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Music Piracy Neutralization and the Youth of the 2010's

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Abstract

In this qualitative research, music piracy among the youth was studied by applying Sykes' and Matza's neutralization theory. The key objective of the study was to find out how youths view music piracy, and how they give accounts for it using techniques of neutralization. According to the conducted semi-structured interviews, youths do acknowledge the ethical and economic problems of music piracy. However, piracy is still exercised, and in order to justify this, multiple neutralization techniques are used. The most characteristic of the employed techniques was "claim of normalcy", with "denial of victim" and "justification by comparison" also appearing frequently. In order to prevent piracy, these techniques need to be countered. The industry needs to effectively voice that "common" does not equal "right". Recognized artists with reasonable "victim status" should relay the message.

Keywords: Interview, Music Piracy, Neutralization Theory, Youth

1 Introduction

This study explores the ethical and behavioral aspects of music piracy, more precisely defined as copying of a music recording without proper permission from the copyright holder (Gartside, Heales, & Xu, 2006). What do the young pirates think about downloading, and what can be learned from their arguments and explanations for their behavior?

Digital products such as software, music and video content are characterized by their high initial production costs and very low duplication costs: the cost of creation of an additional digital copy of a music album is practically zero. They are also public goods in a sense that sharing with others does not reduce their consumption utility. With these

qualities, digital content is susceptible to illegal copying and file sharing, or piracy, on the Internet. (Gopal et al., 2004). A large portion of this piracy takes place in peer-to-peer (P2P) networks, in which the users download and share content simultaneously.

It is well known that piracy is most common among the youth (Gopal et al., 2004), especially boys (Chiang & Assane, 2008). According to Salmi (2012), illegal downloading is also the most common crime perpetrated by Finnish 9th grade students (15-16 year olds), with 79 percent having pirated in their lifetime and 71 percent during the last year. However, piracy trends seem more promising: there was no difference in total youth involvement in illegal downloading between 2008 and 2012 (Salmi, 2012). Another survey from Finland, the 2013 issue of the yearly Copyright Barometer (Taloustutkimus Oy, 2013), indicates a significant decrease in illegal downloading of music, movies or games among 15-24 year olds: 61 percent in 2009 versus 33 percent in 2013. However, illegal streaming was on the rise.

Many papers have been published on the subject of economic effects of piracy, with somewhat different findings (Tschmuck, 2010). Regardless of the results of these studies, piracy must be viewed as a major factor in the digital economy. Understanding customers' decision-making processes and ethical thinking should be a top priority for every organization in the industry.

2 Theoretical Background

The theoretical framework for this study is Gresham Sykes' and David Matza's Neutralization Theory (Sykes & Matza, 1957; Matza, 1964). It originated as a criminological theory to explain juvenile delinquency, but has been since applied to a wide array of different norm-breaking behaviors, ranging from shoplifting (Cromwell & Thurman, 2003) to coming to terms with the Holocaust (Hazani, 1991).

At the core of the theory is the notion that juvenile delinquents share the same values as the law-abiding general public. This was directly against the views held by subcultural theorists, who claimed that the subculture of juvenile delinquents has its own shared values that differ from those of the wider society. To alleviate the guilt of violating the values and rules of the society, the delinquents employ certain verbal and mental techniques, which Sykes and Matza termed *techniques of neutralization*. In their article, they distinguished five of such:

- *Denial of Responsibility*. Individuals who employ this technique refuse to accept responsibility for their actions, either by claiming an accident or that they were somehow forced to their illegal actions by circumstances. This is considered to be the most crucial of the techniques.
- *Denial of Injury*. Illegal actions are claimed to be harmless, or that the victim can well afford the losses suffered from aforementioned actions.
- *Denial of Victim*. In this technique, it is recognized that there may be a victim to the crime, but the victim is considered to somehow deserve his fate, possibly as punishment or retaliation.
- *Condemnation of the Condemners*. Behavior is justified on the basis that the victimized are not real victims, because they are hypocrites or that the victims would engage in similar activities were they provided the opportunity.

- *Appeal to Higher Loyalties*. Here, illegal actions are motivated by recognition of the needs of the individual's immediate social group such as their family or a gang.

Subsequent research has identified many additional techniques of neutralization. The present study used the following six additional techniques relevant to digital piracy, compiled by Harris and Dumas (2009): *defense of necessity* ("There was no other choice"), *metaphor of the ledger* ("My good deeds outweigh my bad deeds"), *claim of normalcy* ("This behavior is completely commonplace"), *denial of negative intent* ("I did not mean any harm"), *justification by comparison* or *claim of relative acceptability* ("It's not as bad as...") and *postponement* ("Let's talk about something else"; the action is simply put out of mind). Thus, the uses of a total of 11 techniques were under scrutiny for this study.

3 Neutralization Research on Digital Piracy

Not all neutralization research on piracy has found substantial support for neutralization theory. For example, Hinduja (2007) found neutralization techniques to be only weak determinants of software piracy. He speculates that this was because of respondents did not view piracy as morally reprehensible. However, based on a rare longitudinal study design, Higgins et al. (2008) posit that the level of neutralization utilized affects the piracy that actually occurs - a cogent argument for neutralization theory. In their sample, younger males were most likely to neutralize their behavior.

Certain neutralization techniques have been found to be relevant piracy predictors. Music piracy can be predicted from *denial of responsibility*, *denial of injury*, *denial of victim* and *appeal to higher loyalties* (Ingram & Hinduja, 2008), while the predictors of software piracy have been reported to be *appeal to higher loyalties* and *condemnation of the condemners* (Siponen, Vance, & Willison, 2012).

According to Ulsperger et al. (2010), the most common technique among "Generation Y" respondents was *denial of responsibility*, while the least used was *appeal to higher loyalties*. In their quantitative study, all five original techniques appeared. However, the study was limited to these five techniques, and many of the examples cited could have alternatively been categorized as belonging to some of the above presented additional neutralizations.¹ On the other hand, qualitative studies by Moore and McMullan (2009) and Halttunen, Makkonen and Frank (2010) found *denial of injury* to be the most common technique. Moore and McMullan (2009) also reported that pirates simultaneously employed multiple techniques.

Techniques can also be categorized by their temporal relations to the neutralized behavior. Harris and Dumas (2009) reported that *denial of victim* and *appeal to higher loyalties* are primarily used before the action takes place, while *denial of injury*, *claim of normalcy* and *justification by comparison* are more often used as after-action neutralizations, or as they are known in the neutralization literature, rationalizations.

Another variable in the use of neutralizations is the role of culture (Cohn & Vaccaro, 2006; Yu, 2013). A study by Yu (2013) found that Asian students were significantly

¹ An example: the argument "It is done so much it is not a big deal" was interpreted as *condemnation of the condemners*, while *claim of normalcy* would have been a better fit.

more likely to justify digital piracy with neutralizations than others. Yu (2012) also makes a point that neutralization stems, at least in part, from low levels of moral judgment. Morris and Higgins (2009) note that peer behavior may play a special role in the development of neutralization techniques.

In conclusion, there have been multiple qualitative and quantitative studies on neutralization techniques in the digital piracy context. Each of these approaches comes with their own limitations and weaknesses. The studies differ by the interpretation of the free-form written or spoken accounts, some of them related to different numbers of studied neutralizations. In addition, quantitative measures for neutralization tend to rely on artificial situations presented in surveys, which do not capture the narrative properties of neutralization (Maruna & Copes, 2005).

4 Objectives and Methods

The objective of this study was to gain an understanding about digital piracy (especially music piracy) and its neutralizations among the youth of the 2010's: Are techniques of neutralization employed for music piracy (and how, if applicable), or is piracy considered ethically unproblematic? What actions should be taken to combat piracy? What are the defining characteristics of this generation of digital pirates, and what future developments can be expected? Prior studies' samples have consisted of slightly older individuals (college students), this study thus adding knowledge on the behavior on minors.

The conducted study was of qualitative nature. Because of the chosen research approach, results of the study cannot be generalized to a larger population. However, these findings may be used as a base for new approaches to quantitative neutralization studies.

The informants were recruited from a school complex in Central Finland. A preliminary questionnaire was administered with 9th grade students (15-16 year olds) of the secondary school and 1st and 2nd grade students (16-17 and 17-18 year olds) of the high school. The questionnaire consisted of three questions:

- 1) Have you downloaded or distributed the following copyrighted works illegally on the Internet? (Music; Movies, Television series, other video works; Video games)
- 2) Do you currently continue to download or distribute content illegally?
- 3) Would you be interested in participating in an anonymous interview study concerning music piracy among youth? The interview will last for one hour at most. Fill in only if you have experience with illegal downloading or distribution of content.

At the end of the questionnaire, the students were asked to provide their contact information (phone number, e-mail address) were they interested in participating. For some reason, this method of recruiting proved to be highly ineffective, as only three students filled in their contact information, even though the possibility of winning a small prize by participating was announced. After that, additional recruitment was done by some of the teachers of the school. This took the form of simply encouraging potential interviewees to take part.

Finally, eight students with music or other piracy experiences agreed to participate in a personal interview in a private setting. The interviews were conducted in a semi-structured format, i.e., all of them shared common themes and questions, but there were possibilities to discuss topics in free form and in the order most preferred by the interviewee. The length of the interviews varied between 31 minutes and 53 minutes. Every interview was recorded with a voice recorder and later transcribed as text. A typical interview yielded approximately ten sheets of paper (A4 format) and 30 000 characters of text (in Finnish). Anonymity of the participants was carefully preserved, as their real names were never mentioned either during interviews or transcription. The sample size can be characterized as small even for a qualitative study, but there are nevertheless many insights to be gained from these interviews.

5 Findings

Even if the preliminary questionnaire was ineffective for recruitment purposes, it provided some statistics about piracy. Out of 104 total valid respondents, 85 (81.7 %) had downloaded or distributed content illegally, and 67 (64.4 %) respondents were 'active' pirates. While the sample size of the questionnaire was rather small, the numbers corresponded well with earlier studies about prevalence of piracy in Finland (Hietanen, Huttunen, & Kokkinen, 2008; Salmi, 2012). Piracy numbers in the questionnaire were also comparable with those gathered from United States (Gunter, Higgins, & Gealt, 2010).²

Out of the final eight interviewees, five were male and three female. At the time of the interviews, the youngest participant was 14 years of age (b. 1997), while the oldest participants were 17 years of age (b. 1994).³ Two of them, one male and one female, did not consider themselves as currently active pirates. The male had come to a conclusion that what he was doing was wrong, and had not downloaded anything illegally during the last year. For him, a major way of responding was confession of guilt of prior behavior; a concession. The female resorted to her older sister's (probably partially illegally acquired) music collection to seek new songs.

The interviews began with questions about the participants' background information, such as age, family members, first personal piracy activities that they recalled and music consumption habits. Typically the participants had first downloaded content illegally during the middle to late 00's. Many participants mentioned that they learned how to pirate from older relatives or friends. Illegal downloading was not a common discussion topic with parents, even though parents were well aware of their children's piracy. It was also common and accepted among friends of the interviewees, while they personally knew at least some individuals who were strictly against piracy. The majority of participants also used money for legal acquisition of music, typically in physical CD format. The subscription service Spotify was widely used, but the participants often settled for its ad-based free version and were not willing to pay monthly fees. There also seemed to be a noticeable shift from music piracy to piracy of other content, such as video. Some of the interviewees claimed that the need to pirate music has decreased, as legal alternatives have progressed and are more tempting than before.

² Data from Delaware School Survey showed that 52.2 % of 8th grade students (13-14 year olds) and 72.3 % of 11th grade students (16-17) had pirated in their lifetimes.

³ The interviews took place during May 15–29, 2012.

After that, the interviewees were asked about the ethical qualities of piracy. Asked whether piracy was right or wrong, all participants recognized at least some unethical issues. Many claimed not to have thought about the subject before, and had to ponder the issue during the interview. There was a certain threat of social desirability bias in this setting, so the results must be interpreted in that light.

Neutralization techniques could be identified from each of the interviewee's responses to the questions and scenarios proposed by the interviewer. Five out of eight respondents employed multiple techniques during the interview. The most-used techniques were *claim of normalcy* (six out of eight respondents), *denial of victim* (four respondents) and *justification by comparison* (three respondents). It should be noted that the key technique proposed by Sykes and Matza (1957), *denial of responsibility*, appeared only in one interview. This was to be expected considering the nature of Internet use: users have considerable control of their actions and are rarely "forced" to do anything illegal online.

The following contains examples of each of the used techniques in the interviews (translated from Finnish to English). Some of these appeared to be obvious ex post neutralizations, or rationalizations. However, with the present study design, it was impossible to delve deeper into temporal relationships of neutralization and behavior. As a clarification, it should be noted that two of the original techniques, *condemnation of the condemners* and *appeal to higher loyalties*, did not appear in the interviews, and are naturally absent from the following. This is also the case for the additional neutralizations *metaphor of the ledger* and *denial of negative intent*. In the end, seven out of the eleven studied techniques were used by the interviewees.

Claim of Normalcy: six users (M1, M3, M4, F1, F2, F3)

"It's so common and one just can't consider that it was in any way illegal." (Female #3, age 16)

This technique was used to most. In addition to the notion of piracy being common and thus intuitively not that wrong, there was a link between 'easy' and 'normal': because piracy was considered easy, it was also seen as normal. Low level of perceived risk meant that piracy was not a 'real' crime. Social norms also played a role in casual attitudes towards piracy: it is so widely accepted that the individual feels no need to question the situation.

Denial of Victim: four users (M1, M2, M4, F1)

"... I don't know if it makes sense, but I admit that I have such thought in my head that like Sony is so rich that it isn't very much of a loss for them." (Male #2, age 17)

In most cases, denial of victim used was when responding to presented scenarios. For example, the interviewees were asked to pit a media corporation's interests against those of the artists. In these situations, a large corporation is often in a stronger position to negotiate deals, and when interests collide, the consumers are likely to side with the artist, who is much more familiar to them than a 'faceless' corporation. This is highlighted by the interviewees' general opinion that the artist should receive a larger share of the profit from records sales.

The above was also the case when comparing superstar-level artists and bands to their less popular colleagues, and large record companies to smaller ones. Rooting for the

underdog was a rather universal trait in the sample. Piracy was directed towards those that do not suffer (intuitively thinking) as much from its effects. This implies that pirates consider their actions as ethically wrong, but practical matters often take precedence. It should also be noted that none of the pirates considered themselves 'at war' with the music industry (while some resented the industry's anti-piracy or anti-consumer actions), and were not using piracy as a weapon to hurt their business.

Justification by Comparison: three users (M1, M2, F2)

"Yeah like, even though one keeps downloading something, one doesn't think one is a criminal. That there will be no great pain for the conscience, possibly, unlike with some other crime, like stealing an actual physical object. [...] So it feels a bit like that an actual physical good, a physical object like a movie that you steal from a store, there is a greater risk of getting caught and it really feels that you have taken it and you're a criminal, you have wronged. Then you keep the copy, but if you download a movie from the net, watch it, you either keep it there, it can stay in the files, or then you can remove it for example, and then it's gone." (Male #1, age 17)

This comparison technique was used moderately often, and appeared in three different setups in three interviews. The first (Male #1) was to compare piracy to stealing physical objects. In this comparison, piracy is viewed as lesser of the two evils, as it does not take away anything from anybody. Illegally obtained files on a computer clearly fail to generate an emotional effect, if compared to stealing physical objects. Similar arguments have been reported earlier in research on ethics of music piracy (Lysonski & Durvasula, 2008). The second (Female #2) compared the volume of piracy. Female #2 considered herself to be a small player regarding piracy, not someone who is "constantly or every day" downloading. The third comparison (Male #2) was between the ages of downloaded content. It was claimed that downloading older copyrighted material no longer available was less wrong than downloading new content available in stores. Expiration of copyright was used as a supporting argument.

Postponement: two users (F1, F2)

"No, I have just thought that I get good music and can listen to it as much as I like." (Female #1, age 16)

Postponement was used in at least two cases to seemingly attempt to 'dodge' the questions regarding the ethics of illegal downloading, thus refusing to deal with the issue. The other possibility is that the respondents had never questioned the justification of piracy. The respondents were nevertheless asked to consider the matter further, and afterwards they indicated that there are certain ethical problems associated with piracy.

Denial of Responsibility: one user (F2)

"Because it's not, in a way, the fault of those downloaders that, if you put it there, then it's like you distribute then, in a way there's a root to all evil from which it starts." (Female #2, age 15)

Female #2 seemed to represent the common downloaders (and herself) as passive entities who would not seek undeserved advantage if there were no supply for it, thus denying responsibility. She blamed the original distributors for making piracy possible in the first place. She also compared her own actions to theirs, thus simultaneously using the technique of justification by comparison.

Denial of Injury: one user (M3)

(Interviewer) *So you don't feel responsible?*

"Ehh, not really!" (Male #3, age 16)

It should be noted that Male #3 above was referring to the fact that an individual's own piracy is so insignificant in volume compared to the whole phenomenon, that he does not consider his own actions to be very detrimental to the industry. In other words, he was denying the injury caused by his own actions, not the injury caused by piracy in general.

Defense of Necessity: one user (M5)

(Interviewer) *Yes then, why do you, what makes you download if you know that there's something wrong about it?*

"Well I don't know, I don't get music anywhere else." (Male #5, age 14)

This technique was clearly apart from others employed in interviews. The above example was its only occurrence in the study. The respondent in question tended to answer all the questions with very short answers, and was the most difficult participant to interview. He had never used money to acquire digital music, and was rather unfamiliar with music stores on the Internet. He also had a strong need to own his music, so streaming services did not satisfy his needs. Against that background, the interviewee's claim of "not getting music anywhere else" can be deemed logical, even though legal options are rather universally present.

6 Discussion and conclusion

The objective of the study was to deepen the understanding about music piracy among youth, especially from the perspective of techniques of neutralization. The basic implication derived from neutralization theory is that anti-piracy education should focus on developing counter-arguments to the employed neutralizations. Thus, certain recommendations can be presented.

Based on this study, special care should be given to combating the frequent *claims of normalcy* by voicing "what is common is not necessarily right". Also, given the current availability of digital music, it can be stressed that there is no need to pirate music anymore. One possibility is to attempt to induce negative emotions towards piracy by representing it as an outdated mode of behavior: "*P2P Downloading? That's so 00's!*"⁴

There are dangers in aggressive anti-piracy campaigns by copyright-enforcing organizations, because the organizations are not viewed as 'proper victims' (*denial of victim*). As a consequence, these campaigns are subject to strong backlash effects. The interviewees reported to respond better to campaigns with visible artist involvement, because artists are the ones admired by the public; their victim status is stronger and harder to deny. However, this is not the case with superstar-level artists, as they are perceived to do so well financially. Thus, relatively known artists - not the superstars, but not those too obscure either - could be used to convey the message in campaigns. To minimize the backlash, the message itself should not be overly "anti-piracy", but more about the possibilities of legal options.

⁴ Recently, such messages have indeed been aired among Spotify Free advertisements.

Finally, copyright educators should stress that comparisons between different crimes and behaviors (*justification by comparison*) are not always relevant or fruitful.

It has been noted that perceptions of what is considered ethical change when information technology is present (Molnar, Kletke, & Chongwatpol, 2008), and the actions and attitudes of the interviewed pirates confirm that the presence of IT definitely plays a role in what is acceptable. Anonymity of the Internet and the lack of physical presence of stolen objects make piracy much easier to perform than stealing CDs. While claiming that everybody does it, the interviewees admitted that there are indeed problems associated with piracy. At least, these responses tell what pirating youths expect to be a desirable response to the question of piracy; this is what pirates consider to be widely accepted in society. Hence, if they ultimately share the values of the general public as Sykes and Matza (1957) suggest, they actually consider piracy unethical (even if they answered that way simply to please the interviewer).

The group of interest for this study was the youth of the 2010's. These individuals, all under the age of 18 at the time of the interviews (b. 1994–1997), have lived practically all of their lives in a world of networks, operation systems with graphical user interfaces, and mobile devices. These people have come to know the Internet and its possibilities, such as file sharing, from a very early age: for them, these have always existed. While older individuals are also very capable of acquiring the skills and knowledge to commit piracy, they are not as native to this cultural environment as these youths. There is an argument to be made that the group of interest of this study could be called *Generation Z*, in contrast with earlier studies on *Generation Y*. Their attitudes toward digital consumption may be different, and they may neutralize their behavior in different ways than the pirates of prior generations. For example, given the improving availability of online music and video, related neutralizations are not going to be applicable to the same extent. Those pirates who rely on discredited neutralizations will likely attempt to develop new neutralization techniques in order to continue their downloading.

The current study has its limitations. First, the qualitative nature of the study and the small sample size make it impossible to generalize the findings. Second, the sample consisted of volunteers, who may have been more comfortable with the idea of talking about their piracy experiences and opinions than their peer pirates in general. Thus, the possibility of self-selection bias must be pointed out. Third, there was a threat of social desirability bias associated with information gathering. Even though the interviews were private and anonymous, the nature of qualitative neutralization research often causes the interviewees to feel the need to defend their actions. This may lead to a situation where neutralizations are created artificially.

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