

Sailing the High Seas: A Christian Exploration of Piracy

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1 Introduction

1.1 Background Information

[T]hat ideas should freely spread from one to another over the globe, for the moral and mutual instruction of man, and improvement of his condition, seems to have been peculiarly and benevolently designed by nature, when she made them, like fire, expansible over all space, without lessening their density at any point, and like the air in which we breathe, move, and have our physical being, incapable of confinement or exclusive appropriation. Inventions then cannot, in nature, be a subject of property. Thomas Jefferson [1]

It is generally accepted that piracy is an illegal activity, but what is often overlooked is the legitimate role that piracy plays in a variety of contexts. When it comes to subverting oppressive regimes, for instance, the tools that piracy provides are indispensable and for protecting the interests of consumers from predatory business practices, the abilities of piracy are unmatched. Needless to say, with every unregulated system comes abuse and piracy is no exception. As a Christian, how should one approach such a tool and how can it be utilized for the betterment of God’s kingdom? In the paper that follows, piracy will be analyzed through a number of lenses, culminating in a Christian response to this issue. In doing so, the hope is that the reader attains a fresh, wholistic understanding of the potential value of piracy.

Before proceeding further into the issue of piracy, it is important to have a grasp of what piracy means insofar as how this paper interprets it. The dictionary defines piracy as “the unauthorized use of another’s production, invention, or conception especially in infringement of a copyright.” While this covers the technical definition of piracy, this paper elects to utilize a more wholistic definition. Piracy not only includes the unauthorized use of someone’s work, but it includes the tools and techniques that are commonly used to accomplish this task such as torrent trackers, VPNs, and torrent clients.

1.1.1 Intellectual Property

1. Piracy on an individual level: Very hard to combat, because you are trying to protect things that are immaterial ideas. Ideas flow freely, especially in the Internet. Some people might argue that all ideas should be free.
2. While some people might argue that piracy should not be allowed because it stifles innovation.

1.2 Thesis/Argument

Piracy should not be hastily thrown aside. Piracy is an excellent tool for disseminating information, services, content, &c. that may not have been available any other way.

2 Arguments For Piracy

2.1 Equal Access

1. Piracy allows equal access to information
2. “I am not comfortable with a model which will restrict inquiry to the wealthy.” [1]
3. Increased prices are an artificial barrier to access certain information. Piracy provides a circumvention to said artificial barrier. Piracy gives consumers a way to fight systems they see as unfair/censorship. Piracy is a tool of the consumer to control/balance the economy [2], [3]
4. People pirate medical content. [4] Medical information is valuable to everyone. Having medical information is crucial to advancements in medicine, but sometimes the cost is too high. The paywalls, in this case, are directly harmful to ends that are beneficial to everyone.

2.2 Governance

1. Dissemination of information through means of piracy and torrenting gives access to those within areas where Internet shutdowns are commonplace.
2. Piracy provides a way around an oppressive regime, which are on the rise. [5]
3. IP laws arbitrarily restrict free speech / invention just because someone came up with it first. [6, p. 1339] They are based on the assumption that, in doing so, they are encouraging creativity (to be first to invent/create), when, in reality, creativity doesn't always come first, but may rather be an improvement upon the established. The most creative solution is not always the first one. IP laws and restrictions block slight innovations upon the existing intellectual property.

2.3 Privacy

1. Piracy gives you access to cracked versions of software that provide more sensible privacy/freedom than what is accessible legally. [7]

3 Arguments Against Piracy

3.1 Access to Dangerous/Illegal Content

1. Piracy generally enables free/open access to information.
2. This can be a bad thing for dangerous information that can threaten lives/livelihoods.
3. Piracy would facilitate the spread of dangerous information concerning national security, with few tools to mitigate and almost none to stop it.
4. Piracy provides the means to access content that is questionable/illegal.
5. When you are pirating, you need to be extremely careful with what you are getting. Not all sources are trusted sources; software can be infected with malware.
6. Information and content can be dispersed by bad actors.

3.2 Economic

1. Businesses are losing money because of acts of piracy.
2. Piracy is theft, in this sense. It is taking away from employee benefits and potential tax revenue for the government.
3. Piracy takes money from creators and organizations behind content creation. [8]
4. “According to Gould and Gruben (1996), IPRs protection stimulates economic growth if it is accompanied by a policy of trade liberalization. By encouraging initiatives to innovate, IPRs protection may influence the economic growth of an open country. Park and Ginarte (1997) found that IPRs protection affects economic growth indirectly by stimulating the accumulation of factors of production such as physical capital and R&D capital.” [9]

Piracy discourages innovation in the capitalist marketplace.

4 Christian Response

1. Drawing distinctions: Paywall to information is different from withholding information for sake of security
2. Paywalls provide the means of living for artists, writers, &c. Providing ways to circumvent these when unnecessary may hinder their livelihoods.

3. Betterment of mankind as a whole, should not be behind a paywall
4. Piracy provides an avenue for missionary outreach; piracy provides means of secret dissemination within an oppressive regime.
5. Piracy provides the means for access to content/information without much accountability

5 Conclusion

5.1 Final Thoughts / Responses

1. In response to economic argument: Would the pirate have bought the product/service in the first place?

5.2 Applications

5.3 Further Work

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