

# Can Hacktivism, the new social disobedience be morally justified?

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The world is not sliding, but galloping into a new transnational dystopia. The internet, the greatest tool of emancipation has been transformed into the most dangerous facilitator of totalitarianism humankind has ever seen [1]. Online hacktivists are battling to defend the democracy against the rise of mass-surveillance states, election hacking, political frauds and overall the deliquescence of the democracy in the western world. Nonetheless, the hacktivists political endeavor is usually lessened by news outlets, and denounced by politicians as nothing more than reckless criminal stunts. In the first part of this essay, I am going to have a retrospective of the law according to Socrates, and the Hobbes social contract. Then, I am proposing an adversary opinion formulated by John Locke in regard to the social contract theory. At last, I am going to arbitrate if hacktivism upholds John Rawls's Electronic Civil Disobedience (ECD) classical framework ideas or not.

The foremost argumentation against civil disobedience is that living in society by definition means accepting its rules and regulations, and it is not the rightful place of a citizen to decide which law is right and which is not. In the *Phaedo* dialog, Plato describes how Socrates preferred to drink the cicuta rather than avoid his punishment by breaking the law of Athens and escaping. In Socrates's moral view he had an obligation to follow the laws of Athens since he had tacitly agreed to do so living in that city enjoying the rights and benefits of the Athenian's citizenship. According to Thomas Hobbes, if everyone would-be cherry-picking laws based on personal interpretation of morality, any society would collapse into a brutal society. This is the reason why the citizens accept to trade their freedom in exchange for security. The Hobbes social contract is an unsigned contract among the citizen of a country in which the members of a community commonly agree to respect a certain set of the laws. Therefore, the laws bind together the collective wishes of most of the citizen of a country. Unlike Hobbes, John Locke argued that it is the ruler is breaking the social contract, therefore the ruler needs to be considered the real rebel [2].

In 1848 the term civil disobedience was originally used by Henry David Thoreau to argue against the idea of paying the taxes to fund the Mexican-American war. But, a more formal definition of civil disobedience was coined in 1971 by John Rawls with his moral civil disobedience framework ECD. Rawls defines the civil disobedience within a specific set of rules: conscientiousness, political motivation, aimed at changing the law, publicity and non-violent. According to Rawls's theory, if an activist does not behave in conformity with these rules, he would commit crimes and therefore lose

the legitimacy to ask any political change. However, before John Rawls framework, the Thoreau's ideas were already well rooted in the US Black rights movement led by the Martin Luther King and the Indian independence movement of Gandhi. According to John Rawls's theory, what all these historical figures of the disobedience movement have in common is, that they unknowingly followed the ECD framework. However, there are strong critics regarding the framework which argue that it strongly limits the opposition against tyrannical forces and it is not applicable in the unforeseeable, erratic environment that the modern world represents. In 2007, Herbert Storing has suggested that "The most striking characteristic of civil disobedience is its irrelevance to the problems of today". [2]

The biggest difference between the classic ECD framework and the modern hacktivism is that hacktivists do perform social disobedience anonymously rather than publicly. Whereas, in the ECD model, the activist should face full responsibility for his action without secrecy. However, it is important to address several differences between activists offline and Hacktivists online. Hacktivists do not have any or little traditional political protection, whereas traditional activists tend to enjoy a minimal level of immunity from being prosecuted. On the contrary, in a modern reinterpretation of the allegory of the cave, the citizens do not only not sympathize with hacktivists' cause, but they want them convicted. Therefore, being anonymous online is the only protection hacktivists have. For example, Edward Snowden, Julian Assange, and Aaron Swartz are all hacktivists from different countries, that have paid an incredible price for being public figures. Edward Snowden is secluded in Russia under surveillance, Julian Assange has been living hidden in an embassy for seven years, and Aaron Swartz allegedly killed himself. In 2014, William Scheuerman tried to reconcile the actions of hacktivists with the classical ECD model. Scheuerman asserted that in order to define the whistleblowing act of Edward Snowden as acts of ECD a willingness to accept the penalty must be shown. Scheuerman argues that giving up a comfortable life in Hawaii to live under surveillance in Russia is already enough punishment in order to describe Snowden's act as civil disobedient. [3]

In conclusion, in this essay, I have first discussed the retrospective classical views on respecting zealously the law as Socrates did in Athene, the Hobbes's social contract theories and proposed an opposite opinion using the Locke argumentations. Then, I have discussed the differences between classical social activism and modern cyber-hacktivism, and the dreadful consequences that hacktivists face if they expose their identities. Lastly, I have identified a possible

convergence between Rawl's ECD framework and hacktivists actions.

#### REFERENCES

- [1] Assange, Julian. Cypherpunks: Freedom and the Future of the Internet. OR Books, 2016. Chapter: Introduction. pp. 1-7, 12 May 2019.
- [2] Herbert J. Storing. Civil Disobedience In Focus. pp.85, 28 May 2019.
- [3] Scheuerman, William. Whistleblowing as civil disobedience: The case of Edward Snowden. Philosophy and Social Criticism. pp. 609-628, 22 May 2019.