



HOW OUR
INSATIABLE APPETITE
FOR FREE CONTENT
STARVES
CREATIVITY

**FREE
LOADING**
CHRIS RUEN

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~~“If we understand the revolutionary transformations caused by new media, we can anticipate and control them; but if we continue in our self-induced subliminal trance, we will be their slaves.”~~

—Marshall McLuhan

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Introduction

The Future, on Repeat

On a January morning in 2010, nervous congregants gathered in a San Francisco auditorium. They awaited revelation, if not rapture. Silicon Valley's far-flung diaspora joined the revival from afar, holding virtual vigil. With bent backs and glazed eyes, they stared at the live video feed streaming across their computer screens. Soon, the prophet of the information age would reward his followers and offer a new vision unto the people.

Inside the auditorium, eager eyes darted back and forth across the stage, straining to see their digital media savior. There he was! Applause thundered: dressed in his uniform of black turtleneck and blue jeans, Steve Jobs finally entered from stage left.

The oracle of Apple Inc. began to enumerate the many charms of his latest revelation: the iPad. The new tablet computer represented an entirely new category of digital device, splitting the difference between the smartphone's elegant mobility and the laptop's utilitarian power. Tablets took the totality of digital media consumption and made it truly mobile. Digital web browsing, email, photos, video, music, games, and books were hardly new, but having such an optimized, sleek, intuitive device with which to obtain and consume it all was revolutionary.

"Let me show you what it looks like. I happen to have one right here," Jobs said.

Like a postmodern Moses declaring new holy law, he walked to the lip of the stage and held out the diminutive iPad for its first inspection by his followers. They gave thanks, hooting and whistling up the stage. Jobs stepped back to detail the features of his new brainchild, highlighting its big, beautiful touchscreen.

"Holding the Internet in your hands," he said. "It's an incredible experience."

But now that the prophet had offered the ability to hold the past, present and future of human expression in our hands—what would we do with it: create or destroy?

By 2010, the new age of digital media had already presented difficulties for traditional creative industries. With the iPad adding to the mix, would magazines, newspapers, books, television, and film reap sustaining profits from digital metamorphosis? Some believed the industries themselves would be reaped, sacrificed to the gods of progress. But not David Carr, media columnist for the *New York Times*.

In a column entitled "A Savior in the Form of a Tablet," Carr enthusiastically gushed: "The tablet represents an opportunity to renew the romance between printed material and consumer...somewhere between the iTunes model and the iPhone app store... there may be a model for print." In an issue of *Wired* magazine dedicated to the emergence of tablets, editor-in-chief Chris Anderson—otherwise an evangelist for "free" business models—proclaimed the dawn of a new age for digitized media, one where "tablets can show media in a context worth paying for." Rupert Murdoch temporarily suspended his battles against content aggregators and Google to call the iPad "a wonderful thing... If you have less newspapers and more of these... it may well be the saving of the newspaper industry."

But would consumers actually be willing to open their wallets for content after years of getting much of it for free online? The gale-force winds of technological change had already blown many media professionals to the precipice. Now the iPad threatened to push them over the edge.

Once the Internet became ubiquitous in the 2000s, newsstand, subscription, and advertising revenue

dropped steadily as consumers migrated to the web for free news, information, and classified listings. Total paid newspaper circulation sunk by six million from 2005 to 2008, and print advertising revenues deflated by a whopping \$13 billion—a contraction of nearly thirty percent. While newspapers searched for an emergency parachute to ease their free fall, online advertising revenues offered little more than a cocktail umbrella. By 2008, merely eight percent of newspaper advertising revenues came from online content. Publishers, accustomed to the “analog dollars” of print, struggled to make due with online advertising’s “digital pennies.”

As if that were not ominous enough, in came the Great Recession of 2008.

Consumer budgets wilted. In the following year, overall print revenue dropped another twenty-eight percent. Even online ad revenues, modest but thought certain to grow, absorbed double-digit losses. Total advertising revenue plummeted another \$10 billion. Institutions of the news such as *The San Francisco Chronicle* and *The Seattle Post-Intelligencer* ceased printing. The *New York Times*, once thought invincible, became so cash-strapped that it took out a \$250 million emergency loan from Mexican billionaire Carlos Slim, laid off employees, and axed sections. Magazine publisher Condé Nast shuttered historic titles and slashed its total budget by twenty-five percent in the face of sinking ad revenue.

Aside from optimists like David Carr, who had faith that new digital models would save us all, another school of thought emerged. Stewart Brand’s famous edict “Information wants to be free” was its guiding light. For these people, the notion that any industry needed to be “saved” was misguided and pathetic. Technology was not responsible for *anything*, much less the salvation of old, inefficient industries rendered useless by the market. If historic institutions failed, even ones as important to society as robust journalism, it was the underlying industries’ own fault for not adapting fast enough or for no longer serving a purpose in the eyes of the marketplace. Institutional death was a necessary cost of progress.

“Technology giveth and technology taketh away,” BoingBoing editor Cory Doctorow declared. Others in this unsentimental sect adopted a more condescending and altogether nasty attitude. In the issue of *Wired* magazine devoted to the iPad, the editors gave “Fake Steve Jobs,” a pseudonymous blogger well known in Silicon Valley, the last word on the iPad’s potential impact for print industries. His entry, “Go Save Yourself,” read:

The *New York Times* sucks just as bad on Kindle as it does on paper. That, in fact, is the real problem with the *New York Times*: it sucks and everyone knows it, except, apparently, the dumb fucks who write for the *New York Times*... The iPad isn’t about saving newspapers. It’s about inventing new ways of telling stories, using a whole new language—one that we can’t even imagine right now... the truth is you guys really need to die so we can clear the way for the new guys.

This endnote to *Wired*’s exploration expressed a digital mob’s readiness to drag old institutions to the village green for a good, old-fashioned stoning. But the mob never bothered to consider what the supposedly outmoded institutions would be replaced *with*. Instead, they blindly embraced the holy commandment that all digital content shall be open, free, and shared. Their vision of participatory open-source digital creation and consumption (commonly called Web 2.0) preached that technology would bless us so long as we dutifully laid our offerings of labor and creativity before it for the good of the “hive.” We would be rewarded, eventually, with progress and prosperity. The digital sector promised revelatory new business models, wealth creation hitherto unseen, an explosion in creative culture, and an evolution in modes of expression so fantastical we “can’t even imagine” them.

“Now would be the time to embrace the Internet,” Tech Crunch’s Michael Arrington said of the iPad release. “But the *New York Times*, the *Wall Street Journal* and others are running in the opposite direction with (iPad) apps that have no hyperlinks and/or require a fee to get access.”

Blasphemy!

The Web 2.0 crowd rejected the notion that consumers would ever pay for digital content, which after all could be easily copied and redistributed for free. It was an antiquated expectation to believe people would pay, pathetically out-of-touch with basic economic and technological reality.

The writer and BoingBoing editor Cory Doctorow openly mocked Carr's attitude: "Everyone in journalism-land is looking for a daddy figure who'll promise them that their audience will go back to paying for their stuff. The reason people have stopped paying for a lot of 'content' isn't just that they can get it for free, though: *it's that they can get lots of competing stuff for free*, too."¹ Doctorow had a point. In a worldwide Nielsen survey of consumers in 2009, seventy-nine percent said they'd avoid any website with a paywall, assuming they could find the same content free someplace else.

Whether idealistic notions of the Internet were being violated or not, pragmatists countered that publishers had a perfect right to charge for content and that consumers, regardless of what they might say in surveys, had already proved themselves willing to pay for their digital content.

"Five years ago," wrote David Carr, "almost no one paid for music online and now, nine billion copies of songs sold later, we know that people are willing to pay if the price is right and the convenience is there."

But even *if* newspaper and magazine publishers could cajole their readers to pay for iPad subscriptions or submit to paywall fees, would the resulting model be sustainable? Not according to Australian media commentator Eric Beecher: "Like almost everyone else who works in the journalism industry, I desperately hope the iPad and similar devices will save newspapers from economic irrelevance." Upon studying the numbers, Beecher found minimal savings in eliminating printing and delivery costs, little to no profitability in low-cost digital subscriptions, and only modest increases in advertising revenues. "None of which," he concluded, "is to refute the idea that the iPad is a wonderful device that will bring joy and utility to millions of people. It just won't—and can't—save the economic fate of journalism."

"I fear the ship for most publications may have already sailed," wrote *Infoworld's* Robert Cringel. "People are too used to getting subpar content for free.... The premium rates publications charge (for print advertising subsidized a great many things—like teams of researchers, fact checkers, copy editors, and multiple line editors—that online ad models simply don't support.... Does quality matter? Or have we passed the point of no return, where fast and cheap trumps fast and good, and everything else be damned?"

Media professionals assumed the digital revolution was unstoppable: a force of societal progress or doom. Another columnist from the *New York Times*, Tim Egan, managed to strike a middle ground between these factions. Egan tempered his excitement for tablets, reminding readers that, despite the iPad's potential, still another danger lurked amidst the shadows of digital content.

"There were nine million illegal downloads of copyright-protected books in the closing months of 2009," he wrote.

As eReaders took their first toddling steps toward widespread adoption in 2010, twenty-eight percent of eReader owners already admitted to downloading eBooks from illegal file-sharing services. In the days immediately following the release of iPad, when Apple had sold a mere 300,000 units, downloads of unlicensed eBooks via bittorrent protocols jumped by a whopping seventy-eight percent. In 2010, one company readied a "book ripper" that could automatically scan an entire book for eReader use in a few minutes, ostensibly making eBook piracy as easy as copying a CD and uploading it to a file-sharing service. File-sharing sites for books, based upon the same model as Napster, began popping up. With a quick Google search of a book's title, in most cases an unlicensed copy could be

quickly had for free.

Though newspapers offered free (and legal) online content for years, the specter of piracy hung over that industry like an ashen cloud. A Pew survey found that seventy-five percent of newspaper executives, most notably those of the *New York Times*, were planning to institute paywalls for their digital content. “These days, print piracy is a trivial issue,” said *The Economist*, “since most general news articles are given away free. If newspapers and magazines begin charging people to read their output, the pirates are likely to turn up, and quickly.”

The pirating of large files like movies and television series was already a problem for entertainment studios and stood to accelerate as bandwidth and connection speeds exponentially increased. Downloading a season of a television show would soon be as quick and easy as downloading an MP3, while iPads and high-definition screens made the cinema a less sought-after experience.

Digitization threatened all content industries. The advent of the iPad opened the way to a world where digitized cultural content could be optimally consumed, illegally and conveniently, for free. What did this mean? The doors to the future, both exciting and ominous, flung open with such force that they would altogether come unhinged, shattering commercial barriers between content creators and consumers forever.

The *Times*'s Tim Egan tried to stay positive amidst the ongoing disruption. “I have to place my trust in readers,” he said. “Tactile readers, e-readers: Save us all! Never give up on the power of the written word.”

Nine years before unveiling the iPad, Steve Jobs had listed the many charms of another revelatory new product: the iPod. The new personal MP3 player turned consuming digital music into something hard and intuitive. The immensely successful CD format, which had taken music industry revenues to historic peaks at the turn of the millennium, became antiquated with the snap of Jobs's fingers.

If the iPod made CDs obsolete in the eyes of many, Napster turned the very concept of paying for music into something deserving to rot in the dumpster, along with yesterday's refuse like the 8-track and VCRs. Napster would go down in history as the first great peer-to-peer (P2P) service for uploading and downloading digital content outside the sanctioned realms of capitalist commerce. It also signaled the first battle in a perpetual war over the fate of digital content.

Multitudes adopted this paradigm shift. By early 2001, Napster claimed a membership of twenty-seven million users. Though it was shut down by the Ninth Circuit Court of Appeals the following summer, other services like Grokster and Audiogalaxy filled the vacuum left by Napster's demise.

By further popularizing digital music consumption, many rightly feared the iPod would encourage file-sharing. Steve Jobs responded by categorically condemning music piracy. “Stealing music is not right,” he told *Bloomberg Businessweek* in 2003, “and I can understand people being very upset about their intellectual property being stolen. But the stick alone isn't going to work.”² He understood that any attempts at copy protections would only be decrypted by young hackers and rendered useless. Jobs rejected any digital lock-and-key restrictions, such as Digital Rights Management (DRM), which blocked content owners from indiscriminately copying files.

“Piracy is not a technological issue,” Jobs said. “It's a behavior issue.”

But it was also true that, by neglecting to block unlicensed content, the iPod made music piracy more desirable for consumers. In a world in which digital content was seemingly in infinite supply, Apple exploited the demand for hardware that could store thousands of songs and make them easily consumable. Steve Jobs played a starring role in the drama of music piracy. More than anyone, he destroyed the music industry as we knew it. More than anyone, he was actively trying to save it, too.

Jobs included a sticker on each new iPod that implored the customer: “Don’t Steal Music.” Translated into four languages, that plea did nothing to stem the tide of behavioral underpinnings of file-sharing. So, for his next attempt to assuage illegal MP3 consumption, Jobs offered what seemed to be a logical answer in 2003—the iTunes Store. Consumers *finally* had a reliable online store where they could efficiently sample and purchase individual MP3 tracks for 99¢ and albums for around \$10.

“We’re trying to compete with piracy,” Jobs told the Associated Press at the time. “We’re trying to pull people away from piracy and say, ‘You can buy these songs legally for a fair price.’”³

Jobs trumpeted to *Fortune*, “It will go down in history as a turning point for the music industry. This is landmark stuff. I can’t overestimate it!”

Monetization was achieved: the new model—discovered! Consumers were handed expanded choice, convenience and lower prices while record labels rejoiced over lower distribution costs and an expanded market of listeners. The dream of digital commerce finally found its path to realization. No more were we tied to point-of-purchase retail, wasteful packaging or shipping costs. In this world of digital commerce, anything seemed possible. And that proved to be its hazard.

Digital sales initially skyrocketed, leading to optimism from the music industry that profits from physical products would someday be supplanted by digital revenues. But the de-bundling of albums into the sale of individual tracks eroded the potential for such profits as physical sales careened into free fall. After only ten years, US music industry revenues shriveled from over \$14 billion a year to less than \$7 billion. From 2000 to 2009, total US album sales (physical and digital) plummeted by fifty-two percent, from 785 million to 374 million units. When the Recording Industry Association of America analyzed the decade using 2011 dollars, the plight of the industry looked even worse. Per capita, Americans in 2009 spent just one third of the amount of money they devoted to recorded music in 2000, from an all-time high of \$71 per consumer to a modern-era low of \$26.⁴

Meanwhile, piracy expanded in scope and acceptance. David Carr may point to the ten billion songs purchased from the iTunes Store in its first seven years, but compare that to the forty billion tracks pirated worldwide in 2009 alone. Though numerous legal streaming services, subscription sites, and MP3 stores emerged over the years to offer digital consumers both convenience and affordable pricing, an astounding ninety-five percent of music downloads in 2010 were pirated (the same percentage as in 2009). And according to a 2009 study, only about three percent of the music found on the average person’s iPod had been purchased via the industry-standard iTunes Store. Even aggregated digital music sales, thought destined for sustained growth, appeared ready to flatline in 2010.

“We are at one of the most worrying stages yet for the industry,” Mark Mulligan of Forrester Research lamented in early 2011. “Music’s first digital decade is behind us and what do we have? Not a lot of progress.... As things stand now, digital music has failed.”⁵

The industry appeared to be locked in a downward spiral. No new business models had appeared to save the day. Record stores closed by the thousands. Record labels merged or went out of business. Chicago’s Touch and Go Records, arguably the most influential independent record label of the ’80s and ’90s, abruptly closed down. According to a report conducted by the International Federation of the Phonographic Industry (IFPI), a global advocacy group for the music industry, the total number of people employed as professional musicians in the United States fell by seventeen percent from 1995 to 2009 as piracy migrated from the margins and into the mainstream.⁶

Even live concert tours, once considered “the savior of the music business,” saw a historic downturn in 2010.⁷ Across the world that year, despite the global economy gaining some steam after the Great Recession, live concert revenues, attendance, and the number of shows all declined by double-dig-

percentages. In North America, the concert business was comparably worse. The industry that supported one of humanity's greatest treasures crumbled before our eyes. After a decade of trying, no one knew what to do about it or even what to think.

As seventy-five million tablet computers, mostly iPads, were projected to be sold in the US alone by 2012, every creative industry had reason to cast a wary glance at the music industry and shudder at the prospect of their own digital doom.⁸ Meanwhile, millions of technologically savvy consumers accepted piracy as the new norm. They enjoyed the bounty of free, high-quality entertainment waiting at the end of a few mouse-clicks, but what sort of future were they helping to build?

If we know an album or movie is for sale, but can be downloaded for free with a simple Google search; or a well-meaning friend links to an underground website where we can find a near-infinite supply of free digital music, books, film, or television shows, how to understand the resulting dilemma?

I'm here alone, you think, sitting at your computer or lounging on the couch with a tablet. No one is watching. No one will know. So why would I choose to pay for this? What's the difference?

To pay or not to pay? It is the existential crisis of the digital age. Today we all have the option to fall in line with the digital mob, passively sitting back, clicking, consuming, watching in awe as the great tool called "the Internet" refashions reality, seemingly in its own disruptive, brutally efficient image.

Newspapers are dying?

Well, shit happens.

New musicians have a harder time building sustainable careers than ever before?

A starving artist is a good artist.

How will writers make great works if no one will pay for them?

That's their problem, not mine. Who says artists deserve to make money anyway?

Can we perceive the dire consequences of P2P technology and find ways to lessen its damages?

You can't fight technology. Now, sit down, enjoy the spectacle with rest of us.

The fact is that no one knows where our use of rapidly advancing technology is taking us. We are like the pioneers of early America, ignorant of what waits around the next river bend. We may happen upon a spectacular vista, one that suggests a better world is indeed waiting. Or we may be suddenly jolted by a waterfall sending us to our death. There is no way of knowing what awaits us on this digital journey. For times such as our own, a healthy dose of caution may be the difference between human success and failure; metaphorical life and death.

As an example of the inherent clumsiness that has characterized our journey into digitization, let's revisit the Stewart Brand quote that "information wants to be free." The full quote reads:

Information wants to be free. Information also wants to be expensive. Information wants to be free because it has become so cheap to distribute, copy, and recombine—too cheap to meter. It wants to be expensive because it can be immeasurably valuable to the recipient. That tension will not go away. It leads to endless wrenching debate about price, copyright, 'intellectual property', the moral rightness of casual distribution, because each round of new devices makes the tension worse, not better.

"Information wants to be free" is little more than throat clearing for Brand's real aim, to elucidate the inherent paradox of the digital age. Though advances in technology allow all creative works to be digitized, copied and distributed easily for something resembling "free," does that mean we should carelessly treat it as such? The fact that content *can* be accessed for free doesn't somehow erase the immense value that professional creativity adds to our lives. Brand suggested we think seriously about this question by embracing its inherent tension.

Honestly embracing the ongoing digital tension is what this book serves to do. Hopefully, we will end in a better place than where we start, so that we can understand this tension. What does it mean to live with it, as individuals and as a society? What are the costs of lazily ignoring it, of hiding behind stilted ideologies?

To get at the essence of what the digital revolution means, we need context: a narrative. That is what the music industry's particular engagement with digitization provides.

A new approach is called for to more fully render the complexities of digitization. Silicon Valley technorati have presented their ideas with entrepreneurs, marketers, and media professionals in mind, rarely considering the two groups for whom this tension has greatest consequences: creators and the audience.

We need a strategy that hits the restart button on the discourse of piracy. We need new symbols, new ethics, and new prisms of understanding. Digital technology is nebulous and ever-changing, so it is crucial to ground our journey in honest, day-to-day experience as we search for enduring principles that can withstand the most violent winds of digital turbulence.

Welcome to FreeLoading.

PART 1

The Thicket

Discovery

I spent the summer killing trees.

Kneeling down upon a grassy hillside under the searing heat of late July, sweat dripped down my forehead, stinging my eyes while I struggled with an eight-foot-tall eastern red cedar tree. Holding back its unforgiving bottom limbs, conifer needles and splintered bark clawed at my wrists and forearms. Reaching for a nearby hacksaw with a free hand, one briery limb broke free from my grasp and swung back in retaliation, burning as it scratched across the face and lacerated my cheeks. Increasingly angry at this scurrilous plant, I seized the limbs once more and went about attacking the foundation.

A surprise awaited below the wide skirt of stiff branches. Not one, but three gnarled trunks spun out from the same patch of dry, bare soil. They grew furiously, spiraling in and out of one another. From a distance, eliminating the tree appeared to be a simple task; only by kneeling down to its source could I discover the organic dysfunction hiding below.

My amputation of the first trunk was crucial, severing one unit of outgrowth from its subterranean roots. I stood up to yank the marginalized gnarl from the tree's knotted body, then tossed it onto a burning pile of woody debris. Dried up, sterile earth hugged the lopped-off stump. Already, the tree appeared less formidable, begging to be undone.

Since childhood, I have visited my family's farmland in Southeast Minnesota, oblivious to the character of my surroundings, unmoved by nature. Neither the limestone outcroppings on the hillside nor the bluffs that towered over hemmed-in valleys, nor the gurgling trout streams that fed the river occurred to me as being out of the ordinary or special. Patches of cedar tree saplings rose unchallenged from the open meadows and tall glades of mature cedars dominated the hilltops, concealing dramatic limestone bluffs under shadow.

Growing older, I explored the many acres of farmland and my appreciation for it grew in kind. The proliferating cedars, I gathered, had rightfully outcompeted the neighboring plants and trees. They were a perfectly natural force of evolution, if unfortunate competition for the commanding oaks and the occasional maple tree that dotted the property.

My perception of the landscape fundamentally shifted in 2007. Researching this corner of Minnesota, I learned its true name: The Driftless. During the last Ice Age, glaciers that invaded from the north spared an oval region of rolling hills, bisected by the Mississippi River. The area was left untouched by the glacial drift (rock and gravel carried by ice) deposited across the rest of America's flattened Upper Midwest. When the Ice Age ended, torrents of glacial meltwater carved narrow valleys and scoured the hillsides, exposing limestone bluffs and sculpting undulating land formations.

A unique landscape was born, the diversity of which was predicated on the natural forces and cycles. Whereas hardwood forests permeated the cool, north-facing bluffs that saw little direct sunlight, the rest of the land was characterized by oak savanna. Maintained by the wildfires that regularly swept through the open land, native prairie was graced by magisterial oak trees whose thick bark protected them from the wildfires. Beneath the oak canopies, tremulous light filtered in through permissive leaves. Rainwater drained through The Driftless's shallow soils and dripped through fissures in the underlying limestone into ice caves where waters cooled before emerging again as frigid freshwater springs. These springs collected as coldwater streams that meandered through the bottomlands, providing habitat for trout, birds, mammals, and reptiles. With rippling hills, craggy bluffs, open

prairies, and massive savanna oaks, The Driftless was a land of magnificent depth and diversity.

When farmers began to settle the area, many of the centuries-old oaks were chopped down while the prairies were tilled for crops or converted into cattle pastures. Wildfires were abruptly suppressed. This allowed fire intolerant species—most notably the eastern red cedar—to move in and proliferate. They surrounded the oaks and gradually choked them off from water and sunlight. The cedars' root systems and fallen needles altered the chemistry of the topsoil, making further degradation all the more likely; native plants withered into dormancy beneath the impenetrable branches. The barren understory soils that resulted were prone to erosion and runoff, dirtying the streams and filling the valleys with sediment. An erosive cycle began, with disturbed soils becoming more vulnerable to further invasion, leading to accelerated erosion, more cedars, and so on. With degeneration in full swing, land devalued. The cedars continued to rise up, threatening to transform a diverse habitat into one of dreary sameness and concealed potential.

Once I understood The Driftless, I no longer viewed the rise of the cedars as evolutionary. They were a regressive force, an opportunistic invader, a threat to development. I realized that, if I wanted to enjoy this land throughout my life, I'd have to do my small part to maintain it.

Having eliminated one small cedar tree, I looked out over the softly-cupped valley that surrounded me. Dozens more dirt-brown saplings were out there, blighting the hills. Though the trees appeared harmless and even decorative in their adolescent, shrub-like state, their degenerative implications for the future cluttered the horizon. Thick stands of cedars covered the ridges, trapping isolated oaks and killing off their low-hanging branches, imposing themselves as ineluctable evolution; a future that wasn't worth fighting against. The saw dropped from my hand.

This is a waste of my time.

That summer of 2007, I took two months off from my café job in Brooklyn and secluded myself on the farmland in order to type the first draft of a novel. There, I nailed a desk together from scratch out of wood, turning an empty late-19th-century barn on the property into the most inspiring of workspaces, even if a dusty one. The novel went nowhere. Disappointment fueled distraction until writing became an afterthought. Most of my time was spent cutting cedar trees, taking self-guided hikes and—more surprisingly—writing an unplanned batch of songs and recording them onto my laptop.

A few weeks later, I returned from the bucolic scenes of the farmstead to a water-damaged, cockroach-infested apartment on a rat-run block of Williamsburg, Brooklyn. Rather than pass the time by slaying cedars, I awoke at six each morning to sling espresso drinks at the Greenpoint Coffee House, a café in the Greenpoint section of north Brooklyn.

After fleeing from a post-collegiate stint at a Manhattan literary agency, I had settled into the life of a twenty-something barista, making rent each month on tips. For my writing, I exploited the flexible work schedule and the cafe's inspiring community of regulars. The place was one of many touchstones for north Brooklyn's concentration of established and emerging artists. Before the trip out to Minnesota, I made my writing plans perfectly well known to these customers, and with my fellow staff of actors and musicians. Upon my return, they asked how it all went.

Well, I did start the book. But I ended up recording an album instead.

Oh. (pause) You write music?

Apparently.

Satisfied with the preliminary recording experiments on the farm, I figured if I wasn't going back to New York with a book, I may as well return with an album. So, I wrote and recorded music during

days and nights amid the cedar-strewn hills. Creating one surprising song after another, it numbed and disappointed or guilt from the failed novel. Melodies and chord progressions trickled out of my subconscious like groundwater discharged from the surrounding hillside springs.

Though unplanned, this newfound propensity for songwriting wasn't entirely surprising. Like many other lifelong music fans, I began participating in music culture during my adolescence. From the profits of a dog-walking job, birthday and Christmas money I bought my first CDs. A subscription to *SPIN* magazine exposed me to new artists and music journalism—and the high-stakes thrills of trusting a review enough to buy an album without having heard it. Music defined my self-image during those awkward periods of few friends and shapeless angst in the 1990s. So much so, that I soon thought myself to be one of music culture's loyal citizens; somehow responsible for maintaining its vitality. As my library of hip-hop, post-punk, and trip-hop grew, I amassed a parallel collection of crotchety opinions about which music was worthy of public consumption and which artists actually *deserved* careers. As is the case with many misfits of postwar suburbia, I cultivated a sneering suspicion for top-40 radio, major labels, or anything that smelled of "corporate America." Nothing stroked my self-righteous ego more than patronizing relatively obscure, small artists on independent record labels. I became, on some level, a music snob.

I grew older and began to engage with music as a writer and journalist, interviewing musicians and writing concert reviews as a college amateur and professional freelancer once I moved to New York City. Though friends with many musicians, I was content to play a writerly role: the outsider. I thrived in my lot with the critics—leaning against a side wall of a rock club, straight-faced with folded arms—rather than with the creators themselves. I was entirely uninterested in humanizing musicians and didn't respect the work that went into making an album. Music was just "there," all around me, and waiting to be unearthed.

Because I had no way to appreciate the nature of recording, it was easy to disrespect musicians. When an artist I loved made a disappointing album, I acted as though I had been victimized by some criminal act. My subconscious separation from the artist became a matter of necessity. They were a "other" upon whom I depended to receive more of what I needed: good music. I put them on an inhuman pedestal when they made something I liked, and treated them like inadequate slaves when an album didn't please me.

Recording music on the Minnesota farm exposed the ignorance, entitlement and jealousy underlying my previous relationship with music as a fan and critic. I never accounted for the time, focus, inspiration, drudgery, and plain luck that writing music—even mediocre music—necessitated. I never understood the tedium of completing a decent recording. I had no clue.

My appreciation grew for all the music I had ever loved, the human labor and mysterious inspiration that brought it into being for my repeated enjoyment. To have any career in art was a sacred thing; to count on enough support from fans to devote oneself to creating new works, sharing them with the fans who made their creation possible in the first place. What a democratic cultural ideal, I thought.

When the file-trading service Napster was peaking in 2000, I was entering my freshman year at university where each dorm room came outfitted with new, juicy broadband connections, ideal for transferring large digital files. Nearly all of my friends habitually used services like Napster, burning the digital songs to blank CDs. I knew very few people who still purchased music, even in 2000. Multiple record stores in my Minneapolis college district closed in my four years there.

I pirated hundreds of songs during my college years, but I sensed disposability and devaluation infecting my relationship with music. Logging on to a file-sharing service was part of an addictive

cycle. The trembling high of infinite rewards captivated me as I searched for whatever band or song I could think of at the moment. At the end of each downloading session, the disappointment of a still unfulfilled and unquenched desire followed. “Free” music and its perfect abundance felt awfully cheap in the final analysis. Piracy turned my genuine love for music into just another fidgety online addiction. It was an exercise in hyper-consumption: quantity over quality, breadth over depth, entitlement over ownership. Intuiting that my classic relationship with music (paying for it) was indeed a more spiritually profitable enterprise, and a hell of a lot more interesting and fun, I mostly stopped pirating when my online service of choice, Audiogalaxy, was shut down in 2002.

Anyone in my generation who paid attention to the litigious battles between Napster, Metallica and the RIAA instinctively gleaned that *nothing* was less hip than getting uptight about music piracy. Doing so aligned one with multi-millionaire artists, greedy major labels, corporate scallawags and thick-skulled Luddites. I resolved to avoid that particular gnarled and futile debate.

While purposefully ignoring the controversy of digital piracy through the mid-2000s, I assumed new digital models were emerging to replace the revenues of physical music sales. They *had* to be emerging, right? Considering all the capital and brainpower invested in the industry’s future, solutions would need to come sooner than later. In my mind, the controversy over piracy evidenced a perfectly healthy period of technological transition. As for the artists and industry heavyweights who predicted doom for the future of music: they were overreacting, obsessed with protecting their obscene profit margins. Piracy was arguably a positive development. It helped promotion-starved small artists connect with fans, threatening the unjust monopoly of bloated major labels. I didn’t hear of any independent artists raising their voices on the issue. Plenty of great new records continued to be released each year. The industry seemed to be doing just fine. How bad could piracy be?

Years on, I realized it. Something was rotten in Brooklyn.

My Greenpoint café was frequented by members of various Brooklyn bands like TV On The Radios, The Hold Steady, Vampire Weekend, Yeasayer, and MGMT. From my traditional perspective of writer and fan, I saw the cyclonic press coverage of these artists, the breathless critical praise, and the sold-out dates around the country. In the sphere of indie rock, they were in the upper echelon—either one step away from being on a major label or already succeeding on one. These were the success stories of the Internet Age, supposed poster children for the triumphs of file sharing. But from my ground-level vantage point in Brooklyn—away from the *Rolling Stone* reviews, *SPIN* cover stories and profiles in the *New York Times*—all was not as it appeared on the mediated surface.

After getting to know a handful of members from some of these bands, I was shocked by how little money they seemed to actually be making. As a measly young writer and part-time barista who had never even heard of a trust fund before moving East, even I had an apartment—that paramount symbol of fortune in New York City—as nice or nicer than those of some of these “rock stars.”

Sure, I thought at the time, multi-millionaire artists like Metallica don’t really need me to help them finance that fourth house, but what could possibly be the rationalization for refusing to compensate working artists who desperately need the support?

I suddenly observed the music scene in Brooklyn with both the perspectives of consumer and creator in mind, noting the music-buying practices of my friends, or lack thereof. My peers, twenty-something rock disciples and aspiring songwriters, obtained nearly all of their music by downloading unlicensed copies for free online, often well before album release dates. They rarely went to concerts or bought band merchandise like t-shirts or posters, rationalizations I’d heard others express for the

downloading habits.

After purposefully ignoring the drama surrounding music piracy for years, I was shaken by its clear reality. Millions of fans, like my friends, had made up their minds that they no longer saw a reason to pay for the music they genuinely enjoyed and loved. Judging by the relative dearth of intelligent discussion I found on the subject online or in my immediate social circles, meaningful debate on the ethics of “taking” or “copying” one’s music for free had effectively ceased. For such a recent technological phenomenon, packed with so many quandaries for consumers and creators, the lack of discussion was genuinely bizarre.

I saw that no moral high ground existed in the debate over music piracy; neither thankful consumers nor litigious major labels could claim it. “Free” music didn’t discriminate between rich and poor, emerging or established artists. A growing class of consumers, spearheaded by my own generation, had been duped into believing that if it feels good to download your digital content for free, then it must be good. It was, somehow, the rest of the world’s fault for not adapting to the noble practice. A new future was emerging; delirious, ominous, and liberated from timeworn social codes and responsibilities.

As the depressing realities of the digital music era sunk in, I remembered something my older brother Peter said to me years before when we shared an apartment in Jackson Heights, Queens. His words seemed innocuous at the time, but now simplified my thoughts on the consequences of piracy; why might it make sense to pay for content, even if you weren’t being forced to do so.

One day, Peter and I sat on the E express train as it clattered and squealed down the track toward Manhattan. When it lurched to a halt at the Queens Plaza station, the silver doors slid open and a mariachi band squeezed into the train car. They collected themselves and struck up a resonant, bittersweet ballad. The train passengers around me looked up from their books and opened their sleepy eyes at the first few guitar strums. Soon, most everyone had craned his or her neck to watch and listen together. The passengers took a pause from worrying about their next month’s rent, romantic woes, or defeated career prospects. My own frustrated inner monologue, about a day job in Manhattan I loathed, was silenced. Music made the trip endurable. The unheralded Mariachis collectively transported passengers’ minds to a better place, one that reverberated subconsciously. The interpassengers shared the beautifully painted time—a few moments of life joined with an immediate community by the mystical power and beauty of music.

The brakes squealed. Passengers tripped forward and swung their bodies back in an effort to regain their balance. Before the silver doors opened again, one Mariachi frantically offered an overturned hat to the passengers. When he passed by our seats, I saw that his sombrero already held a few dollar bills and quarters. Yup, he seemed to be doing *just* fine. I decided against giving him any money, as there was no compelling reason to do otherwise. What value would I be receiving for my payment? I had already enjoyed the music. There was no logical reason to pay. For his part, Peter offered a dollar before the Mariachis moved on to the next car.

“Those musicians were pretty good, actually,” I said to my brother as we later exited the train and took a staircase up from the bowels of Manhattan.

“Yup,” he concurred. “The thing is, if you like having that music around the city... you’ve got to support it.”

I instantaneously became defensive. What, was he trying to make me feel *guilty* or something? No matter, after a few short minutes I realized the truth in my brother’s simple observation.

On the basis of incentives, if a musician made a chunk of money off of performing and recording, one could realistically expect more music of similar quality to be made in the future as a result. The more consistently those Mariachis on the subway returned home with rent and grocery money, the more likely they were to perform in the future, and the more likely the weary passengers—including me—would enjoy the benefits. It wasn't merely a matter of incentivizing that particular Mariachi band, but of actively maintaining the health of a particular cultural ecosystem in the city that benefitted me, and the public-at-large, by association.

Aside from incentives, there was an ethical case that needed to be made in the context of digital piracy. By putting their music up for sale, musicians were tacitly requesting compensation for their work. Fans freely enjoyed the fruits of musicians' labor, but when it came time to show material gratitude they folded their arms, saying, "No, I'm not gonna," like a generation of spoiled, entitled children.

This was a sobering epiphany. Communities of artists and supportive fans offered organic bursts of cultural color and energy to balance and season the dreary dogmas of economics, politics and religion. The health and diversity of our creative industries mirrored the health and diversity of our culture, for better or worse. My eyes were opened to the pitfalls of digital piracy because of music, but I stumbled upon a much larger quandary, one in which individual consumers had gone numb to their own relationship to mass culture. They didn't feel their own impact upon society as consumers and quite logically, assumed their actions and choices about whether to pay were meaningless. Why wouldn't they choose "free" under such assumptions? But behind free content's superficial illusion of *more* lies a long-term reality of *less*. Sooner or later, it is something we all have to pay for.

As new thoughts on the nature of digital piracy percolated, I wondered whether there was good reason why no one had stepped up to credibly challenge consumers for their growing acceptance of piracy. Had I missed something fundamental about the issue during my period of blissful ignorance of the controversy? Had my still-developing arguments been judged obsolete years before? Regardless, my intuition pushed me toward confrontation. I needed to know whether rampant piracy was something that could be righteously changed, or if it was, as so many assumed, a permanent side effect of technological advancement with no remedy, something we needed to just accept, adapt to and move on with.

I'd written in the past for a music website, Tiny Mix Tapes, that serviced precisely the young, music-obsessed, technically-savvy audience I now hoped to target. An old college friend of mine, Marvin Lin, managed the site and was happy to publish my first piece on the subject, called "The Myth of DIY: Towards a common ethic on piracy." My ideas were very much in a developmental stage, but my primary aim was to put consumers on the spot for their individual choices:

If you find meaning and beauty from a musician's work and you want them to continue creating it—then you are obliged to support them. If you like the idea of record stores, the people they employ, the values and spirit they promote—then you are obliged to support them. If you're consistently doing one without the other, then on some level you, not Metallica, are the asshole. Out of basic politeness, I (probably) won't say any of this to your face and neither will your friends, your record store clerk, or your favorite band. But it is the truth.

Reader reaction was immediate... and immediately discouraging.

Message board threads soon popped up, including a particularly angry one on an online forum called Hipinion, under the pretense that I had written the worst article on piracy, ever. "Seems like this article was written by a whiney Brooklyn hipster, who is upset cause no one likes his music," one person anonymously posted. Small gangs of anonymous commenters devoted themselves to ripping me to shreds. The article's content became secondary as personal attacks reigned supreme. "The guy who wrote that is an idiot," another commenter wrote, "and i'm sorry i wasted time reading it."

Commenters that attacked me on the grounds of "pathetic sentimentality" didn't particularly surprise me; readers' efforts to rationalize away piracy did. They employed sloppy arguments based upon aesthetics ("Fuck recorded music. It further separates the listener and the musician. We need to return to a patronage system"), injustice ("who actually believes this nonsense? you think the music business is designed to help artists? the entire anti-piracy program is orchestrated by the record executives who have been ripping off musicians the longest and hardest"), and supposedly universal laws of technology ("Music is information. Information can be copied indefinitely, for a virtually no cost, without any means of regulating it. That's why information can be freely exchanged. It's a physical fact. Not a problem of law").

Consumers had each constructed a personalized cocoon of weird rhetoric to deflect any and all threats to their entitlement to unlicensed content. Addressing digital piracy was forever somebody else's problem or responsibility. These fans thought they deserved music for free. Speak of responsibility to pay for the music one enjoyed and they defensively replied, "fuck recorded music"—even though their appetite for recorded music was self-evident. Suggest that artists needed support to live and create, and they countered that the music business and labels were never in an artist's interest—they "ripped off" musicians. Offer that a consumer still was obligated to follow basic guidelines of commerce and these folks retorted that, because some music could be illicitly downloaded for free, then all of it deserved to be free and the old world parameters of commerce were as outmoded as the

player piano.

~~“It’s all moot anyhow; can’t ‘uninvent’ the Internet,”~~ another anonymous commenter wrote in regard to the piracy debate. Encountering that particular rationalization alarmed me—that of intellectual laziness was permissible, since we had zero agency in guiding technology anyway. At the same time, as more feedback to my writing came in, I was forced to reckon with the subtle spells cast by the Internet.

A few days after the article was published, I participated in my very own message board flame-up. It started off casually enough on a private site for contributors to Tiny Mix Tapes, where other writers offered feedback on my article. Some of this feedback was positive and some negative. I became uniformly obsessed with the negative, of course, and locked into a battle with another writer who, I sensed, was dismissing my arguments. I had never met the person; didn’t know how old he was or what he looked like. This allowed my imagination to run wild with various opportunities for disdain. He was too young to understand what he was talking about, I reasoned, or he was simply “an idiot” for not seeing things my way. For a few days, I made it my mission to attack everything he said that I even remotely disagreed with. The stakes could not have felt higher, as if bending this one person to my argument meant life or death for my ideas and my sense of self. Minor differences of opinion became opportunities for amplified invective. Through the exchange, the protective, moderating forces of rationality, empathy, and good manners peeled back until my raw nerves were exposed to the hostile elements. I became defensive, angry and resorted to personal attacks.

My counterpart became more than just another person writing at his computer who genuinely shared my interest in a particular topic. He became a villain, embodying anyone and anything in the world that I was against or that I perceived to be against me. The debate continued to intensify until other people stepped in to settle our disagreement. We had lost control of ourselves, arguing for argument’s sake.

“I just read this entire thread and all of your posts,” one outside observer wrote in, “and I don’t think I read a single instance in which you two contradicted each other.”

When I looked back at the exchange after the fact, it didn’t read like an engaged argument at all. We were writing from our own little worlds, employing an imaginary foil to validate our complementary self-righteousness. We were, in fact, hallucinating that an enemy really existed on the other end of our broadband connections in the first place. No lessons were gleaned, save for the relative futility of online message boards and comment sections for resolving disagreements.

Some disconcerting feedback arrived in my inbox while the message board debate still raged. I clicked on the email subject heading that read, “Get a Life... End It:”

Seriously, next time you feel the need to whine about something, get together a group of your closest emos, grab a box of tissues and talk about the deep void that has existed in your life since My Bloody Valentine stopped releasing new music....

Chris, this message is a bit aggro. I know this. And I’m sorry if it frightens you. And you will most likely write off my comments as fanatical bullshit. But the bottom line is...no matter my opinions on you as a person... ignoring the fact that your emotion likely stems from the fact that you were born with no talent... regardless of piracy’s existence, talented artists and musicians will always be dedicated to their craft and will always be spreading their ends. It’s the no talent jerk-offs that will get weeded out by generational speedbumps like Internet piracy. No, you will never make it as an musician or writer.... But David Byrne and Jonathan Saffron-Foer (sic) will every time. That’s what it comes down to. KYS.

The person accused me, first and foremost, of “whining.” In his book *Snark*, *The New Yorker* film critic David Denby observes that “words, such as whiny or whiner... are often used to cut the ground under anyone with a legitimate complaint.” Serving as a defense mechanism for any ideology, it is a tactic for short-circuiting debate, dodging empathy and dismissing critical perspectives witho

reason. The accusation of “whining” builds and maintains groupthink by efficiently stiff-arming contradictory threats. In the process, small, incestuous online minorities can convince themselves just about anything, keeping the world at bay for as long as they wish to remain under an ideological particular spell.

Tellingly, after I confronted this reader’s basic duty to support his favorite musicians, he chose to sacrifice the very notion of responsibility rather than consider the meaning of his actions. So he wrote that talented artists “will always” have successful careers and make new works, even if consumers universally stopped paying for them. But if the assumption is true that the fruits of popular culture will persist undiluted despite our individual decisions to pay or not to pay, then what role do consumers even play in the first place? One can convince oneself that it is irrelevant whether we pay for content *only* if we first become numb to our own actions, believing our individual choices are meaningless; that our decisions never really mattered.

The dehumanizing subject line of the email also took me aback, along with the farewell “KYS”—“kill yourself” in Internet speak. I didn’t take this literally, of course, but the casual reference to suicide led me to wonder whether such dehumanized sentiments formed the logical terminus of the malevolent spirits often found online, such as the mantra of some hackers and digital pranksters, “I did it for the LULZ,” or laughs at the expense of others. Getting your “LULZ” or telling someone to “kill yourself” in the analog world is the mark of an anti-social, maladjusted asshole. The consequential loneliness and alienation that normally constrains anti-social behavior can be ignored when online, by communities of itchy digital discontents who reject the moral bounds of civilization as boring or passé. But such attitudes that gird the breezy acceptance of terms like “KYS” can have real world consequences... such as people who actually kill themselves.

There have been widely publicized cases of incessant online bullying over social networks, ending in real suffering and even suicide, but two particular precedents are a stark reminder of the numbness and lack of responsibility many of us feel toward our words and actions online—a numbness that challenges the assumed efficacy of digital communication. The digital revolution potentially sews the seeds for a new reality, one in which we forget the most basic notions of human decency as we grow giddy from careless anonymity and fool ourselves by thinking we can flee our communal responsibilities.

Abraham Biggs was a teenager from Florida who struggled with depression and an unrequited romance, along with the normal anxieties and confusions of early adulthood. In 2008, he sought support in an online community, repeatedly posting about his feelings of depression and his suicidal thoughts. What support did this community provide? When sharing his feelings online, he received such sympathetic comments as “hahaha hahahahaha hahahahaha ahaha” and “Instant Darwinism.” When he logged on one day and announced that he had taken a fatal dose of prescription drugs and would be live streaming his death, a virtual audience of 1,500 voyeurs gathered. Many cheered him on.

“Fucking do it. Get on with it!” wrote one anonymous commenter. Others simply typed “LOL.”² As Biggs laid motionless on his bed, those in the chatroom continued to pile on, accusing him of faking. For hours they watched, typing snarky comments and doing nothing as Biggs’s dead, frozen body decorated their computers like just another screen-saver. By the time someone finally called the police, it was far too late. Biggs died at the age of 19.

A similar event transpired in 2007, involving a middle-aged, married father of two, named Kevin Whitrick in Shropshire, England. He too suffered from depression and announced his plans for suicide.

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