

- **hacker** ≠ „politics“ / „political direct action“
- CCC above party lines (charter)  
 ~⇒ **unpolitical** not intended by CCC founders!
- „**politics** means shaping the way of life“ (Pestalozzi)  
 ⇒ “who shapes his/her own life, does make *politics*“
- **hacker** „living our lives on the internet“  
 ⇒ question of political direct action on the **internet**
- discussion not primary about „what action is *legal*“ but  
 „what do we consider a *legitimate* action“
- *legality* ≡ based on consensus in society  
*change* ≡ requires action against a consensus  
 !≡ **brave people**:
  - take up a position
  - persue it against mainstream and gen. disinterest
  - endure consequences of their actions
- *legitimate protest*  
 ≡ moral justification of direct action  
 ≠ interpretation of law
- **arab spring**, **Mutlangen (1980)**: legitimate ≠ legal
- change *legitimate* → *legal* (Sit-ins), **BVerfG** (1995): Art. 8 GG (freedom of assembly) ≠ no kind of duress

- **hacker** „*legitimate*“ ⇒ hacker ethics  
= moral „side rail“ for our actions in cyberspace  
≠ nothing about „protests“ ⇒ enhancement necessary?
- internet ≡ extension of public space  
⇒ „*digital natives*“: demand rights / obligations  
→ *in public space AFK*: **hard-fought** over decades / cent.
- *rights have never been given away for free at no point in history, but always had to be won by a few for the many.*
- → right of political protest (a *meta-right* in a way):  
*mistrust authorities* (hacker ethics) ⇒  
needs to manifest in public space (internet) too
- political action on the internet („*digital direct action*“)  
= needs a sophisticated consideration and evaluation!  
if ∇ actions = „**cyber terrorism**“  
→ no social peace on the Internet  
→ criminalize the form  
≡ concern gets criminalized and devalued
- **most important** issue at all:  
! no reduction of a protest to its technical form  
! **reason** / concern always the primary focus
- strategy of the „cyber terrorism“ preachers:  
rejection of the form → rejection of the concern

- **„primacy of the concern“ for all actions**
  - ⇒ **argue for necessary differentiation**
  - **analogies to protests/actions AFK**
  - **pick up people from where they (under)stand**
- **limits of analogies:**
  - global form of actions ≠ juristical classification**
- **important: political protest on the internet**
  - ≠ replacement of classical forms of political action**
  - = logical extension and continuation**
  - **practizing protest on the Internet**
- **question about the effectivity of political action**
  - **basic understanding of classical political actions:**
    - systemic change of society is possible**
  - ↪ **Tiqqun:**
    - political counter movement ≡ current social system**
    - in disguise (trapped in same world view)**
- **Matrix** trilogy: **„the chosen one“**
  - = inevitable escalation of deviations**
  - ≡ corrective for a homeostasic (illusory) world**
    - **new balance of an old basic pattern**
- **classical counter movements:**
  - ≠ don't really change society**
  - = just let them function better in an established way**

- **pessimistic attitude appropriate?**
  - impact on the form of political action
  - worthwhile to think about it – but not now
  
- **focus:** „*primacy of concern*“ already stated
  - now: forms of political action on the Internet
  - ≠ what do we want to achieve?
  - = how to achieve what we want
  
- **cascade**
  - ⇐ classification based on the „ferocity of form/action“ ↑
    - steps / levels connected by common goal / concern
    - smooth transition between levels possible
  - ⇒ escalation and legitimation cascade:
    - lower levels not sufficient to achieve goal
    - legitimate higher levels
  
- three reasons for a leveled model:
  - (1)** broader acceptance and participation by choosing your individual level (cascade → pyramid)
  - (2)** lower levels „protect“ upper levels:
    - ⇒ Greenpeace: protest march / smokestack climbers; only climbers → eco terrorism)
  - (3)** appropriate means: you don't use the largest tool in your tool box just because you have it available...

- **level 1: individual freedom of speech**
- **homepage: Text / Banner** (→ „blue ribbon“ EFF)  
posting in a public forum  
⇒ informal affiliation with a political action
- **AFK: printed t-shirts / buttons / posters**
- **accepted + legal form of political action**
  - essential factor in formation of groups
  - formulation of a collective political demand
  - ⇒ maybe most important form of political protest at all!
- **juristical assesment:**
  - unproblematic (freedom of speech)
  - content more relevant than form:
    - ⇒ „swastica“ instead of „blue ribbon“ → punishable
    - ≡ limits of „freedom of speech“ in most contries
- do not agree **empty-headed** (Rosa Luxemburg):  
*„freedom is always the freedom of the dissenter“*  
⇒ „freedom of speech“ of all and everyone  
⇒ there is no „mind crime“ (Orwell)  
→ *hacker ethics*: judge people by their action
- „limits of freedom of speech“, „censorship“:  
= important issues on the internet  
≠ not in focus of this talk

- **level 2: collective freedom of expression (petitions)**
- **logical extension** of level 1:
  - ⇒ coordinated and organized expression of opinion
  - ⇒ targeted at a specific recipient
  - ⇒ active instead of passive
    - „dispose of an opinion“ - not by chance
- petitions on the **internet**
  - = in form and content like petitions AFK
  - ⇒ digital petitions → different perception:
    - 100'000 emails ≠ 100'000 letters
    - less impact because less effort and easier to ignore
    - required a consensus within a larger group of people
- juristical assesment:
  - = protected by „freedom of speech“ (some countries)
- **level 3: web defacing – graffiti / bill posting**
- **expression of opinion** „on foreign property and against the will of the owner“
  - ⇒ AFK: graffiti / unlicensed bill posting
  - ⇒ internet: web defacing
- AFK + internet:
  - ≠ rarely expression of a political opinion
  - = individual / group “tags“, unpolitical content

- **hybrid form of the first two levels:**
  - ⇒ **individual expression of opinion (or a small group)**
  - ⇒ **active distribution with general public as target**
  
- **difference in „perceptance“ and „acceptance“:**
  - (1) **removal of graffiti / bill postings expensive**
    - ≠ **restauration of digital facade is cheap**
    - ⇒ **advantage for digital form of protest**
  - (2) **web defacing usually replaces full web site**
    - ≠ **bill posting / graffiti: small area effected**
    - ⇒ **disadvantage for digital form of protest**
    - **just parts of a web site (or a pop-up)?**
  - (3) **grafitti: not relation between demand and area used**
    - ≠ **web defacing: target of concern = target of action**
    - ⇒ **disadvantage for digital form of protest**
    - **broader application?**
  
- **graffiti + web defacing: reputation as „**vandalism**“**
  - = **whole websites replaced by non-intelligent content**
  - ⇒ **off target if nobody laughs, cries or is aroused**
  - *primacy of the concern:* **creative** presentations
  
- **juristical assesment:**
  - **„graffiti“:**
    - past: liable for damages ≠ liable of prosecution**
    - today: liable of prosecution (malicious mischief)**
    - ≠ rarely because of political content**

- **„web defacing“**:
  - ⇒ „cyber crime“ in many jurisdictions
    - prison sentence up to five years
    - „sensible areas“: government, military
- first difference between AFK and internet protest in public perception (→ as in the following levels)
- parenthesis
- judging previous levels:
  - ≠ not by the efficiency
  - = strength is the „sense of togetherness“
  - ⇒ important role: define common concerns and goals
- level 4: strike / boycott
- **differentiation** by inside/outside relation of the protesters:
  - ⇒ inside: employees are on strike
  - ⇒ outside: customers and partners do boycott
- special form of protest:
  - disturb / interrupt processes / functions *by inactivity*
  - ⇒ gether attention of the general public (for solidarity)
- portable concept on the internet
- important: embed with other forms of protest (level 1-3)
  - ≠ *inactivty* not an explicit expression of opinion



- **problem: mobilisation / organisation**
  - ⇒ **AFK: unions → protected by EU-Charter Article 12**
  - ⇒ **do we need internet unions here?**
- **Juristical assesment:**
  - ⇒ **fairly uncritical**
  - ⇒ ***inactivity* only rarely a criminally liable**
    - **„*failure to render assistance*“**
  - ⇒ **civil / labor liablities possible**
- **level 4: demonstrations (protest marches)**
- **protest march:**
  - = **most well-known form of political protest AFK**
  - ≠ **without real equipollent on the internet!**
- **protest marches have four characterics:**
  - (1) **It is a collective expression of opinion**
  - (2) **it requires the physical presense of the protester**
  - (3) **Primary target is the general public that does not know, does not endorse or even rejects the opinion**
  - (4) **Secondary target: target of the concern / demand**
    - **impress the target by numbers of protesters**
- **juristical assesment AFK:**
  - ⇒ **Germany: Artikel 8 GG (freedom of assembly)**
  - **physical presence of the protester important part of the political volition**

- not realizable on the **internet**:  
„virtual protest marches“ with avatars on platforms like *Second Life* ≠ no real alternative
- physical presence ← *GG (1949)*  
= pre-internet dispositive factor
- ***EU charter of fundamental rights***  
⇒ Art.12 (freedom of assembly and association):  
„*Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters,...*“
- New foundation for internet demonstrations?  
⇒ no physical presence demanded  
≠ problem of implementation in the digital realm
- **level 6: DDoS / sit-in**
- DDoS actions by ***Anonymous***:  
⇒ a lot of activists (good mobilisation)  
⇒ good media attention  
⇒ political motivation for action admitted by public
- media, politics + targeted companies / institutions:  
= DDoS attack → criminalized by choice of wording  
← same problem with a many supporters
- Actually like ***Sit-Ins*** AFK:

= disturb processes and functions by active actions

→ escalation of strike / boycott

= *non-violent* protest: ⇒ no permanent damage

≠ juristical assesment:

sit-in: legal in Germany according to Art.8 GG

DDoS: „cyber terrorism“ / liable of prosecution

• Rethinking is necessary:

⇒ content more important than (technical) form

→ Embedded into lower levels (1-5)

! **negative attitude** (also by the „official“ CCC)

→ neglecting those hacktivists any solidarity

⇒ supports „cyber terrorism“ preachers

criminalising the form

= criminalising the content / concern

• parenthesis

• collective protests

→ protection against individual prosecution (legal AFK)

⇒ personal consequences possible

• level 7: execute legitimate rights

• special form of political action:

≠ not just claiming rights

= execute them and act accordingly

- some examples AFK:
  - **Rosa Parks** (1955):
    - ⇒ refuses to give her seat to a white person
    - kick-starting the american civil rights movement
    - Abolition of racial segregation
  - **Mahatma Ghandi** (1930):
    - ⇒ „Salt from ocean water“
    - signals the end of english domination in India
- **examples** in the digital realm:
  - hackers during the 80's:
    - ⇒ Connecting **illegal modems** to the phone network
    - sovereignty of bureaucrats over network ended
  - **WikiLeaks** (today):
    - ⇒ uncensored access to publically relevant data
    - open government / open data
  - **web surfer** (tomorrow):
    - ⇒ anonymisation tools: Tor, JAP and others
    - ↪ anonymity (not yet) illegal
- specialities:
  - = deliberately outside the ruling jurisdiction
    - liable of prosecution
  - = many people regard the action as „legitimate“
    - high-impact form of political protest
- **level 8: escalation**

- ***fiercest form of action***
  - = actions from militant groups
  - = deliberately outside the ruling jurisdiction
  - ⇒ only rarely considered „legitimate“ by a larger number of people
  
- **terrorism?**
  - ! If this word makes any sense at all – it's here (regardless if positively or negatively connotated)
  - = logical/physical attack on the network infrastructure
    - larger impact on society than burning down department stores
  
- **Why do I mention this form of protest at all?**
  - ⇒ criminalisation of the lower levels as „cyber terrorism“
    - provokes escalation („nothing to loose...“)
    - **formation** of a „Digitale Armee Fraktion“ logical
  - ⇒ differentiated evaluation of actions
    - de-escalation strategy against CT agitator
  
- **Effectivity of moderate political actions:**
  - ⇒ previous level not more than system-immanent pressure valves?
    - changed conditions within the old set of rules?
  - ⇒ **increasing** precarisation of educated middle class
    - new set of rules inevitable?

- **Final remarks**
- **Why** this talk?
  - ⇒ **extending the space of political actions on the internet**
    - **for hacktivists, too**
  - ⇒ **demanding solidarity for actions whose goals we consider legitimate (independent of the form)**
- **Counter movement to the established political class:**
  - ⇒ **„*the internet must not become a lawless space*“**
    - ↪ **today's laws are (locally) applicable on the net**
  - !! what really happens:**
    - „*the internet is becoming a rightsless place!*“**
      - **Abolition of individual + group freedoms**
        - **uncond. protection of privacy + anonymity**
        - **fundamental right of political expression**
  - ⇒ **Where right become wrong,**
    - resistance becomes an obligation**
      - **a new toolset of actions required**
  - ⇒ **see freedom as a chance, not a menace**
- **oppose blinded and simple-headed politicians:**
  - ⇒ **demand cyber rights with all you *brain, heart + hand***
    - **political protest on the internet to fight for and win us all these rights (again)**

- spend some of your time to:
  - ⇒ use your **brain** to develop new positions and new forms of protests; be smart in arguing for them
  - ⇒ find the braveness in your **heart** to defend these positions against the mainstream and the general disinterest
  - ⇒ keep your **hands** at the keyboard, so that we can together achieve our common goals on the internet