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Pirates in politics - new internet party in four continents

This paper is focusing to new political piracy movement, *Piratpartiet*, and its recent internet activism in Scandinavia 2006, like successful denial-of service-attacks against www services of government and police in Sweden. I start with expoding the ideological background of the phenomenon and make some conclusions about the current conflict. Then I describe the nature of activism and approaches of Swedish Piratpartiet. In the end, I make some conclusions about the potential effectiveness of this movement. Research of this contemporary phenomenon might be too early. But as the paper suggests, the nature of these net parties - or actually still movements - is a broader tendency from work intensive to network intensive movements. This shift should not be considered merely hacktivism but as a signal of a deeper change both of new repertoire and political opportunity structure for new social and political movements.

Hackers – forty-five years of imagination

"Denied topics and pirate versions of allowed topics were popular...Ancient regime made a fateful mistake...with underground, where distance between political critic, low-level criminality and pornography was not long. This situation enabled activities against system."

This modified citation from Hannu Salmi (1996, 77) is not concerning attempts to control the internet neither piracy inside internet. It is about invention of printing and

its consequences when books came available to common citizens in 1700's. And, before mechanical printing, the church had a monopoly of copying without paying any copyright royalties to the authors or heirs. Monks made copies by hand.

Swedish-originated Piratpartiet movement has spread to nearly twenty countries in four continents during 2006. Nordic pirate parties have formed alliance *The Pro Piracy Lobby* and there is flagging for global *Pirate Party International* unity also. The speed of the spreading indicates, that somehow the ideology of Piratpartiet has touched some feelings among younger generations of internet users, who are considered not to be socially or politically active otherwise.

The idea of internet piracy is to resist current commercial distribution model and not to pay for copyrighted commercial materials, like software, music and videos but get them for free¹. Some call it stealing and there have been numerous judgements against piracy. Companies condemn piracy but they use for free also old copyrighted material, which is 'free' from sanctions, like classical music and recordings. On the other hand, there is a longstanding way of thinking among internet users and some software developers, that cultural innovations – like computer software – should be published for free so everyone could make them even better². This development is broadening all the time, called *open source* movement, and voluntary programming has created several successful and widely-adopted solutions rivaling to commercial products, like www-browser *Firefox* and operating system *Linux*. This juxtaposition between companies and consumers is not so unambiguous as companies like to put it.

Generally speaking, substance-framed new social movements (Della Porta & Diani 1999, 14) have had loose relationship with hackers and crackers almost forty years. In many cases, social movements have had the 'substance' and hackers the technical means. This symbiosis has been so active, that there has been evolved a branch of repertoire of activism its own and also a school of social and political research: *hacktivism*. Despite the common belief that the term would have been coined by social movements or researchers, it was coined by nickname Omega - "*a longstanding member of the Cult of the Dead Cow (cDc)*" 1996 (Ruffin 2004, 1). Ironically, Ruffin refers that hacktivism does not include www site defacing or DoS-attacks³, which are among of the most popular means of 'hacktivism' nowadays.

The definition of hacktivism is not essential in this paper. However, Piratpartiet is the first time⁴ when hackers etc. show up their own ideology and agenda publicly and mobilize themselves in this scale. It could be said hackers tended to have an ideological or ethical need for justifying to apply their expertise for decades. Hackers have unnumerously offered their skills for 'helping' against supposed enemy like Iraq. One of the latest excuse was the debate and riots about Danish Mohamed-targeted cartoons, which 'justified' defacing of hundreds of Nordic www sites 2006.

This symbiosis has its ideological and ethical origins in the 1960-70's in the Western coast of USA, like *Homebrew Computer Club* 1975-77, and it is tightly connected to the rise of computer software industry also. In the universities of California there were many left-wing radical student movements, like anti-Vietnam and Cambodian crisis (Roszak 1992, 135-138). There were created for example electronical bulletin boards systems (BBS) *Resource One* and *Community Memory*. Both have the aim to be "*free information system...without centralized editing or controlling of flowing information*". According to Theodore Roszak, some of the activists were 'guerilla hackers' e.g. 'socially aware' hackers, who have background both in hacker scene and anti-war movement (Roszak *ibid.*, 143-146). A fine example how interests of student and hacker movements merged was underground newsletter *Youth International Party Line*. Its first issue opposed a decision of US government to tax telephone bills for funding Vietnam conflict (Jordan & Taylor 2004, 13).

The origin of the copyrighted software battle

The moment of the copyright confrontation and the rise of the whole copyright industry is trackable quite exactly⁵. In one hacker meeting young Bill Gates demanded payment for his BASIC program. In the hacker culture the idea of commercial program was unheard. Programs had been developed and distributed for free since 1960's. Gates actually created a whole new industry. As Steven Levy (1984) tells, BASIC program was 'accidentally' copied in the meeting and started to spread as unauthorized copies around USA, but it was also the beginning for the most powerful software company in the world - Micro-soft.

William Henry Gates III (1976) wrote an open letter to the hacker community:

"1) Most of these "users" never bought BASIC (less than 10% of all Altair owners have bought BASIC), and 2) The amount of royalties we have received from sales to hobbyists makes the time spent on Altair BASIC worth less than \$2 an hour... Why is this? ...Hardware must be paid for, but software is something to share...Is this fair? ... [What] you do do is prevent good software from being written...What hobbyist can put 3-man years into programming, finding all bugs, documenting his product and distribute for free? The fact is, no one besides us has invested a lot of money in hobby software..Most directly, the thing you do is theft."

Naturally one reason for copyright piracy is getting products for free. But one main thesis in hacker ideology is that *"information wants to be free"*. From the very beginning of hacker era there has been the idea, that an individual should give his / her creative works available for others, so that others could improve creations, and everyone gets better solutions. And this is one reason how for example internet itself was mainly developed 1970-1994 before luring commercial interests and developers.

For example, the first issue of *Newsletter of Homebrew Computer Club* started with motive: *"poured forth in a spontaneous spirit of sharing"* (HCC 1975). The sharing of the information and thoughts - and created software - was considered natural for some fifteen years since the first hackers at MIT 1950-60's. And, it is good to remember, that the whole idea of modern science is based to sharing and referring innovations for free. Roszak (ibid.) describes hacker ideology (in 1970's) as a *"weird mixing political rebellionism, sci-fi literature, Do-It-Yourself philosophy and pure joy and play"*⁶. This characteristic and imagination combined to superior technical skills make hackers also a quite different movement compared to other activist groups.

As Gates put it, the copying of this first commercial software was *"stealing"*, although there was actually no legislation for that yet. But it is easy to read that the basic thought of Gates was that piracy was not *"fair"*. There was work and there should be payment for using program. But consumers for example in Nordic countries have had quite long a possibility to tape tv programs or music to personal devices and

use. Although maybe not legal, but it has been acceptable for example to make a copy of copyrighted product purchased, for example to mom or brother.

The basic problem with piracy – illegal or not – is the scale by the shift of distribution model. From 1970's to the middle of 1990's, copyright industry did not find serious problem with slight consumer copying of bought products, although to bootlegging of concerts with C-cassettes were actively reacted. The problem arised in 1999 in the form p2p software *Napster*. Neighbourhood copying started to spread global. But on the other hand, digital producing, copying and distribution (Hintikka 1993) is not the idea of traditional copyright laws in many countries. Law was created to protect mostly physical artifacts in some form. And, with digital distribution, the work aspect of copyrighted content has loosened totally from the original idea of creator and protection of law. For example for a concept of a new tv cooking series or www service there might be a group of concept designers, who get monthly salary from a company, which will own the rights of a show or service for selling the concept in different countries or audiences. This business idea is not to make individual and unique creations or artwork but just money with distinguishable content enough. This could be considered as '*concept industry*'. And whenever new concept for example in movie or tv series industry is created, it will have poorer genre copycat creations for free. The content industry is quite reluctant to accuse each other of copying the concept but quite eager to get verdicts to consumer who get result of copied concept for free, legally or illegally, depending on different laws. Copyrighted material is nowadays often a taylorized creation and more importantly, an *economical asset*, which is eagerly tried to protect with a law originally targeted to protect a 'product of the spirit'.

The illusion of free sharing

Another approach for piracy is logistical. Software, songs, tv-series and movies are quite ideal products to distribute via the net. They could be easily stored in many kind of digital devices, but the actual product can be digital and immaterial comparing for example to former VHS cassettes of LP records. Music industry has not wanted to renew its traditional realworld distribution model with its physical CDs. Movie and tv series industry has learnt something from lessons of audio industry with Napster. At

the moment there are actually more commercial pilots and legally free of payable services for movies and tv-series on the net compared to the music business. And after *iTunes* of Apple, music selling net sites have been great economical success. It needed that computer company started selling of songs on the net, not music industry. So consumers found internet a great way to obtain audiovisual content, but the industry did not like change its earning logic⁷. The problem here is quite peculiar: the consumers accept new distribution model and several risks with it - like the incompatibility of the products in different digital devices - but the industry try to reject it demanding more profit and more expensive price from iTunes. Also as Chris Anderson has put the problem as a term *Long Tail* (2006), the consumers might be very pleased to pay for getting copyrighted material from unreleased sessions, remixes and unpublished bands. The consumers like to buy, but the companies do not like to sell.

On the other hand, net users tend to romanticize p2p networks, claiming that ordinary people would convert and distribute copyrighted material on the net they have bought. Skipping here hard-copy piracy, like in China, a major part of the net piracy is tightly organized. According for example *Wired* (2005), there are some piracy source structures in USA, 'pirate pyramids' or 'Shadow Internet', where the distribution structure has four key roles: Insider (sources inside companies), Packager (release groups converting originals), Distributor (groups distributing items to topsites) and Courier (transferring files from the topsites to lower-level networks, like p2p).

Third approach is legislative. Sweden has been quite 'open' for copying the material from copyright industry for the personal purposes like Finland also⁸. It is obvious that legal copying leads to deeper copying and other consequences, like customs and habits in daily life.

Piracy actions and debate in the summer of Sweden 2006

Events in Sweden⁹ started to condense, when the police⁹ raided in the end of May 2006 *The Pirate Bay*¹⁰. The original security camera sources of the raid was quickly distributed on the net at *YouTube.com*, and there were made successful DoS attacks against Swedish police and government. Like many more ideological attacks, an unity

who called itself as World Wide Hackers, claimed to be responsible for both. Soon occurred, that police attack was coordinated only one 17-year teenager in ten minutes. In my point of view, this is one of the most notable feature in this copyright battle. Basically everyone who sympathize the movement, could do something for it.

The Pirate Bay moved its activities shortly to Holland, but quickly back to Sweden. The copyright instrument in Sweden, Antipiratbyrån, and its lawyer got some severe threatenings, but he took them with humour. Soon after raid, the members of Piratpartiet raised from 2 200 to 6 100. One imago backlash to Piratpartiet was, that its own member list flooded to the net with some thousand names. There were speculations, if someone has cracked the servers of the pirates (Digitoday 2006).

The raid caused broad debate in Sweden. Central and environmental parties (Miljöpartiet) criticized strongly the government and its policy in the whole The Pirate Bay case and thus give some democracy support to Piratpartiet. Swedish government got a memo in the middle of June for getting rid of piracy. After debate, two suggestions were largely thought: one was broadband fee, like for C-cassettes, without tightening the law, and another was new national net guard unit and specialized prosecutors. The latter could be some kind of national body, which could be linked to police and crisis management officials. Here we see two national and official approaches. Another is proactive, letting citizens do what they do and another is reactive, for solving what might has happened and punish the causers. The piracy had really got its way to the national topic and discussion, which drew opinions and comments from all national and legitimated traditional actors and based to their primary approaches how to solve things for the country.

Swedish media founded out, that there were mysterious and possibly criminal, racistical or sex industry grey money streams and huge economical revenues with commercial ads (banners) in The Pirate Bay and that the streams are leading to Swiss offshore company. So maybe the running of the file swapping servers was not as ideological as explained or thought only. The Pirate Bay admitted that, and some speculate that this commercialism of activism might be the main possible prosecuting reason, not the piracy itself under Swedish law. On the other hand, Swedish media

introduced several Swedish officials, who think downloading from the net is daily life and 'normal'.

Pirates created *tankafritt.nu* – an insurance collective for possible fees. Nordic The Pro Piracy Lobby was formed and Piratpartiet started to offer new service, '*darknet*', which was promised to anonymize an user totally from internet tracking means. In p2p networks started to spread half-documentary *Steal This Film*, which explains the 'ideology' behind piracy.

The election of the parliament was in the middle of September. Piratpartiet got nearly 35 000 votes and 0,63 percent of votes but not enough to the parliament (4 percents needed). On the scale among Swedish minor parties, it passed many other. According to the party, the next step is to try to reach the Parliament of European Union 2009.

In Finland Tietoyhteiskuntapuolue¹¹ has kept in legal and traditional repertoire (Siisiäinen 1998), like announcements. The party has quite large manifesto compared to Piratpartiet, which is single-minded movement for legal piracy. In Finland there is also national Piraattiliitto like Piratpartiet in other countries, but there is not been much activities yet.

It's not personal, it's economical

Based on the Swedish copyright law, The Pirate Bay has published on the net dozens of correspondance of copyright violations with companies from USA, so it could be described a quite provocative piracy actor (MPAA 2600).

It was to be exposed in Swedish media, that the raid of The Pirate Bay was operated mainly by the demands of these companies and organizations in USA, like Motion Picture Association of American (MPAA *ibid.*). USA forced Sweden unpublicly to make the raid, which was prepared for two years, with the threat of sanctions of WTO¹². From the point of view of pirates, USA forced Sweden to operate against its own legislation and citizens on the behalf of the American copyright industry.

Piratpartiet and Tietoyhteiskuntapuolue have reacted proactively to the economical shift from the traditional copyright ownership to the broader and emerging immaterial copyright industry. Thus these movements have political and economical dimensions. Instead of traditional artifact or item selling, copyright industry tends to sell licences nowadays. It means, that an average consumer does not *own* the product he or she has *purchased*, but has only bought an agreement to use its content. On the other hand, the copyright laws in most of the countries still based on the idea of an items or artifacts of originality, not for example to the concept of gym video. The situation is nowadays, that changed selling policy and old laws do not match together. Basically, updating the laws might clear situation, but might not the feeling of an average consumer. So the basic problem is concerning more what is legitimize than legal.

During 2006 there have been more net activities, which all are involved to economical issues. In Finland, the fans got furious after *Seiska* gossip magazine published the face of the singer of the band *Lordi*¹³. They forced several advertisers of *Seiska* to stop advertising in *Seiska* magazine. The means included aggressive email campaigns, www-address with 200 000 signatures, real or cloned, the threat of cancel subscription of stopping buying the goodies advertisers offered and innovative flipping *Seiska* magazines upside down allaround Finland in shops and kiosks.

In Sweden, a precariate movement of SUF (Syndikalistiska Ungdomsförbundet) started to disturb *Jobbjakt* company, which represented a new way, *crowdsourcing*, to handle contracts and work between companies and workers. The idea is that there is a 'pool' or auction place the net, where companies and work seekers can bid about projects. The offer with lowest price – or with most quality – would win. In USA, these crowdsourcing pools are highly rising. This model might be the ultimate speed factor to companies, because they do not need to care for savings of the worker, social security, illness or vacations. But SUF started to create non-existent workers and non-existent contracts inside database of *Jobbjakt*. This lowered the overall credibility and usefulness of *Jobbjakt* dramatically. Swedish officials and labour parties started to look *Jobbjakt* more carefully also. The company was forced to change its procedures. In August 2006 SUF forced - with DoS-attacks against the www server host company who hosted *Jobbjakt* – the company out from the net, at least temporarily.

It is very interesting that Finland and Sweden are quite similar to as social welfare societies, have both good penetration with broadband internet connections, similar laws and quite same level as information societies. But in Sweden new movements have mobilized themselves far on the net more proactively than in Finland. Also, *Kuokkavieraat* (Hoikkala 2004) and precariate movement (Hoikkala & Salasuo 2006) in Finland have rioted during last years in Helsinki and tried to destroy physical city and commercial environments. Piratpartiet and Tietoyhteiskuntapuolue were both emerged against new copyright law in both countries in autumn 2005. Although the parties have the same origin and incentive, the former is openly toward confrontations and the latter keeps off any illegal repertoire. The movements in Sweden have moved to the net where efficiency is much more economical than mobilizing resources in real world.

Conclusions

The possible problem here, for good guys, is that they have declared a war. It might be only a battle, but the authorities and companies have both challenged and underestimated the imagination – legal or illegal - of pirates and hackers. One possible example is to run piracy servers inside recent mobile phones, which are quite disposable. Other ways include to store swappable files temporarily to the recent computers of cars of normal citizens like it was done to poorly secured servers of universities in the 1990's etc. Digital networks have unnumerous ways to create distribution for immaterialized goodies and communications. Considering the storage capabilities of mobile devices, it is nowadays possible to run mobile servers and if needed, bury them to sea or lake, for example. Technically speaking, it is nearly impossible to lay down serious activism, like it was for example to authorities of China 1989 at Tiananmen or Seattle 1999 trying to shut down temporary networks of activists (de Armond 2000). Piratpartiet has already declared, that the whole internet could be shut down, but it might not affect to piracy at all. And technically speaking, it really might not. In 1990's, before the internet was daily life, there was global FidoNet. Based on low-speed modems, it functioned its task – distribution of communication and goodies – very well.

Very quick formations of national pirate parties - in six months in 2006 - around the world in nearly twenty countries indicates, that the legal and commercial struggle for consumer piracy has somehow struck to (younger) consumers, whose thinking and feelings have been underneath and invisible previously. The counter-reaction could have been abbreviated or channeled through traditional parties or new social movements, like anarchists, but this time nerds, geeks, hackers, crackers and pirates liked to make it in their own.

Despite the actual piracy, the piracy 'ideology' - or this networked phenomenon - could be considered quite seriously. Comparing to traditional movements, mobilization and repertoire potential of pirates are huge and it is not based to time or country or location at all. Everything needed is on the internet. Piratpartiet itself has no need for radical attacks. Internet makes it far more easier for 'hangarounds' and sympathizers to act without being caught than physical environment. The 'ideology' behind Piratpartiet might be lucrative enough to basically anybody on the net, who is otherwise socially or politically inactive, for making such an occasional initiative like a DoS-attack. Before internet, it was quite difficult to for example strike in mini scale to another country physically. Nowadays it is possible quite easily to get tools for serious cracking or creating computer viruses. Breaking glass and getting jailed - one human resource is out from the movement. Twisting internet is far more easier and economical in the point of resources. The potential body or future effectiveness of Piratpartiet can be considered with some numbers. Firstable, Swedish Piratpartiet got in the elections only 0,63 percent of votes but 34 918 voters. Swedish Antipiratbyrån has recognized over 400 000 individual (illegal) file swappers or actually IP addresses in Sweden. The Pirate Bay has some 1,6 millions users around the world. And there are other, more popular p2p networks, like *Kazaa*.

It seems obvious that piracy and SUF movements are showing the ways how social movements could transform their work intensive resources and mobilization to network intensive version. It could be supposed that this transformation affects first to movements of younger generations and youth wings of traditional movements¹⁴.

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¹ Piracy has unnumerous forms from physical and illegal product or brand copying to name imitation in www sites. In this paper I concentrate to so called internet piracy only. Like in case of Sweden and Finland, there are different copyright laws in different countries – tightest in USA and loosest in Russia and China, for example. The copyright industry is growing all the time, after personal and networked digital devices, so the matter and possible financial losses are going more important and the global bodies like WTO are trying to abolish the piracy more tightly.

² Actually this ideology does not consist the idea, that community could make for example a better book or movie, but the basic idea is that the should be no charge for cultural heritage or social capital.

³ Defacing means to crack a www site and mess or replace its original content, some times with slogans or manifesto. In denial-of-service-attack (DoS) a www site is being slowed down so that it could not be used. In this case an teenager tracked the biggest image file from official site of police of Sweden, published the www address of the image on the net, and others started to request the image file from www server so its capacity was drained.

⁴ There are many long-standing hacker community and actors like Chaos Computer Club (Germany), 2600 (USA) or activities around xs4all (Holland), but they have not been socially or politically oriented for example in various elections of Western democracy.

⁵ Naturally there has been for example record industry for copyright protection long before 1973, but for example to the software and video industry there were no consumer devices before 1970's and thus no markets for contents or piracy problem of these devices.

⁶ Also Levy points out, that hackers are fascinated with everykind weird and odd, which gives mental quests, like try to solve out different dishes in menu of Chinese restaurant, in original language and without dictionary guidance.

⁷ For example Hagel & Armstrong (1997) introduced several new business models, and possibly more profitable, which could replace the losses of music industry for network distribution.

⁸ During this paper, in Finland has been judged first large piracy ring, Finreactor, with very hefty penalties.

⁹ Reporting of the events are mostly based to www news source Digitoday.fi and its over forty articles by Jaakko Kuivalainen, Mika Lahdensivu and Mika Mannila.

¹⁰ One of the biggest peer-to-peer- or torrent-based file swapping www service in the world. Torrent means a seed, or a bit of information, which locate the actual file inside p2p network. The owners of torrent services often claims that they do not anything illegal because they do not swap copyrighted files themselves but just torrents.

¹¹ Tietoyhteiskuntapuolue – Information Society Party was formed soon after Piratpartiet in February 2006.

¹² WTO (World Trade Organization) has been one of the main target of the globalization movements since 1999 at Seattle also.

¹³ Lordi is a Finnish heavy music band, which presents all of its musicians in horror masks and costumes. Lordi won the annual Eurovision competition in 2006, the first winning for Finland over forty years. After winning Lordi himself requested that his real face would be not published in media because of the illusion of the band. As a scandal magazine Seiska naturally published images of real Lordi, Tomi Putaansuu, for selling more magazines.

¹⁴ There are some radical movements with elder participants, like Nueremberg Files also. The movement hosted a killing list in www, which purpose was to motivate and report to kill doctors who accepted abortion. But for this paper, the main activity was in real life and www just served as an information source.