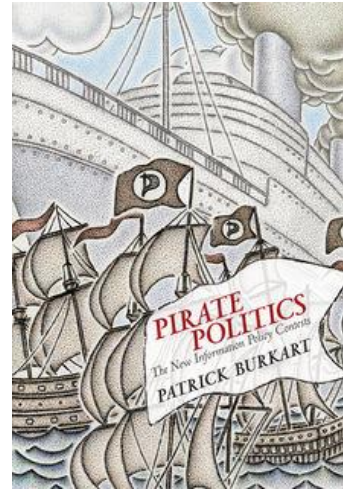


Patrick Burkart, **Pirate Politics: The New Information Policy Contests**, Cambridge, MA: MIT Press, 2014, 218 pp., \$34.00 (hardcover).

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Resistance is the order of the day. But what differentiates fleeting displays of opposition from sustained social movements capable of affecting change?

Patrick Burkart's **Pirate Politics: The New Information Policy Contests** thoughtfully probes this increasingly relevant question as it traces the rise of the Swedish Pirate Party (SPP). Appealing primarily to scholars interested in critical information studies, ICT policy, cyber law, and the digital humanities, the work is particularly germane to the study of new (networked) social movements, insofar as it documents the coming of age of a contemporary cyberlibertarian movement struggling to "weigh ideological purity against pragmatism" (p. 2).



Founded in early 2006, the SPP rose to prominence shortly thereafter, riding a wave of popular discontent about the police takedown of the Swedish file-sharing search engine The Pirate Bay (TPB). Channeling the cyberlibertarian ethos of its supporters, the party's overarching mission centered around defending "free culture" from the colonizing forces of commercial and regulatory enclosure. In practice, this involved efforts to reform copyright and patent laws, strengthen privacy protections, and push for increased online anonymity and government transparency. Highlighting the growing influence of transnational networked publics, the SPP's platform would find purchase in other political contexts, leading to the formation of pirate parties across Europe and internationally.

Drawing on Habermasian critical theory and new social movement (NSM) theory, Burkart's theoretical framework allows for a full rendering of pirate politics as both an expression of a morally conscious cyberculture and a pragmatic political group resisting enclosure of the communications commons through established parliamentary systems. The author's command of these theoretical perspectives allows him to illuminate linkages between the pirates and other filial groups, most notably the Green movement. Here, Burkart makes the compelling case that the SPP's conceptualization of the Internet as a commons and its defense of the digital lifeworld amount to forms of "cultural environmentalism."

Burkart further contextualizes this theoretical framework as he analyzes a string of regulatory measures and their countervailing responses from the SPP and their allies spread across the networked sphere. Using the aforementioned TPB case as a jumping off point, Burkart argues for the use of NSM theory to interrogate the cyberculture at the heart of pirate politics while relying on Habermasian critical theory to place the movement in the context of a counterhegemonic force pushing back against the

colonization of the digital lifeworld. In this way, the book contributes to work addressing the normalization of ICTs (Zittrain, 2008) and adds to ethnographic accounts of networked activist groups like Anonymous (Coleman, 2015).

Chapter 2 delves deeper into more recent European antipiracy initiatives, including the 2001 European Union Community Directive on Copyright in the Information Society, the 2004 Intellectual Property Rights Enforcement Directive, and the Anti-Counterfeiting Trade Agreement signed in 2011. In particular, Burkart calls attention to the role of trade policy—especially as conducted by the Office of the U.S. Trade Representative—as “an ideal vehicle for colonization of the lifeworld online” (p. 71). While these trade agreements vary in scope and the specific policies targeted (including ISP liability, digital rights management, privacy protections, etc.), Burkart’s analysis highlights the significant roles that industry lobby groups and private ordering play in greasing the wheels of regulatory enclosure. Burkart also notes the impact that Europeanization has played in creating the ideal conditions for this pincerlike assault on the communication commons (one of several topics that deserves revisiting in the post-Brexit context). According to Burkart, these political, legal, and economic forces form an “IP ratchet” designed to usher in a “pay-per” (p. 71) society, “in which every pack of commodified information and digital media is accounted for and any consumption of it requires an exchange of payment or labor” (pp. 71–72).

In chapter 3, the author builds on this analysis as he develops Habermas’s theory of communicative rationality as it applies to NSMs like pirate politics. Here, Burkart points to what he calls “radically participatory forms of collective action” (p. 118) as evidence of pirates’ communicative rationality—a rationality that he views as “both the result of social learning and a contribution to it” (p. 118). Relying on this technosocial learning to defend the online lifeworld from regulatory enclosure, Burkart argues that the pirates are a culturally distinct heir to previous morally conscious NSMs, including feminism, antiglobalization, antiwar, and, most notably, the environmental movement that fueled the rise of Green parties across Europe. As Burkart writes, “Both ecological crisis and the tragedy of the cultural commons share exploitation as a common referent” (p. 141).

As the first detailed treatment of the rise of pirate parties in Europe, the book is an important contribution to the increasingly crowded intersection of NSMs and ICT policy. And yet, the ebb tide of history has a way of exposing the shaky foundations on which we tend to base our claims—a fact that does not spare several of the assumptions supporting Burkart’s analysis. This is not a reflection of the thoroughness or rigorousness of the author’s approach, but rather is simply one of the occupational hazards involved in empirical analysis of a moving target like *Pirate Politics*. Nevertheless, three points jump out as having changed substantially since the book was published in 2014.

Perhaps the most obvious area for further scrutiny is the aforementioned role of Europeanization as a force multiplier in the colonization of the information commons. In a post-Brexit world in which nationalist political movements have co-opted antiglobalism as a red herring to distract from discomfiting economic realities, it is not the role of Europeanization that defenders of the information commons should be concerned about. Rather, the concern is the vulnerability of a weakened single market as it attempts to negotiate future intellectual property rights (IPR)-related trade deals with emboldened protectionist leaders in Washington and beyond.

Likewise, the shine has worn off WikiLeaks, an organization that Burkart describes as a variety of collective actions cut from the same “morally conscious” cyberlibertarian fabric as the pirates. Yet WikiLeaks has proven to be a cautionary tale about the difficulty involved in balancing “ideological purity against pragmatism” (p. 2), as the organization has transitioned, in the eyes of many, from a self-described beacon of truth to a thinly veiled tool of authoritarianism. And while Burkart cites early TPB supporter and former member of the populist Swedish New Democratic Party Carl Lundström as an example of the questionable company groups like the pirates tend to keep, the author seems to suggest that these associations are mere outliers, incongruous to the spirit of the free culture movement. “It is ironic indeed that initial support for pirate politics and its principled stand for communicative rationality could emerge in part from such a murky bog” (p. 24), writes Burkart—an unsatisfying anecdote that in the current political and social context raises more questions than it answers (what else is lurking in this “bog”?). Indeed, morally compromised characters like Lundström, WikiLeaks founder Julian Assange, and an increasing number of online hate groups are endemic to the same turbid waters on which the pirates navigate—a paradox that surely deserves greater interrogation going forward.

Finally, while the author mentions the largely homogeneous demographic makeup of pirate parties, he fails to link this lack of diverse perspectives with the movement’s practical limitations vis-a-vis the leveraging of the IP ratchet. For instance, although Burkart provides an excellent appraisal of the unique social customs, norms, values, and laws that make Sweden such fertile ground for pirate politics, the movement’s preoccupation with file-sharing reveals the privileged status of a group of predominantly young middle/upper-class white men with the technical capacity to take mere connectivity for granted.

And yet, despite the extent to which time has complicated several of the assumptions on which *Pirate Politics* rests, the book is an extremely valuable contribution to the increasingly important intersection of ICT policy and NSMs. As Burkart writes, citing Braman,

Information policy is among the most culturally sensitive domains of the law, since it mediates the emergence of new forms of communicative action, and since it “affects the nature of facticity, meaning the ways in which data treated as “facts” are created, perceived, and incorporated into decision-making. (p. 109)

In an age where “alternative facts” are testing the strength of political and social institutions, work addressing how groups resist the enclosure and contamination of the communications commons is as important as ever.

References

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