

## I. OPENING

Now, those of you who have talked to me about certain moral issues know I tend to be a bit liberal. I interpret Romans 13:1-7 more “liberally” than many of you (for I believe it contradicts other scriptures otherwise). I have been known both within our circles and beyond to defend from reproach and accusation my brothers and sisters when they commit no sin. I have long defended the right of Christians to engage in pre-marital dating, to listen to metal music, and for boys and girls to hug without shame. I have even defended the right of boyfriends and girlfriends to kiss and be physically affectionate so long as it does not lead to temptation. My track record shows me to be anything but a legalist or one to unnecessarily add extra rules to the teachings of scripture.

But when there is actual sin within our body, then we all have a responsibility to speak up. And this one thing has been bugging me, and I need to voice my concerns:

## MUSIC AND MOVIE PIRACY

It seems that among but a few of us, downloading music, "sharing" music in various forms, and even the downloading of movies seems to be of no concern at all.

More troubling though, is that I have heard talk, when the issue comes up, that some admit that it is at least sort of wrong! For the purpose of this message, those who admit that it isn't right and those who believe it to be justified are addressed as two distinct groups.

Note: I don't know that specifically all of you who are tagged even download/burn music. You might even be more hardline than me (though that's pretty

hard to do). If you don't commit any sort of piracy (I know of at least a couple of you who don't)...good for you (insert smiley – were this not a PDF). So if you are innocent, do not be offended.

I just tagged you all because you are Christians who I have at least some degree of fellowship and contact with (or at least have had in the past).

## II. GROUP 1

If you admit that it is wrong (even just kind of wrong) to download music but are doing it anyway...STOP! STOP RIGHT NOW!

This case is the easy one. If you admit that it's wrong, then this is as simple as it gets. It is never, ever, EVER okay to sin! Do we all sin sometimes? Do I sin? Of course. And when we do, Jesus intercedes on our behalf (1 John 2:1), and his blood continually makes us righteous (1 John 1:7). BUT, I know we all know better to think that that is a license to sin. Sinning is an unfortunate side effect of us being humans, in the image of Adam, living in the world. We will never be sinless until the day we are raised again in the image of Christ (1 Corinthians 15:49). But look at what is said of sinning, by the same Apostle who just reminded us of our security through Christ as shown above. Same guy, same epistle:

"But you know that he appeared so that he might take away our sins. And in him is no sin. No one who lives in him keeps on sinning. No one who continues to sin has either seen him or known him...He who does what is sinful is of the devil, because the devil has been sinning from the beginning" (1 John 3:5-6, 8).

I know that none of you are habitual sinners, doing wickedness thinking, "we can get away with it, we have Jesus." But if you do commit a sin knowingly, even if it's not a "big deal"...then that's exactly what you become. There is no room for process or maturation.

I can and will defend those who do not sin because what is not sin is not sin. However, because of that, what is sin is sin.

Therefore, if any of you do realize that downloading music is wrong, even if it's not a "big deal," then you are without excuse. Delete whatever digital media you have obtained wrongfully, and no longer do what is wrong. Be righteous! You won't be purified if you are sinning willfully and unrepentantly (Hebrews 10:26), so repent and let God cleanse you from all unrighteousness. If it's kind of wrong then it's wrong. If you know "well, I probably shouldn't do it..." then you know that you should not do it! We are children of God, so we must show it.

### III. GROUP 2

#### A. What I Say

Most of you do not belong in the above category, and that makes this a much more complicated issue.

One might ask, “where is the line? At what point is music sharing and such acceptable, and at what point does it become theft?” For those of you who believe your actions are justified, this is a core question. Obviously, you do not believe that your actions cross the line...

The rule I follow is this:

“One person, one purchase.” For the most part, this pretty much means abiding by copyright laws (with a few exceptions that I will lay out later).

That is to say, when it comes to ownership (not merely listening, for that would be absurd – nobody is saying you can’t play a CD for a bunch of people at a party), for one person to own/possess a file of copyrighted material, he or she must pay for it, receive it from somebody who paid for that particular file, or, of course, receive it for free if the copyright holder gives permission or if there simply isn’t one.

Therefore, under this structure (which is basically how the laws regarding intellectual property go), if two people want a CD, then they must buy 2 CDs (or buy one and take turns I guess).

That is not to say I object to burning your own CD’s for personal use (I do that, and most would argue it is considered Fair Use under the law). In fact, pretty much anything you do for yourself with your own stuff I believe is perfectly moral (as does the

law). By I believe it is moral, I mean I believe God says it is moral. My iPod is full of songs ripped from my own CD's, all rightfully purchased by me or for me.

## B. It's A Gray Area

I'm assuming I don't have to tell you theft is wrong...so we can then deal with the question of "is this theft?"

Admittedly, there is a bit of a gray area. One fundamental difference between digital media and any other kind of product is this: the digital media itself can be copied flawlessly and infinitely, and therefore has no intrinsic value.

To steal a car off a car lot, or a watch from a jewelry store, is really to steal twice. You have stolen the actual property from the owner, and you have deprived him of his rightful earnings from selling it. But digital media isn't like that. If you download a music file off the internet, technically you didn't steal a music file – nobody lost it. You made a perfect copy of the real thing. Whoever had it before still has it in its entirety. So here it's a matter of the second, that is, of depriving a person of earnings.

One could say, "I was never willing to pay for it, so they were never going to get money from me either way. And since it's not a tangible item, they lost nothing."

Technically, I suppose they'd be right.

If you do not buy a car but do not steal it, the merchant is better off than if you take the car without paying. But in the case of music files, technically the merchant is no worse off than if you simply didn't buy. Like I said, it's as if you could magically create an exact copy of the car from your computer. In fact, from a strictly economic standpoint, one could argue overall utility is actually increased compared to the scenario where you

simply don't buy it. After all, the owner gets the same 0 utility either way, but now at least you get more than 0, and 0 plus a positive is always greater than 0 plus 0.

This is probably why so many of us are not convicted of this; it doesn't seem like we're actually stealing. Plus, how can you steal an idea? How can you steal sound?

There are no obvious scripture references to this because, well, they didn't have means of recording sound and image 2000 years ago. It was never an issue for Israel or the early church.

So, why then after making what seems like a great argument in defense of downloading and/or burning music, do I believe it's wrong?

#### IV. WHY I BELIEVE AS I DO

I laid out the apparent justifications above to show that I do indeed understand it's not as cut and dry as some like to say. But I do believe we should abstain from this practice, and here's why:

##### A. Implicit Agreement

The artists, record companies, and whoever else has a stake, provided the media on the condition that they'd get paid whatever the price is for them. It may seem greedy for them not to be willing to share when it has no net cost to them, and instead demand payment, but that is their right. It was under that legal agreement that they produced it, that they would get a small fee for every person who permanently obtained a unit of it.

##### B. Slippery Slope

While most slippery slope arguments tend to be exaggerative, fallacious, and are pretty much a last resort when you have no legitimate arguments, the slippery slope is kind of important to consider here. If you just simply downloaded any song you wanted without buying, thinking "they're no worse off than if I just didn't buy":

- i. You'd be lying to yourself, because you know full well that you'd pay for at least some of those songs if you had to (not a slippery slope, but important).
- ii. If everyone did that, there'd be no market for the music and the whole industry would be doomed (not that they are doing so hot anyway). Thus the slippery slope.

##### C. Would You Not Have Paid For Even One Song If You Had To?



Even if I bought the whole “I wouldn’t have paid either way” argument in general, I doubt there aren’t plenty of songs on your playlists that you would have been willing to pay for if you had had to. There may be tons. Being a former downloader, I cannot tell you how in love I fell with Kazaa when I discovered it in 8<sup>th</sup> grade. All the songs on the radio and MTV that I knew that I could never afford to buy were right there! While I occasionally downloaded some junk, they were mostly songs I’d have been willing to pay for had I had the money. It was the greatest thing ever. I sometimes miss those days.

But with that in mind, can we all say what we have downloaded or burned from others is junk we would never have paid for anyway? Because if even one song is not junk, and we would have paid them the price they are legally entitled to, then that means that the one song is stolen, and even a little that is stolen is absolutely unacceptable. If something is not stolen then it is not stolen, but if it is, then it is.

D. “The Worker Deserves His wages.”

Obviously, Jesus was referring to something different. However, it’s still true here. The people involved in making music do it for a living, and again, expect, and are (at least legally) entitled to be compensated accordingly, along the lines of “one person, one purchase.”

E. It’s Illegal

Not just that (because lots of things are), but it’s illegal and the government has the right to make it so, even under my more liberal take on Romans 13:1-7, given that:

- the law doesn't violate God's law
- The law not unjust, nor does it hold terror for the righteous (as promised in Romans 13:3).

And besides that, in cases like this with such blurry lines, isn't the law a good guide to help us find the line?

#### F. Do You Honestly Not Feel Kinda Dirty Doing This?

Once I came to know the Lord, I did. That's a big part of it. Can you really say that you don't feel like this is, at least to some extent, theft? If it is, then it's sin, and you know what God thinks of that... Furthermore, if you acknowledge that it can get to be sinful at least some of the time, and you can't tell when, isn't that enough reason to not do it? If Jesus said to cut off your hand or cut out your eye to avoid sin, isn't avoiding piracy a reasonable thing to do out of an abundance of caution?

Think about this: if you presented yourself before the Lord at judgment, even though all your sins will be forgiven, would this, your acquisition of music this way, be on the list of wrongs you did? Or better yet, we know Jesus had to be absolutely sinless, a lamb without blemish. Could he have done this (were he here now and not then under the law), and still have been able to present himself before God as perfectly righteous and absolutely flawless on our behalf? I don't mean this legalistically, but that is what we're supposed to aim for; not just being better, but being absolutely blemish-free like Christ. If music downloading and "borrowing" is not sin, then this won't matter because it's not sin, so sure, if that's true he could have done it. But I don't believe this to be the case.

Now of course, since none of us are or can perfectly remain sinless for long, the innocent Lamb who was slaughtered at Calvary makes us blameless and perfect when we present ourselves to God. That was God's love for us. So I'm not saying any of us can be condemned because you failed to meet the mark (since we do meet it through faith). And of course, it is only by faith and the Spirit that we can ever live righteously even now. But that said, we blemish ourselves enough WITHOUT trying. It's holiness or bust.

And I can assure you, a perfectly clean conscience is worth deleting songs, especially since you never paid for them anyway...

#### G. Aren't We Supposed To Be Blameless And Above Reproach?

Couldn't any non-believer hold music downloading and sharing against you? This was a big one, the one that pushed me off the fence. Do we not do all kinds of things to avoid appearing sinful? Do we not keep the door open when a boy and girl are in a room alone just so nobody thinks anything dirty is happening (or outright prohibit girls in boys rooms like at winter conference, as if it were junior high camp?). And there isn't even anything actually sinful about a boy and girl in a room together alone with the door closed. Therefore, in things that actually can be sinful, how much more should we try to avoid even the appearance of evil?! When someone looks at one of us and sees we have 18,000 songs and they know full well that most of them aren't legal, it just looks shameful.

#### H. Concessions

I basically realized while writing this that I can't really make an airtight, untouchable argument. Anyone who feels totally justified in pirating music and movies will surely not be convinced by what I say. It is not based on irrefutable biblical evidence, and the logic, although tight, is not untouchable. It is largely emotive and philosophical. One can probably read this and still, in good faith and conscience, be convinced that downloading and sharing of music is not sin. My next piece of writing is far more scriptural and relies less on emotional appeal.

Normally I would not have bothered with such an argument as in this paper. However, it is my belief that you all, or at least a lot of you, already sense some of the shadiness of this. I figure some of you just need to hear from somebody that, "hey, we both know this is not okay..."

Furthermore, unless you feel completely justified in your actions, then please at least take into account both the law and the element of blamelessness and reproach. Even worldly people who do this tend to acknowledge that this is not legit and don't really make much of a fuss about it being called "piracy." If I have made you think, and if you do think, "maybe I don't feel right doing this," then look back at my address to group I...

## V. TO AVOID CHARGES OF HYPOCRISY

### A.

I confess, in the past, I have downloaded music, movies, and shared CD's. In the PAST, I HAVE done that. However, to put my money where my mouth is:

- I no longer download music or movies; I don't even have any P2P software anymore. (Of course, I still use iTunes cuz, well, you pay and it's legitimate).
- I have long since deleted ALL digital media obtained that way (over 1400 songs, several computer programs, a movie or two, and several TV episodes); everything except for those in section B
- I rarely have shared my CD's, but for good measure, I again have put my money where my mouth is. All CD's I have let people "borrow" to be burned for themselves, I have since purchased an additional copy of. Therefore, if you have burned CD's from my own CDs, the debt has been paid and the songs are rightfully yours. In fact, if you want the legit copy, I'll give it to you. However, I urge you, as with everyone else, to repent and not obtain music unlawfully and immorally again. If you still do not believe doing so is sin, then we can talk more later.

### B. Digital Media I Have Not Deleted, And Why:

- For a small selection of songs I once purchased via download using services other than iTunes, I had downloaded mp3's from the internet in the past, and have kept them. This is because they were protected files and are not compatible with iTunes,

My justification: I already bought the songs! The artists, producers, record companies etc have all received their fair share. I am one person, and I paid for one song. I shouldn't have to buy the same song twice (once on Musicmatch and once on iTunes)...

- A collection of TV shows which are not available for sale at all (mostly old shows that were literally filmed by someone off their own TV).

My defense: I'd buy them if they were for sale. As it stands now, nobody is hurt. As established before, the sin isn't in taking a thing (for the owner still possesses the song, TV show, etc), but in depriving them of their rightful earnings from it. As said before, this makes digital media different from a car or tangible item (which it would be a sin to take, even if not for sale). Since the owner still owns the show and files, and since he's not deprived of earnings (for there aren't any to be received), who is harmed?

Note: Every once in a while, one of those shows goes on sale on iTunes or on DVD, at which point I immediately delete the files, even if I never replace it with them with a legit copy.

- The Movie Fahrenheit 9/11 because of explicit recorded verbal permission given by Michael Moore (I also have a download of that video)...if he ever changes his mind and wants to be an Indian giver, I would play ball and buy it.

One might ask, doesn't that break the law still? The first one, technically, I suppose so. But not in any way do I go against the spirit of that law. Nobody is deprived of their earnings that use of their intellectual property should bring them. I want a song, I pay the \$.99, and they get their share. We break the letter of the law but maintain its spirit all the time. Ever driven 70 on the freeway instead of 65 to keep up with traffic? The law says 65, but that was meant to maintain safety, which going 70 mph does a better job of.

Plus I have nothing to hide. If a non-believer asked me about it, I'd have no worries about being honest.

Actually, I have recently discovered that software exists that strips the DRM protection off those files. As soon as I have the money to buy said software, there will be no downloaded songs at all because I can make those old purchased files work. But I believe I am justified in keeping the downloaded files until then since, like I said, I already paid for the songs.

Would the RIAA or the artists or whoever had a stake actually care? I'm sure they'd be very upset that I bought their music and haven't unlawfully distributed it...if they really wanted to make a fuss, then fine I'd play ball. But as for now, they have what they earned.

The same cannot be said for obtaining these music files through Napster or Kazaa or Limewire or by burning other people's CDs the first time around...

If anyone does find fault with my actions above, I'm willing to talk. I find no fault in my actions, but I will reconsider if that's what it takes, because I am no hypocrite. I just think my actions, as shown in the exceptions above, are acceptable, and any of you would be equally faultless in doing the same.

## VI. CLOSING

I know that nobody likes a Preachy Patrick, but sometimes things just need to be said. Please don't take offense. I am not condemning anyone. Heck, I wouldn't even consider this to be rebuke. I just want everyone to stop and take a look around. Sometimes for me it never even occurs to me that I'm sinning. Then someone tells me, and I realize "hmmm, they're right." Heck, it wasn't for months that someone told me cursing was actually wrong...

What of those who continue to download and share copyrighted digital media? Well, obviously unrepentant sinning is not to be tolerated at all (like in 1 Corinthians 5). However, given the fact that this is a contentious issue, and not everyone even agrees that it is sin, I say this: if you still obtain or distribute music, movies, and the like by burning or downloading (uploading) or both, and you can look me in the eye and tell me that you honestly believe your actions are completely justified, then I can neither judge nor rebuke nor hold against you this action. I would disagree with your stance of course, but disagreements happen. If you act in good faith, then that's all I can ask.

So, that's all I have to say there. I hope this has made you think in what ever way is profitable. If you have any questions or comments...well, this is a note with comment sections, and all you who are tagged are my Facebook friends, so you can always send messages, plus many of you I see regularly... so you know what to do.

May the grace and love of God our Father and the Lord Jesus Christ be with you. Amen.