

Pirates on the Plank: Neutralization Theory and the Criminal Downloading of Music Among Generation Y in the Era of Late Modernity

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This research explores Internet music piracy. Guided by the cultural criminology perspective and its focus on crimes in late modernity, it uses responses from a survey given to 800 students at four universities to examine the criminal downloading of music. It analyzes rates of illegal Internet music downloading considering factors of sex and age. However, its primary focus involves how rationalizations help cyber-criminals from Generation Y neutralize the stigma associated with Internet piracy.

Keywords: neutralization theory, illegal downloading, music piracy, cultural criminology

INTRODUCTION

In the current era of late modernity, when intangible commodities are more important to consumers than ever, the illegal consumption of digital products is a great concern. The most prominent issue in this area is the illegal downloading of music. A report by the Institute for Policy Innovation indicates that the illegal downloading of music, also known as music piracy, costs the United States economy \$12.5 billion per year and every year workers in the U.S. lose at least \$2.7 billion in earnings from it (Siwek, 2007). Though laws like the

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Digital Millennium Copyright Act exist to penalize illegal downloading, the practice continues (Motivans, 2004).

Illegal downloading of music through file-trading services is highest among university students (Graham, 2004). These students belong to a demographic referred to as Generation Y. Born in the late 1970s to 1980s, defining moments for them include the Columbine massacre, the rise of MTV, and the emergence of reality television. They are more confident, better educated, more affluent, and more tolerant of differences than previous generations (Howe & Strauss, 2000; Twenge & Campbell, 2001). However, research shows they also have an excessive sense of entitlement (Konrath, Twenge, Campbell, Foster, & Bushman, 2007). In addition, they tend to challenge traditional authority, be more narcissistic, materialistic, depressed, and stressed than preceding generations (Gough, 1991; Schor, 2004; Twenge, 2006). They are also more selective in their appraisals of right and wrong than previous generations. They cheat more in educational contexts (Heyman, 2005), are less likely to provide churches money for fee-based services such as candle lighting (Trinkaus, 2004), and are more likely to have favorable definitions of littering and stealing (Paul, 2001a, 2001b). Therefore, it is important for criminologists to start paying more attention to the dynamics surrounding illicit Generation Y behavior such as illegal downloading.

Using a Generation Y sample, this paper explores Internet music piracy. It considers Sykes and Matza's (1957) perspective of deviance neutralization while acknowledging the contemporary relevance of cultural criminology, which focuses on crimes in late modernity. This paper uses responses from a survey given to 800 students at four universities to analyze rates of criminal downloading considering sex and age. However, its primary focus is on how

rationalizations help cyber-criminals from Generation Y neutralize the stigma associated with the illegal downloading of music.

BACKGROUND: A BRIEF HISTORY OF ILLEGAL DOWNLOADING

According to cultural criminology, advanced capitalism, technology, and leisure time facilitate crime. These crimes are typically the result of symbolic acts of transgression against economic conditions and actions performed to fill the void of everyday boredom (Ferrell, Hayward, & Young, 2008). The story of illegal downloading on Peer-to-Peer (P2P) networks is an interesting tale, especially when considered as a new form of crime in late modernity. It is a fascinating mix of technological advancement, individual resistance, and the social construction of deviance.

A P2P network, in its simplest form, involves at least two connected computers sharing resources. Napster is the most notorious networking program. Created in the late 1990s, it let users exchange compressed audio files - MP3s (Segaller, 1998; Colangelo, 2002; Moore & McMullan, 2004). Overnight, thousands of users were sharing copyrighted songs through Internet connections. For some, it was a great way to get new music free. For others, technology was allowing the everyday person to obtain desired music without paying for, what they perceived to be, an overpriced commodity. However, many people were not sure if it was illegal or not. People traditionally purchased the same music from stores on compact disks and tapes. Walking in and taking a CD from a store without paying was clearly against the law, but people were not sure if exchanging something intangible over a computer with someone else was the same. While the general population had some ambiguity on the issue, the recording industry did not. Many power players pushed for a fine-tuning of existing

copyright laws and for the successfully established new ones to outlaw P2P music transfers. They were aware that 87% of files on Napster violated copyright law (Berger, 2001). With an image of illegality firmly planted, the Recording Industry Association of America (RIAA) sued Napster and won. The original version shut down, but pirates did not stop sharing music. They seemed defiantly determined to show the recording industry file sharing would not stop. Other programs quickly replaced Napster (Gillen & Garrity, 2000; Greene, 2001).

In 2003, a series of RIAA lawsuits occurred. Furthering the perception that illegal downloading was a crime, on June 25, they announced they were going after individual file sharers, not just P2P companies. In September 2003, they sued 261 people. Using the 1998 Digital Millennium Copyright Act (DMCA) as a legal foundation, they demanded Internet service providers (ISPs) turn over Internet provider (IP) addresses for people illegally sharing music. Some ISPs complied, others resisted. Regardless, the RIAA obtained enough information to sue many people. They targeted those sharing over 1,000 songs (RIAA, 2003; Bhattacharjee, Gopal, Lertwachara, & Marsden, 2006).

The RIAA received bad press when they failed to disclose the names of individuals sued. Reporters discovered one person targeted was a 12-year-old honor student living with her mother in New York. For the people resisting the RIAA position, this was a victory. The public perception on file sharing seemed to favor the recording industry, but this story made them look bad - like powerful, greedy executives picking on a small child. Technically, the RIAA did not sue the girl. She was a minor, so they sued her mother who subsequently settled out of court for \$2,000 (Graham, 2003).

The RIAA continued to sue despite the negative press, but the nature of their lawsuits changed on December 19, 2003. An appeals court decided that DMCA did not directly

concern P2P networks, and ISPs did not have to hand over the names of music sharers. The RIAA moved ahead with lawsuits no longer wanting names from ISPs, but individual IP addresses instead (Bhattacharjee et al., 2006). In October 2007, the recording industry won its largest settlement up to that date. They accused the Generation Y defendant, Jammi Thomas, of downloading and sharing 1,702 songs online. The RIAA linked the songs to a Kazaa file-sharing account linked to Thomas. She testified that she did not do anything criminal, but RIAA attorneys argued she replaced her hard drive with another to cover up her piracy. Ironically, while in college just a few years earlier, Thomas carried out a case study on Napster. In her paper, she concluded people should not view music piracy as criminal. In a year when people could buy t-shirts from stores with the term “music pirate” printed on them, a jury ordered Thomas to pay \$222,000 for illegal downloading related to copyright infringement (Freed, 2007; Menn, 2007). As cultural criminologists argue, “The ability to reconstitute resistance as a commodity, and so to sell the illusion of freedom and diversity, is powerful magic indeed” (Ferrell et al., 2008, p. 19).

In defense of the recording industry, illegal downloading has produced major financial effects. In 2000, consumers in the U.S. bought over 785 million albums. In 2006, it plummeted to just over 588 million. In mid-2007, sales of compact disks (CDs) fell by 16% from an already disappointing previous year. Though legal digital sales from outlets such as iTunes and sales from ring tones for cellular telephones are balancing out some of the losses from illegal music downloading, the industry still suffers financial setbacks with little slowdown of illegal downloading (Hiatt & Serpick, 2007). Interestingly, before RIAA lawsuits began, nearly 4 million people were online illegally exchanging songs. Just over 11,000 lawsuits later, that number reached 10 million, and it was still rising (Knopper, 2005).

THEORETICAL PERSPECTIVE

For years, scholars have addressed the neutralization of negative identities (Mills, 1940; Goffman, 1959, 1961, 1964; Scott & Lyman, 1968). Research in this tradition often focuses on criminal acts. Studies look at dog fighting (Evans & Forsyth, 1997; Forsyth & Evans, 1998), prostitution (Jackman, O'Toole, & Geis, 1963), child molestation (McCaghy, 1968; DeYoung, 1989), shoplifting (Cromwell & Thurman, 2003), and rape (Scully & Marolla, 1990). Others focus on deviant sexual acts (see for example Skipper & McCaghy, 1970; Luckenbill & Best, 1981; Blinde & Taub, 2000). Some focus on the neutralization of deviant labels in specific professions (Turner & Edgley, 1976; Thompson, 1991; Ulsperger & Paul, 2002; Evans, Forsyth, & Foreman, 2003; Hodges & Ulsperger, 2006).

A popular theoretical framework used for analyzing the neutralization of criminal behavior is associated with the work of Sykes and Matza (1957). Their model assumes people who participate in crime have feelings of guilt. One goal of their perspective is to develop a sense of how criminals resolve guilt and maintain a positive sense of self. To analyze this issue, they focus on how criminals justify their behavior with specific techniques. These include the denial of responsibility, denial of injury, denial of the victim, condemnation of condemners, and appealing to higher loyalties.

Denial of responsibility involves people shifting the blame for criminal behavior to someone or something else. Denial of injury involves the argument that the criminal act did no harm. It also includes the idea that if the criminal did harm someone, the harmed person had the ability to bear the damage with little, if any, serious consequences. Denial of the victim involves the idea that the person harmed by criminal actions deserved it. The criminal presents an argument that the victim previously injured others and, in turn, should have been

victimized. Feelings of retribution characterize this technique. The condemning of condemners implies people in the system that are labeling and judging criminals are hypocrites. This includes law enforcement, people filing lawsuits, or the courts. They probably do things far worse and are in no position to accuse others, so others should ignore their claims. As for appealing to higher loyalties, the criminal will claim firm allegiance to another person or group. The criminal will then note that his or her actions took place because of, or for, that allegiance. In turn, loyalty to others is more important than following the rules of society (Sykes & Matza, 1957).

Though Sykes and Matza developed it over 50 years ago, neutralization theory continues to influence the study of crime. It helps to explain contemporary issues such as war crimes (Cohen, 2002) and domestic violence (Mooney, 2007). However, critics do point out that it has major limitations. For example, neutralization theory does not address the genesis of neutralization techniques. Some analysts argue that it also fails to explain spontaneous acts of violence and expressive crimes that have no clear purpose (Siegel, 2009). Interestingly, proponents of cultural criminology provide some defense for these critiques. Arguing that neutralization theory has connections to cultural criminology's fresh perspective on crime, they point out that Sykes and Matza followed up their seminal work on neutralization with research emphasizing that people drift into crime because it is simply fun and has characteristics valued in the larger culture, such as adventure. Overall, in line with cultural criminology, Sykes and Matza argued culture condemns crime, while at the same time celebrating and commodifying it (Ferrell et al. 2008).

This research analyzes rates of criminal Internet downloading of music considering factors of sex and age. However, while considering aspects of cultural criminology, its

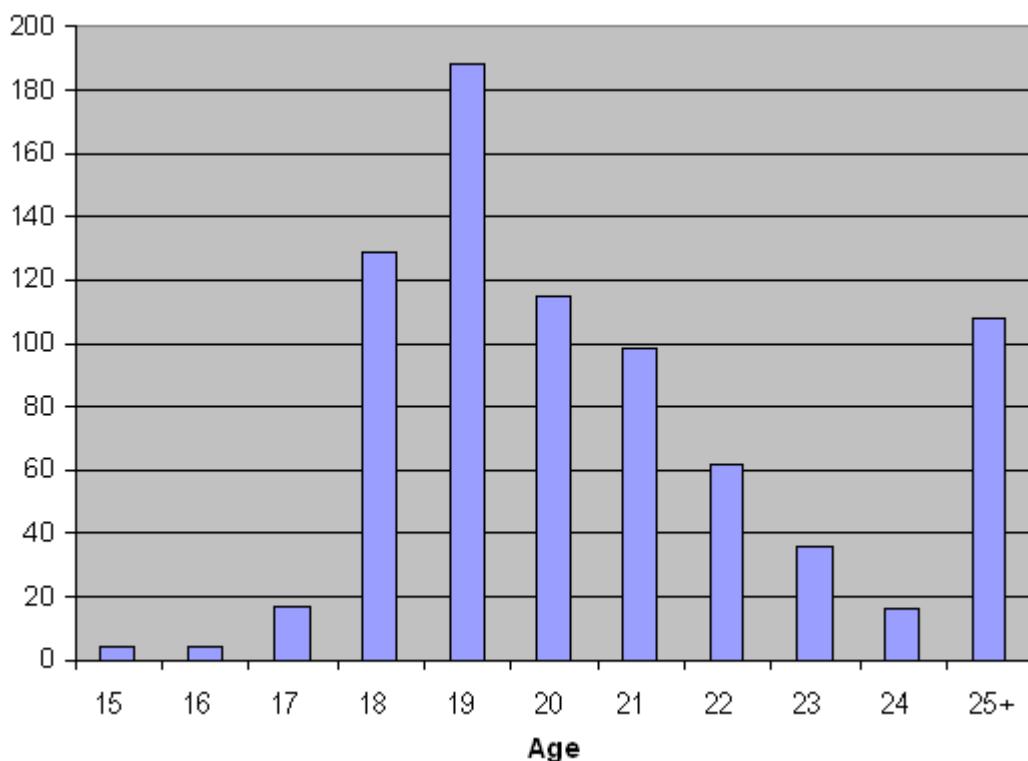
primary goal involves analyzing how techniques of neutralization help people who illegally download music neutralize any stigma associated with Internet piracy. Recent research on illegal downloading focuses on sales-displacing effects (Liebowitz, 2006; Rob & Waldfogel, 2006; Zetner, 2006), legal threats as a deterrent (Bhattacharjee et al., 2006), and conceptions of gifting communities (Giesler & Pohimann, 2002; Giesler, 2006). Some research merely mentions neutralization (see Moore & McMullan, 2004), but two notable exceptions do exist. Using qualitative comments from 16 students from different nations, Cohn and Vaccaro's (2006) work applies neutralization techniques to global consumer perceptions of unethical downloading. Ingram and Hinduja's (2008) research argues that university settings facilitate a climate for online piracy. This is because students put a high value on group norms over legal norms while failing to acknowledge the harm associated with piracy. Regardless of these studies, there is no research examining techniques of neutralization involved in illegal music downloading from a neutralization-based cultural criminology perspective.

METHODS

The researchers surveyed a sample of 800 college students from four universities. One is a public university in the Midwest with a student population of 18,600. The other three are public universities located in the Southern United States with student populations of 13,524, 6,208, and 3,150 (College Board, 2007). Survey distribution took place in classrooms before classes started. The researchers administered the surveys to students in their introductory liberal arts classes. This helped with time and funding limitations. Moreover, the researchers used college-aged students purposively in order to access an already congregated, large sample of young people belonging to Generation Y – see Figure 1. Respondents

returned all surveys; however, the researchers excluded 22 from the analysis due to either non-response or ambiguity in response.

Figure 1. Distribution of Sample by Age



The researchers provided respondents with a survey instrument having close-ended questions and one open-ended question. Two close-ended questions gauged sex and age. Another simply asked for a yes or no response to, "Have you ever downloaded music from the Internet illegally?" The researchers analyzed the nominal data from the close-ended questions using chi-square as a statistical test with a probability level of .001 to see if sex and age are statistically independent variables in relation to criminal downloading. The only open-ended question included on the survey asked, "If you have downloaded music illegally,

why did you do it?" Out of 778 responses included, 105 people indicated they did not criminally download music. The remaining 673 (86.5%) respondents indicated they did. For those who did, the researchers coded and categorized justifications using Sykes and Matza's (1957) model of neutralization.

The researchers checked for intercoder reliability during several stages individually grouping and applying open-ended responses based on perceptions relating to the analytic constructs associated with Sykes and Matza's (1957) ideas of neutralization. The researchers then met jointly to discuss categorizations and search for inconsistency in each other's coding. In the later stages, with remaining inconsistent examples, the researchers read, reread, and debated the appropriate placement of inconsistent responses until a consensus on categorization emerged.

RESULTS

Of the 778 survey responses, 340 (43.7%) were from males and 438 (56.3%) were from females. Among males, 275 (80.9%) of the respondents indicated they downloaded music illegally, while 65 (19.1%) did not. Among females, 398 (90.9%) of the respondents indicated they participated in music piracy, while 40 (9.1%) did not. As pointed out in Table 1, a statistically significant difference existed between the distribution of males and females in terms of illegal music downloading. Overall, females were more likely to download music illegally. This is an interesting finding considering that males offend at higher rates than females do in nearly all categories of crime, aside from prostitution. Regardless, in recent years the gap between males and females in minor property crime has closed (Schwartz & Steffensmeier, 2008). The higher rate of illegal downloading found in this study relates to the

increase in the number of females stealing. In the case of this research, it might be possible that late modernity's Internet focus has altered the opportunities available for women to engage in crime. The Internet may also help females gain a perceived sense of anonymity allowing them to engage in deviance they would never dream of engaging in within the tangible world.

Table 1. Illegal Downloading of Music by Sex*

Sex	Number (% within subdivision)	Overall %
<i>Male</i>	340 (100)	43.7
Download Illegally	275 (80.9)	
Do Not	65 (19.1)	
<i>Female</i>	438 (100)	56.3
Download Illegally	398 (90.9)	
Do Not	40 (9.1)	
Total	778	100

*Note: A statistically significant difference exists between the distribution of illegal Internet downloading based on sex ($\chi^2 = 16.35$, df = 1, probability level of .001).

In terms of age, 670 (86.1%) responses were for people under the age of 25, while 108 (13.9%) were for those 25 and over. For those below 25, 601 (89.7%) indicated they downloaded music illegally, while 69 (10.3%) did not. For people 25 and over, 72 (66.7%) of the respondents indicated they participated in music piracy, while 36 (33.3%) did not. A statistically significant difference existed between the distribution of respondents under the age of 25 and 25 and over in terms of illegal music downloading. Overall, people under the

age of 25 were more likely to illegally download music – see Table 2. Based on crime and Internet use trends, this is not surprising. People under the age of 25 have historically carried out a majority of crimes in the U.S. (Lynch & Addington, 2007). In addition, Internet activities like blogging mostly occur with Generation Y, people in their mid-20s and under (Schler, Koppel, Argamon, & Pennebaker, 2006). However, it will be interesting to see if Internet trends related to age hold as Generation Y members move into older age categories, which could subsequently influence rates of illegal data transfers by age group.

Table 2. Illegal Downloading of Music by Age*

Age	Number (% within subdivision)	Overall %
<i>Below 25</i>		
Download Illegally	601 (89.7)	
Do Not	69 (10.3)	
<i>25+</i>		
Download Illegally	72 (66.7)	
Do Not	36 (33.3)	
Total	778	100

*Note: A statistically significant difference exists between the distribution of illegal Internet downloading based on age ($\chi^2 = 42.27$, df = 1, probability level of .001).

Denial of Responsibility

Denial of responsibility includes any illegal downloading justification that shifts blame to technology, time constraints, economic disadvantage, access issues, or process ease. This represents the highest frequency of neutralization techniques in this study. Here, 278 (36%) of the people who illegally downloaded claimed it was not their fault.

Table 3. Justifications for Illegal Internet Downloading of Music*

Technique of Neutralization	Frequency	%
<i>Download Illegally</i>		
Denial of Responsibility	278	36
Denial of Injury	91	12
Denial of the Victim	113	15
Condemnation of the Condemners	142	18
Appeal to Higher Loyalties	49	6
<i>Do Not Download Illegally</i>		13
Total	778	100

*Note: Twenty-two responses were not included due to either non-response or ambiguity in response.

With blaming technology, the mere presence of the Internet in the era of late modernity is enough to condone illegal downloading. One 22-year-old female noted:

Anything on the Internet is fair game. You have access to getting on the Internet. So, in my opinion, if you get music off it for free you shouldn't get in trouble for it. If it is such a problem, why don't they get rid of the sites that supply the music?

Another 22-year-old female respondent made a similar argument. She indicated that "if it is on the Internet and available to the public it shouldn't be illegal." Other respondents negated their responsibility due to the technological ability to rip and burn off music. However, other arguments dealt with consumer patterns, time constraint, and economic disadvantage. On one survey, the 21-year-old female respondent indicated her life was hectic and illegal downloading was "a convenient way to get the [songs] you need." Another female

respondent, 23, noted “I couldn’t listen to music if I couldn’t download it. I don’t have the time or energy to go to the mall and buy anything.” In terms of economic disadvantage one male, 18, claimed, “I’m a college student. Like I can afford to buy CDs.” With the theme of access, one 17-year-old stated, “I download the songs I can’t buy at the store because I am underage.” Another respondent, a 20-year-old male, claimed P2P networks offered him songs regular retail stores did not have available. He indicated:

I do know that downloading material [illegally from the Internet] is wrong. I do not actively support it. However, I like many others, have still committed this crime. In my defense, most of the things I download are hard to find things. For example, if I cannot find a CD by an artist I want to listen to, downloading it illegally is my only option.

In relation to process ease, several respondents argued that in the current technological era illegal downloading was just too effortless. As one 18-year-old male argued, “It is a very easy way to get free music.” Another 18-year-old female agreed stating that she would rather download than go to a store and purchase a CD because, “It’s a lot easier to download songs and burn them [on your own] CDs.” A 19-year-old female with similar feelings noted “it is so easy [record companies] deserve to get ripped off.”

Denial of Injury

Denial of injury includes themes such as a lack of moral harm, music not being a tangible product, previewing music for later purchase, and informal artist promotion. It also includes comparisons to earlier forms of music sharing and passive statements about victims having a high level of economic prosperity. As shown in Table 3, 91 (12%) of the music pirates in this study claimed their actions caused no harm.

A 22-year-old female noted that illegal downloading “doesn’t violate any morals” and that it “doesn’t directly affect anyone.” Using rationalizations based on the growing use of

intangible commodities in a hyper-mediated, liquid world, one 27-year-old male claimed his music piracy was legitimate because he did not “physically hurt anyone” when he did it, nor did he take anything physical from anyone. Though many respondents argued no one is hurt and no physical damage is done, few follow the argument that illegal downloading is actually moral. Some did indicate that as long as it is limited, it is suitable. One 21-year-old female indicated that it was appropriate since she did not do it that much. She argued, “If you don’t do it in excess then it is not so bad.”

Other respondents contended that illegal downloading had less of a neutral effect and more of a post-modern marketing effect. Specifically, some respondents believed they provided a service to music artists in two ways. First, they created a preview outlet for themselves. Second, they created a preview outlet for others by serving as informal, small-scale promoters. In relation to self-previews, an 18-year-old female stated that “many people who [illegally] download a song, like it enough that they go buy the whole CD anyway.” Echoing that idea, a 19-year-old male indicated, “I download music daily. If it is a band I like, I will go buy their music.” Creating promotion outlets for others involves not only listening to illegally downloaded music on your own but also sharing it with other people who might enjoy it and end up being a fan. A 21-year-old male explained:

My opinion is that illegal downloading isn’t bad. It isn’t like you are stealing the CD. A lot of bands get started by people [obtaining their music without paying for it]. You don’t hear them complaining until they get to be famous like Metallica. Poor Metallica...

Another respondent, a 17-year-old, made a similar point. She stated illegal downloading is all about the benefits of exposure. She stated:

My illegal downloading is beneficial to the artists because it is an easier way for [artists] to get exposure. Most of the bands I listen to now, I heard their music from [illegal] downloading. [Later], I buy CDs of the bands and tickets to their concerts... Downloading is a good thing for fans and bands.

Interestingly, parts of the music industry agree. The *Christian Science Monitor* reported a few years ago that some music labels work with bloggers, who have a reputation for posting songs before their official release, and leaking songs intentionally to generate buzz. They also reported that recording industry managers keep a close eye on P2P sites to make sure their artists are generating interest (Coleman, 2007).

Several respondents argued that illegal downloading from P2P networks is nothing new. Their responses compared it to recording songs onto a tape from the radio. One 21-year-old female stated that she knew “in the ‘old days’ [people] just recorded songs they liked off of the radio.” A 16-year-old female noted that for years people borrowed music from their friends, and she stated that when she downloads, “It’s not like I am stealing. It’s like borrowing from a friend’s collection.” She failed to mention that with illegal downloading, she is referencing a “friend” she never met. Regardless, that point is irrelevant to some music pirates.

Even if it is more like stealing and less like borrowing, pirates believe artists experience such a high level of economic prosperity that they can take the monetary loss with few problems. A 22-year-old female stated, “The only thing I know is [downloading] music and movies off the Internet is okay because the artists and actors get money from other sources like tours and commercials and other things.” Another respondent, an 18-year-old female noted, “Most artists generate much of their money from concerts and touring anyway.”

Denial of the Victim

Denial of the victim includes aggressive, non-sympathetic statements toward victim greed, overpriced CDs, and general comments toward persistent exploitation of consumers by the recording industry. Here, 113 (15%) of the respondents believed victims deserve it. From a cultural criminology perspective, interestingly multiple statements in this research related to illegal downloading as a simple act of transgression in the face of a music industry with a ravenous desire for profit.

One male, 22, stated, “I think the music industry is wrong. [They] already make enough money from radio, publicity, and concerts.” Another respondent, a 19-year-old male, repeated this notion. In fact, he elaborated to the point of describing the luxury office furniture he believes greedy executives surely have. He made the point:

It really isn’t that big of a deal. The music industry doesn’t need money. They all sit in leather chairs with massagers built in them while [I] scrounge around. I’m left looking for pennies to get something to eat at Wendy’s.

Multiple respondents provided thoughts on excessive pricing similar to one 18- year-old male who argued that “if [companies] would make CDs cheaper I would buy them.” Other responses in this category took on an aggressive tone. One 22-year-old male denied artists as victims because of their music industry ties. He stated, “I do rip off [music] artists, but I do not mind because they are all little corporate bitches these days.” A different 22-year-old male stated that “rock stars and record executives can shove it up their asses, which they wipe with hundred [dollar bills].” Giving a huge slap in the face to victims, one 23-year-old female argued current laws for illegal downloading should not be so harsh. In her mind, music piracy is really a “victimless crime.”

Condemnation of the Condemners

In this study, condemning the condemners involves statements relating to everyone downloading, governmental apathy, and comments indicating the RIAA needs to refocus its energy. Here, 142 (18%) of the music pirates indicated those who are after them, such as the government or RIAA, are no different from them. An 18-year-old male noted that “Everyone does it. I can’t think of someone who wouldn’t want to.” A female respondent, 19, shared this perspective indicating illegal downloading is “wrong, but everyone does it.” An 18-year-old female noted, “It is done so much it is not a big deal.” In a related comment, another 18-year-old female claimed that illegal downloading is just a way to “work the system” because it consistently “works you.”

Considering themes on illegal downloading as an act of resistance aimed at the government, one 19-year-old female commented, “I feel [illegal downloading] is acceptable because as a middle class American I am already paying enough [to other people] because of taxes.” Another female, 21, argued:

[Illegal downloading] is stealing, but it is not as horrible a crime as it is made out to be. [The government] should go after people committing worse crimes. Plus, the laws [against sharing files] are so blurry that I doubt most people understand them.

In agreement with this point, one 19-year-old contended, “It is stupid that [the government] has Internet laws.” He went on to note, “If they want to stop [illegal downloading] they should stop the manufacturing of CD burners.” Responses also indicated the government could do more to take the greed out of the recording industry. A 19-year-old male respondent stated that the “government should make the RIAA decrease prices.” Another female respondent, 22, concurred that the government should do more, stating:

I think that it is ok [to download illegally] because if [the government] really wanted to put a stop to it they could. With all of the technology in today's society, I know there is some way to completely cut out illegal downloading.

The basic component of neutralization relating to hypocrisy involves the idea that the industry has been stealing from consumers with high prices. Illegal downloading is just suitable revenge. A female, 22, stated downloading copyrighted songs is only "illegal so [record companies] can hold a monopoly and charge outrageous prices for something that will be [worthless] in a year." One 19-year-old male argued, "To make a CD runs about \$1 to \$1.50, mainly for the price of the ink for labels and lyrics pages." As such, many believe the true crime is the inflated profit margin created by the music industry.

Appeal to Higher Loyalties

Appealing to higher loyalties includes justifications based on relationships, free trade, God, the higher power of music, environmental concerns, and basic ideas of freedom. Here, 49 (6%) of the respondents who downloaded illegally, said they did it because of an allegiance they had to someone or something else.

Relationship based responses indicated people sometimes download for family members and friends who do not have Internet access or the know how to do it. Comments also indicated what family and friends think is more important than the law. One 18-year-old neutralized his piracy by stating, "My parents know and they don't care." Free trade neutralizations concerned arguments with idealistic perspectives of an Internet void of capitalistic motives in the era of late modernity. A 20-year-old male stated:

I believe that the Internet was designed to be a database for the free trade of information. Bans on downloading are wrong. They defeat the true purpose of the Internet.

Related arguments brought in references to God and the supernatural forces of music.

A 24-year-old female stated:

[Music] is an art form just as paintings are. God gave us our mind to be able to express ourselves in different ways. So, why charge for music when it is an expression of someone's mind and enables them to get their point across to people.

Another female respondent, 23, acknowledged that her piracy was illegal, but that she just "loves music" too much. Along similar lines, a 23-year-old male indicated that downloading illegally is wrong, but that it is less important than music existing in new formats for people to "listen to and enjoy." Besides, as a 21-year-old female indicated, "With today's horrific consumerism, illegal downloading is to be expected as part of the counter culture." In a related comment, a 23-year-old male argued that downloading copyrighted material from P2P networks should be legal because it "is one of the main ways people come together" in today's society. From an environmentalist perspective, a 23-year-old argued her illegal downloading music is "beneficial for us because it reduces waste from CD packages." In terms of basic ideas of freedom, a 21-year-old male argued that laws making the downloading of copyrighted material illegal are "a ploy by the recording industry and artists." He contended their covert goal was to "impede upon the freedoms of information enjoyed by every day Americans." Some respondents who neutralized with higher loyalties concerned themselves with practical personal need. One respondent's higher loyalty was to her computer. The 19-year-old indicated she downloads illegally to protect it. She stated that once when she illegally downloaded, she "needed a spyware program." In terms of Internet spying programs that pull information from your computer without your knowledge, she pointed out, "Why should I have to pay to protect my computer against something that

should be illegal any way.” In other words, illegally obtaining a commodity is appropriate if you have to protect your property from things you believe should be illegal. We should note that her survey showed she downloaded music illegally as well. One respondent’s higher loyalty was to his own desire to unwind in his free time. Reflecting cultural criminology’s ideas on the ritualized, mundane nature of some crimes in late modernity, the 21-year-old stated downloading music illegally was a legitimate behavior for him because it helped to put him into a state of emotional relaxation.

LIMITS OF THE STUDY

It is important to note several limitations of this research. First, geographic and racial limitations exist. This research examines responses from students in the Midwest and South. It does not research college students from other areas of the U.S., nor does it consider racial differences. Future research should focus on these variables. Second, Generation Y members do not all go to college. This research does not tap into neutralization techniques for Generation Y members not attending a university. Third, some of the data in this project includes responses from a number of non-traditional students. The research separates close-ended responses for those below the age of 25 and those 25 and over; however, it fails to compare qualitative neutralization comments considering age. The same goes for sex. Future research should consider whether age or sex correlate with specific neutralization techniques. Fourth, it is significant to mention the inherent complexity existing in neutralization technique coding. For example, injury denials sometimes appear to come across as victim denials or condemnations. Adding to this problem, since the five original techniques of neutralization used in this research appeared, many others emerged. These include, and are

not limited to, the defense of necessity, claims of normality, claims of entitlement, metaphors of ledger, and justifications by comparison. Future research should use these supplemental neutralizations (for a detailed discussion of these issues see Maruna & Copes, 2004). Finally, this work relies heavily on the coding of qualitative comments relating to neutralization. At the expense of analyzing thick descriptions provided by respondents, future work could avoid the face validity issues previously discussed with the exclusive utilization of close-ended questionnaires using Likert scaled items (see for example Thurman, 1984; Ingram & Hinduja, 2008).

CONCLUSION

In this study, females appear more likely to download songs illegally than males. People under the age of 25, exclusively belonging to Generation Y, are more likely to download songs illegally in comparison to those 25 and over. Regardless, large numbers of males and a substantial amount of people over 25 also engage in music piracy. For people who download illegally, large percentages neutralize their activity by denying responsibility. A sizable number say hypocrites are the ones condemning their actions. Fewer deny injury and victimization. Though respondents indicate victimization does happen, they believe the music industry and artists can handle it or deserve it. The lowest frequency of neutralization among music pirates involves appealing to higher loyalties. Though this represented the smallest category, respondents did reveal some interesting rationalizations. We should note, only one response on illegal downloading discusses imposed sanctions. The respondent indicated he downloaded an anti-virus program off Kazaa and his ISP shut down his service until he signed a letter saying he would never download anything illegal again. The letter

indicated they would fine him \$150 to \$200 per illegal item if caught again. This was not enough of a deterrent. The 38-year-old indicated:

I have so many songs now that if I were to get caught [again] I would be screwed. I'm trying to quit now. [Illegal] downloading is like smoking. I cannot quit, but with a serious fine, I would have to.

In terms of serious fines, in August 2009, a federal jury ordered a Boston University graduate student who admitted to illegally downloading and sharing songs to pay \$675,000 to four record labels. After the verdict, he said he was thankful the penalty was not more. He even indicated that he won a small battle in the war of illegal file sharing. Since his punishment was not in the millions, he indicated the jury must have looked at file sharing with some legitimacy (Grillo, 2009). Regardless of these big settlements, criminal downloading and the fight to stop it will probably continue for years. As the findings of this research imply, in the current era of late modernity the justifications for illegal downloading probably will as well.

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