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RESISTANCE TO POWER AS DEPICTED IN *THE HACKER WARS*

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ABSTRACT

The Hacker Wars(2014) is a documentary film directed by Vivien Lesnik Weisman. This documentary film focuses on hackers, specifically hacktivists and their battles against the US government over surveillance, privacy and who should hold information. The film tells the story of three prominent faces in the hacktivist movement. They are Andrew Aurenheimer, known by his hacker handle Weev, Barrett Brown, a journalist and propagandist for the hacker group, Anonymous and Jeremy Hammond who was known by his hacker handle, Anarchaos. There is the fourth character Sabu, a hacker who turned informant to the FBI and help nab these hackers. This paper will look at this documentary film and try to understand the way resistance to power is carried out in the cyberspace and what is the discourse these dissenters subscribe to and also briefly look at how these resistances are confronted. To do so, this paper will employ the ideas of Michel Foucault on power, discourse and resistance.

KEYWORDS: *The Hacker Wars, Power, Hacktivism, Resistance, Foucault, Cyberspace*

INTRODUCTION

The internet has now become a repository of knowledge. It has become such a regular part of daily lives that it has also become a treasure trove of people's interests, tastes, and preferences. It has become a meeting place for like-minded people. However, with the revelations made possible by whistle-blowers and hackers, it has threatened the very concept of privacy and become a space for surveillance. One need not look too far away than Bhopal to understand this phenomenon. Dow Jones, the company responsible for the Bhopal GasTragedy in 1984 still tracked the activities of people who seek to bring the company to justice.

This situation throws up interesting notions of power. Any person holding all the information about another has the power over the other, all the while being very secretive about it. This is a scary scenario and unfortunately, one in which welive . However, there are people who are challenging this structure and seek to give the power back to the people. The concept that people have power is the very foundation on which the idea of democracy is built upon. So, is modern day democracy just an illusion of power for the people?

This paper will employ the documentary film, *The Hacker Wars* directed by Vivien Lesnik Weisman. This film tells the stories of some of the influential hackers who hacked into various government agencies and corporations to break the totalitarian power of the state and corporations

This paper will attempt to gain a better understanding and stimulate a discussion of the realities of the internet and give a better insight into power in a digital world.

Resistances are inseparable from power and it is an irreducible opposite (Paternek 105-115). Resistance is not an external struggle against power, but an internal one (Deacon 113-148). And resistance is never a single or central source. There are multiple points of resistance, a plurality of resistances distributed in an irregular fashion. Michel Foucault once gave a controversial statement that the king's head must be cut off. Resistance is not to peer up awe at the king, but to expose and explore the multiple everyday and seemingly innocuous fractures upon which the king relies. This is clearly depicted in the documentary where the hackers are numerous and have numerous targets to expose.

The article by Deacon also talks about power and epic confrontations by describing it as strategic games and are like border skirmishes and not an all-out war. This is clearly shown in the documentary film, *The Hacker Wars.*

While this paper will deal with Foucault's theories of power and how they manifest in the primary text, there are several articles which talk about power and resistance in cyberspace. There are several cases like the case of internet usage in schools in the United Kingdom and the surveillance of the said provision (Hope 368-373). It is a far simpler manifestation of the panoptic system in the schools. The case study explores the methods of surveillance adopted by teachers and the ways in which students tried to subvert such governance and power.

Surveillance is an important tool of governance today. It has morphed from an incident of governance to the basis of governance itself (Backer 108).End-user surveillance is another important forgotten issue when it is looked at the terms of corporations. It is overshadowed by the hysteria created by government surveillance (Paterson 28-43). This paper looks at end-user surveillance and the tools of such surveillance. It also raises questions as to how this data is used as there is no comprehensive grasp on that subject.

In the primary text *The Hacker Wars*, hackers are shown as the people who fight the existing power structures. The film focuses on a group of high profile hackers, but mainly on the hacker group, Anonymous.

Anonymous has been referred to as web vigilantes (Dysart 41). This paper looks at the activities of Anonymous and while the paper does try to remain objective, it does come across a bit confrontational towards the hackers.

Hacktivism is a term used to describe hackers who fight against power structures. Cyberspace has become a space for activism (Denning 72) and thus the rise of the cyber warriors. This paper looks at how Israeli and Palestinian hackers fought their own cyberwar by attacking the opposing side's government websites. This paper brings about the important question of the internet as a space for conflict and power.

Cyberspace has become the new frontier for civil disobedience (Dominguez 1806-1811). This paper looks at civil disobedience and how the hackers are now using the internet to express and display their disobedience. It specifically looks at the case of Mexican hackers who staged a sit-in to attack the Mexican President's personal website. It looks at how hackers use various tools to hack and thus affect the power structures.

Internet is a space where democracy is challenged (Slane 85). This paper looks at the role of laws and legislation in this space. This paper actually reviews Diana Saco's *Cybering Democracy: Public Space and the Internet*. Saco's book uses the work of Henri Lefebvre, Edward Sorja and Michel Foucault.

The above-mentioned papers have explored various circumstances and instances which are different; this paper will be dealing with the manifestations of power as shown in the film, *The Hacker Wars.*

This paper will be analyze the power structure in the Foucauldian framework of power and confrontation strategies by also analyzing the role of hackers as shown in the documentary film, *The Hacker Wars.* It will look at dissent of the various high-profile hackers and the hacker group, Anonymous and will also look at how the institutions responded to these dissenters.

Michel Foucault, the French socialist thinker conceptualized power which has influenced our thinking of what power is and how it functions. He said that power is pervasive, diffused and not concentrated. This thought completely differed from the previous thoughts on this concept that power was concentrated.

Foucault also said that power makes us what we are and how we function. He also challenged previous theories of power by saying that power is pervasive and as such is neither a structure nor an agency.

He also did not put any negative connotation on power, but also can be a positive force on society. He was also fascinated by the concept of surveillance that can play a role in discipline and power. His study on the panopticon system of the prison was the foremost study on how constant surveillance can affect people. The conclusion was that just the awareness of the system will affect the person's behavior despite there being no actual monitoring on the said subject.

Foucault also said that that power was in a constant state of negotiation and any challenge to power never comes from an external source but from rather the internal structure of power. He also said that power was an everyday phenomenon and as such transcends politics.

Foucault's idea of such power struggles was also not that of a complete war but rather a tally of border skirmishes. These ideas of power are relevant in the coming sections of this paper as it seeks to establish the current structures of power in the digital space or cyberspace and how that has been reflected in the real world dynamics. It will try to explore the manifestations of such dynamics and the repercussions faced due to the dissent.

The paper will also look to show how power is not concentrated but rather a widespread and pervasive force and it is perhaps not better exemplified than in the cyberspace where there is also the element of anonymity to go along with these struggles of power.

Resistance in *The Hacker Wars*

When hackers are mentioned, there are many players and most of them unknown. To solve this problem, this paper has employed the same methods adopted by the primary texts by focusing on the individuals who have come out proclaiming their resistance.

Andrew Aurenheimer aka Weev is called as an insensitive troll, was convicted of hacking AT&T by finding out a very basic flaw in its mailing system (*The Hacker Wars* 2014). He has been called both a terrorist hacker and a freedom fighter. The two things obviously coming from the two different sides of the cyberspace conflict, one that of the state and the other of the hacker community and its supporters.

The Wired magazine as shown in the film said that Weev may be liked and hated but internet freedom depended upon him.

"I'm not here to play with AT&T. I'm here to comment and criticize….I'm aggregating public data to comment and criticize whose politics I don't like. The FBI is combing through people's emails, grossly violating their privacy rights. I think I have moral superiority here." (*The Hacker Wars* 2014)

Weev is also very clear in how the education system must be run. He wants Keats, Byron as part of the school curriculum. When questioned about whether it was revolutionary, he remarks with great passion:

"Of course, it is revolutionary. We have people in power that has explicitly engineered our education system to make people dumb, obedient and uncreative. Getting them out of (explicit) power and remaking it, so that people can be free-thinking, well-educated, sensible and non-reactionary people. This is revolutionary and probably requires a whole lot of bloodshed."

While the last statement was remarked with sarcasm, the message is clear. Here again, lies another great example of how a new discourse is born from this conflict with a new regime of its own trying to overthrow the current regime.

Thomas Drake, a former NSA senior executive with the National Security Agency (NSA) marks the similarity between whistleblowers and hacktivists in the film. He says that they reveal power structures and try and challenge such structures whether it is corporate, government or even both.

Chris Hedges, a Pulitzer prize-winning journalist says something in the film that is relevant to this paper. He talks about the threat of hackers to the state and thus showing the power struggle between the state and the hackers.

"Hackers are important in the sense that they have the capacity to expose the secrets or the inner workings of the state, which is why they are terrified of hackers. And they are going after them with a phenomenal vengeance." (*The Hacker Wars* 2014)

It is in the light of this statement, this paper will look at the hacktivist group, Anonymous or rather the only unmasked face among group hackers donning the masks of Guy Fawkes. The masks show the real adversarial nature of the group. This nature is perhaps best exemplified by the face of the group, Barrett Brown. Incidentally, he is not a hacker but just a face for the group. He said that the intention of the group was to bring scrutiny onto those who wanted to avoid it.

The brash, in-your-face attitude of Brown, a college drop-out said that he was there to police wrongdoing. But it is what he said about who is part of Anonymous,that this paper finds relevant at this juncture. It again echoes Foucault's idea that power was all pervasive.

"They are everywhere. I mean, you would be amazed. There are obviously a lot of people who are hackers, who are an organized team. They work from major organizations. There are journalists, writers of all kinds. People who work at gas stations…" (*The Hacker Wars* 2014)

Anonymous has attacked the cyberspace of governments of Tunisia and Egypt over human rights violations. With Brown as a spokesperson, Anonymous got a figurehead who could represent the group and give it a better voice and legitimacy.

At this juncture, the paper has another figure, Sabu. Sabu, a hacker from Anonymous was also the founder of

Lulzsec group of hackers. This group hacked not just the Westboro Baptist Church, the Fox News Corporation but very significantly, the CIA website. They left behind a message, Tango Down = Target Down. Peter Ludlow, Professor of Philosophy, Northwestern University, best summed it up as:

"What hacktivists do do and does do all the time is embarrass the power elite, in a way that boots on the ground can't." (*The Hacker Wars* 2014)

However, when faced with such dissent, the existing power structure will confront it. The 18 U.S.C. Section 641 is a very problematic legal act which prosecutes whistleblowers and leakers in USA (Lutkenhaus 1168). Whistleblowers are now convicted in the US under the 18 U.S.C. Section 641. This section of the law charges people who are alleged to have stolen government property and distributed it. While this law may apply to property and any other tangible property, this law is a bit ambiguous for digital information.

It makes the assumption that information is also government property. This brings up issues of what constitutes information and what if the information is about the corrupt practices of the state. This law also means that the charge of espionage is brought against whistleblowers. The strangest bit of the law is that all these charges are applicable to physical rules and physical bodies to the digital sphere.

In a study, the legislative history of this section of the law is also done (Lutkenhaus 1176-85). The study finds that Congress enacted the law in 1948 and has elements from its predecessor dating back to 1875. These details also mean that when there is a reasonable doubt as to whether Congress did mean information when they passed it. However, due to the broad nature of the wording in this section, prosecuting leakers have become easy.

This law is also facing flak due to the clash it has with the First Amendment of the Constitution which guarantees freedom of speech. This raises further questions; however, this topic can be the subject of another research.

Andrew Aurenheimer was sentenced to 41 months in a secure facility. Some of the highlights of his trial were that the federal prosecutor said that just because he had some special skill, he should not have any power over people. His sentencing also saw the jury receive much criticism from leading law reviews from the country. These reviews argued that he had simply exposed the flaw in an unsecured public system. This meant that the judgement did not meet the scrutiny of the First Amendment.

Barrett Brown was awaiting sentencing after the completion of the film for threatening a federal officer and for misleading the FBI about the identity of O. O was the hacker who hacked into Sratfor, a private intelligence contractor with the help of Sabu who had now formed Antisec. These e-mails showed how Sratfor was keeping track of the Bhopal gas tragedy justice seekers for Dow Chemicals. He was arrested in a SWAT raid on his house as he was skyping with some other hacker friends. O was in reality, a hacker named Jeremy Hammond. Brown was later sentenced to 63 months in prison and was also asked to pay $890,250 in 2015.

This is where the retaliation of the state comes in to play. Antisec was also a key figure behind the Occupy Wall Street movement. However, it was only later known that the FBI had apprehended Hector Xavier Monsegur aka Sabu on June 7, 2011turned him into an informant by the next day and had him back on the internet within two days.

He would go on to form Antisec by June 19th with the help of the FBI. He would promote Occupy Wall Street by September 17th, thus making the FBI instrumental in promoting the movement. On November 7th, Antisec hacked into

Sratfor and all the e-mails were downloaded directly on to the FBI servers.

This move by the FBI meant that Sabu would go on to spill details about different hackers who would be arrested including Jeremy Hammond and members of Lulzsec, Antisec and even Barrett Brown.

This move is another example of how this power struggle is not an all-out war, but a constant exchange of blows. However, the FBI involvement in this throws a curious light on the state. They could risk losing some information to apprehend these hackers. This confidence can also be attributed to another of Foucault's ideas. These clashes of power are everyday phenomena and that is why not all revolutions do not lead to change.

This paper has looked at power relations from only one angle- of the people fighting against the currentlyexisting structure. This project has only looked at hackers as dissenters to the current structures of power. It has viewed hackers from one light. There are numerous stories of how hackers have hacked personal bank accounts of people and have violated the basic privacies of people. However, this paper has not looked at those stories. This project looked at the select figures shown in the film, The Hacker Wars who have hacked government and private corporations to upset the power structure and bring the power back to the public.

Perhaps in the future, the role of hackers and the power they hold can be examined in greater detail and analyze their proper place in today's society. There could also be another study as to whether such dissent has had any impact on today's world. How much has it informed the general public? How much does it bother them? And whatever be the case, the reasons for either answer can also be explored in the future.

CONCLUSIONS

Snowden's revelations came in the aftermath of revelations made by Bradley Manning and quite significantly, Julian Assange and Wikileaks. While this paper will not be looking to the contributions of other challenges to the existing hierarchy, it would be remiss to not mention these whistleblowers. Their role too needs to be explored and could be the subject of further research.

The ambiguities surrounding the law around leaking data and freedom of speech also needs to be explored and could raise some very interesting issues and opinions.

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