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Pirate Panics

Comparing news and blog discourse on illegal filesharing in Sweden

Simon Lindgren

Online piracy is a frequent topic in the cultural political debate in several Western economies (Gantz & Rochester, 2005; Logie, 2006). The fact that people are organising in online networks to share copyright protected content with each other has led software producers, as well as film and music companies, from all over the world to initiate a number of anti-piracy organisations to police pirate activities. It has also led to the emergence of a heated debate spanning the fields of philosophy (Stallman, 2002; Strangelove, 2005), law (Hinduja, 2006), economy (Oberholzer-Gee & Strumpf, 2007), and digital culture (Lessig, 2004; Mason, 2008).

The global breakthrough of the internet and the world wide web during the last five years of the previous century, and the ensuing introduction of mp3 technology and the first widely used peer-to-peer application, Napster, moved file sharing from the digital underground into the pop culture mainstream. Since what is mainly spread through the pirate networks are copyrighted music, movies and software, the participants violate laws or ethics of copyright. The question of whether to engage in file sharing or not is inescapably of a moral and legal character (Gupta, Gould, & Pola, 2004; Swinyard, Rinne, & Kau, 1990).

However, ethics and morality as well as rules and regulations often seem to be put out of play in the online context. The initial creation of the internet and its early use in the 1960's and 70's was based on the idea that its resources should be freely available, and still today the assumption that what is found on the web should be free of charge is very common (Fisher, 2004, p. 12). The slogan of "Information wants to be free!" originating from the free content movement, is no doubt -- consciously or

subconsciously -- in the back of the minds of many people up- and downloading content.

But even if many people think that piracy is unethical, our ideas concerning where to draw the actual lines vary largely (Hinduja, 2003). While some researchers have claimed online piracy to be an issue that lacks moral intensity -- that is: it tends to feel less "serious" than many other ethically conditioned behaviors, such as theft of material property (Logsdon, Thompson, & Reid, 1994) -- others have stated that digital technologies have a disinhibiting effect (Suler, 2004) leaving the users feeling free of personal involvement and responsibility (Summers & Markusen, 1992). Issues of guilt and accountability become even more blurred because piracy can be interpreted in terms of collective political action, as a form of cyberactivism where commercial and capitalist powers are resisted (Lunney, 2001; Strangelove, 2005).

Online piracy: Studying discourses and counter-discourses

This moral ambiguity of file sharing and piracy makes the discourses surrounding it an interesting field of analysis. The debates surrounding the issue seem to follow, at face value, the dramatizing societal reaction sequence captured by the term of "moral panic" (Cohen, 1972). It is important to note here, that the issue of piracy more generally would be better framed in terms of a social conflict than as a mere moral panic. What is at issue in this article, however, are the discursive reactions (the debates and arguments) emanating from, and revolving around, this conflict between pirate and counter-pirate modes of action. This type of reactions to piracy appear similar to historical responses to other forms of cultural acts of deviance. However, the digital era has entailed the opening up of new possibilities for resistance to moralizing top-down processes of meaning production.

This article aims to map discourses and counter-discourses through which piracy has been framed and constructed in Swedish blogs and online news. It has been common in previous analyses of moral public debates about new forms of media consumption to focus on conservative top-down hegemonic processes aimed at reinstating order. According to McRobbie and Thornton (1995), the classic moral panic literature (Cohen, 1972; Cohen & Young, 1973; Hall, Critcher, Jefferson, Clarke, & Roberts,

1978) over-emphasizes control, power and hegemony while overlooking any counter-discourses. This study however, will also take counter-discourses -- that may also be of a moralizing character -- into account.

I will try to capture these new relationships and to assess their consequences for the moral panic perspective (Cohen, 1972). The analyses will be based on the idea that moral entrepreneurship may be exercised not only by traditional actors such as politicians, educators, news institutions, or representatives of churches and the legal system, but also by online grassroots organizations, mobilized subcultures or digitally literate individuals. In the same way, not only groups previously conceived of as subcultures on the margin may be demonized or scapegoated, but semiotic processes of symbolization, distortion and sensitization may also be directed towards the traditional actors.

This article relies on comparative discursive network analysis (Lindgren & Lundström, 2009) of texts produced by corporate news organizations and of blogs representing the pro-pirate perspective. First, a mapping of key themes in both sources was made. Second, a comparative analysis of overlapping themes between the two discourses was carried out. Finally, qualitative close readings of the material formed the basis for a discussion of the two-way construction of folk devils in what might be called a mutual moral panic.

The selection of blogs that are explicitly pro-piracy was made in order to motivate the polarization made in this study between news texts on the one hand, and blogs on the other. In general it cannot always be assumed that "blogs" per se are contradictory to "news". Many journalists and other professionals write blogs, and not all independent blogs are of other opinions than mainstream media outlets. As regards the debate on piracy in the Swedish context, however, this particular sample of news reports and pro-piracy blogs make for a fruitful comparison.

The Swedish Case

Sweden, home to The Bureau of Piracy, to The Pirate Bay, as well as to the first actual Pirate Party, is an especially interesting context as regards how piracy debates play out

in public discourse. The Bureau of Piracy (Piratbyrån) is an organization working since 2003 to support people who are in opposition to current rules and ideas relating to copyright and intellectual property (Rydell & Sundberg, 2009). The organization is related to The Pirate Bay – allegedly the largest BitTorrent site of its kind in the world (Li, 2009), now famous for the much medialized 2009 court case against the four people behind it.

The Pirate Bay was originally created by members of The Bureau of Piracy but later became independently operated. The Pirate Party (Piratpartiet) is a Swedish political party, founded in 2006, that has inspired the creation of similar parties in several other countries (Li, 2009). The party has not yet captured enough votes to get any mandate in the Swedish parliament. However, it got some attention inside as well as outside of Sweden for getting one mandate in the European Parliament in 2009.

On the pro-copyright side, The Swedish Bureau of Anti-Piracy (Svenska Antipiratbyrån) -- an organization representing a number of film companies since 2001, and whose name The Bureau of Piracy is a pun on – is one of the most prominent actors. The Swedish Government assumed a distinct anti-pirate position while working to implement the Intellectual Property Rights Enforcement Directive (IPRED) in 2009, an EU initiative leading to stricter enforcement and prosecution of pirates.

Data and research design

Cohen (1972, p. 23) writes of how moral panics tend to be sparked by episodes of "impact" triggering off the reaction sequence. Several such points can be identified in the discourse of online piracy, but from the Swedish perspective the period from February through April of 2009 is especially palpable. The Pirate Bay trial started on 16 February in the district court of Stockholm, the hearings went on until 3 March and the verdict was announced on 17 April. All four defendants were found guilty and were sentenced to a fine of approximately €2.7 million and to serve one year in prison. The verdict was appealed and changed in November 2010 when fines were increased and prison sentences shortened.

The months of February to April of 2009 also saw the debate being fuelled by the public discussions surrounding the effective date (1 April) of the Swedish IPRED law. This law, based on the EU Intellectual Property Rights Enforcement Directive, allows for copyright owners to demand, via a court decision, that internet service providers disclose information about who owns a specific ip-address through which extensive uploading or downloading of copyright protected content has taken place. As a consequence of these concurring events, the discourse on online piracy in Sweden was brought to a head during the period.

[Figure 1 to be inserted here]

Figure 1 is based on data from Google Trends and shows that during this time, a set of keywords relating to piracy were sought after on Google from 1.5 and up to 4 times more often, relative to the average number of searches over time. There is one peak around the time of the start of the trial (16 February) and another when the verdict was announced (17 April). The highest peak was during the days leading up to the IPRED law becoming effective on 1 April.

[Figure 2 to be inserted here]

A similar pattern is shown in figure 2 illustrating Swedish newspaper coverage of online piracy based on data from the web.retriever-info.com archive. There is a significant increase in coverage around the first day of the trial and a drastic rise around the introduction of the IPRED law and the announcement of the verdict.

Traditionally, a moral panic analysis of the construction of deviance during this phase of scene-setting would focus on how a monolithic control culture demonizes the pirates while at the same time manifesting hegemonic social norms. But, as will be discussed further in the ensuing section of this article, the idea of a unified group of elite moral entrepreneurs striking down on scapegoated folk devils that are marginalized and without the means or channels to talk back, is becoming less and less helpful for understanding how meanings are constructed in today's world. Even though Cohen's original theory has sometimes been criticized for not taking the

complexity of reactions into account, he in fact addresses this question at the end of chapter 3 of the classic book (1972, pp. 65-74). He writes:

Clearly the societal reaction – even that portion of it reflected in the mass media – is not homogeneous. One cannot assume that the inventory images and the themes discussed [...] diffused outwards to be absorbed symmetrically by all of society. Standard research on mass media influences indicates how complicated and uneven this flow is [...]. The already processed images of deviance are further coded and absorbed in terms of a plurality of interests, positions and values (Ibid., p. 65).

Cohen goes on to describe how the reactions may differ between news media and public opinion, between young and old, between locals and outsiders, men and women, different social classes and among people with various political affiliations. In today's media environment where participation (Burgess & Green, 2009; Jenkins, 2006a), remix culture (Lessig, 2008) and citizen journalism (Allan & Thorsen, 2009) is on the rise, one must not stop at the idea that the polysemous flow of images can be received in a multitude of ways. As audiences are increasingly armed with new digital tools for producing and circulating content, it must be taken into consideration that images can be produced from the bottom up as well as from the top down, and that a heterogeneous set of "moral entrepreneurs" (Cohen's concept following Becker, 1963) may therefore be scattered throughout the social fabric.

To be able to compare the countering discourses that constitute the representational space of online piracy in the Swedish context, two datasets were collected during the first half of 2009. The first consists of 279 newspaper articles, editorials and reportages from the six most prominent Swedish morning papers (Dagens Nyheter, Svenska Dagbladet, Expressen, Aftonbladet, Göteborgs-Posten and Sydsvenskan). The second includes 294 posts from blogs dealing with the theme of online piracy. One of the search words used for the blogs was "#spectrial" -- a combination of the words "spectacle" and "trial" which was coined by the defendants in the Piraty Bay trial and used as the main Twitter hashtag for their supporters during the hearings. This means that the blog posts included in this study mainly have a pro-piracy perspective.

The key themes in both of these datasets were identified through discursive network analysis (Lindgren & Lundström, 2009). This approach is based on an iterative form of text analysis where qualitative close readings are combined with quantitative content

analysis, focused on mapping co-occurrences between discursive themes in a corpus of text. Using word frequency calculations as a guide, conceptual groups of themes are developed qualitatively as a coding structure is established based on readings of parts of the material.¹ This structure is then fixated as an analytical stage characterized by what is called "saturation" (Glaser & Strauss, 1967, p. 61) in the grounded theory tradition is reached. The conceptual structure then informs further quantitative processing aimed at generating visualizations of the discourses based on the material in its entirety. For this study the bibliometric software Bibexcel (Persson, Danell, & Wiborg Schneider, 2009) has been used to the quantitative processing of the text data, while the MapGenerator (Edler & Rosvall, 2010) was used for visualization.

Aside from these steps, parts of the material were also subjected to qualitative close readings. Van Looy and Baetens (2003) have discussed how the method of close reading applies to the study of electronic literature -- a discussion that most certainly can be extended to the analysis of electronic non-fiction texts as well. The concept of electronic texts refers in this context to new digital media texts that allows for the process of meaning production to break with traditional boundaries and relations of power.

This approach is in accordance with what has been said above about the potential for moral entrepreneurship to be more decentralized in digital culture. As French semiotician Jacques Fontanille (1999) argues, the fact that meaning is constructed through digital media which invites to rapid clicking and random navigation makes the method of close readings of texts particularly suitable. One needs "to slow down, to look into details, to build up a framework brick after brick" (Fontanille via van Looy & Baetens, 2003, p. 9).

The method for close reading of electronic texts proposed by Van Looy and Baetens is, in essence, a social constructionist, intertextually oriented, discourse analysis. It is based on the premises that "a text is never an isolated act of wording" (Ibid., p. 12). I

¹ For a further discussion of this strategy of alternating between qualitative and quantitative strategies in order to arrive at a valid image of discourse, please refer to Lindgren and Lundström 2009.

line with what has been said above about the fragmentation of the hegemonic and univocal character of moral panics, they also claim that there may no longer be "one central text", but that accounts "emerge from a decentered body of hyperlinked, textual, pictorial, and multi medial materials" (Ibid.).

Blurring boundaries between folk devils and moral entrepreneurs

This study rests on the assumption that social reality, as it is perceived, is always a product of cultural and linguistic constructions (Burr, 2003; Gergen, 1985). In the case of online piracy, this means that the activity is seen as something much more than simply a judicial question. As argued throughout the history of the sociology of deviance, what we conceive of as criminal or immoral behavior must always be understood as social constructions resulting from processes going way beyond the sphere of legislation. Crime and deviance are simply what we define as such in certain times and spaces (Becker, 1963; Durkheim, 1895). If the act of downloading a copyrighted movie is seen, in a given socio-historical context as offensive in relation to strong collective sentiments it will probably be defined as illegal in judicial practice as well. If it does not, however, lead to any feelings of offence, then the copyright laws regulating the behaviour

[...] are liable to atrophy, languishing on the statute books and unenforced in practice; conversely, the mobilization of censorious feeling against some category of behaviour may well be enough to institute a process of criminalization, marking its transition from mere social disapproval to formal prohibition, with all the force of the state's crime control apparatus arrayed against it (Yar, 2008, p. 606).

This article is concerned with this space of negotiation of the "criminal character" (Ibid.) of certain forms of behavior. Looking at pirate and anti-pirate sentiments expressed in Swedish online texts, I will address how competing discourses have struggled over whether online piracy should be seen as morally acceptable or not. I will also focus on how the politics of anti-piracy are conceived of in terms of morality by the advocates of piracy.

At nearly every point in time when new behaviors fuelled by new media enter the stage, this tends to lead to strikingly similar debates on basic social and cultural norms. Online piracy is no exception, and the issue has led to a polarized debate. Some

people focus on the creative potential of the free circulation of culture that maximizes access to content, and allows for creative phenomena such as remixing and peer-production, while others describe these behaviors as amoral, unethical and criminal. But as digital media expand, and as more and more participants are involved in producing the discourses of the public sphere, there is a need to rethink how moral panic processes work as well as the social relations generating them. McRobbie and Thornton (1995) argue that the objects of moral panics -- the folk devils -- are now less marginalized than they were in many panic processes of the past (Springhall, 1998).

The media landscape has become increasingly complex, and the folk devils sometimes find themselves supported by the same media that construct them as public enemies. Furthermore, not the least with the coming of social media like blogs, twitter, network sites and citizen journalism, the "deviants" are increasingly defended by "their own niche and micro-media" (McRobbie & Thornton, 1995, p. 559). In internet society, we can no longer "rely on the old [moral panic] models with their stages and cycles, univocal media, monolithic societal or hegemonic reactions". McRobbie and Thornton continue:

The proliferation and fragmentation of mass, niche and micro-media and the multiplicity of voices, which compete and contest the meaning of the issues subject to 'moral panic', suggest that both the original and revised models are outdated in so far as they could not possibly take account of the labyrinthine web of determining relations which now exist between social groups and the media, 'reality' and representation (Ibid., p. 560).

While many years have passed since this criticism was formulated, and while the media landscape has continued to grow ever more complex, the argument of McRobbie and Thornton still provides the most comprehensive discussions of the shortcomings of Cohen's perspective in the face of the decline of univocal media. This article investigates the new, more active, role of folk devils, using the case of online piracy discourse, and taking into account hegemonic as well as counter-hegemonic discursive processes. In online debates and conversations on piracy, the moral aspects of sharing copyright protected content are weighed and discussed, exaggerated or downplayed, and thus socially constructed. Each of these constructions serves various "discursive needs" (Fairclough, 2001, p. 126) of actors and stakeholders driven by differing interests in relation to the phenomenon of piracy. Today's moral economies

have become increasingly differentiated, and moral regulation may be "conceived of 'from above,' 'the middle' or 'below'" (Hier, 2002, p. 328).

A clear-cut debate?

The two datasets representing news discourse and pirate blog discourse were analyzed according to the oscillating qualitative/quantitative procedure described in the preceding section. Figure 3 – a visualization of the strongest co-occurrences of themes between the two spaces – shows that some themes are common between the two discursive spaces, though they may be dealt with to varying extent and from different perspectives.

[Figure 3 to be inserted here]

Looking at the dark gray shapes in the news column, the issue of personal integrity in relation to the policing of file sharers is discussed in both types of sources but is given a much more prominent role in the pirate blogs than in the news coverage. Second, aspects of online piracy relating to questions of access and to cultural policies more generally are prevalent to a comparable degree in both discourses. Third, technicalities and consequences of the implementation of the IPRED law in particular are dealt with in both discourses. This is expected since the IPRED debate plays a crucial role for how the data was selected. Still, it is obvious that much more space was devoted to this issue in the pirate blogs than in the news texts. Discourse on the court process was, on the other hand, much more prevalent.

This first step of the analysis gives some indication that while news and blog discourse on online piracy overlap, and often deal with similar – if not the same – themes, these representational spaces are still discernable as two distinct contexts of meaning production, each adhering to its own logic. According to Bourdieu (2000, p. 15), any social field will always be delineated by a "doxa". The doxa is the set of fundamental rules, ideas and presuppositions that are specific to the field.

All those who are involved in the fields [...] share a tacit adherence to the same doxa which makes their competition possible and assigns its limits (Ibid., p. 102).

The discourses of the news coverage and of the pirate blogs can be conceived of as two "linguistic fields" (Bourdieu, 1977, p. 647), within the respective boundaries of which individual speech acts are to be understood. This means that, even though individual journalists or bloggers surely have a degree of agency and autonomy, there are – in each of the fields – expected types of utterances that at the aggregated level evolve and leads towards a terminology shared to some extent by anyone entering the field. This terminology is the result of an interactive and constructive process of what Cattuto et al. call "semiotic dynamics", which is about "how populations of humans or agents can establish and share semiotic systems, typically driven by their use in communication" (Cattuto, Loreto, & Pietronero, 2007, p. 1461).

When close reading actual texts that lie behind the various building blocks shown in figure 3, the result was that both discourses revolve around issues of morality and ethics. One characteristic form of news report is the one emphasizing how the alleged amorality and unethical behaviors of online pirates is a threat to social order, especially as regards the functioning of the capitalist system through which creators of cultural content get paid for their products. The two excerpts below are from news texts that are typical of this perspective.

The four who stand convicted try hard to paint a picture of themselves as rebels, and of the conflict with the music industry like David's battle with Goliath. That picture can be questioned. Apart from having made millions off of pirated material, it has become known that these men have a highly suspect history including anything from theft and drugs to tax evasion and extreme right-wing politics. [...] The pirate movement has generally wanted to see the net as something of a free haven from the laws and rules of society (Dagens Nyheter, 22 February 2009, translated by the author).

Those engaging in illegal file sharing are not friends of the artists, they rather undermine the conditions for all forms of cultural creation. Therefore, it is good that the men behind the largest file sharing site in the world have now been exposed as the simple criminals that they in fact are. This will hopefully discourage others to engage in similar activities (Dagens Nyheter, 18 April 2009, translated by the author).

Looking closer at how these texts are composed, one finds examples of many of the characteristics of moral panic discourse given by Cohen. He writes in the preface to the third edition of the classic text that the moral panic gets its specific resonance by pointing to continuities:

[...] in space (it's not only this ... this sort of thing) backward in time (part of a trend ... building up over the years) a conditional common future (a growing problem ... will get worse if nothing is done) (Cohen, 2002, p. xxx[30]).

With wordings such as "apart from"; "it has become known"; "highly suspect history"; "is is good" that the "criminals" have been "exposed", this type of discourse draws of representational forms similar to those discussed by Cohen (1972) as prophecy of doom and it's not only this. Online piracy is constructed as something which is reflective of a large threat to society as such, and as something which must be stopped. Furthermore, the excerpts are illustrative of spurious attribution and of the process of symbolization (Ibid.). By invoking imagery of other forms of criminality and of extreme right-wing politics, negative symbols are imposed on anyone engaging in online piracy.

As a counter-image to this, one characteristic type of blog post is that which states that it is rather the anti-pirates who are a threat to society and culture, especially when it comes to the conditions and possibilities for people to be intellectually stimulated and culturally creative. The argument is that it would be stupid not to harness the power and potential of the new technologies as regards the possibility to distribute more content, at almost no economic costs, to immensely larger audiences. The following extract is from a blog post advocating this view.

Ipred, FRA and the suspect ACTA-agreement, that are being developed right now, are a few examples of how states around the world give in to the so called representatives of the entertainment industry. Representatives who have realized that their power is disappearing and who mourn the fact that it is no longer as easy as it used to be to lure creative people into evil deals and life-long slave contracts. Today, the means of production and distribution have become democratized, and anyone with a computer and an Internet connection can make his voice heard (<http://www.nittondestolen.se>, April 2009, translated by the author).

Blog posts of this type invoke images of an evil industry, in league with all-powerful political and judicial state actors, doing anything to protect copyrights and thereby their profits, sacrificing the integrity and creativity of individuals in the process. Deconstructing this kind of speech with the use of Cohen's theory, it is obvious that it is

an example of a counter-hegemonic discourse but it nonetheless bears several marks of a moral panic. While news discourse is the vehicle of a certain group of moral entrepreneurs defining the pirates and pro-piracy advocates as folk devils, this blog discourse turns the tables. In this context, the moral entrepreneurs constructing the moral panic about online piracy as a social ill are themselves represented as folk devils in an alternative moral discourse.

In this second panic, the roles as moral entrepreneurs are manned by the folk devils of the first panic; the pirates and pro-piracy actors. The threat identified in the first panic is how new technologies, coupled with the driving force of networked publics, give rise to online pirate activities disrupting the stable functioning of the cultural industries. In contrast, the threat which is identified in the other panic is how these same technologies, paired with the allegedly illegitimate use of the legislative and policing powers of the state, promote the emergence of a surveillance society disrupting the free flow of culture and hampering the creativity of individuals.

Just like the news texts, the analyzed blog posts include pointers to other dimensions in time and space ("it's not only this"), elements of prediction ("prophecy of doom") as well as examples of negative symbolization and sensitization. The first extract below suggests that by implementing IPRED, one opens up the door to privatizing more and more of the tasks assigned to the police and the legal system, thereby undermining legal security. It also uses the dramatic image of a vulnerable "family with children" as a potential victim of the new system. The formulation "for the first time in Swedish legal history" is used as a rhetorical means to argue that an all-time low has been reached.

Ipred is an inappropriate law from any angle possible. It allows for private corporations to take over parts of the jobs of police and courts. It introduces dilapidation as a means of discouragement for the first time in Swedish legal history. It puts ordinary families with children up against slick copyright lawyers in trials where the accused must prove their own innocence (<http://christianengstrom.wordpress.com>, March 2009, translated by the author).

[...] I find it important that people can make a living doing what they love. However, I can not accept that human rights are undermined. Trade agreements such as ACTA, the implementation of Ipred, filters towards legal websites, threats to communication. Freedom of opinion is more important to me than my respect for the worries of individual artists. As I am writing this,

copyright cartels have free access to politicians and legislation. Their aim is not to be fair to society at large, but to preserve the power of some representatives of some industries, at any cost. They should be called to account, not the least morally, for the development that they have contributed to with their well-paid lobby (<http://opassande.se>, February 2009, translated by the author).

This second blog excerpt is an example of how the anti-pirate threat is constructed and dramatized through employing discourse referring to "human rights" and "freedom of opinion". Constructing the issue in this way depicts it as something which may alter our future forever, rather than something having to do with copyrights in a narrower sense.

As illustrated and discussed this far, one might hypothesize that during the intense period of discussing the issue of online piracy in the Swedish context from February through April of 2009, at least two major counteracting discursive reactions emerged. One, mainly emanating from newspaper texts, was focused on constructing the pirates as folk devils engaging in criminal activities and threatening the culture industries. The other, expressed for example in blogs about piracy, engaged in the construction of the anti-pirates (representatives of big business and authorities) as sacrificing the cultural lives of ordinary people in their relentless defense of capitalism.

Pointing out some illustrative examples, I have been able to show that both of these opposing reactions could be termed moral panics. They certainly fulfill a number of the key criteria. Looking at Cohen's definition, both reactions are about defining the convictions and actions of the respective folk devils "as a threat to societal values and interests" (1972, p. 9). "Stylized and stereotypical" (ibid.) ways of depicting this group and their behaviors are certainly identifiable. Furthermore, on both sides "the moral barricades are manned by [...] right thinking people [who] pronounce their diagnoses and solutions" (ibid.). Finally, the quite explosive nature of pirate discourse in the studied frame of time and space (February - April 2009 in Sweden), illustrates the volatile character of discourse which means that it quite suddenly "disappears, submerges or deteriorates" (ibid.).

After subculture?

While figure 3 represented only the strongest links between themes, the discursive relationships grows increasingly complex when looking at the entire picture. We then see how a large number of themes are engaged in interdiscursive relations stretching across the division between news texts and blog texts. Figure 4 shows all of the coded themes in the data and their respective prominence in the two types of sources. When visualized in this more detailed way, and with module sizes compressed so that differences are not as striking, it becomes obvious that the original moral panic model must not only be revised to allow for the notion that moral entrepreneurship can be exercised in hegemonic as well as counter-hegemonic directions. Furthermore, as McRobbie and Thornton (1995) contends, it is important to take into account that the media of today are far from univocal and rather characterized by fragmentation and multiplicity.

[Figure 4 to be inserted here]

Drawing on the Althusserian notion of "overdetermination" (originally a key concept of Freud's psychoanalysis), Laclau and Mouffe (1985) write of certain discursive nexuses being overdetermined – centres of intense struggles over their meaning and significance. Looking at figure 4, it can be argued that online piracy discourse is characterized by such overdetermination. It seems to be a:

[point] of condensation of a number of social relations and, thus, become[s] the focal point of a multiplicity of totalizing effects. But insofar as the social is an infinitude not reducible to any underlying unitary principle, the mere idea of a centre of the social has no meaning at all (Laclau & Mouffe, 1985, p. 139).

As Althusser argued in "Contradiction and Overdetermination" (2005), one must realize that a multitude of forces may be at work all at once in any given political situation, without resorting to the over-simplified idea that these forces are simply contradictory. This also goes for the patterns that we have seen in figures 3 and 4 of this analysis: If one only looks at the most general patterns (figure 3, showing the strongest discursive links) the impression may be that one has to do with contradictory forces.

But if one looks at the full complexity (figure 4, showing all links) a labyrinthine force field makes its appearance.

The original theory of moral panics presupposes a clearly distinguishable relationship between a hegemonic control culture and a subculture posing a challenge to social order. As argued within the emerging field of post-subcultural studies, however, "a notion of subculture as a name for one type of cultural diversity is no longer relevant" (Chaney, 2004, p. 36). While the concept of subculture was appropriate to capture some forms of social differentiations during the post-war era, the development of late-modern culture has rendered the notion superfluous. With the variety of forms of representation and symbolization in the media landscape of the 21st century, cultural distinctions are transformed (Benkler, 2006; Jenkins, 2006b; Varnelis, 2008). Chaney describes these changes in terms that are especially appropriate for the kind of leisure resistance (Rojek, 2005) that is expressed through online piracy.

[T]he qualities of appropriation and innovation once applied to subcultures can be seen in relation to a range of consumer and leisure-based groupings across the social spectrum (Chaney, 2004, p. 41).

The complex interdiscursive field where moral aspects of online piracy is constructed, where rights and wrongs are defined, and different folk devils are suggested (figure 4), shows that "the authority of intellectuals to control or legislate for cultural value is crucially undermined" (Chaney, 2004, p. 42), and that "the authority of expertise needs to be renewed continually [...] in relation to different audiences and contexts" (Ibid.) The changes do not only take place in the sphere of social relations. If we return to close readings of the actual content of the discourses under analysis in this article, it becomes clear that the more one reads, the harder it is to categorize utterances using the representational modes described by Cohen (1972). There may indeed be expressions of sensitization, exaggeration, prediction and so on. Indeed, those polemic texts that were quoted in the discussion of figure 3, do exist in the material. But digging deeper, it is hard to paint any clear-cut two-sided picture of the debate. It seems as not only the social roles of producer and consumer of content and worldviews have been

renegotiated, but also that the types of representations produced mirror this new complexity.

This shift can be understood in terms of Lash's argument in »Another Modernity (1991) that late-modernity has entailed a move from a discursive to a figural paradigm. Lash draws on Lyotard ("Figure Foreclosed") and discusses what happens with modes of representation as the clear-cut categories of modernity submerge: "What happens when we stop papering over the cracks, stop covering up the lack? What happens when we stop lamenting a lost totality that perhaps never was?" (Lash, 1991, p. 251).

The thesis about a transition from a discursive to a figural paradigm suggests that the representational modes of modernity were rooted in a rationally grounded, and linearly coherent, form of discourse. The world was described in accordance with rules and conventions that were universal, and thus powerful but also limiting. In later modernity, with the coming of the figural paradigm, representation is increasingly embodied and situated. We live under conditions of "syntactic indeterminacy" (Messaris, 1997 via Chaney, 2004), where representations become more collagistic, and where meanings:

[...] can be assembled in any order and acquire their rhetorical force through a multiplicity of levels of association, playful punning and complex allusion (Chaney, 2004, p. 44).

The discourse of online piracy in Swedish blogs and news texts as illustrated in figure 4, showing a complex image of interdiscursive flows that transgress the demarcation line between hegemonic and counter-hegemonic representations, is illustrative of the conditions and forms sometimes referred to as "supertext" (Castells, 1996) or "superculture" (Lull, 2001). The supertext visualized in figure 4 is a hybrid form of representation based on a mix of various realities "blending in the same discourse" (Castells, 1996, p. 405). It is illustrative of the context of digital superculture where meaning "is being transformed into a far more symbolic personalized panorama of images" (Lull, 2001, p. 132).

Especially striking when analyzing the material upon which this article is based, is the quite large role played by multidimensional forms of rhetoric, and by "playful punning and complex allusion" (Chaney, 2004, p. 44). Looking for example at culture journalism in this material, I found that it was common that various types and degrees of irony were used. It is impossible within the confines of this text to show the full complexity of the variations, but the following excerpt from a newspaper column serves as an example.

In my limitless naïveté I had thought that file sharing had been instrumental to the creative explosion in Swedish music during the first decade of the 21st century. But of course, those who claim that file sharing is a threat to culture that must be criminalized are right. They are just as right as Per Gessle, Joey Tempest, Jill Johnson and the other artists who demanded in a debate article that sharper measures be taken to stop file sharing. [...] And what is, after all, the Swedish indie pop, electro or metal of recent years -- that is celebrated all over the Western world -- compared to the country of Jill Johnson and the solo albums of Joey Tempest? [...] According to unconfirmed rumors, The Pirate Bay are developing a new application, AWT (Artist Wealth Terminator), that places the torrent file directly in the computer trash bin, erases them, downloads them once more, erases them and so on. This new application can make a rock star completely broke within 24 hours. [...] We should all immediately return all illegally downloaded music to the record industry by mailing it to IFPI. In order for the files arrive in order, genres must be send alphabetically and during office hours. In other words, acid house and afro funk can be sent already today, but you will have to wait with calypso until Tuesday (Dagens Nyheter, 24 april 2009, translated by the author).

This is an obvious form of ironic and humorous text. The author assumes a faux-anti-piracy position, the irony of which becomes more and more obvious as one reads through the text. A group of artists who are outspoken anti-pirates, and who represent broadly popular mainstream forms of pop/rock genres, are sarcastically defended while more underground and culturally updated examples are scoffed at. To the reader, it is quite obvious that the author's actual opinion is the opposite, or at least something other than the denotative meaning of the text .

As the text continues, the author writes of a new potential "threat" posed by an application that is supposedly being developed by The Pirate Bay: The Artist Wealth Terminator, which will download and delete files repeatedly to make the economic "loss" of the artists as big as possible. Continuing the reading of the text as ironic, this part can be interpreted as parodying the various campaigns of The Pirate Bay and their

striving to constantly align discourse so as to themselves occupy the subject position of the rebel, and at the same time as a way of exposing the absurdity of some of the economic arguments presented by the anti-pirates. The concluding part of the extract, about how we should all take our responsibility and return any downloaded content via e-mail, continues along this line by, adopting an ironic tone, defending the outdated capitalist bureaucracies that are often seen as connected to the fight against piracy. While this text employs a symbolic, ironic and allusive rhetoric to get a form of pro-piracy sentiment across, the following excerpt from a blog post is an example of similar strategies being employed to make anti-pirate points.

Thank you very much all you proponents of uninhibited file sharing! You played a game where the stakes were high and now we are all victims a legislation that violates our personal integrity. Thank you so damn much! [...] I am in favour of file sharing technology. But I am against using it to distribute materials that the copyright owners do not wish to be spread in this way. To anyone who has followed the debate during the last autumn and winter it may seem as if these two standpoints are irreconcilable. But of course they are not. [...] Today, many fans of file sharing are upset about the arrogance they claim is displayed by the state as it ignores the will of the people. [...] Peter Sunde [spokesperson of The Pirate Bay] and his friends are proud to share all of the creative variations of "you can all go to hell" that they have used over the years. With that attitude, how can one be surprised that the response to Ipred is not much more sensible than the law itself? [...] The Pirate Bay has since long succeeded in getting across the point that one cannot let Swedish law stand in the way of universal technological progress. Everyone gets it now. Good job. The problem is that this philosophical debate has been hijacked by thousands of Swedes who are downloading their asses off.[...] The Pirate Bay are stuck in a debate that they think is all too fun to let go of, and an attitude that they think it is all too fun to promote.[...] The saddest thing about the Pirate Bay is that they have become the exact thing that they are fighting against. Their philosophy is sound. But they have since long stopped talking philosophy and instead started to engage in legal quibbling (<http://formatfabriken.se>, February 2009, translated by the author).

The author ironically "thanks" the representatives of The Pirate Bay for having ruined the fight for the legitimacy of file sharing technologies. The post expresses anger over that The Pirate Bay has led to a banalization and narrowing-down of the debate, at the expense of those who want to use peer-to-peer platforms for doing other things that distribute pirated content. Even though The Pirate Bay and their activities have come to play a dominant role in Swedish public discussions about file sharing, blog posts such as this one indicate that "the movement" certainly includes an array of positions.

The tone of this text is less humorous than in the previous one, but the two texts are unified in that they are expressions of the "figural paradigm" in written discourse. Under the conditions of modernity, a culture journalist would have been more likely to promote high culture and a subculture person would have been expected to display a larger degree of solidarity with "the movement". In these texts however, roles marked by the complex social relations of late-modernity are expressed: The culture journalist voices a multifaceted position marked by anti-commercialism and underground culture elitism, and the pro-piracy blogger does not buy into the mainstream of the "rebellion". Using the wordings of Lash, none of the two makes any attempt to "paper over the cracks" or "cover up the lack". They do not go to any lengths trying to clarify their position as belonging to a certain camp. Rather the discourse they contribute to generating appears in all of its situatedness and indeterminacy.

Concluding discussion

With the blurring of the boundaries between producers and consumers of content in participatory culture (Jenkins, 2006b), we are likely to see more and more localized moral panics that are not necessarily hegemonic. Panic reactions can run not only from the top down but also from the bottom up as niche and micro media instigate their own moral panics.

Moral panics and their folk devils certainly have an interactive relationship to each other. Cohen (1972) described this relation in terms of "deviance amplification", meaning that the increased attention most often will intensify the initial deviation, and also make it more attractive for some people. But as Hacking (1999) and Cohen (2002) have described more recently, the interaction between the deviants and the control culture does not always lead to amplification. Garland (2008, p. 14) writes

Depending on context, balance of forces, interaction dynamics, and the ongoing choices of participants, the emergence of a moral panic can cause the deviance in question to be halted, amplified or altogether transformed. (Consider, for example, the organizing, mobilizing and politicizing effects that moral panic reactions have sometimes had on groups such as welfare claimants, single mothers, illegal immigrants, HIV sufferers, gay men, etc.)

What he means is that the moral panic reaction quite often leads to the folk devils becoming more organized and politicized, as they can then construct their shared identity clearer in contrast to the common enemy of the moral entrepreneurs. In this sense, the proponents and opponents of piracy can both, simultaneously, be moral entrepreneurs and folk devils. While the one side questions the moral basis of the other side's beliefs and actions attempting to construct them as folk devils, the exact same process can run in the opposite direction.

In other words, there is a need to revise the moral panic model where an all-powerful hegemonic control culture carried out the construction of a subordinate subculture as a menace to society. In the media climate of the 1990s, McRobbie and Thornton (1995) claimed that it was important to take into account social differentiation, audience segmentation and the plurality of reactions, each with their own modes of discourse. Now, some fifteen years later, in the light of the development of digital participatory media and the emergence of increasingly specialized networked publics, their argument is all the more relevant.

While the corporate news media are most often the prime movers of moral panic episodes, one must not stop at analyzing how the story unfolds in the texts from these sources, and how things play out in between major camps of "for" and "against". Especially on the internet where processes of intertextuality (Kristeva, 1980) and dialogism (Bachtin, 1981) become increasingly manifested, it is essential to look at the counter-constructions of the issues as well. While the concept of subculture can account for some forms of opposition, the actual resistance will however always be situated.

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Figure 1. Swedish search traffic relating to online piracy 2009 (Google Trends)

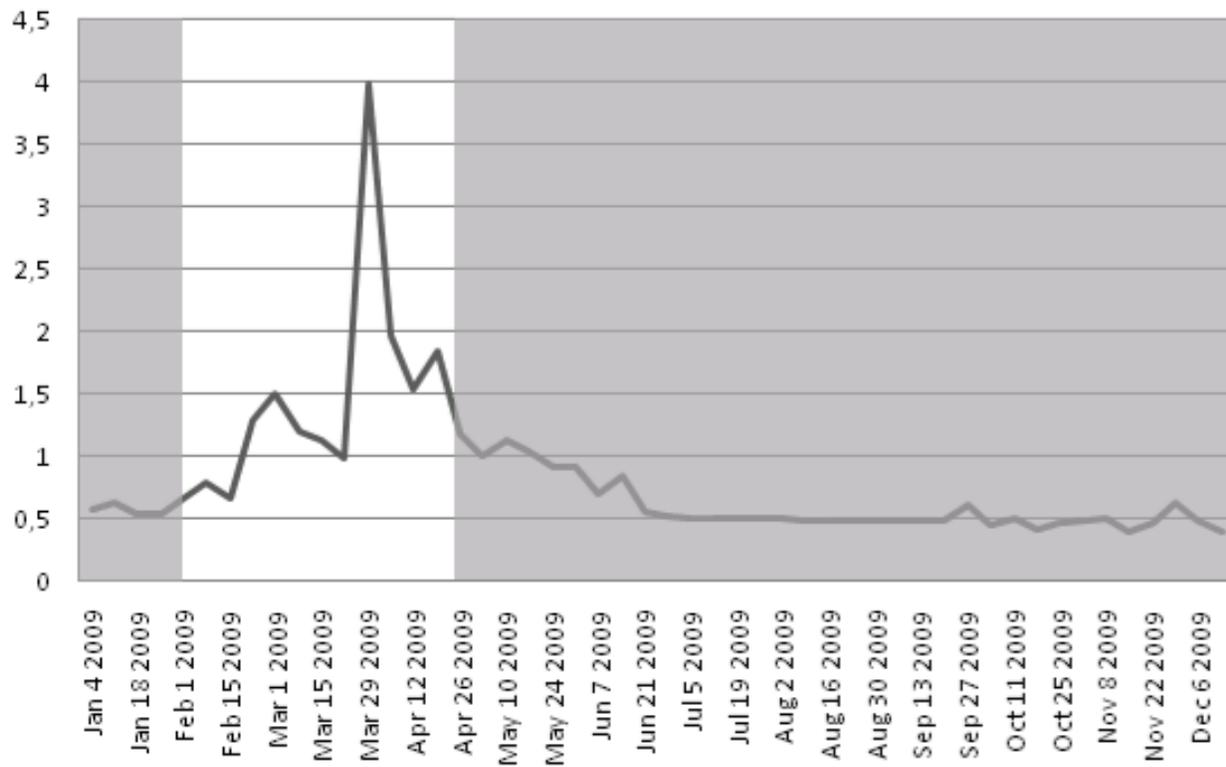


Figure 2. Swedish news paper coverage of online piracy 2009 (web.retriever-info.com)

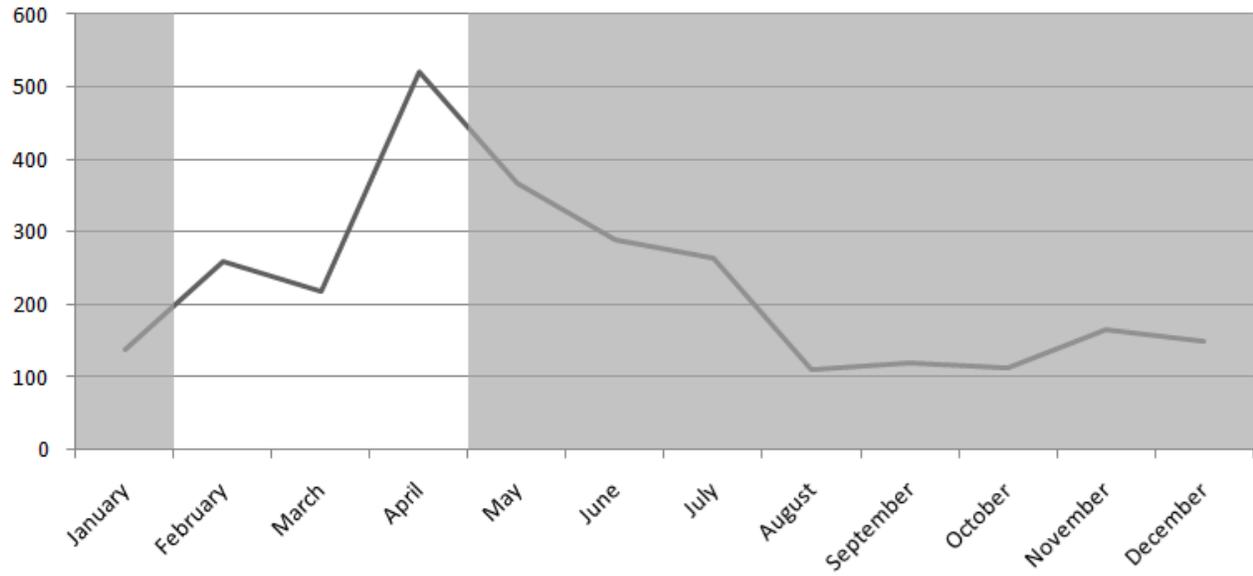


Figure 3. Co-occurrences between discursive themes (strongest links)

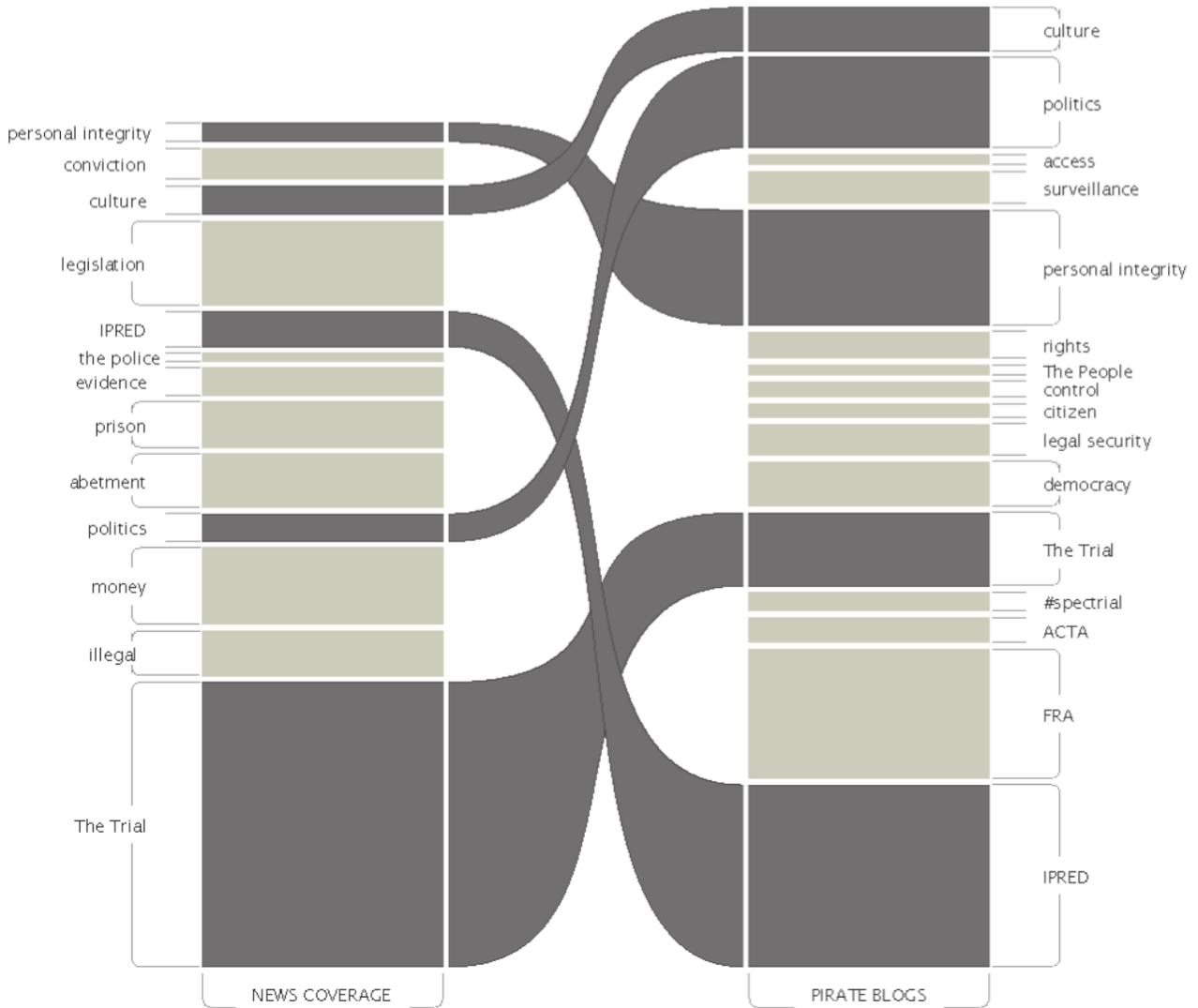


Figure 4. Co-occurrences between discursive themes (all coded categories)

