The Internet: State of Nature or Artificial State?

A Modern Reflection on Hobbes and Rousseau

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The principle of net neutrality implies that internet service providers must treat all information packet sets by content providers equally and free of charge (Calzada & Tselekounis, 2018, p.191). On December 14, 2017, the American Federal Communications Commission (FCC) repealed the rule that classified the Internet as a public utility under Title II of the 1934 Communications Act (passed by the Obama administration in 2015). This recent development concerning net neutrality in the United States has increased the tension between those arguing for the free flow of information and the business side of commercialized information technology (Yeh & Cheng, 2017, p.2). Critics view the FCC's decision as a threat to both the freedom of internet consumers and the progress of scientific discovery, but also as imposing a significant market disadvantage on small businesses. Free information flow is not considered a fundamental human right. However, the U.S. government does have an active legal duty to promote freedom of speech, which would be stifled by the elimination of net neutrality (Yeh & Cheng, 2017, p.16). Yet, freedom of speech is not necessarily equated with a free flow of information, as one is a fundamental human right recognized by law and the other an unofficial grant (in this case of Internet culture). Furthermore, net neutrality does not contribute to the development of broadband networks, and thus stifles their growth – which is perceived as detrimental in the capitalist paradigm of constant economic progression (Yeh & Cheng, 2017, p.17). In an increasingly knowledge-based economy, the elimination of net neutrality would ultimately create a competitive distinction between networking countries, and would increase the gap between the networked and other, isolated, countries, giving rise to information scarcity by making Internet access exclusive (Holderness, 2005, pp.38).

With the threat the elimination of net neutrality poses to online and (world-)economic participation in mind, it would be interesting to see whether the premise of the Internet being free and open to all is true, and whether or not that premise of freedom is a desirable one. This essay will be looking into the philosophies of both Hobbes and Rousseau, and link them to the digital realm. Thomas Hobbes and Jean-Jacques Rousseau have both theorized on the concept of governance, and have long adopted opposing views on the matter. The aim of this essay is to determine whether the Internet really needs governance – or if perhaps it has always been a governed state. The outcome of this analysis functions to determine the importance of net neutrality preservation on a global scale.

The essay is divided into three parts. First, the concept of the Internet as a State of Nature will be discussed by explaining Hobbes's *Leviathan* and applying this (or his) theory to the Internet. Second, the concept of the Internet as a state within a state will be discussed by going over Rousseau's critique on Hobbes and applying Rousseau's theory of the corruption of society to the Internet. Finally, a conclusion will be drawn based on the two opposing analyses of the Internet, determining whether the Internet falls into either one of these two categories. The conclusion ought to clarify the function of the Internet and whether it is subjected to governance – and, if so, *how*. Furthermore, the conclusion will explain the importance of net neutrality for the determination of the Internet as either a Hobbesian State of Nature or a Rousseauian artificial state – as well as the crucial importance of the preservation of net neutrality itself on a global scale.

Erasmus Student Journal of Philosophy

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The Internet as a State of Nature

In 1651, he British press released the first official copy of Thomas Hobbes' Leviathan or *The Matter, Forme and Power of a Common-Wealth Ecclesiasticall and Civil*. In addition to its lengthy title, its frontispiece, etched by the French artist Abraham Bosse, very much appeals to the imagination. Prominent on the book's cover is the image of a sovereign, a king, crowned, and armed, towering over his kingdom. Looking closely, one can recognize that the giant king is entirely made up of small individuals, grouped together in order to give shape to this particular figure. The image reflects the concept of the *Leviathan*, introduced by Hobbes as the body that we as citizens create in order to regulate our relations with each other; a body on which society is centred. The artificial man depicted on the cover of Hobbes's book represents the commonwealth or the state. Hobbes says that this commonwealth came into being a long time ago when, metaphorically speaking, humans signed a contract, by which they agreed to give up their natural rights in order to be able to live with each other in peace (Skinner, 2008).

What was it that justified the full authorization of the Leviathan? According to Hobbes, humans had no other choice but to give up their natural rights to the artificial man; for these rights had always made the preservation of one's own life impossible. Back when this natural right prevailed, before the creation of the artificial state, man was living in the State of Nature (Lloyd & Sreedhar, 2014). In the State of Nature, we are all equal by our *jus naturalis*: our natural right. This natural right ensures that individuals have the equal right to go after their personal desires. People's highest good is taking for themselves what they happen to desire at a specific moment in time that will quench their insatiable thirst for *felicity*, or happiness. Man is naturally selfish, and completely justified in his pursuit of *felicity* by any means necessary. Any concept of morality does not exist until the contract is signed (Hobbes, 2004; Lloyd & Sreedhar, 2014). More often than not, individual desires overlap. When this overlap occurs, the scarcity of the objects of man's desire becomes prevalent. For it is man's natural *condition* to live together with other like-minded individuals; each driven by their selfish desire for Felicity. Ultimately, this problem of equal existence creates competition, competition for *power* in order to *overpower* others, which is necessary for survival. However, a permanent state of war

is not the desired environment in which to strive for self-preservation. In a world of no morals, humans will end up destroying each other. This goes against the *lex naturalis*, the law of nature, which states that each person cannot possibly engage in any activity that will endanger their life. Because humans are rational beings, Hobbes figured they would at one point come to understand the necessity of the creation of something that would ensure their peace. From this, it follows then that getting out of the State of Nature was a completely natural development in the history of humankind: the war of all against all legitimized the need for a sovereign. The birth of the Leviathan was the *only possible*, the *only natural*, the *only rational* conclusion (Hobbes, 2004; Lloyd & Sreedhar, 2014).

Hobbes' State of Nature embodies a certain state of anarchic chaos. While Hobbes' philosophy stems from the 17th century, we can still recognize its anarchic themes today, in a new world – one that lies beyond the physical realm, but whose influence *on* the physical realm has become detrimental to our reality. Much like Hobbes' State of Nature, the Internet is a lawless place, without a governing body. This is because the Internet was originally meant to function as a vehicle for military network research in the mid-1960s, and was designed to survive nuclear war. It was necessary that there was no central control present, so that any part of the Internet could inconspicuously be removed without damage to the whole (Langford, 2005, p.99). The Internet is believed to be the last place where this type of anarchic privacy and freedom still exists. There is not one person claiming ownership over the Internet; it is perceived to be like an open environment, which anyone can enter at any time. The Internet exists for no one in particular, and so people from all over the world are free to occupy its space (Axelrod, 2009, p.5).

How is this online freedom being utilized by Internet users? There are three fundamental differences between the physical world and the digital world that have helped shape the image of the Internet as a space with an "anything goes"-mentality, which is expressed through antisocial online behavior like cyberbullying, cyberstalking, and hate speech – to name just a few (Winter, 2018, p.186). Firstly, the Internet transcends all spatial boundaries: online, we have access to everything – and everything, in turn, has access to us. Secondly, identity is a fluid concept in the digital world:

appearances change, names are falsified, and any personal information for that matter is devoid of any traceable source, at least to any regular user. Finally, being online also enables people to let go of the inhibitions that are they encounter in society. The is because online there is a lack of physicality, and with that an absence of physical and verbal cues (Axelrod, 2009, p.14). Much like in Hobbes' State of Nature, on the Internet, users are free to act according to their "*jus internetalis*". In fact, on the Internet, the boundaries of identity, and thus of responsibility and of consequence, have been erased by anonymity (Axelrod, 2009, p.5). The equal right of internet users to uphold their anonymous mask at all times creates an impersonal environment in which anything goes. Furthermore, there is very little difference between Internet users, as distance is no longer an issue: geography (physical location) has been replaced by "ideography" (ideological location) (Holderness, 2005, pp.36). People travel through cyberspace on unrestricted mode; there is no way to regulate who is online and who is not – especially not when individuals can move around largely undetected (Axelrod, 2009, p.58).

It is unsurprising that, ever since the Internet was created, it has been an attractive place for criminals to operate. Even though digital crime can do harm to the physical world, criminals are drawn to the internet because its anonymity offers them something that was not available in Hobbes's State of Nature: they are less likely to violate the *lex naturalis*, as it is harder to fight crimes that cannot be directly traced back to a physical person (Axelrod, 2009, p.6 & 13). As the Internet allows people to operate under the assumption that they are safe, it is arguably an even more dangerous place than Hobbes's State of Nature. People enter the digital realm from the privacy of their homes, and so the average user finds themselves in a world without the danger cues found in the physical world – danger cues that usually remind us to ensure our personal safety, which is no longer necessary when we assume to be safe already. Users who believe that, when they enter the Internet, they enter a space of trust are more easily subjected to perception (Axelrod, 2009, p.14 & 17). At least one would be able to hear the footsteps of an intruder in the State of Nature. On the Internet, however, we are not so lucky. Furthermore, because the Internet is an entirely virtual experience which is owned by no particular entity, we cannot simply apply the laws from the physical world onto the digital world

(Axelrod, 2009, p.75). The Internet functions as a State of Nature *within* the civil state, and requires an entirely different approach when it comes to legislation. What works in the physical world does not necessarily work in the digital world. For example, data mining cannot be approached in the same way as the robbery of a house, as these two crimes both have very different consequences for the victim.

From anonymous communication arose a rhetoric of the Internet as a space of equality: all users would be free to communicate without any limits. This freedom enables users to act naturally. According to Hobbes, all natural action is amoral (Hobbes, 2004; Lloyd & Sreedhar, 2014). The Internet has provided man with an entirely new object of *felicity*:

> In an increasingly knowledge-based economy, information is becoming at least as important as land and physical capital. In the future, the distinction between developed and non-developed countries will be joined by distinctions between fast countries and slow countries, networked nations and isolated ones. – According to Baranshamaje et al. (as cited in Holderness, 2005, p.38)

Acquiring information has become the most desirable cause, because our participation in the world economy depends on it. However, the desire for information itself alone does not immediately create a State of Nature. There are two preconditions that jointly reduce humans to competitors: an overlap in desires (we all want to acquire the same information) *and* the scarcity of that information (Chadwick & Howard, 2010, p.324). Charging people for Internet use creates this scarcity – and so it seems that the only thing standing between the Internet and the State of Nature is net neutrality (Lloyd & Sreedhar, 2014). As long as net neutrality is preserved, the competition for information is prevented. Therefore, the authorization of the Leviathan does not arise.

Having discussed the philosophy of Hobbes and its relation to the Internet, the following paragraph will cover the contrasting idea of the Internet as being an artificial state (within a state) – based Jean-Jacques Rousseau's critique on Hobbes's theories. Finally, in the conclusion, the two concepts (the Internet as State of Nature vs. the Internet as artificial state) will be compared in order to determine which is the more promising conceptualization.

The Internet as a State within a State

It is easy to assume that the internet is ungoverned, simply because it was intended to be that way when it was first created (Langford, 2005, p.99) – but is this still the case today? People have become accustomed to the idea that the Internet is the same open space it once was; its actions transparent and its products free. The Internet *ought* to be universal and evenly distributed (Franklin, 2013, p.2). However, the existence of the Internet is a bit paradoxical. We have created a (digital) world within a (physical) world. The digital world exists without substance or boundaries to govern it *within* a world that *is* governed by substance and boundaries: the physical world. Within the physical world, everything is bound to the laws of physics, including quantifiable physical space and limited resources. To claim that we have no control over the Internet, simply because it was intended to be ungoverned, makes it seem like we have created some sort of monster that has flown the coop – à la Frankenstein's experiment gone awry. However, the Internet exists within a world that revolves around the idea of control: we control the Earth and its resources, we control land and geography, we control entire populations, we fight to control others, we fight to control ourselves, and so on (Axelrod, 2009, p.5). Similarly, the ideal of the Internet as universal paradise is countered in practice by the constant attempts to control access and terms of use (Franklin, 2013, p.2). The fact that the Internet exists as a realm within a realm does not make it independent from the physical world; rather, the Internet functions as a virtual extension of human civilization: the information society as a spin-off from physical reality (Axelrod, 2009, p.12). If we can regard the Internet as an extension of civilization, we can no longer claim that it resembles a State of Nature. In fact, as discussed in the previous paragraph, the Internet as a concept cannot resemble a State of Nature as long as net neutrality is preserved – for it is scarcity combined with an overlap in desire that creates a war of all against all. Internet anonymity and the lack of centralized control may have created a desirable space for anti-social behaviour and crime to exist, yet these phenomena alone are not enough to qualify the Internet as a State of Nature as they do not account for a scarcity of information. Ultimately, net neutrality seems to be the only thing standing in between us and a constant war of all against all.

Turning away from Hobbes, the following paragraph will examine Rousseau's theory on the corruption of society. Rousseau criticized Hobbes, and others like Hobbes, claiming they had misunderstood the concept of the State of Nature. Hobbes' error had been to suppose that the state of war he described was the natural state of man. However, according to Rousseau, Hobbes had come up with solutions to problems that were caused by said solutions in the first place (Wokler, 2001, p.52). In their natural state, as envisioned by Rousseau, our ancestors had neither any need for the company of others, nor any wish to hurt them, for there were two traits all savage humans shared: a*mour de soi* and *pitié* (Wokler, 2001, p.47). Naturally, man is always governed by self-love (*amour de soi*), the constant impulse to preserve one's own life, and at the same time by compassion (*pitié*) for the suffering of others (Wokler, 2001, pp. 47-54). According to Rousseau, Hobbes had ignored man's natural compassion, because he had misunderstood their self-love. In Hobbes' view, savage individuals could only preserve their lives by resisting the attempts of others to destroy them, leaving no room for any feelings of compassion. In contrast, Rousseau believed that self-love and compassion *together* were the key for human survival. What Hobbes had described in his State of Nature was not *amour de soi*, but *amour-propre*: a vanity created by a pitiless desire for security at the expense of others; a feeling implemented by society to turn individuals into competitors (Wokler, 2001, p.55). This vanity notion of self-love is a concept that is socialized – it is not originally present in people. According to Rousseau, all the arguments Hobbes used to envision his state of war were already rooted in civilization. Hobbes was describing not man's natural state but man's artificial state.

While it is true that there is no form of online centralized control, there are *thousands* of nodes within the network that present opportunities for authorities to impose order on Internet traffic through some mechanism of filtering and surveillance (Chadwick & Howard, 2010, p.324; DeNardis, 2014, p.10). Traditionally dominant institutions of power – nation states, religious institutions, multinational corporations – have lost some of their historic control over information flows. But does this mean that all control is gone completely? Perhaps a website cannot be made to not exist. However, websites created by individuals can be made unavailable by information providers in certain locations – given those websites are deemed unsuitable by said information providers (Langford, 2005, p.106). The same technologies that have improved communication and information diffusion are also used by many types of governments to filter and censor information, to create systems of surveillance, and even to spread misinformation. The inability of governments to control the flow of information via mechanisms of traditional authority, such as laws, has shifted politics into the technical domain (DeNardis, 2014, p.10). The constant push and pull between national sovereignty and property rights shows us that all parties actually increasingly make efforts to control the digital narrative (Franklin, 2013, p.2).

According to Rousseau, people's initial state of being was propertyless. Furthermore, uncivilized man lived contentedly alone. Without any property to fight over, and without any neighbours to fight with, the state of war could not possibly have existed (Wokler, 2001, p.49 & 52). Hobbes' savage man had traits that could only ever be acquired in society – whereas in Rousseau's State of Nature, governance would not have been necessary, for man did not live together (Wokler, 2001, p.53). Thus from a Rousseauian perspective, the detection of any form of governing control on the Internet already proves that it does not resemble a State of Nature, as such need for governance already is an example of societal corruption.

However, again, the Internet is subjected to a different kind of control than the traditional expression of control, e.g. control expressed through laws. Internet governance is about *governance*, not *governments*. Traditionally, governance is understood as the efforts of sovereign nation states to regulate activities within or through national boundaries. As there are no such boundaries known in the digital world, much of Internet governance is enacted by private corporations and nongovernmental entities. Governments now ask search engines to remove links; they approach social media companies to delete certain content. In this fashion, censorship, surveillance, copyright enforcement, and even law enforcement have shifted governance from governments to private intermediaries (DeNardis, 2014, p.13). Even though forms of control on the Internet are not identical to the traditional forms of control in the physical world, the Internet is subjected to control nonetheless.

Erasmus Student Journal of Philosophy

Eva van Reeven | The Internet: State of Nature or Artificial State?

Conclusion

Reflecting on Hobbes and Rousseau in the modern age, we can see that the Internet carries elements of both philosophies. Arguments for the Internet as a Hobbesian State of Nature are rooted in the assumptions that the Internet is lawless, free, open, universal – without any centralized form of government (Langford, 2005, p.99). It erases all the limits and boundaries from the physical world, while user anonymity enables us to act naturally as we move around this space in an unrestricted fashion (Axelrod, 2009, p.14). In a way, the Internet is an even worse place to be than Hobbes's State of Nature, as the Internet gives us a false sense of safety, and does not contain the danger cues present in the physical world, making us much more vulnerable to deception (Axelrod, 2009, p.14 & 17). However, the Internet is as anarchic as it is controlled, which directed us towards Rousseau and his theory of the corruption of society. Arguments for the Internet as an artificial (man-made) state *within* an artificial state are rooted in the existence of ownership online, which creates the need for governance. And, as argued by Rousseau, this mere need of governance alone already serves as proof that the true State of Nature (opposed to the Hobbesian State of Nature) in which man lived contentedly alone, has long ceased to exist (Wokler, 2001, p.53).

Perhaps this world within a world wavers somewhere in between what is natural and what is artificial. The Internet certainly is different from physical reality – but it is not and could never be completely independent from physical reality (Axelrod, 2009, p.12). So, perhaps we did not lose control online; we merely redefined its concept. Control in the digital realm may not resemble the traditional forms of control in the physical realm, as this power has shifted from centralized governments to private intermediaries, but the Internet is subjected to control nonetheless (Chadwick & Howard, 2010, p.324; DeNardis, 2014, p.13). The scary thing then about net neutrality is that, without it, the Internet could very well start to resemble a Hobbesian State of Nature due to the creation of scarcity. Furthermore, with the Internet being an extension of reality (Axelrod, 2009, p.12), and the world economy increasingly becoming knowledge-based, access to information is detrimental to national participation in the world economy. Without equal access, information becomes scarce and such exclusivity is bound to create an environment of competition. Eventually, the slower countries will sim-ply fall off the bandwagon (Holderness, 2005, p. 38). So, the preservation of net neutrality does not just prevent the Internet from turning into a Hobbesian State of Nature; the preservation of net neutrality is necessary in order not to further split the world into the haves and have-nots.

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Erasmus Student Journal of Philosophy

Eva van Reeven | The Internet: State of Nature or Artificial State?

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23