanism of creating novelty. Tarde reached a conclusion that the precondition of innovativeness is not competition but rather cooperation, a peculiar kind of the latter called *coopération inter-cérébrale*, that is, resulting from the meeting of brains. It is these relations between brains that form the basis of social communication in the times of hyperinnovation⁵. Such an approach provides the basis for the modern Internet using the unlimited capabilities of the trust of human brains joined into a network⁶.

The development of the global Internet in the second half of the 20th century led to the emergence of a freedom space above state authorities. According to Manuel Castells, “[p]ower is the relational capacity that enables a social actor to influence asymmetrically the decisions of other social actor(s) in ways that favour the empowered actor’s will, interests, and values. Power is exercised by means of coercion (or the possibility of it) [...]”⁷. In these circumstances, state as a territorial entity has the right to enforce obedience of its citizens. However, in the virtual world these same citizens remain beyond the jurisdiction of the state. What we observe is the duality of civil nature: real and virtual, limited by the local law and

³ The U.S. Constitution, 13th Amendment, <http://www.law.cornell.edu/constitution/amendmentxiii> [accessed: 29 Jun 2014].

⁴ L. Balcerowicz, *Odkrywając wolność...*, p. 28.

⁵ E. Bendyk, *Kapitalizm jako kooperacja mózgowa* [Capitalism as brain cooperation], „Niezbędnik inteligenta/Polityka” 2008, No. 25, p. 16.

⁶ Cf.: M. Lakomy, *Internet kognitywny* [The cognitive Internet], “Horyzonty wychowania” 2011, No. 10, pp. 208–218.

⁷ M. Castells, *Communication power*, Oxford–New York 2009, p. 10.

completely free and anonymous. Global network is thus conducive to all forms of freedom as well as social resistance. This observation is confirmed by Ulrich Beck, who notices that globalization led to the redefinition of the traditional limitations on state power: “if we think through all possible consequences of globalization, we conclude that social sciences have to be established anew as sciences about trans-national reality [...]. Consequently, it means that such basic notions as household, family, democracy, power, state, economy, commonness, politics [freedom—author’s note] have to be taken out of the framework of methodological nationalism and redefined within those of cosmopolitanism”⁸. In this matter Jürgen Habermas believes that also “the process of democratic legitimacy, as the Constitution [...] is national and the sources of power [and freedom—author’s note] are increasingly constructed in the supranatural sphere”⁹. The experiences which converged in 2011 (*Annus Horribilis*), commonly known as the Arab Spring, proved that the web is the freedom space where mobilization on an unprecedented scale is possible. Thus the global network was defined as a threat to state power, a bastion against power which has to be opposed overtly and covertly.

The evolution of the Internet as the freedom space

The birth and evolution of the Internet are a combination of many political, social, technological, and business factors, which began in mid-20th century. According to Castells, it is “the unlikely formula: big science, military research, and the culture of freedom”¹⁰, as well as the American protectionism policy. This medium developed in two stages: pre-modern, characterized by emerging from entropy through self-evolution supported by the United States, and modern, which is the story of the birth and evolution of the World Wide Web in two phases, so far, dubbed and popularized by Tim O’Reilly as follows:

- 1st-generation Internet, or Web 1.0, in the years 1990–2001,
- 2nd-generation Internet, Web 2.0, dated from the establishment of Wikipedia in January 2001¹¹.

⁸ B. Ulrich, *Władza i przeciwładza w epoce globalnej: Nowa ekonomia polityki światowej* [Power in the global age], Warszawa 2005, p. 84.

⁹ M. Castells, *Communication...*, p. 17.

¹⁰ M. Castells, *Internet galaxy*, Oxford–New York 2001, p. 17. Polish edition: *Galaktyka Internetu*, Poznań 2003, p. 28; L. Porębski, *Elektroniczne oblicze polityki: Demokracja, państwo, instytucje polityczne w okresie rewolucji informacyjnej* [The electronic face of politics: Democracy, state, political institutions in the period of the information revolution], Kraków 2001, pp. 17–22.

¹¹ T. O’Reilly, *What is Web 2.0*, <http://oreilly.com/web2/archive/what-is-web-20.html> [accessed: 28 Mar 2013]. Cf.: Y. Benkler, *The Wealth of Networks: How Social Media Production Transforms Markets and Freedom*, Yale 2007.

The 1960s are, on one hand, was the height of the Cold War waged between the United States and the Soviet Union, which led to the hot Vietnam War. On the other hand, it is the period that hatched the anti-war social movements supported by the media, involved in social protests and aimed against the US administration. It is the period of the protests of the American blacks led by Martin Luther King in their struggle for freedom and equal rights. At the same time, there were important developments in the American culture, reflected in the emergence of the hippie and yuppie subcultures, which originated in part from Woodstock and in part from the Stanford Graduate School of Business and Silicon Valley. According to Andrew Keen, a virtual social class was formed then and the so-called FOO Camp¹², that is, the place where the counter-culture of the 1960s met the free market of the 1980s and the technophilia of the 1990s. “[...] what Tim O’Reilly called Web 2.0, really was going to change everything. [...] the dream of a fully networked, always-connected society was finally going to be realized. There was one word on every FOO Camper’s lips [...]. That word was »democratization«”¹³.

In the evolution of the global network, freedom was the fundamental value. The web created a parallel, virtual world, another dimension, where the rules of the material world did not hold. According to Andrzej Adamski, “the reality of the Internet long remained outside the scope of law. It was not always possible to transfer the clauses regulating the real world to the virtual one; in addition, there were (and still are) many advocates of the exclusion of cyberspace from any legal regulation whatsoever”¹⁴. The hippie counter-culture brought the permission to avoid the still current rules of social coexistence. The neo-tribal relationships between the web users were characterized by the peculiar hippie communism. These years brought about the conviction that everything that is available in the network belongs to the interneters. This may explain the boom of whistle-blower media (the Wikileaks issue) and civic journalism, whose paramount idea is hacking the politics. This approach to freedom is at odds with the intellectual property rights and constitutes nowadays one of the most important fronts in the struggle for the Internet. It is also the source of a peculiar downward spiral of trivialized internet discourse. As by Gresham’s (Copernicus) Law, “bad content drives out good”.

¹² FOO as in *Friends of O’Reilly*.

¹³ A. Keen, *The cult of the amateur: How today’s Internet is killing our culture*, New York: Doubleday 2007, p. 13–14.

¹⁴ A. Adamski, *Media w analogowym i cyfrowym świecie: Wpływ cyfrowej rewolucji na rekonfigurację komunikacji społecznej* [Media in the analog and digital world: How the digital revolution affected the reconfiguration of social communication], Warszawa 2012, p. 58.

At the turn of the 1990s the modern period begins, characterized by the growing social awareness of the Internet as the space of freedom and cyber-activism. Therefore, we can observe as various entities take actions aimed at the colonization of this medium. There are many examples of the rise of web tribes, which were treated instrumentally in the mass media times. This phenomenon was the evidence that the Internet may be a threat to the political actors' *status quo*. The evolution of the Internet as the essential medium of present-day communication, as not simply an instrument to convey content but also an interactive, polyphonic platform for open debates, enriched the model of democracy known so far with both new tools and new social groups involved in democratic processes. Democracy 2.0 is thus a phenomenon involving the increased significance of the new media as a platform of political interaction both from the perspective of the political elites and the individuals and groups as part of the (netizen) society. The idea of Democracy 2.0 is based on two pillars. The first of them is the use of Web 2.0 tools by the governed. In this approach, the *demos* consists of the network citizens, or "netizens", who use the new media as tools of political participation on various scales and levels (local, state, global). Within this area there are many processes and phenomena which contribute to the increased significance of the new media as the political interaction platform. They often stem from new social movements which initiate cyber-activism. From this perspective, cyber-activism is understood not only as a tool for deliberation, neo-tribal participation in political communities, but also as an instrument of counter-power realized in the form of the opposition and pressure exerted on the rulers. Such behaviour often results from the sense of relative deprivation. The second pillar of Democracy 2.0 is the use of new media as communication tools by the political elites in order to exert influence, gain, maintain, or exercise power, which is labelled as Politics 2.0¹⁵.

The seeds of dystopia

The term "dystopia" is derived from the Latin prefix *dis-*, which conveys the opposite meaning to words, and the Greek word *topos* ("place"). The verbatim meaning of the result is "bad place". Originally, according to the definition by Niewiadomski and Smuszkiewicz, dystopia is a "work of fiction depicting a nightmarish, albeit logically justified, coherent, and sometimes quite likely view of the future human existence. [...] Dystopian are not interested in positive solutions but rather in negative consequences of the development of various political and social systems, as well as various present-day phenomena showing

¹⁵ Cf.: M. Lakomy, *Demokracja 2.0: Nowe media jako platforma interakcji politycznej* [Democracy 2.0: The new media as a political interaction platform], Kraków 2013, p. 125.

developmental trends dangerous for the human and the whole community. [...] Its macabre worlds, often purposefully overdrawn, are meant to draw attention to the dangers and to incite reflection on the achievements of modern civilization and the mechanisms organizing the life of the society”¹⁶.

The meaning of this term was much broadened in relation to information society. The latter is often seen as the “utopia realizing the as yet unfulfilled dreams of humanity, associated with making real the ideas of equality, democracy, and freedom”¹⁷. The global network supplied citizens with tools which made possible the events known as the Arab Spring, M-15 Movement, Facebook Revolution (Pol. *Facebunt*), Occupy Wall Street, and the Russian protests of 2011 known in Poland as the “Revolution of Likes”. The symbol of these movements was the Guy Fawkes mask used by the famous *Anonymous*—hacktivists siding with those who seek truth and freedom in the present-day world. The report from the World Economic Forum in Davos in 2012, where the political leaders, presidents of the wealthiest corporation in the world, scientists, and journalists decided that the 2nd-generation Internet is a threat to the public order, is jarring in this context. As the report states, it stems from two “issues of concern [...]: the growing frustration among citizens with the political and economic establishment, and the rapid public mobilization enabled by greater technological connectivity”¹⁸. This phenomenon, defined as the seeds of dystopia, is the result of the divergence between the expectations of broad social masses and the actions undertaken by the authorities, quite common in the 21st century.

In the second decade of the 21st century, the development of the Internet underwent some changes. The transgression and panconnectivity of the web and its exterritoriality, and even ateritoriality, started to be seen as one of the gravest threats to the *status quo* of national states. According to Adamski, “the discussion on how to regulate the law of cyberspace is dominated by two [...] positions. One of them is known as cyber-separatism or cyber-libertarianism. It claims that the information revolution must necessarily lead to the formation of cyberspace law, completely separate and independent from the legal orders adopted by political sovereigns. [...] Whereas the second position supports the traditional regulation by the state, and its advocates stress that no phenomenon accompanying the spread of the

¹⁶ A. Niewiadomski, A. Smuszkiewicz (eds), *Leksykon polskiej literatury fantastycznonaukowej* [Lexicon of Polish science-fiction literature], Poznań 1990, p. 262–263.

¹⁷ D. Kaznowski, *Dystopia a utopia: Orwell a społeczeństwo cyfrowe* [Dystopia and utopia: Orwell and the digital society], <http://networkeddigital.com/2012/02/14/dystopia-a-utopia-orwell-a-spoleczenstwo-cyfrowe/> [accessed: 23 Mar 2013].

¹⁸ *Global risks 2012: Seventh edition*, World Economic Forum, Davos 2012, http://www3.weforum.org/docs/WEF_GlobalRisks_Report_2012.pdf [accessed: 28 Jun 2014].

Internet has ever violated the essence of the legislation or execution processes”¹⁹. Therefore it is possible to distinguish three trends in the approach to the regulation of the Internet:

- the position that the state should not introduce any limitations or regulations (Reporters Without Borders, OSCE, Wikileaks, *Anonymous*);
- the intermediate position, evolving into a stricter one (EU, Council of Europe);
- the extreme position, tending to limit the freedom of speech, balkanization and panoptization of the Internet (Russia, China, Iran, Australia, France, etc.).

By the early second decade of the 21st century, we may observe political activity aimed at the implementation of the third position, the balkanization and panoptization of the web. According to Adamski, the “policy adopted in different countries varies in this respect and becomes gradually tighter”²⁰. Examples of this kind come from such countries as Iran, China, Russia, North Korea, Cuba, and Venezuela. They are followed by countries with long democratic traditions, who have also subscribed to this trend, undertaking such socially protested (Facebook Revolution) legislative initiatives as ACTA, SOPA and PIPA, or CISPA, which were designed to limit freedom in the cyberspace.

The attempts at balkanization of the Internet are classified into two categories: politically- and business-motivated. Poulet noted in this context that “apart from poor information for the poor, there will be rich information for the rich; in the best case, therefore, it will result in two speeds”²¹. The most flagrant examples of this process are the actions of the Apple corporation and Facebook. The increasingly more visible phenomenon of creating enclaves for the rich in the network, also within Polish realities, reflects the business-motivated balkanization of the Internet. Whereas the politically-motivated balkanization involves the evolution of the Internet from the free and open type of network to closed national intranets controlled by state authorities. At the Internet Governance Forum Conference in London in 2006, Chinyelu Onwurah from the British Ofcom²² said that balkanization may lead to the creation of intranet networks which do not communicate with one another²³.

The modern version of Jeremy Bentham’s Panopticon (from Greek *pan* — ‘all’ and *optikos* — ‘to see’) involves making use of modern communication technologies (network,

¹⁹ A. Adamski, *Media w analogowym i cyfrowym...*, p. 62.

²⁰ *Ibidem*, p. 60.

²¹ B. Poulet, *Śmierć gazet i przyszłość informacji* [The end of newspapers and the future of information], Wołowiec 2011, p. 258.

²² Ofcom (Office of Communication), a state authority in the United Kingdom established to control and regulate the market of media and telecommunication.

²³ D. Kulbaka, *Internet może się rozpaść na mniejsze sieci?* [Can the Internet break down into smaller networks?], *Webmade*, <http://webmade.org/wiadomosci/rozlam-internetu-onz.php> [accessed: 30 Mar 2013].

mobile telephony) for a permanent and total invigilation of the citizens. Thus the idea of free and open space is contradicted, reversed, and destroyed by itself. The Orwellian vision of panoptism is being fulfilled. The web becomes a tool used by secret services to study digital traces and control citizens via eavesdropping systems and ubiquitous cameras. “An intelligent system will trace every [...] move, gesture, every word and post on an online forum. Gathered information will be quickly compiled and compared. Any behaviour that deviates from the norm will be recorded and analysed, and the law enforcement will react accordingly. [...] Such are the capabilities provided by INDECT—the EU project supervised by the AHG University of Science and Technology in Kraków”²⁴. It is related to the American system of global invigilation called ECHELON. The information on the PRISM program, revealed in June 2013 by Edward Snowden, strengthen the belief that the United States have adopted the blanket surveillance project on an unprecedented scale. It is also confirmed by Julian Assange in his book *Cypherpunks: Freedom and the future of the Internet*²⁵, where he “reveals behind-the-scenes activities of politicians, shows the true mechanisms of the authorities which treat the Internet as the tool to control and enslave masses on a scale which has never been encountered in history before”²⁶. The hypocrisy of the United States, who implemented a total invigilation program, shows that it is possible to adopt a doctrine bases simultaneously on openness and panoptism. As the USA is vigorously opposed to balkanization, they differ from the position of China and Russia.

The PRISM program was launched 11 September 2007. The first controlled entity was Microsoft. In 2012 the invigilation of Apple began as well. The largest crowds of the internauts—Facebook, Google, and YouTube—were also subjected to observation. The list of invigilated companies includes Paltalk, a chat room service which is not particularly popular in the US but was widely used throughout the Arab Spring protests in 2011, as well as during the still raging civil war in Syria. The program, overseen by the NSA and the FBI—according of the author of the leak, Edward Snowden, and the journalists of “The Guardian” and “The New York Times”—is a threat for the democratic freedoms and privacy. The PRISM is focused on the invigilation of emails, chat rooms, video files, and phone calls. It was launched near the end of George W. Bush’s administration and then considerably enlarged under

²⁴ K. Janiszewska, *Orwellowska wizja świata za 2 lata* [Orwellian view of the world in 2 years], “CIA Media”, http://cia.media.pl/orwellowska_wizja_swiate_z_2_lata [accessed: 30 Mar 2013].

²⁵ J. Assange, J. Appelbaum, A. Müller-Maguhn, J. Zimmermann, *Cypherpunks: Freedom and the future of the Internet*, New York 2012. Polish edition: *Eidem, Cypherpunks. Wolność i przyszłość Internetu*, Gliwice 2013.

²⁶ A. Adamek-Świechowska, *O potędze kodu: ‘Cypherpunks’ – przestroga Juliana Assange’a* [On the power of code: ‘Cypherpunks’, Julian Assange’s warning], “Wiadomości24.pl”, http://www.wiadomosci24.pl/artykul/o_potedze_kodu_cypherpunks_przestroga_juliana_assengea_277954.html [accessed: 6 Aug 2013].

Barrack Obama. Its nominal goal is to fight terrorists. This way, the cybergenic president, as Barack Obama was called after the 2008 elections, was transformed in to a cybercratic president.

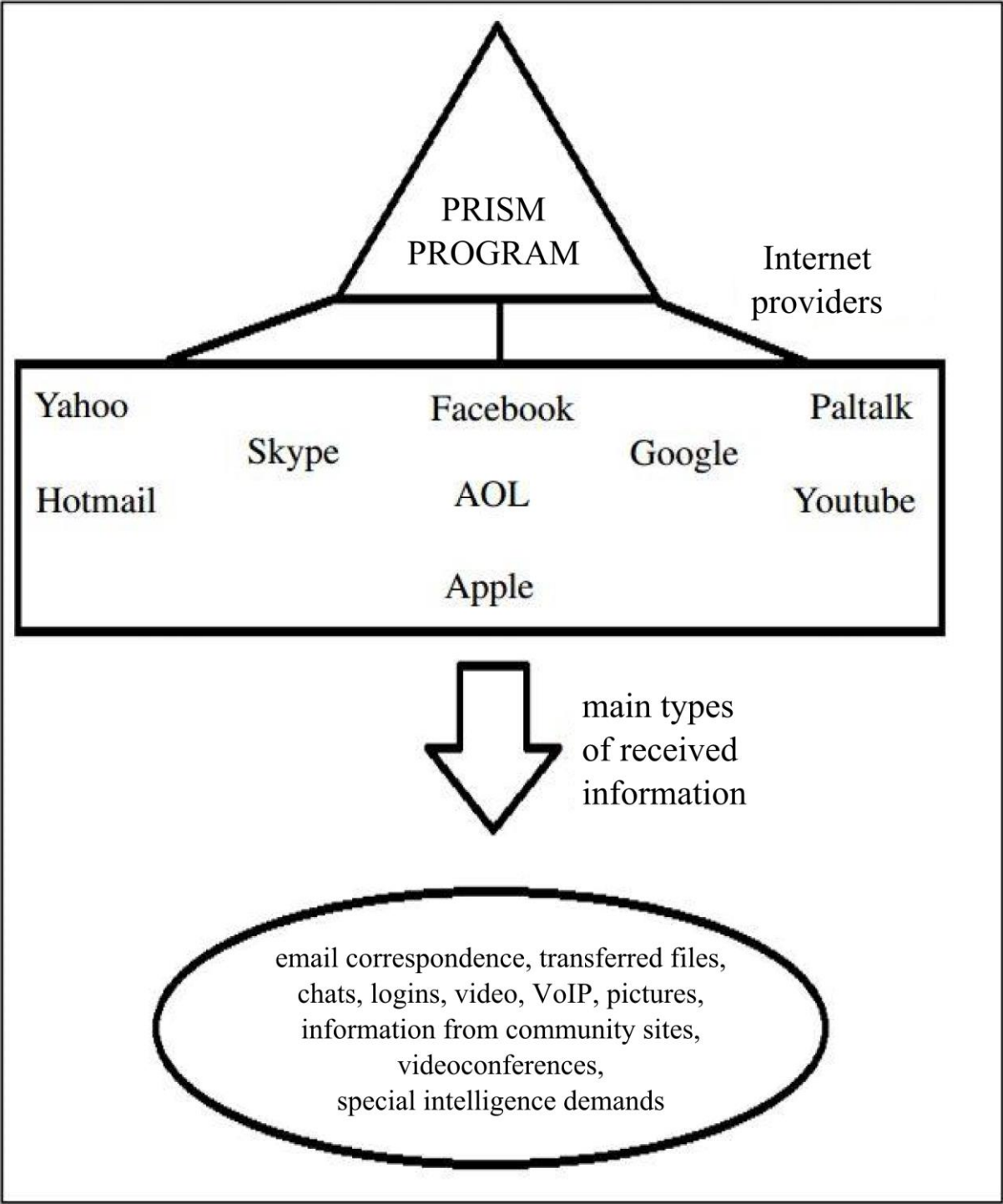


Figure 1. The scope of the American PRISM invigilation program

Source: Authors' own work based on Marsit Inforgrafika, Wirtualna Polska [accessed 6 Aug 2013].

The evolution of the development of the network towards its balkanization and panoptization, that is, subjecting it to national laws, control, and compulsion, was provoked by the counter-power which so far was not controlled by the state.

The source of the American panoptism is the Patriot Act, adopted after the WTC attacks. It is therefore the fight with terrorism that the US government uses to justify all actions limiting the sense of freedom of the country's citizens. Whereas Iran, China, and Russia feel that their *status quo* is threatened due to the possibility of using the social media for propaganda and mobilization against the public order.

Among the newest initiatives, measures designed to set the limits in the cyberspace are seen with increasing frequency. This leads to a certain appropriation of the web and brings to mind the measures taken in the 1950s and 1960s, when space exploration led to similar problems regarding the control and jurisdiction over that space. This idea was put forth by China and Russia, who addressed a letter on this issue to the UN General Assembly. There was fear of strengthening the counter-power in the Russian Federation, which found itself under much pressure of the community encouraging to send likes. A grim view of the Internet dystopia can be also gleaned in the report by the Reporters Without Borders (RWB), entitled *The enemies of the Internet*. It shows that even such old democracies as France and Australia have absorbed this way of thinking. The government of Australia pushed a restrictive law "enabling extremely deep filtration of internet content. Although the government claimed that all the changes are meant primarily to fight with child pornography, the regulations were worded so that they cover other inappropriate content as well"²⁷. Meanwhile in France very radical anti-piracy provisions were introduced, it is also forbidden to quote content published on Facebook and Twitter in the traditional media. Reporters Without Borders list the following countries where the freedom in the web is supervised to a greater or lesser extent: Bahrain, Belarus, Burma, China, Cuba, Iran, North Korea, Saudi Arabia, Syria, Turkmenistan, Uzbekistan, and Vietnam. Countries under supervision, according to RWB, that is those that limit the access to global network using censorship or punishing defiant internauts by disconnecting them from the Internet, include: Australia, Egypt, Eritrea, France, India, Kazakhstan, Malaysia, Russia, South Korea, Sri Lanka, Thailand, Tunisia, Turkey, and United Arab Emirates²⁸. Concluding from the above, the field of freedom in the Internet is being gradually narrowed, and everything is getting close to a dystopia. This process takes place in

²⁷ J. Noch, *Francja niewiele lepsza od Białorusi: Poznaj wrogów internetu* [France little better than Belarus: Know the enemies of the Internet], *naTemat*, <http://natemat.pl/5215,francja-niewiele-lepsza-od-bialorusi-poznaj-wrogow-internetu> [accessed 30 Mar 2013].

²⁸ *Ibidem*.

26 countries, with varying intensity. The recent initiatives undertaken by the European Union and the United States are also causing concerns. Undeterred by the failure of the ACTA, SOPA and PIPA legislation projects, they are preparing a similar Canada-EU Trade Agreement (CETA) to be signed by the European Union and Canada. Clandestine negotiations on this issue have been conducted since 2009.

Conclusion

Therefore, the dystopia of the Internet, as a consequence of the evolution of a free-and-open network, has two faces:

- on one hand, it involves balkanization, that is, separation from the global network of national intranets, subjected to absolute control and authority of the state (a solution characteristic of totalitarian regimes);
- on the other hand, it is reflected by panoptism, that is omnipresent, total invigilation of citizens, spied on and eavesdropped on an unprecedented scale (a solution promoted chiefly by the United States and the United Kingdom. The balkanization of the Internet is thus contrary to the goals of the US, interested in penetrating the global network).

In the context of liberty and civic freedoms, both trends of the internet dystopia seem to contradict the modern way of understanding freedom as a fundamental value corresponding to the human nature and dignity. They are also ideologically contradictory to the axiological assumptions underlying the formation of the Internet in its pre-modern and modern periods. Thus, being a reflection of postmodernity, dystopia is the denial of the initial intentions of the founding fathers of the Internet. This is why a “Stop Invigilation” initiative was undertaken in many countries. “The protest is held in defence of the Fourth Amendment to the US Constitution. The Americans do not want to be invigilated by services in the Internet. The campaign was prepared by the Internet Defense League, bringing together over 30 thousand internet activists. The action was supported by such websites as Mozilla, Wordpress, 4chan, and Reddit”²⁹. The 4th Amendment to the United States Constitution from 15 December 1792 provides the following: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants

²⁹ *Wielki protest w Internecie. ‘Stop inwigilacji!’* [Great Internet protest: ‘Stop Invigilation!’], “Wprost.pl”, <http://www.wprost.pl/ar/406910/Wielki-protest-w-Internecie-Stop-inwigilacji/> [accessed: 6 Aug 2013].

shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized”³⁰.

³⁰ The U.S. Constitution, Fourth Amendment, http://www.law.cornell.edu/constitution/fourth_amendment [accessed: 29 Jun 2014].