

## DARK NET AND CYBER SPACE: AN ANALYSIS

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### **Abstract**

*With the increased development of Science and Technology, everything is going online. An individual is more comfortable in doing cash less transaction rather than carrying cash in his pockets. Now that everything is online; crime is also happening more intensely in cyber space. The society is technologically advanced and know really well that how to deal with the cyber space.*

*The legislature is lagging behind and there is no balance between the increasing crime rates and the prevailing laws. "Dark Net", is one of the mysterious parts of internet, where people are able to buy/sell illegal obscene things through bitcoins. Child Pornography, illegal drugs, weapons, human trafficking and what not. Everything that is illegal on face is happening in that hidden space. This paper is dealing with the issues like meaning and scope of Dark Net, its effect into individual's privacy and the loopholes in present laws.*

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## INTRODUCTION

The Internet revolutionized the world communications like never before. The emerging trends in the field of Science and Technology have made Internet one of the leading sources of not only communications but also, a leading market for commercialization. Digital revolution has always been unpredictable and extraordinary; it has changed the lifestyle of people. Internet as we know today is quite recent. It was nothing like this when it first originated. In the early 90s, during the period of Cold War, the Soviet Union launched its first satellite *Sputnik* and in response to that ARPA or The Advanced Research Projects Agency was created by the United States. The idea came up to create a network that would not be vulnerable to a nuclear attack. However, this specific idea never saw the day light but ARPA continued with working on a network for more general communications.

The Internet which was initially introduced for defense purposes slowly but steadily evolved and became the indispensable element of human life. Trillions of websites are running 24\*7, and more than half of the population is dependent on this wonderful invention for their daily chaos. But, like any other invention of science, Internet has its own advantages and disadvantages. That's the reason the crimes on the cyber space are becoming the growing concern of present. Believe it or not, approximately 80% of the web pages are not readily available for search engines. It is like an iceberg which is carrying more than half of its weight below the surface.

There exists a collection of websites which are encrypted and can be accessed from the ordinary software or search engines. The Dark Web or the Dark Net consists of small peer-to-peer and larger networks like Tor. In layman's term, it would be just another level of internet that is below the surface area and whose contents are not readily available to the search engines like Google, Opera, Bing etc. This hidden area contains a plethora of data which is not limited but includes the following namely:

1. The internal sites of major companies, banks, trade organizations.
2. Individual's personal account for social media, banking, email and more.
3. Access to online data bases.

4. Password protected websites having member only access and a lot more<sup>1</sup>.

Now, there is the surface area hidden deep inside this Deep web, which is known as *Dark Web* or *Dark Net*. It is the product of the imaginations and technological inventions that has been used for illegal purposes. The main feature of this Dark web is the Anonymity of the user, which assures him that whatever he does here, he would never come in the eyes of the authority and this anonymity is leading to serious crimes that are untraceable by the agencies.

Dark Net is becoming an open market for numerous illegal activities like buying and selling of drugs, arms, child pornography and anything that is illegal to be sold or purchased in the real market.

The most popular among these was *Silk Road*. The place was a paradise for those dealing with drugs, guns, forging documents and other such illegal activities. It was founded in February 2011 by a young libertarian called Ross Ulbricht. The original website was not active for more than 3 years but we cannot deny the fact that it left a legacy behind it.<sup>2</sup> The legacy, which has a corrupting affect over the audience. Currently, there are few websites offering similar services like those provided under Silk Road. Accessing dark net is a step-by-step process and requires an explicit software like *Tor*, which was originally developed by the US Navy for enabling anonymous communication online.

The Deep/Dark Web, which has legitimated as well as illegitimate purposes have been used by whistle-blowers, bureaucrats and also by hackers, drug-dealers, terrorists, fake-dealers etc. The apparatus which has been used for years to maintain the privacy of government and its departments is grabbing the attention these days because of growing criminal concerns. Research proves that the top countries of the world have highest number of individuals accessing dark web. The United States alone has 0.4 billion daily users followed by Germany, United Arab Emirates, Russia, Ukraine, France, United Kingdom, Canada and Indonesia.<sup>3</sup>

The verity of Dark Net or Deep web is not hidden. Society is well-aware of its existence. However, the concern is lack of government to curb this digital menace. On one side they say, it is illegal to buy, sell or even possess drugs or arms without license or child pornography and on the other side people are anonymously engaging in commercialization of such activities. Further,

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<sup>1</sup> Conor Sheils, Deep Web, Dark Web, Tor and More: The Hidden Internet Uncovered, (July10, 2021), Available at: <https://digital.com/blog/deep-dark-web/>

<sup>2</sup> Andrew Norry, The History of Silk Road: A Tale of Drugs, Extortion & Bitcoin, (July 24, 2021),

<sup>3</sup> Varsha Jhavar, Legality of accessing Dark Web from India, (Nov 5, 2021).

the world is undoubtedly going digital. Everything is dependable on internet. The society is just a few steps away of living a completely digitalized life. In such a scenario, the growing popularity of criminal activities under the umbrella of Dark Net is not an issue which should be disregarded.

The concept has become a topic of debate from last few years, because of the anonymity of users maintained by these websites. The anonymity makes it tricky to track the person involved in such illegal transaction. It is important for the policy makers that they must gain an understanding of the Dark Web in order to make necessary amendments in the current legislation or making separate laws dealing specifically with the issue.

### DEEP WEB AND DARK WEB

Fundamentally, the internet can be divided into three layers. The Surface Web, the Deep Web and the Dark Web/Net. The Surface web is mostly used by the audience browsing the internet; it could be anything that is readily available on the usual search engines like Google, Firefox, Opera etc. Although, it is less than 10% of the total web surface. Going further is the layer of Deep Web, the area which covers such websites that cannot be found easily by the usual search engines, there could be number of reasons for the same, but if somebody has the direct link of such websites then it can be accessed easily. It is believed that this deep area constitutes almost 90% of the total internet. Moving a step ahead, there is a dark area hidden deep inside this Deep Web that is known as the *Dark Web*, specific software like *Tor* are required to access these websites and it is not an easy chore. People often get confused between the Deep and the Dark Net, these terms are even used interchangeably many a times, but there exists a lot of difference between them.



The above Venn diagrams helps in the better understanding of how these three layers are different from each other. On one side, Deep Web contains that substance which cannot be readily available by general search engines. For example- if a person searches for something specific in usual search engines like Google, Firefox or Bing it will provide him many links and he will find his content only after clicking on those links. As every website has its own search box so the search engine's search is limited to navigate those only websites. And thus, a person has to go through different websites to find those particular links. It means the deep web contains those websites which cannot be accessed through search engines but can be accessed if a person has direct address/links of such websites.

These websites are actually a lot more than what provided in the surface internet and hidden deep inside the ocean of internet.

But, Dark Web or the Dark net on the other side is a subset of Deep web that is not only non-indexed by the search engines but also requires some specific software like *The Onion Router (Tor)* to get the access.

The Dark net is popular because of the Anonymity, which is provided to the users. These online anonymous communities have existed in the early days of Internet and ways before the modern web that we knew today. There were thousands of people meeting on online chat rooms and connecting each other and discussing various interests. But, the discovery of Silk Road changed the entire way of thinking of the people connected through such communities. In a very short span of time it became one of the most popular website on the dark net, it also dominated the whole market for few years. The Silk Road was selling drugs mostly illegal drugs apart from that child pornography, trafficking, animal abuse, were the second and third most popular trade activities over there. The advantage of being anonymous was like cherry on the cake. The anonymity had removed the fear of law and order from the people in the existing space, they don't want to see what is wrong and what is right in front of their desires.

Deep Web and its subset Dark Net have both advantages and disadvantages. Both of them differ from each other. Although, it is not illegal to access the dark web because the websites or the process of accessing it is not itself illegal but the few trading activities that are emerging and growing with the technological advancement is our actual concern. The freedom and anonymity have increased the illegal trade which is harmful and causing grievous hurt to innocent people who are victims of such activities.

## **WHAT IS AVAILABLE ON DARK WEB?**

The subject has always been an incredibly attractive due to its complex nature and anonymity. It is so deep and dark that the mere curiosity of accessing it has made people to enter into some illegal transactions. It is available for both legitimate and illegitimate purposes. The idea of creating such communities was in the interest of society but the evolution of technologies somewhat stole the true essence of these websites. The government uses it to keep a check on the profile of the individuals living in that particular state. The bank uses it to maintain the accounts of their customers. And, such websites are of great use to the corporations like Facebook or Google who maintain the private data of their members.

But this place is not less than a paradise for the potential hackers, terrorists or any other person interested in pursuing illegal trade activities. The place is full of black-market salacious activities.

From stolen credit card number to Marijuana, everything is easily available on dark web. And such things are delivered at your door step without any hassle.

Also, there are few websites containing fake documents like fake passports, credit cards, bank statements and what not. And talking about drugs, the prices are even lower than those sold in regular markets. The place is a hub of a number of stolen accounts including those of popular websites like Netflix or PayPal, and available at the prices like a dollar or less. Such things look so attractive for the interested person, like for a second, he doesn't even want to think about as to what extent his activity is authorized or not. And why would he do that? People who are capable and aware of such kind of websites are also capable of doing full-fledged research on such topic and when they do so they will come across the fact that there are no such laws dealing with the dark net and it is not easy to trace out the person involved in such activities. So, people who are smart enough and who have done such research and are desirous to trade drugs online will never search it on the surface web. Instead, they would pursue their trading on dark net by taking advantage of the anonymity provided by these websites where their location and IP addresses are protected.

A study claims that more than 80% of the dark net is filled of child abuse sites.<sup>4</sup> It further claims that the paedophilia sites attract many more visitors than that of even in drug markets. So, dark net is hampering the rights of children as well. If we take a look at the constitution of any country or even, we take out the provisions of UDHR, the women and the children have been given utmost priority. So, is the deep web being an exception to these laws? Or it is the world

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<sup>4</sup> Stuart Dredge, Study claims more than 80% of 'dark net' traffic is to child abuse sites, *The Guardian*, Dec 31, 2014.

where such laws do not exist? What is that? Why the government is still ignorant for taking any serious step to cope up with this issue?

In research conducted by Daniel Moore and Thomas Rid of King's college, London which helped in understanding the common uses of websites in *Tor*, through their published essay titled 'Cryptopolitik and the Darknet' it was suggested that the most commonly used websites on the darknet are those which are illegitimate in nature; mostly related to trading in illegal drugs, child trafficking, illicit finances, violence against children and animals and more.<sup>5</sup>

Even in the country like China, which is heavily censored; journalists through the help of darknet communicate and exchange information without any fear of the government. China, one of the most technological advanced countries in the world is also powerless to find the way out for preventing such activities.

These websites are not easily accessed. The URL format is also very unusual, suffix like *.onion* is used in place of *.com*. But the level of curiosity or the desire of an individual or the peer pressure, whatever it is but is dragging the people on to these communities. Most of the users are in between the age group from 16-30 years. Reason being, the freedom, privacy and anonymity provided to the users. A Reddit directory of market place is available for the users that provide information regarding which sites are reputable and which are unreliable and if the sources are trusted then the list of unreliable sites is far longer than that of the reliable one's.

What is available inside darknet is not précised or limited to few activities discussed above. The subject is still a matter of research and the exact figures of the activities involved have not been found yet. As the technology is growing rapidly and this growth is giving birth to numerous harmful techniques to infringe the cyber space as well. As the growth of technological advancement which is giving birth to their counterpart crimes is inexorable the policy makers must mould the structure of law at the same rate and even at a better rate by keeping in mind the future events.

The destruction from dark web is not of uncertain nature, the area is quite predictable now and there exist many possibilities to control the harmful effect on the future, so laws shall be amended by making a space for a specific legislation, a committee that shall be dedicated to trace out the anonymity of such illicit persons. Furthermore, it would not be correct if the potential of this deep dark community is underestimated. They have the capacity to destroy the cyber space

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<sup>5</sup> Varsha Jhavar, Legality of accessing Dark Web from India, Available at: <https://blog.ipleaders.in/legality-dark-web-india/> (Accessed on: Nov. 5, 2021)

by one click of the mouse. They are endangering the human life and hampering the security as well.

## **CONCLUSION**

The rapid development in digital world has completely changed the way in which people work, shop, play or even consume. Everything is digitalized. Gone are those days where people use to stand for hours in a queue to pay electricity bill or book railway tickets. Now everything is just a click away. The government and the policy makers have always influenced any new development in any field by putting few restrictions or limiting the use for the benefit of society only. It is important that the law and order must pave with technological developments. They must go hand in hand. But, if we talk about the present issue in hand i.e., of the Dark Net then the reality is depressing. Prima facie the law makers are running far behind from the technological geeks who are making one way or another to harm the cyber space without coming into the notice of concerned authorities.