

Hacking and Cybersecurity

I. Three kinds of 'hackers'

- A. Black hats
- B. White hats
- C. Grey hats

II. The *prima facie* case against cracking

- A. Moral rights are not absolute, but they do resist social welfare tradeoffs
- B. Property rights
- C. Privacy rights
- D. Economic costs to hacking

III. Weak arguments for cracking

- A. Social benefits
 - 1. Knowledge about security flaws
 - 2. Improved insight into computer systems
- B. Avoiding waste
- C. Free flow of information

IV. Hacktivism as civil disobedience

- A. Civil disobedience defined
 - 1. Public
 - 2. Conscientious
 - 3. Violation of the law
 - a. Need not be the unjust law itself
 - b. Willingness
 - 4. Non-violent
 - 5. Attempt to communicate an injustice/pressure social change
- B. Core examples of civil disobedience
- C. Hacktivism as civil disobedience
 - 1. Standard strategies of hacktivism
 - 2. Himma's argument against hacktivism as CD
 - a. Failure to accept consequences of law violation
 - b. Third party damage undermines the claim to CD
 - 1) Depends upon hacktivist technique
 - 2) Depends upon type of website
 - c. Implausibility of basic values that motivate CD
- D. Flaws in Himma's arguments
 - 1. What constitutes 'failure to accept consequences'? What about revolutionary contexts where punishment is grossly disproportional?
 - 2. Civil disobedience always generates costs to innocent third parties
 - 3. Civil disobedience can be a kind of moral entrepreneurship: being a minority position is common