DEAD, ENCRYPTED OR STREAMED? AMERICAN FILE SHARING AND THE FUTURE OF PIRACY

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Key Questions

How do American file sharers conceptualize and understand future landscapes of file sharing and media consumption? And, who are they, demographically? Is BitTorrent dead and is it all about streaming services now? To what extent is traceability relevant for American file sharers in terms of increased practices of privacy-enhancing technologies to counter legal enforcement? Is there a Snowden effect amongst this community?

Large-scale Survey

This paper inquires into the demographical characteristics, recent changes in frequencies as well as the privacy attitudes and practices of American file sharers in the social media saturated, post-Snowden world. Specifically, the paper focuses on those Americans who engaged in file sharing using the popular BitTorrent site, The Pirate Bay (TPB). In 2012 and again in 2014, TPB agreed to host a survey of its users for 72 hours. On the days in question, TPB users were directed to an on-line survey prior to entry to the website where they were asked to fill out a questionnaire. The questionnaire included questions about digital privacy and the measures taken by survey participants to engage in anonymous file sharing. In the 2012 survey there were over 96,000 respondents from all over the world, of which 18,483 stated that there were from USA, and in the 2014 survey there were over 140,000 respondents of which 29,981 stated that they were from USA.

We compare TPB survey respondents in 2012 and 2014 to determine if any changes regarding demographics, file sharing frequencies and concern for privacy and the use of privacy software can be identified. The results indicate an American file sharing community of young men with an increasing privacy-awareness. The conclusions that can be drawn from the survey results have policy implications for how we ought to

protect privacy in the future. Given the global reach and focus of the Internet and file sharing, the implications of this work is important not just within the U.S. context, but for the larger debate on the evolution of the Internet.

Background

Numerous studies have stated the many conflicting aspects of copyright in a digital context (cf Andersson Schwarz, 2013; Halbert, 2014; Karaganis et al., 2012; Lessig, 2008; Svensson & Larsson, 2012). For example, Larsson (2014) has shown that there is a difference in how the American and the French file sharers understand and conceptualize the future of file-sharing and its relationship to copyright, and that the French file-sharers focus more on the actual artists while the American file-sharers focus more on the role of the industry and the government. That study indicated that copyright is not seen as 'property' by the respondents at all, that a majority of the US and French file-sharers would prefer to be more anonymous online in order to avoid legal enforcement, and that almost one out of five already uses such tools.

Privacy Awareness

To the degree Americans are concerned about issues of privacy, research suggests they are primarily focused on information transfer, notice/awareness, and information storage (Anton et al., 2010, p. 21). Longitudinal studies suggest there has been a heightened sense of awareness about privacy on the part of individuals (Anton et al., 2010, p. 22). Even Millennials, studies suggest, care about privacy and manage their privacy settings accordingly, in part because they are seeking to avoid the constant surveillance of their parents rather than the government or big business. However, despite the existence of privacy concerns amongst young people, research completed by the Annenberg School's Digital Future Project suggests that Millennials are more willing to exchange personal information in return for targeted advertising than other users (The Center for the Digital Future, 2013).

While the Snowden revelations about government surveillance did have an impact on Americans, by at least heightening their awareness of privacy concerns (Acohido, 2013), it was not enough to change behavior. In a survey conducted in January 2014 by the Pew Research Center, a majority felt that their privacy is being challenged along such core dimensions as the security of their personal information and their ability to retain confidentiality. The Pew survey used a sample of 607 American adults, 18 years of age or older. Although most are aware of government efforts to monitor communications, the awareness naturally differs. Some 43% of adults have heard "a lot" about "the government collecting information about telephone calls, emails, and other online communications as part of efforts to monitor terrorist activity," and another 44% have heard "a little." Interestingly enough, most respondents in the Pew survey say they want to do more to protect their privacy, but many believe it is not possible to be anonymous online. When asked if they feel as though their own efforts to protect the privacy of their personal information online are sufficient, 61% say they feel they "would like to do more", which is in line with studies on the global file sharing community where slightly over 50 % wish to be more anonymous online (Svensson et al., 2016; Larsson et al., 2012). Our study indicates a similar expressed wish for more anonymity amongst

American file sharers as well as a significant increase in the use of paid privacy-enhancing encryption tools from 2012 to 2014.

Keywords: filesharing, piracy, TPB, research bay, privacy, surveillance, vpn.

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