

Evaluate Essay 2

'Stealing is always wrong.' Discuss with reference to unpaid downloading of music from the internet.

There are many different forms of stealing, from theft of property, muggings and burglaries, to theft of ideas through plagiarism. Although there are legal sanctions against many forms of stealing, the issue of moral and social sanctions has always been more complex. For example, Robin Hood, who stole from the rich to give to the poor, is held up as a great British hero. Piaskin (1986) suggests that ethical issues are not simply questions of right and wrong but should be regarded as 'dilemmas'. In this essay I shall use the example of downloading music from the internet to highlight these complexities but, contrary to the view held by Piaskin, to argue that in this case, stealing is always wrong.¹

In recent years, there have been a number of high profile cases against people who have shared music files for free on the internet. Prior to the development of the internet, music was similarly shared via home taping. Lee (2006) argues that although home taping is technically illegal, no one pursues this as perpetrators cannot be caught.² Because it is possible to catch internet file sharers, Lee argues that they are being unfairly punished. Whilst there may be a practical basis to this argument – it is easier to catch downloaders than home tapers – this does not mean that one behaviour should be considered acceptable and the other should not. This kind of argument is a rationalisation, used to make unacceptable actions appear acceptable.

Indeed, this point is made by Cuttle (2007). Cuttle, a legal expert, states that 'piracy of software, video games and music is stealing' and makes it clear that all such copying is illegal.³ Given that there is a legal argument against both home taping and internet downloading, it appears reasonable to assume that both should be considered as wrong.⁴ However, it is important to explore the moral arguments in order to evaluate whether such behaviours should also be considered 'wrong' from an ethical perspective.⁵

Research by Mixim, Moss and Plummer (1934), as well as later studies inspired by Mixim et al., suggest that most people do maintain an ethical sense of right and wrong even in areas where stealing appears to be more socially acceptable. Their findings suggested that people's ethical sense wanes when payment methods are difficult but they do not forget what is ethically right. Ebo, Markham and Malik (2004) examined the effect on internet downloading of easier payment schemes. During the study there was a dramatic decrease in illegal downloads with the majority of users choosing to make use of the easy payment scheme. This indicates that the majority of people in the study acknowledged that to download music for free, in effect stealing it, was wrong.⁶

A different ethical perspective is suggested by those authors who support unpaid downloading, especially those who use ethical and artistic arguments to counter economic arguments. A number of authors such as 'Carla' (2006), an internet downloader, assert that the main argument against downloading comes from record companies who are primarily concerned with their own profits.⁷ Economic arguments are treated by such writers as if they are intrinsically weaker than artistic ones. 'Carla' develops this argument to suggest that true artists are driven by a desire to have their music heard by others and welcome the 'service' provided by file sharers. Hibbs (2006), a member of the public, also argues that file sharing is a kindness between friends. These kinds of arguments can sound convincing as they make downloading appear to be altruistic, and altruism appears to have the ethical advantage over the rush for profits. On the other hand, it could be argued that this is altruism at someone else's expense. The economics of free downloading do not help less well known artists, so not paying for downloads of their work is unethical.⁸

Furthermore,⁹ those who defend downloading often act as if they know best the 'real' wishes and interests of artists. Carla, for example, refers to 'true artists', without defining what a 'true artist' is,

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or providing evidence to show what such 'true' artists would want. Authors such as 'Carla' and Hibbs do not provide evidence to show that artists regard free downloading as being more in their interests than the actions taken by businesses. As music sales are usually of direct financial benefit to artists, many artists may also disagree with free downloading.¹⁰

Moreover, Cuttle (2007)¹¹ asserts that arguments such as Carla's and Hibbs's are invalid in free market terms.¹² Publishers have a right to charge the highest price that they are able to obtain, and consumers can choose whether or not to purchase. In that case, business is not in the wrong to charge whatever price the market will sustain. However, there are other economic, and indeed artistic,¹³ arguments against Carla's and Hibbs's positions.¹⁴ Such authors assume that objections to downloading come mainly from large corporations who can be dismissed as 'greedy'. Kahliney (2006) argues that small, independent companies and recording artists are most likely to suffer the effects of downloading as their overall reliance on sales is greater. Given that sales for independent artists tend to be low anyway, falling sales could mean the collapse of small labels. Whilst artists could still have their music heard via free downloads, their position is unlikely to remain financially viable for long. Ironically, this increases the likelihood of a music industry populated by the type of 'bland' or 'middle of the road' acts that Carla complains would exist without internet downloading: they will be the only artists that can guarantee reasonable sales.¹⁵

In conclusion, I have demonstrated in this essay that there are arguments to support the view that all stealing can be regarded as 'wrong'. This holds true even in relation to complex areas such as internet downloading, where social behaviours may appear to support the view that downloading without paying is acceptable.¹⁶ Indeed, in the case of unpaid downloading, there are legal and ethical, economic and artistic arguments to support the view that stealing from the industry is wrong. There are counter arguments, such as that downloading offers a service to music and small artists, but there is little evidence to support such views or to suggest that they represent the view of the majority. On the contrary, when given accessible, affordable payment options, most people chose not to steal, thereby acknowledging that free downloading is wrong. Although moral positions can easily be influenced by practical circumstances such as how easy it is to pay, research suggests people maintain an ethical sense that stealing is always wrong.

References

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Checklist for evaluating Essay 2

Use this checklist to analyse Essay 2 on the following page. Compare your analysis with the evaluation and commentary on pp. 193–4.

Aspect	Yes/No	Comments
1. The writer's own position on the issues is clear.		
2. It is clear what the reasons are for the writer's point of view.		
3. The writer's conclusion is clear and based on the evidence.		
4. Reasons are presented in a logical order, as a line of reasoning.		
5. The argument is well structured and easy to follow.		
6. Reasons are clearly linked to one another and to the conclusion.		
7. All the text is relevant to the assignment (in this case, about whether stealing is always wrong).		
8. The main reasons and key points stand out clearly to the reader.		
9. The writer makes good use of other people's research as supporting evidence to strengthen the argument.		
10. Does the writer make a reasoned evaluation of other people's views, especially those that contradict his or her own point of view?		
11. Does the writer provide references in the text when introducing other people's ideas?		
12. Does the writer provide a list of references at the end of the essay?		
13. Has the writer successfully removed any non-essential descriptive writing?		
14. Does the writing contain any inconsistencies?		
15. Are the writer's beliefs or self-interests unfairly distorting the argument?		

