

Partisans go cyber: The hacker ethic and partisans' legacy*

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The article discusses the role of hackers and hacktivists in modern hybrid conflicts, in particular the 'localization' patterns of hackerism, by focusing on the case of the Belarusian hacker group *Cyber Partisans*. The study shows the significance of the partisan movement for modern Belarusian identity and historical memory and discusses the attempts of appropriation of this topic by various political actors. The comparison between hacktivism and partisan warfare holds a certain heuristic potential, making it possible to build conceptual categories for the analysis of the hacktivists' practices and their ethical norms. Parallels may be drawn between the hackers and partisans (along with more common analogies with the pirates and 'social bandits') to gain a better understanding of the historical and ideological roots of the hacker movement in the ethical sphere. One of the most famous interpretations of the concept *partisan* belongs to the German jurist and political theorist Carl Schmitt, whose approach accentuates the partisan's connection with the local territory (the telluric nature of the partisan). An interesting way to compare the hacker and partisan ethic is to look at both of them from the game-related perspective. For example, the situations described in the 'partisan' literature have much in common with the prisoner's dilemma — a popular game theory paradox. These situations of moral choice foster a particular kind of subjectivity which is closely intertwined with keeping true and remaining loyal, a subjectivity that is apt to handle certain information with discretion and care. The study explores the heuristic potential of the concept *nomos* for the analysis of the partisan ethic and hacker ethic. The proposed concept *nomos of the swamp* develops Karl Schmitt's ideas and can be applied to reveal the specifics of the partisan activity in Belarus and to analyze partisanship in connection to the historical and modern forms of 'partisan' hacktivism.

Keywords: hacker, hacktivist, partisan, cyberpartisan, hacker's ethic, partisan ethic, *nomos*, Belarus.

Introduction

Modern warfare, like many other spheres of human life, is now being increasingly transformed by the accelerating technological advances — a trend reflected in the growing use of the prefix *cyber* as in "cyberwars", "cybersecurity", and "cyberattacks". Cyberwars, information wars, and psychological wars have now become an important part of hybrid war and other forms of warfare. Another term that has been gaining currency recently is

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cognitive warfare [1]. Belarusian philosopher Irina Sidorenko comments that “cyber warfare implies an active use of a radically new type of weapon of non-lethal action, whose potential can be illustrated most fully by the information weapon, that is, the means of distortion and theft of data masses, security breach, and the use of information and the associated technologies to attack and control the enemy’s military and civilian systems” [2, p. 150].

A significant and active role in new cyber conflicts is played by hackers and hacktivists. The word *hacker* has been in the English language at least since the 17th century. In its modern meaning of someone who gains unauthorized access to computer records, *hacker* first appeared in the tech slang before it came into common use. The Merriam-Webster Dictionary provides the following definitions of this term: “1: one that hacks; 2: a person who is inexperienced or unskilled at a particular activity. . .; 3: an expert at programming and solving problems with a computer; 4: a person who illegally gains access to and sometimes tampers with information in a computer system” [3]. In a wider sense, *hacker* refers to a person who has certain computer skills and who enjoys experimenting with software. In a narrower sense (although it is in this meaning that *hacker* is mostly used nowadays), this word refers to a person using software to gain unauthorized access to certain information. In the research literature, the use of the term *hacker culture* has increased over time [4] as well as that of the term *hacker subculture* if seen as a kind of youth subculture. For instance, the hackers are included in the list of subcultures on the website subcultureslist.com [5] and described as having a “particular sense of style”, slang, folklore, and so on. Another distinctive feature of subcultures is their having their own system of norms and values, which can be different from those prevalent in the larger, mainstream culture.

Hactivism is usually defined the following way: “computer hacking (as by infiltration and disruption of a network or website) done to further the goals of political or social activism” [6]. The term hactivism was coined from the words hacker and activism and means the use of digital tools (“hacking”) in pursuit of political ends. Political motivation is usually pointed to as one of the key features of hactivism, which distinguishes it from the hacker culture as the latter does not imply setting any explicitly formulated political goals. Writer Jason Sack first used this term in 1995 in his article about media artist Shu Lea Cheang.

Belarusian case

Although the hacker movement is integrated in the global digital space and operates beyond and across national boundaries, many hacker groups and collectives have articulated and consciously constructed local identity and follow specific national and regional agenda. The term *patriotic hacking* [7] is also widely spread denoting hacker groups acting in the interests of a certain state or government. An opposite situation is also possible with hacker groups conducting cyber activities against national governments. An example of such a group in the post-Soviet space could be the Cyber Partisans, a Belarusian anti-government hacker group. The group was formed in the autumn of 2020, following the presidential election and ensuing mass protests in Belarus. The Cyber Partisans have a designated spokesperson, who claimed that in the last two years the size of the group has increased from 15 to 30 members, most of whom are not acquainted with each other. The group’s main online source is their Telegram channel under the same name. It should be

noted that Telegram messenger was the main go-to platform for participants of the mass protests that swept across Belarus [8]. As of spring 2022, the Cyber Partisans' Telegram channel had over 58 thousand subscribers. In August 2021, by a court ruling, their Telegram channel (as well as some other opposition channels) were recognized as 'extremist' and the subscription to those channels or dissemination of any of their materials became punishable by law. In 2020–2022, the Cyber Partisans launched several cyber-attacks on the servers of the government and law-enforcement agencies in Belarus, hacked their databases and released them online, exposing officers' personal data, audio records of their conversations, the data on the COVID-19 pandemic death rates, and so on.

The name of this group in the Belarusian context is symbolical because the theme of war is pivotal to modern Belarusian culture, identity and ideology. The WWI and the Civil War had a considerable impact on social, political, and cultural processes in Belarus. There is evidence that being part of the frontline in the war contributed to the development of the Belarusian national movement [9]. The events of the Great Patriotic War (as a part of WWII) were placed at the core of the reflection about the modern history of Belarus, the development of national identity and state sovereignty. Many ideas and principles characteristic of the Belarusian "war ethic" are not limited to Belarusian culture alone but belong to the entire Soviet canon of war ethic. However, there is no doubting that it was the partisan movement that largely determined the specific nature of the Belarusian war experience in the 20th century.

In the 20th century, decolonization processes gave rise to guerrilla movements worldwide. In Europe and in Slavic countries in particular, the partisan movement gathered force during the WWII. In a broader sense, partisans are thought to include anti-fascist resistance fighters as well as members of other irregular military groups, including anti-communist ones. Although such movements were found in many European countries, it was the Soviet and Yugoslav partisans that became most famous and were commemorated through post-war memory practices. In the U.S.S.R., the "partisan" narrative was seen as an important part of the more general narrative about the heroism of Soviet people. It should be noted that the partisan movement in Belarus occupied a special place among other Soviet republics due to the sheer scale of its partisan movement in 1941–1944 and the active involvement of the former partisans in the post-war political and economic life. Michael Urban offered a very salient point by saying that to make a successful political career on the level of the republic or the whole Soviet Union, it was important to have an experience of guerilla war, which had been fought autonomously from the central government [9, p. 13–14]. The Belarusian "partisan myth", which evolved in the post-war years, put the events of the Great Patriotic War and the partisan movement in particular to the centre of Belarus's contemporary history. The "partisan myth" promoted the vision of these events as constitutive to Belarusian statehood since they were one of the reasons why Belarus had received the status of a founding member of the United Nations and occupied a high position within the informal hierarchy of Soviet republics. The memory of the partisan movement manifested in toponyms, with many streets and avenues being named after heroes of the Belarusian Resistance or attributed to the partisans in general. The partisans also featured prominently in mainstream culture, especially literature and cinema (the informal nickname of the republican film studio *Belarusfilm* was quite tellingly *Partisanfilm*). In general, the partisan movement was one of the core elements of the major narrative about the suffering and heroism of the Belarusian people in the years of

war. As Urban explains, the form and content of the Belarusian “partisan myth” insured against irritating Moscow’s sensitivities on the national question’ as it didn’t contradict the general Soviet war narrative [10, p. 13–14]. It should, however, be noted that Belarus was not the only exception and that in dealing with the partisan movement, the memory politics of other regions, including the R. S. F. S. R., could also incorporate elements of local identities and regional patriotism [11, p. 301]. In the post-Soviet period, the mainstream politics of memory retained its focus on the topic of the Great Patriotic War: mandatory courses on this war were introduced by universities in the 2000s and companion textbooks and materials were published [12]. Much attention continued to be paid to the partisan movement: for example, in 2019, an encyclopedia about the partisan movement in Belarus appeared [13], followed, in 2020, by the online project *The Partisans of Belarus*. Other examples include stickers for messenger apps “Partisan Sticker Pack” and interactive exhibition *Partisans of Belarus*, which opened at Belarusian universities in 2021. The opposition challenged the official representations of the partisan movement by publishing translations of foreign critical studies on this topic [14, p. 67–109; 15].

The Soviet partisan narrative gradually came to be appropriated by the liberal and nationalist strands of the Belarusian opposition. The partisan movement was associated with authentic Belarusianness, its traces were found in earlier periods of Belarusian history, for example, in the anti-imperial uprising of 1863–1864. In general, partisanship was understood as an authentic form of Belarusian identity and cultural resistance [16]. The partisan narrative was widely used in the official rhetoric and by the opposition and political activists in the 2020 Belarusian protests. While “previous reappropriations of the GPW (Great Patriotic War. — A. D.) myth by other anti-Lukashenka actors were only sporadic... the spontaneous nature of the protest movement left much room for hybridization and popular, bottomup creative activity, which sometimes recycled political language and symbols in a bricolage manner” [17, p. 78]. For instance, one of the protest events held by the opposition on October 18, 2020 was dubbed the Partisan March; partisan-themed stickers and social media posts were circulated, and so on. In view of the historical context and cultural situation, the popularity of the partisan narrative among the Belarusian hacktivists seems quite explicable.

Moral foundations and historical roots of hacktivist movement

The Belarusian hacktivists’ interest in this topic can be also considered as an attempt to localize their activities by drawing from the local cultural tradition and as an attempt to appropriate (or re-appropriate) the Soviet and post-Soviet official narratives. In my view, the comparison between hacktivism and partisan warfare holds a certain heuristic potential, making it possible to build conceptual categories for the analysis of the hacktivists’ practices and their ethical norms.

The question about the historical predecessors and ideological origins of the hacker movement has been discussed in a number of social and philosophical studies as well as by hackers themselves, who sought to conceptualize and reflect on their own activities [18; 19]. The researchers point out the syncretic character of the hacker ethic, arguing that it was originally based on such liberal principles as the freedom of expression and the freedom to share information as well as on the techno-optimist and progressist vision

of human society seen as part and parcel of technological advancement and information dissemination.

A philosophical approach to the analysis of the hacker ethic was adopted by Finnish philosopher Pekka Himanen (1973) in his book *The Hacker Ethic and the Spirit of the Information Age*. It was published in English in 2001 with a prologue written by Linus Torvalds, a famous programmer and the creator of the Linux kernel — one of the top free operating systems in the world, and the epilogue written by Manuel Castells, a post-Marxist sociologist and renowned theorist of the network society. In his book, Himanen conceptualizes the main features of the hacker ethic, considering it as a totally new phenomenon and part of the new configuration of knowledge and social relations. Himanen argues that the hacker work ethic represents a dramatic rupture with several key principles underlying the capitalist ethic and based, according to Max Weber's theory, on the Protestant worldview. While the hacker ethic is contrasted with the Protestant ethic, the description of the former in some ways resembles the pre-capitalist (or the pre-Protestant) ethic. Thus, the hacker ethic can be seen as a synthesis and further development of these two ethical systems. In Himanen's view, the hacker ethic is largely determined by these people's passionate attitude to work, which differs from the Protestant notion of work as a duty and obligation. For the hackers, work is an occupation worth pursuing for its own sake rather than for the sake of achieving any external goals. Another important aspect is time: the hackers prioritize free rhythm activity, they use time flexibly, according to their own desires and interests, rather than in a standardized, pre-planned manner. For the hackers, the main focus in the hierarchy of motivations is shifted from money-making to passion and openness. This is illustrated by the "copyleft" principles that the hackers uphold as opposed to the standard copyright framework ("copyleft" is a form of licensing that guarantees that intellectual property will be available for free use and further development).

Historically, this open model of the hacker ethic is rooted in the philosophical concepts of academic openness and autonomy. Himanen provides his own take on the model described by Eric Steven Raymond in his book *The Cathedral and the Bazaar* [20]. In Himanen's work, this opposition is reinterpreted as academy vs. monastery, signifying two dramatically different approaches to the pursuit of new knowledge. Hacker training relies on a special learning model which combines learning with researching and is based on the never-ending collective creation of learning materials. Basically, this model relies on the freedom to self-organized time. According to Himanen, the historical precursor of this model is the Platonic Academy. Somewhat paradoxically, the modern academia, which is closer to the monastic model, is further from this ideal than the hacker community [21, p. 69].

Anthropologist Gabriella Coleman notes that the adjective *free* as in 'free and open-source software' refers not only to the technical and economic aspects of such software but also points to the hacker culture's connection with the liberal tradition in the broad sense. Coleman aptly observes that 'at least part of the reason that hacker ethics takes its liberal form is connected to the aesthetic experiences of hacking, which are informed by (but not reducible to) liberal idioms and grammars. Hacking, even if tethered to liberal ideologies, spills beyond and exceeds liberal tenets or liberal notions of personhood, most often melding with a more romantic sensibility concerned with a heightened form of individual expression, or in the words of political theorist Nancy Rosenblum... a "perfect freedom" [22, p. 4]. Thus, Coleman argues, the hacker movement represents the critique

of the modern version of liberalism viewed from the perspective of the liberal tradition itself: “Hackers sit simultaneously at the center and margins of the liberal tradition” [22, p.3]. Coleman points out that hacker work ethic approximates Aristotle’s *eudaemonia* and its modern interpretation by philosopher Martha Nussbaum. The play with modern technologies gives hackers pleasure derived “from the self-directed realization of skills, goals, and talents”. Moreover, in tackling complex tasks, hackers may experience “a more obsessive and blissful state”, which is closer to the engrossing sense of pleasure described by Roland Barthes as bliss or *jouissance*. All of the above points to hackers’ “new fuller individualism”, which, however, differs from the individualism realized primarily through consumption [22, p.12–14].

The ethic of hacktivism is considered to be a more politicized version of the hacker ethic. Otto von Busch and Karl Palmas highlight the fact that initially members of the hacktivist movement followed the autonomous anarchist tradition and promoted the ideas of anti-globalisation, direct action, and resistance [23, p.16]. Tim Jordan and Paul Taylor discuss hacktivism in the context of anti-globalism and the Global North/South divide on the level of mass social movements [24].

Hacktivism, however, has a few distinguishing features of its own, such as its decentralized nature and the anonymity of its participants, which is reflected in the name of the most famous hacktivist group *Anonymous*. In his seminal work, Vasileios Karagiannopoulos argues that the emergence of *Anonymous* marked the beginning of the “second era of hacktivism”: “Compared to other groups that seemed to have a core organizing cluster and strategy and even ideological/rhetoric direction, Anonymous feels more like a constantly mutating and evolving living organism that reacts to different socio-political stimuli in a manner that reflects the multiplicity of its origins and the diversity of its aspirations” [25, p.33–34].

Wendy Wong and Peter Brown in their analysis of *Anonymous* and the activity surrounding WikiLeaks project draw parallels between the hacktivists and the 19th-century “social bandits” described by historian Eric Hobsbawm and propose a special term — extraordinary bandits or e-bandits. In Wong and Brown’s view, e-bandits are a special type of actor in the modern system of international relationships which present a particularly challenging object of analysis within the established frameworks of social sciences. Hobsbawm considers the social bandit as a ‘universal social phenomenon’ characteristic of most pre-industrial, agriculturally-based societies undergoing the transition to capitalist relations. In his view, successful modernization leads to a decline in the public support for social banditism. “The point about social bandits is that they are peasant outlaws whom the lord and the state regard as criminals, but who remain within peasant society... and in any case as men to be admired, helped and supported. This relation between the ordinary people and the rebel, outlaw and robber is what makes social banditry interesting and significant” [26, p.17–18]. Hobsbawm identifies three main forms of social banditry: “the noble robber or Robin Hood, the primitive resistance fighter or guerilla unit of what I shall call *haiduks*, and possibly a terror-bringing avenger” [26, p.20]. Hobsbawm describes social bandits as “pre-political people who have not yet found, or only begun to find, a specific language in which to express their aspirations about the world” [27, p.2]. Wong and Brown demonstrate a certain continuity that exists between the ‘social bandits’ and contemporary hacktivists: “On the one hand, e-banditry is liberating — it allows whoever wants to join a movement to join, and ‘atypical’ activists have joined political

movements. It also allows for groups to impose physical costs without a physical presence. On the other hand, e-banditry by its very nature creates problems of coherence, lack of directed action, and multiple and multiplying goals as participants join for their own purposes without revealing their identities, and therefore their interests” [28, p. 1015–1016]. Wong and Brown argue that e-bandits are first and foremost distinguished by the specific form of the representation of subjectivity described as “politics of no one”: “we see e-bandits as forming a distinct subgroup among hacktivists, pursuing a distinct kind of activism enabled by the anonymizing technologies of the Internet, which at once lends a common identity to those who participate, but at the same time making it difficult for others (and e-bandits themselves) to identify them as specific individuals. The critical component that distinguishes e-banditry from other social movements or even hacktivists is the *disembodiment* of activism. This decoupling of resistance and physical presence is central to the politics of no one, as technology enables anonymity that does not require individuals to physically gather for a show of strength or support” [28, p. 1022].

Coleman argues that the initial mission of the *Anonymous* movement precluded its institutionalization and, therefore, any predictions of its actions, or even reaction to them, remain highly controversial. The activities of this collective, however, are not totally random or chaotic but adhere to certain interrelated principles: “*Anonymous* follows a spirit of humorous deviance, works through diverse technical bodies (such as IRC), is built on an anti-celebrity ethic, and intervenes politically in astoundingly rich and varied ways” [29, p. 17]. This anti-celebrity ethic is contrasted with what Canadian political theorist Crawford Brough Macpherson refers to as *possessive individualism*. In Coleman’s view, the very form of communication on anonymous forums, such as *4chan*, contributes to the realization of the ideal of self-effacement of the individual. Individual fame is replaced by collective fame embodied in all members of the community (“collective of collectives”), which leads to a rise in leaderless protest movements such as the Occupy movement. All of the above leads Coleman to draw a parallel between the hacktivists and Hobsbawm’s ‘social bandits’: ‘For Hobsbawm, the bandit is pitted against “the forces of the new society which he cannot understand. At most he can fight it and seek to destroy it... Today’s digital bandits, however, understand the forces of creative destruction, consciously deploying them for political purposes” [29, p. 71].

Thus, in contemporary research literature ‘social bandits’ are often considered as historical predecessors and counterparts of the present-day hacktivists. Another way to “historicize” modern hackerism is to compare this phenomenon with piracy (see, for example, this year’s preprints of the forthcoming publications [30; 31]). In our view, however, an equally valid approach would be to compare hackerism and partisanship, which could bring a more in-depth understanding of the local variants of modern hacktivism (e.g. the Cyber Partisans in Belarus) and put the phenomenon of hacktivism in a broader context.

Conceptualizing partisans

The notions of partisan, partisan war and partisan movement are actively used to describe the military and political events of the 20th century and of the 2000–2010s by historians, military scientists, and security specialists. The term *partisan* and its derivatives are usually considered as part of the more general context of the so-called ‘small wars’, along with other concepts such as “guerilla”, “terrorist”, and “irregulars” [32, p. 251–254] as well

as “pirate” and “hacker” [33, p.300]. The most theoretically insightful work in studies of partisanship is undoubtedly the book by German jurist and political theorist Carl Schmitt *The Theory of the Partisan* (1963), originating in the two lectures that Schmitt delivered in 1962. The subtitle of the text — *the Intermediate Commentary on the Concept of the Political* — points to the book’s connection with Schmitt’s previous work, which includes his famous definition of the political as a specific sphere of life based on the friend/enemy distinction. In *The Theory of the Partisan* Schmitt considers the historical origins of partisanship as an element of warfare and traces the evolution of the concept of partisan. In Schmitt’s view, the radical transformations in partisanship and its emergence as a form of armed conflict were brought about by the guerilla war in Spain during the Napoleonic Wars and theorized by the Prussian general Carl von Clausewitz. In the 20th century, fraught with large scale wars, ideologically inspired mass political movements, and decolonisation conflicts, the idea and ideal of a partisan is reinterpreted in a novel way by such practitioners of political struggle as Vladimir Lenin and Mao Zedong. Schmitt identifies several key aspects of modern partisanship: the partisan’s connection to the space, in particular, his native land (*telluricity*); irregularity; active political involvement (in the case of present-day partisanship, such political involvement often stems from the support of the “interested third party” and involvement in mass political movements); and mobility (resulting from the technological progress).

In my previous research [34], which dealt with the normative models of moral choice in partisan warfare, I have shown that partisanship engenders diverse models of moral behaviour and ethical reflection. These models included, first, the official Soviet model of the pre-war period, which was reflected in fiction and which considered partisan warfare in the context of class conflict and the struggle for national liberation; second, the official Soviet model of the war period, which was reflected in wartime normative documents, essays, and fiction and which considered partisan warfare as a kind of collective activity aimed at restoring the normal life in accordance with the *lex talionis* principle; and, finally, the official Soviet model of the post-war period, which was reflected primarily in fiction and placed the main accent on individual moral choice and emphasized the partisans’ local identity. The situation of a difficult moral choice faced by the partisan often takes place in extraordinary or even extreme conditions, for example, after he is taken prisoner, in an interrogation, or in a life-threatening situation. These situations of moral choice foster a particular kind of subjectivity which is closely entwined with keeping true and remaining loyal, a subjectivity that is apt to handle certain information with discretion and care.

An interesting way to compare the hacker and partisan ethic is to look at both of them from the game-related perspective. There is a significant body of research literature (Himanen, Coleman) that analyzes gamification in hackers’ activities and interprets hackerism as a game where the process itself brings more satisfaction than its outcomes, in contrast with alienated labour, which brings no pleasure or fulfillment but is performed for the sake of some external aim. The moral reflection associated with partisan activities can be considered in the light of game theory. For example, it can be quite insightful to analyze the ethical dilemmas in the “partisan” prose of the renowned Belarusian writer Vasil Bykov, especially in terms of the prisoner’s dilemma — a classic thought experiment, which is popular in game theory, moral philosophy, political studies, etc. As ethical philosopher Ruben Апресян puts it, ‘the theoretical idea reflected in this model lies in the fact that personal interest may impede the achievement of a collective goal, which each of

the individuals involved in the situation considers as corresponding to their personal interest... The conclusion drawn from the prisoner's dilemma is usually that prisoners fail to cooperate because each of them is pursuing their own interest... The prisoner's dilemma is discussed in many contemporary studies devoted to the theories of morality and social theory when dealing with the situations involving a conflict between communal and individual interest' [35].

The situation described by Bykov in his novella *Sotnikov* is highly resemblant of the prisoner's dilemma. There are two men who get captured by Nazi collaborators and are suspected of being partisans. Each of them is urged to confess and share important information (about the whereabouts of the partisan group, its size, leaders, etc) and is threatened with death if they refuse to cooperate. Noteworthy, both characters initially perceive the interrogation as a kind of game, which one of the partisans — Sotnikov — refuses to play. The other one called Rybak (Fisherman), on the contrary, is eager to play this game: 'Everybody knows that in the game called life it is the one who is the most cunning that most often wins the prize' [36, p.414]. Agreeing to disclose some of the information to the interrogators, Rybak consoles and justifies himself by saying that what he is telling the enemy cannot do any real harm to anybody. Further on, however, he is getting more and more involved with the enemy and, finally, he cannot avoid switching sides and has to take part in the execution of his comrade Sotnikov. In this case, certain parallels may be drawn with a single person interpretation of the prisoner's dilemma where the focus is made either on the changes in the person's state over time or the various, sometimes contradictory intrapersonal desires and motivations [37]. It should be noted that unlike the popular versions of the prisoner's dilemma, in the Bykov's novella the characters have an opportunity to communicate with each other after they are captured. Rybak suggests to Sotnikov that they should come to an agreement about what they are going to say at the interrogation, for example, tell half the truth, but Sotnikov rejects the idea outright. In modern terms, such model of behaviour can be described as that of a loner, that is, a person who refuses, out of principle, to participate in the game. In their study of 2019, based on the methods of computer modelling, Yamamoto et al. [38] showed that if one of the participants chooses the role of a "loner", then the dominant strategy in the prisoner's dilemma game becomes to maintain cooperation in the future. In fact, examples of the classic prisoner's dilemma game may be found in fiction such as the situations illustrating a clash between the individual and collective rationality or single person interpretations, scrutinizing the changes in one person's state over time or contradictory desires and motives. There is also a model with abstention, where players have an option to become a "loner" and abstain from playing the game.

Nomos of partisan

Another important aspect that could be used to draw parallels between the partisan and hacker ethic is based on the concept of *nomos*. The word *nomos* (from Ancient Greek: νόμος) has at least two distinct meanings: written and unwritten laws and customs regulating life in a given community; the unwritten universal divine law. In Antiquity, the relationship between *nomos* and *physis* as human and natural orders was a subject of lively discussion [39]. As an organizing principle, *nomos* structured various forms of life in Greek society: law, religion, morality, and customs. Gabriella Coleman exemplifies

the ethical dilemmas characteristics of the hacker ethic by the Debian operating system, consisting of free and open source software. Coleman's analysis of the ethical aspects of hackers' activities is informed by the work of Robert Cover, an American law scholar and activist, in particular his interpretation of the term *nomos*. Cover, in his turn, draws on Peter Berger's ideas of social constructivism in *The Sacred Canopy* in stating that "socially constructed world is, above all, an ordering of experience. A meaningful order, or *nomos*, is imposed upon the discrete experiences and meanings of individuals... To say that society is a world-building enterprise is to say that it is ordering, or nomizing, activity" [40, p. 27]. Cover interprets *nomos* as a kind of normative universe constituted by the permanent narrative devoted to the interpretations of the existing norms enshrined in the text: "This *nomos* is as much 'our world' as is the physical universe of mass, energy, and momentum. Indeed, our apprehension of the structure of the normative world is no less fundamental than our appreciation of the structure of the physical world. Just as the development of increasingly complex responses to the physical attributes of our world begins with birth itself, so does the parallel development of the responses to personal otherness that define the normative world. The varied and complex materials of that *nomos* establish paradigms for dedication, acquiescence, contradiction, and resistance. These materials present not only bodies of rules or doctrine to be understood, but also worlds to be inhabited. To inhabit a *nomos* is to know how to live in it" [41, p. 5–6]. Coleman also uses this term in its narrower sense: "While the idea of *nomos* provides a useful general framework for understanding how ethical stances are codified and internalized, for my purposes here, I specify its meaning by distinguishing among a repertoire of everyday micropractices that I group under two distinct (and contrasting) ethical moments: enculturation and punctuated crisis. While in practice these two moments exist in a far more complicated mixture and copresence, here they are separated for the sake of clarity and analytic value. Each one tells us a slightly different story about how people use narrative to adopt values, and then animate and transform them over time" [22, p. 124]. Enculturation is understood here in the anthropological sense — as relatively conflictless socialization through the adoption of certain norms and knowledge, both explicit and inferable. The term *punctuated crisis* denotes a conflict stemming from the clashing interpretations as to how the moral code that the hackers share should be applied in particular situations. These processes intensified as the community of Debian developers grew from a dozen to several hundred participants. Thus, from a small group united around a charismatic leader the community transformed into a more stable and institutionalized social formation regulated through democratic (and, according to Coleman, partially populist) procedures of participation and decision-making. After much debate, the community adopted several documents outlining its basic ethical principles — the Debian Social Contract, which includes the Debian Free Software Guidelines. These documents are meant to regulate the relationships between the developers of free software and its users and can also serve as the basis of the Open Source Definition. Apart from the technical aspects, this text mentions the ethical questions of trust, community, common good, and so on.

Returning to Schmitt's model of partisanship, it should be noted that it is his idea of the "telluric" nature of the partisan that holds the most relevance to this paper's discussion. Schmitt writes, citing Spanish researcher Jover Zamora, the following: "the partisan battles of the WWII, and what followed in Indochina and other counties... lead us to understand that the relation to the soil [Boden], together with the autochthonous population and the

geographical specificity of the country... remains undiminished to this day” [42, p. 36]. In other words, it is the attachment to the land that constitutes the main difference between the partisan and the pirate or the corsair. It should be noted that, from the perspective of the modern theory of warfare, the support of the locals is what, among other things, distinguishes partisanship from other forms of irregular warfare (terrorism, warfare involving mercenaries and foreign fighters, etc). On the other hand, some of the recently emerged characteristics of partisanship, such as mobility, third-party support, and the use of modern military equipment, make this connection to the land much less obvious [43]. Interestingly, the partisan’s telluric character is contrasted with mobility, which is another characteristic of partisan activity. Timofey Dmitriev, the author of the commentary to the Russian edition of *The Theory of the Partisan* draws an analogy between the “telluricity” and “autochthony” of the partisan and his conservatism [44, p. 213]. This idea is worth serious consideration in relation to the Belarusian case where the forms of the strong ‘partisan’ identity go hand in hand with the conservatism of some population groups and the government. In the late 1980s, the Belorussian Soviet Socialist Republic was often critically referred to as the Vendee of Perestroika because of the republic’s resistance to the Perestroika movement. The phrase itself is frequently attributed to the Belarusian writer Ales Adamovich, known for his war novels and stories, which, among other things, depict the partisan wars in Belarus.

Taking as a starting point his ideas in *The Nomos of the Earth in the International Law of Jus Publicum Europaeum* (1950), Schmitt further elaborates on “the tellurian character of the partisan” by analyzing the significance of the spatial factor for warfare, in particular, the difference between warfare waged on land and at sea. Schmitt applies the term *nomos* to denote the basic principle of the organization of space: geographical, social, political, economic, and cultural. *Nomos* is synonymous with such words as “order” and “law” and corresponds to “the first measure of all subsequent measures, for the first land-appropriation understood as the first partition and classification of space, for the primeval division and distribution” [45, p. 46]. Demonstrating the initial connection between order and localization, *nomos* “remains an expression and a component of a spatially conceived, concrete measure” [45, p. 46]. It should be noted that Schmitt’s theory about the origins and foundations of legal systems appears to be heuristically significant although debatable, while leaving enough room for geopolitical and historiosophical interpretations. Fredric Jameson points to the possibility of its interpretation as “the concept of the *nomos* as a periodizing and structural category (whose family likenesses, besides one to the Marxian mode of production, might also include one to Foucault’s historical epistemes)” [46, p. 18]. Having said that, the potential of Schmitt’s theory as a universal explanatory model of the historical process is questionable. Meanwhile, the idea about the connection between space and the events taking place within its boundaries and the social orders this space engenders (including the order of warfare) appears to be really promising. It is particularly worthy of attention in relation to the discussion of partisanship and the mode of guerilla warfare.

In his discussion of the “telluric” nature of the partisan, Schmitt highlights the connection between guerilla warfare and the partisans’ relation to the soil, local population, and the geographic landscape of the region, mentioning “mountains, forest, jungle, or desert” [42, p. 36]. Unfortunately, Schmitt does not elaborate further on this list but it can be supposed that various types of space may have an impact on the ways of guerilla

warfare. Contemporary studies of the partisan movement in Eastern Europe during the WWII emphasize that it was connected to and determined by the regional landscape, which differs significantly from its more urbanized Western European counterpart — “extensive, often underdeveloped rural areas encompassing thick forests, copious swamps or extensive mountain ranges” [47, p. 2]. Noteworthy, in his attempt to justify his “telluric” understanding of partisanship, Schmitt cites the experience of an author from Eastern Europe — poet Czeslav Milosz, who took part in Polish underground activity during the German occupation [42, p. 37]. Although the partisans in Eastern Europe are usually envisioned in forest settings, an interesting question to consider would be the role played by wetlands in shaping partisan warfare in Belarus.

The images of wetlands (swamps, bogs, peatlands, quagmires, and marshes) occupy a prominent place in a variety of cultures — in fact, as the case of the English language illustrates, there can exist different words to denote such areas depending on the degree of their inundation, soil types and plantlife. The image of wetlands is polysemantic: although negative connotations prevail, with wetlands being commonly associated with stagnant waters, danger, and infectious, water-related diseases, wetlands may be also perceived as a source of natural, vital force, especially among the representatives of the feminist and environmental movements [48, p. xi]. The concept and metaphor of wetlands attract much scholarly attention across different disciplines — a good example is a themed collection of papers on the Russian swamp as a cultural space [49], seeking to revise and reinterpret the established clichés about wetlands. The swamp metaphor is quite common in the political discourse: for instance, in the Francophone tradition it was used to ironically refer to the majority of independent deputies in the French National Convention during the French Revolution — *le Marais* (literally “the Marsh”).

In the Russian language, the word *boloto* (*blato*) has a strong association with moral filth and corruption and is frequently used in the religious discourse. In the 18th century, the word acquired some relevant social connotations (while partially retaining its geographical meaning) and its semantics was transformed. As the Russian National Corpus suggests, wetland metaphors are usually used to denote one of the following: “1) provincial backwater, stagnant life in the province; 2) locality or local community one was born in and feels attached to (‘small motherland’); 3) stagnation in social and political life; 4) corrupt, depraved society; 5) social environment characterized by the wide use of devious schemes and unfair competition practices; 6) daily family life” [50, p. 19]. It could be supposed that some of these characteristics may be of relevance to the process of guerilla warfare, which is practiced mainly on a small scale by local groups, that is, on the level of the said “small motherland”. Moreover, the rules and norms of conventional (regular) warfare, not to speak of civilian life, may not apply in the case of guerilla warfare. This difference may lead to transformations in the moral principles and values upheld by the people participating in guerilla warfare.

Belarus abounds in forests and wetlands. By virtue of its geographical position and climate, it developed historically as one of the wettest countries in Europe. Throughout the 19th and 20th centuries, amelioration was widely implemented in Belarus, reaching the peak of its intensity in the post-war period [51, p. 75–77]. Pre-war Belarusian literature is abundant in the representations of wetlands and life in the wetlands, especially in connection to partisan life and activities. Quite illustrative in this respect is the novella by Yakub Kolas *The Bog*, portraying the partisan struggle during the Polish-Soviet war. The

central character in the story was a real person — Vasily Talash (also known as Grandpa Talash, 1844–1946), who went on to become a partisan in the WWII (according to some sources, he was the oldest participant in the partisan movement). Along with the village, the forest and wetlands are the most popular settings for the stories of partisan war. Interestingly, the term *Forest Brothers*, which explicitly connects guerilla warfare with the forest, is commonly used to refer to anti-Soviet resistance groups operating on the territory of Belarus and other countries. Soviet partisans, in their turn, could be described as “people of the marsh”, as suggested by the title of the 1962 novel by Belarusian writer Ivan Melezh (1921–1976) about the pre-war life of a village in Polesye. Quite obviously, neither the literary characters nor their real-life prototypes operated exclusively in the wetlands but since these areas are dangerous places, difficult to access and walk through, they were often used by the partisans for cover and concealment. Moreover, it would not be too far-fetched to assume that the image of the wetlands can be considered as a heuristically charged metaphor denoting guerilla warfare in general as well as some particular ethical aspects associated with the partisan movement.

Let us now return to Schmitt’s discussion of *nomos* as an “order-creating principle” linked to human-landscape interactions. Schmitt writes of the *nomos* of the Earth as fundamental to European international law, regulating the relationships between the states and the conduct of warfare. Modern warfare and primarily guerilla warfare obviously do not fit into this normative framework and challenge the established order: “In partisan battle a complexly structured new space of action emerges, because the partisan does not fight on an open field of battle nor on the same plane of open frontal war. Rather, he forces his enemy into another space. To the space of the regular traditional theater of war he, thus, adds another, darker dimension, a dimension of depth” [42, p. 107]. Thus, Schmitt argues, the partisan “provides an unexpected (but no less effective for that) terrestrial analogy to the submarine” [42, p. 108]. Even though further on in the text Schmitt tries to draw a clear distinction between land and sea and insists on “the telluric-terrestrial character of the partisan”, there is a feeling that Schmitt’s understanding of partisanship implies a certain synthesis of land and sea. Quite insightful in this respect is the metaphor coined by another theorist of guerilla warfare Mao Zedong (1893–1976), who aptly compared partisans with fish in his famous saying that “the guerilla must move among the people as a fish swims in the sea”. Partisans are metaphorically likened to fish and people to water, meaning that partisans can keep themselves hidden by mingling with the local population [52, p. 309]. It should be noted that fish can live not only in the sea or river but also in the swamp, in whose depth they can hide. Wetlands, in their turn, combine the two elements — water and earth — concealing an unpredictable depth behind their seemingly calm water surface. In traditional Belarusian culture, the swamp was often presented as a chaotic mixture of water and earth — the two elements from which the Cosmos was later created. It was perceived as a dangerous place filled with evil spirits [53]. In a sense, stepping onto the territory of a swamp can signify one’s readiness to face a life-threatening situation. For example, in his war essay Belarusian poet Yanka Kupala describes women taking their small children to the marshes at the beginning of the war, thinking they “would be better off dead than getting in the hands of the German fascists” [54, p. 5]. An important feature of wetlands such as swamps or marshes is the absence of hard ground — they may be described by using the title of the famous book by Lev Shestov (Yehuda Leib Shvartsman) as “the apotheosis of groundlessness”, meaning the absence of the principles

that apply in peace time or in regular warfare. All of the above shifts the accent to the individual choices made by the participants of the partisan struggle. Generally speaking, such analogies also make sense in relation to Schmitt's ideas, whose approach is described as "political existentialism" [55] and the figure of the partisan: "the groundlessness of the political is poignantly expressed in the hopelessness of the partisan, who takes the risk of radical action and fights in the face of the overwhelming odds of defeat" [56, p. 7].

Noteworthy, swamp is one of the recurring motives in Bykov's late works. *Swamp* is the title of one of his stories describing the situation of uncertainty where a group of Soviet soldiers find themselves after being inserted behind enemy lines in order to meet the local partisans. However, it soon turns out that they had been deployed in the wrong place and throughout the whole story they are feeling uncertain as to their whereabouts and the people they meet (the group commander orders the soldiers to kill the local boy who showed them the way to the partisans' camp lest the boy should disclose their presence to the enemy) as well as to their own identity and relationships with each other (as the story unfolds, quite a few details from the characters' complex and, sometimes, compromising pasts are revealed). The story ends on a tragic note as the group come under friendly fire from the partisans. "Whatever one sees at night is weird and false. At night every shrub seems mysterious, every spot from afar bears a suspicious sign. At night the sense of hearing sharpens but it may often be deceptive by making the imagined seem real" [57]. This philosophically charged description underscores the complexity of partisan experience: being a partisan makes one doubt the things which used to seem obvious in civilian life, including moral values. It becomes problematic to justify one's actions by using these norms or official instructions. In the absence of solid ground or support, the partisan has to overcome his fear and take the risk of traversing a metaphorical bog. The soft, quaggy surface of the bog may be used to metaphorically signify the absence of the principles and rules that apply in peace time and in regular warfare. All of the above shifts the accent to the individual choices made by the participants of the partisan struggle. This specificity of the partisan ethic comes to the fore in Vasil Bykov's works, foregrounding the moral and existential problématique, individual moral experience, and personal choices made in existential or morally ambiguous situations. Thus, in order to conceptualize partisan warfare in the situation of uncertainty and the ethical dilemmas such uncertainty entails, it would be productive to consider the metaphor *nomos of the swamp*, elaborating on Schmitt's terminology.

Conclusion

My findings can be summarized as follows. Hackers and hacktivists play an active role in modern hybrid conflicts. Hacktivism may take "localized" forms as is illustrated by the case of the Cyber Partisans. The study shows the significance of the partisan movement for modern Belarusian identity and historical memory and discusses the attempts of appropriation of this topic by various political actors. The comparison between hacktivism and partisan warfare holds a certain heuristic potential, making it possible to build conceptual categories for the analysis of the hacktivists' practices and their ethical norms. Parallels may be drawn between the partisans (along with more common analogies with the pirates and "social bandits") and hackers to shed a new light on the problem of historical predecessors and ideological roots of the hacker ethic. One of the most famous interpretations

of the concept of partisan belongs to Carl Schmitt, whose approach accentuates the partisan's connection to the local territory (the telluric nature of the partisan). An interesting way to compare the hacker and partisan ethic is to look at both of them from the game-related perspective. For example, the situations described in the 'partisan' literature have much in common with the prisoner's dilemma — a popular game theory paradox. These situations of moral choice foster a particular kind of subjectivity which is closely entwined with keeping true and remaining loyal, a subjectivity that is apt to handle certain information with discretion and care. Another important aspect that could be used to draw parallels between the partisan and hacker ethic is based on the concept of *nomos*. The proposed notion *nomos of the swamp* develops Schmitt's ideas and can be applied to shed light on the partisan activity in Belarus and to gain a better understanding of partisanship in connection to the historical and modern forms of 'partisan' hacktivism.

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Партизаны уходят в киберпространство: хакерская этика и наследие партизан*

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В статье рассмотрены особенности участия хакеров и хактивистов в современных гибридных конфликтах. Были выявлены особенности «локализации» хактивистской активности на примере деятельности белорусской группировки «Киберпартизаны». Была выявлена значимость партизанской тематики для современной белорусской идентичности и исторической памяти, а также рассмотрены попытки апроприации этой тематики политическими акторами. Показано, что проведение сравнения между деятельностью хактивистов и партизанской активностью обладает определенным эвристическим потенциалом, позволяющим концептуализировать специфику деятельности хактивистов, а также особенности их этических норм. В частности, проведение параллелей между деятельностью партизан (наряду с более распространенными аналогиями с пиратами или «социальными бандитами») и хакеров позволяет по-новому взглянуть на проблему исторических предшественников и идейных истоков движения хакеров в области этических представлений. Рассмотрен один из наиболее известных вариантов концептуализации понятия партизана в работах немецкого теоретика права К. Шмитта, в которой акцент делается на связи партизана с локальной территорией (теллуричность). Выявлен важный аспект пересечения исследования этических аспектов деятельности партизан и хакеров — ее игровая составляющая; в частности, было установлено, что в описанных в «партизанской» художественной литературе примерах

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присутствует ряд сходств с популярной в теории игр «дилеммой заключенного». Это позволяет зафиксировать ситуации и механизмы формирования особого типа субъективности, тесно связанного с процедурами сохранения определенного рода истинной информации, имеющей непосредственное отношение к деятельности партизанского движения. Проанализирован эвристический потенциал использования понятия «номос» для анализа партизанской этики и этики хакера. Предложено авторское понятие «номос болота», развивающее идеи К. Шмитта и обладающее эвристичностью как для выявления специфики партизанской деятельности применительно к белорусскому случаю, так и для лучшего понимания специфики деятельности партизана как в исторических, так и современных формах «партизанского» хактивизма.

Ключевые слова: хакеры, хактивисты, партизаны, киберпартизаны, этика хакеров, этика партизан, номос, Беларусь.

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