Retro Gaming Subculture and the Social Construction of a Piracy Ethic

Steven Downing[1]

Faculty of Social Science and Humanities, University of Ontario Institute of Technology, Canada

Abstract

As video gaming becomes an increasingly popular (and profitable) form of media, many scholars have begun to assess both gaming culture in general and game or genre specific subcultures. In relation to digital piracy, these studies tend to focus on the financial and social components of digital piracy as they relate to either a macro culture of piracy or gaming subcultures whose focus is piracy. Both of these bodies of research emphasize issues surrounding contemporary gaming, leaving a gap in our understanding of how retro gaming is related to digital piracy. In this study I use cyber-ethnography to examine a community of retro gamers as they seek to negotiate and socially construct a moral imperative regarding digital piracy of both retro and contemporary video games. This setting is important because it represents a subculture whose members must struggle to define a normative position on deviant behavior while also promoting and sustaining their subcultural identity through balancing exclusivity and sustainability. Members must also negotiate a hierarchy of membership that includes deviant and non-deviant behaviors. This examination will extend scholarly understanding of both digital piracy and general subcultural explanations of deviant and non-deviant behaviors. Furthermore, this examination offers theoretical insights into how interpersonal interaction on the Internet confronts the complexities and controversies of diverse digital communities where deviant and criminal behaviors are a reality. Implications for game publishers and policy makers are also discussed.

Keywords: File sharing; Digital Piracy; Gaming; Subculture; Retro.

Introduction

Electronic gaming has become a massive industry, rivaling Hollywood in its revenues (*San Francisco Chronicle*, 2004). Growing alongside it is a form of copyright infringement increasingly investigated by scholars: digital piracy. Most of this research considers the nature, extent and impact of the copying and distribution of contemporary game software. Indeed, software piracy rates in 2008 (on the PC) account for an estimated 41% of total used software (Business Software Alliance (BSA), 2008). Researchers have approached digital piracy from a number of perspectives, including through the lens of deterrence, differential association, subcultural and macro–cultural theories (See, for e.g., Downing, 2010; Condry, 2004; Marshall, 2004; Kini, Ramakrishna, & Vijayaraman, 2004; Yar,

---

[1] Assistant Professor, Faculty of Social Science and Humanities, University of Ontario Institute of Technology, 55 Bond St. East, Oshawa, ON, L1G 0A5, Canada. Email: Steven.Downing@uoit.ca

2005; North & Oishi, 2006; Gunter, 2009). Nevertheless, there is no research that has specifically focused on the relationship between retro gaming and digital piracy. Retro gaming is a fluid concept, but members of the current research setting generally define it as involving the collection and/or consumption of video and computer games published up to roughly the early 2000s. Thus, in the current study, I seek to fill this gap in the literature. However, though the current research is framed in the context of digital piracy, I do not seek exclusively to explain piracy. Instead, I discuss piracy as a form of behavior that challenges some norms while reinforcing others, thus explaining how an ethic of piracy is socially constructed through a negotiation of moral and cultural ideas between members of a subculture.

Retro gaming is an appropriate context through which to examine the moral gray areas surrounding piracy. As will be discussed, I find that the retro gaming community may be more ambivalent toward piracy than other gaming groups. On the one hand, retro gaming subcultures believe that the games they appreciate should be experienced by all "true gamers"; piracy provides access to such media, which would otherwise be unavailable to a larger audience. On the other hand, the retro gaming subculture is also defined by exclusivity, suggesting a certain degree of heightened "taste" exhibited by members; piracy conflicts with the desire to keep the retro subculture exclusive (Yochim & Biddinger, 2008). Piracy also undermines the "collectors" mentality. Further complications arise when retro gamers negotiate the moral implications of piracy, including the apparent reality that original developers and publishers do not stand to profit directly from the (re)sale of vintage games.

Through a theoretical framework emphasizing subcultural status acquisition and hierarchy, I will examine these multiple elements of piracy within retro gaming subculture. This examination stands to fill the aforementioned gap in the piracy literature as well as contribute to further understanding of the organic processes through which subcultural members negotiate complex issues of morality alongside internal and external structural issues (e.g., exclusivity, sustainability, and relevance). I will begin with a review of the several component areas that I seek to capture within this overall analysis. I will next discuss both the methodology I employ in the current study and my findings. Finally, I will suggest potential theoretical, policy and industry implications. Throughout these sections, I intend to integrate the following bodies of literature under a single theoretical umbrella.

Literature Review
Gaming and Digital Piracy

Given that the focus of this analysis is not the extent and nature of digital piracy, but instead on how it is managed within a given subculture, I will focus my review of the literature on studies and perspectives that contribute to understanding digital piracy through the lens of subculture. While a large number of studies focus on a macro culture of piracy (e.g., Condry, 2004; Kini et al., 2004; Yar, 2005; Marshall, 2004), relatively few have examined piracy specifically in gaming subcultures. Nevertheless, a growing body of research has begun to examine the potential of peer influence to deter piracy (Downing, 2010) or to encourage it (North & Oishi, 2006). Group attitudes to piracy also prove important in the relationship between the media's producers and its subcultural "fans" (Chiou et al., 2005). Subcultural members who respect the producers of the media they consume may be less likely to engage in pirating this same media.

Internet Subcultures

Much of the research conducted on Internet subculture has emerged from the field of marketing, analyzing a subculture's management and interpretation of branded images and identities (e.g., Rokka, 2010; Schau et al., 2009; Batat, 2008; Muniz & Schau, 2007). However, a growing body of research examines Internet subcultures from a more sociologically grounded perspective. Some communication studies, for example, draw on Hebdige's (1979) work, which defines subculture in terms of its resistance to mainstream culture but also of its borrowing of cultural objects and subsequent transformation of meaning. In other words, a subculture does not "counter" the norms and values of dominant culture but instead transforms them through a negotiated reinterpretation. McArthur (2009) also emphasizes resistance, suggesting that it helps define, for example, online "geek subculture".

Identity is also an important component of subculture, especially when the subculture is digital; this is because, in the digital realm/in the latter case, avatars and pseudonyms are used, and games exist as the primary link between members. Thus, for example, Kinkade and Katovich (2009) suggest that in gaming subcultures:

> Authentic regular identification (or at least announcing oneself as a regular and receiving validation by other regulars) becomes less anchored to measured time and literal space anchors and more grounded in particular accomplishments beyond measured and literal time and space markers (p. 4).

Such subcultural construction of identity relates back to branding, especially when terms like "retro" are applied to obviously branded consumer items such as, in this case, games. Brown et al. (2003), for example, suggest that retro "brands" are often revitalized through the Internet. Subcultures may arise around these brands in general or – in the case of the current research – around specific brands (such as SEGA or Nintendo) or specific games.

Social Construction of Moral Imperatives

Social construction of normative behavior and ideas about deviance is "a product of groups of people forming normative definitions" (Adler & Adler, 1994a, p. ix), which, as I will outline here, is a negotiated process drawing on components of both dominant cultural and subcultural values. The theoretical dynamics operating within this social construction process can be operationalized by integrating three criminological theories: techniques of neutralization, social learning, and subcultural perspectives such as Cloward and Ohlin's (1960) and Cohen's (1955). To explain this integrating effort within the current context, we can examine how others have applied these perspectives to the notion of social construction of moral imperatives, especially within criminal or deviant contexts. Given the aforementioned scarcity of research specifically on subcultures of piracy, I will emphasize one such example. Rehn (2004) examines piracy subculture through ethnography, proposing that this subculture yields a social and economic structure wherein gift-giving and "play" are more important than monetary profit. In other words, within the subculture studied by Rehn, piracy is not a means of gaining economic capital. Instead, it is situated around a system wherein cultural capital may be gained through means that serve as alternatives to dominant cultural goals (Cohen, 1955).

The goal and status structures of subcultures are of particular relevance to the current study. Cohen's (1955) subcultural perspective suggests that delinquent subcultures create

752

goal and status structures through a member-negotiated process; these structures then allow for status achievement within the respective subcultures. Cloward and Ohlin (1960) further develop the concept of subculture structures to include differing types of subcultures – including those representing criminal, conflict, and retreatist subcultural patterns – each influencing behavior in somewhat different ways. According to Cloward and Ohlin (1960), criminal subcultures focus primarily on utilitarian gain, producing behaviors that are profit-motivated. Conflict subcultures gel around a notion of resistance to mainstream goals and institutions and are likely to produce alternative methods for gaining status within the subculture. Retreatist subcultures reject dominant structures but encourage self-destructive rather than predatory behaviors. In the current study, I draw mainly on the notion of alternate status acquisition structures, emphasizing that while piracy is defined as illegal behavior, it is not the sole focus of the retro gaming subculture.

Method

   Having established the importance of the subcultural framework to the current study, I now turn to the methods I employ to examine, specifically, the retro gaming subculture. Ethnography is an increasingly common methodological approach to studying Internet communities. Rehn (2004), for example, conducted an ethnography of "warez" (pirated software) subculture. Cooper and Harrison (2001) also use ethnography to study (sub)cultures of music piracy. The current study is an ethnography of, as has been discussed, the retro gaming subculture. Specifically, I draw on a sample from an online retro gaming website where members interact primarily through a forum that the website houses. Web forum interactions serve as a rich source of data regarding Internet communities (Garcia et al., 2009; Blevins & Holt, 2009) and provide the researcher with inside information and the ability to provide "thick descriptions" of the data and setting (Geertz, 1979). This was especially true in my case, as I have been a member of this forum community for several years. Having established an ethnographic and participatory status in this subculture, I observed its members' interactions through an unobtrusive and scholarly lens for roughly one year. Having been an active member of the forums in the past and a also viewed the forums as a passive, unobtrusive observe in the current, I have chosen to present my observations, findings, and general narrative of this narrative n the first person. This approach draws on the strength of ethnography as reflexive (see Ezzy, 2002) and capable of providing an "insider's" perspective as well as "thick" descriptions and also follows the established tradition of ethnography written in the first person (even when done in online settings) (see Green, 1999, Adler & Adler, 2008, Garcia et al., 2009).

   Ethnography also allows for the acquisition of an intimate knowledge of participants and their histories (Berg, 2004). Through a sustained membership in the studied subculture, I was able to mitigate some of the common sampling issues involved when researching online settings – namely, those stemming from a lack of information about the sample members. The nature of the retro gaming community that I sampled from also contributes to a more robust understanding of the sample than is typically available in online forum settings. Though it is nearly impossible to ascertain the exact demographic information of users in such settings (see Downing, 2009), I was able to develop both broad and specific understandings of those whom I observed over the course of the research.

   Most important to the current study's sample are the qualities of age, occupation, and geographic location. Though one may call into question the truthfulness of actors online,

I am fairly confident that the information I gathered about these characteristics is at least as accurate as it would be had I asked for the information directly. This internal validity is bolstered by the group's fairly cohesive nature: many of its members share personal photos, communicate through voice (in games, podcasts, etc.) and occasionally meet offline.

In general, the average age of the group members was at least above 18, which may be an important factor when considering potential financial motivations for piracy. Notable exceptions to this tendency were younger members who had adopted retro gaming as a hobby despite having, in some cases, been born after these games were released. Some of these younger members were readily accepted into the group while others were not. While it is beyond the scope of the current analysis to discuss why this was so, in no case did I observe that decisions to accept or exclude related to piracy. Perhaps in part because of the adult membership, members of the studied subculture also tended to be employed in a variety of occupational fields, including multiple university professors, musicians, computer scientists, electricians and even a professional athlete. A number of the other members were college or university students, a group whose piracy behaviors are often studied in "controlled" research designs (e.g., Higgins et al., 2006; 2005; 2004; Chiang & Assane, 2008). Lastly, the majority of sample members reported, with very few exceptions, to reside in (from most to least common) the United States, Canada, or Britain.

Though essentially a case study of one forum community, the diversity of this community is important, especially given my ethnographic approach to its study. By observing various community members in an organic group environment, I was able to bolster the external validity and generalizability of my findings beyond what may be expected in more controlled environments where external and intermediate variables, influences and pathways may interact with decisions to pirate or not. Since it draws on organic, open-ended participant experiences and narratives, this combination of sample diversity and methodology is also well suited to examining the nature of retro gaming as a subculture, wherein a process of social construction yields hierarchical structures and moral imperatives relating to piracy.

In an additional effort to control for potential bias resulting from a case study/ethnographic approach, as well as increase external validity, I drew from my previous research on digital piracy (see Downing, 2010). Though this research did not focus specifically on retro gaming, it does provide contextual clarity and a comparison group for understanding the social processes emergent in the community I observe in the current study. From this previous research I draw specifically on one forum community dedicated to software piracy of retro games. While I do note quote directly from its members (because they are there specifically to pirate) it nevertheless provides a contextual lens through which I, as an ethnographer, am able to more clearly and objectively assess the nature of the current research setting.

As part of this study, I read all posts during a period of one year; however, I only coded posts containing discussions of piracy, subcultural hierarchy, and subculture exclusivity and sustainability. My standing membership in the observed community serves to contextualize and add texture to these coded observations. This approach is similar to McArthur's (2009), wherein online music forums were coded both based on the specific topic of study and also for elements that define the subcultural context of the observed interactions. My particular coding strategy is matched to this method of data collection. Specifically, I use an abductive reasoning process whereby observed interactions can be coded both during and after the data collection process (Ezzy, 2002). This analytical

strategy allows for reflexivity between grounded and established theory building and testing.

To further facilitate the organic nature of ethnographic data collection and analysis, I analyze the data through a technique referred to as "domain analysis" (Denzin, 1999; Psatha, 1995). This strategy codes for thematic chunks, paying particular attention to context. It provides not only contextual clarity but also situational "texture" to the interactions of observed persons. This texture is particularly important to ethnography. The coding frames emergent from this process include those discussed below, but I acknowledge that other research questions with different frames could easily be drawn from the collected data. This is, in fact, is a strength of the chosen methodology: it allows for theoretical saturation both in current and future analysis.

Findings and Discussion

In this section I will present an analysis of the observations conducted during my ethnography of the chosen retro gaming subculture. This analysis draws on quotations from members of the community I observed. While the quoted posts are drawn from public web-forums, and thus the possibility of true confidentiality is limited, I have nevertheless replaced forum users' actual "handles" [forum name] with an assigned number appearing after the quoted excerpts in the text. This approach is consistent with a growing body of research that seeks to, at the very least, attempt to honor the privacy of those being studied (see e.g., Roberts et al., 2004, Whitty & Gavin, 2004, Cherny, 1999; Carter, 2004 & 2005).

The perspectives of the many participants not quoted are represented by the others quoted below. Ultimately, my goal in analyzing participant talk was to achieve "theoretical saturation" (Adler & Adler, 1994b, p. 380) and, in doing so, to represent all available participant perspectives. Finally, to retain the integrity of the quoted excerpts, grammatical and spelling structures of participant quotations remain unchanged; required clarification (e.g., definitions of acronyms) are provided within square brackets.

Subcultural Exclusivity versus Sustainability

Hinduja's (2007) test of neutralization theory as a facilitating factor for online software piracy results "with only an incidental proportion of variance explained…" suggesting that "…other factors are obviously more conducive to the activity [piracy]" (p. 197). As noted in previous sections, in the current inquiry I attempt to probe into some of these "other factors," particularly the social dynamics of subculture (and to some extent strain) that either promote or deter digital piracy (here specifically in the retro gaming community).

In a study of one particular youth subculture, McArthur (2009, p. 65) observes that "geeks within the subculture feel strongly about their *status* of geeks and welcome each other *tentatively* into the group" (emphasis added). I find similar strong feelings of identity and status among retro gamers. These feelings are accompanied by the tentativeness with which new members are admitted into the subculture, since such admittance may challenge the exclusivity and existing hierarchy of membership (discussed further in the following section).

The creation and maintenance of cultural exclusivity creates opportunities to define behaviors as deviant (Becker, 1963). In the retro gaming subculture, this definitional construct results in pirates being labeled as deviant but also as necessary to the proliferation

and continuation of retro consumption. For example, some retro gamers claim that piracy is beneficial for sustaining interest in games or consoles:

> One way I think piracy can help companies is that it creates brand recognition. Like lets assume Sonic was a pirated game. Sega might have sold a million or two of Sonic games, but now they go a Mascot that is known world wide. Piracy is like indirect marketing. (No. 001)

> Doesn't Nintendo deserve to make money off these Gems. Each one was well worth the $50 I spent back in the day shouldn't people today pay at least $8 for them. (No. 003)

> Sometimes emulation is the only way to go to play the old Arcades. Some great Arcade games would be lost if not for Mame. (No. 004)

> "Without emulation i would have missed out on a lot of great games." (No. 005)

However, many retro gamers differentiate between playing a pirated copy of a game on their computer and playing a physical copy as intended. This demarcation is a tacit reminder of the underlying tension between the subculture's desire to share and sustain its identity through play and to protect its authenticity:

> I personally don't mind using emulators to play games... however I will say as a collector that I do enjoy playing them on the original systems with the original controllers/hardware rather than playing them emulated on my PC. (No. 006)

> Depends for me personally. I have a metric ton of roms [digital copies of a game], but don't play them much because I'd prefer to play the games I physically own. Guess I'm starting to grow out of emulation. (No. 007)

This balance of access and exclusivity also operates alongside or, in some cases, in the context of a larger community of file sharing. One user praises the communal aspect of file sharing, stating:

> Personally I love the torrent technology, The community is great. Not because its illegal but its great support. Quality grading, comments, people seeding, people wasting their time, effort, and internet bandwidth just to share with others, how great is that? (No. 001)

Not all retro gamers share the opinion that file sharing networks represent a cohesive community. Instead, they prefer the intimacy of a forum community: "Don't see how you could 'love' a torrent site, most sites are flaky and ad filled. Getting torrents can be a pain in the ass sometimes too." (No. 008)

Additional issues may also be associated with large file sharing networks:

> pirate bay is pritty good. bit junkie is good but often clogs up with alot of odd stuff the site seems to be trying to load...maybe my popup blocker is fighting it. but either way I've found alot of stuff there. Tracker 3 is good for video nastys...odd ball exploitation and pron [porn]. (No. 009)

Ultimately, however, file sharing communities can also be exclusive, especially when centered around "rare" items:

> Waffles is the best music site ever, you literally can find every rare, unheard, unreleased track or album uploaded flawlessly with amazing download rates. But invites are hard to obtain; I got mine from my brother and I love the site. (No. 010)

Regardless of the communal nature of large or small file sharing networks, access to the "essential" retro experiences often requires either a large amount of monetary investment or a willingness to pirate games. For example, one retro gamer purchased a particular retro console but was unable to afford the expensive "must have" games from auction sites or other collectors. Another retro gamer offered a suggestion:

> Okay, here's the thing... burning these games hurts NO ONE. The developers who made these games can no longer make any profit on these games, because they're not offering them on any other medium – they're all used at this point, anyway. So there's no shame in modding a Sega Saturn to get all the best games. That said, if you have some inhibition against burning [copying], the fine people here have listed many of the essential cheaper Saturn games. Anyway, if you're alright with modding, here's a list of some essential releases. (No. 011)

The gamer goes on to reinforce the essentialness of playing certain games in order to be a true retro gamer, listing games that a Saturn owner "must play." The imperative, or essentialness, of "experiencing" certain games is linked with the obtaining and maintaining of status within the subculture. This process essentially creates strain through emphasizing normative goals and hyper-consumerist orientations that may be unachievable through legitimate means, thus encouraging piracy (e.g., Messner & Rosenfeld, 2001; Agnew, 2000; Anderson, 1999).

However, the pressure to consume is complicated by the desire to maintain the exclusivity of the retro gaming subculture. One user suggests that by encouraging piracy others are "devaluing" subcultural members who have invested in legitimate copies of games:

> But to pretend that a used game market doesn't exist or that that market is undeserving of your or his money because it comes from a medium that can be copied – such a insinuation is nothing more than a shallow justification. Are we willing to say that OUR used games should be rendered worthless because every gamer has the supposed right of piracy? Or is used gaming nothing more than a market for collectors? (No. 020)

However, it would be misleading to suggest that this user's perspective is unanimous. No. 014 challenges the claim that a "collector's mentality" can destroy a subculture and even an industry:

> It's just not worth it, especially since the money isn't even going to those who deserve it. All this "collectible" hoarding crap is exactly what lead to the downfall of the comics industry, so I suggest you be more careful before defending a person's supposed right to charge five times what he paid for a video game.

Thus, it is evident that a tension exists in the retro gaming subculture between maintaining exclusivity and promoting the consumption of retro games. This tension itself may help rein in an otherwise rampant preference for piracy as the result of strain; but to do so it must employ a dynamic whereby members of the subculture are stratified based on their ability and desire to consume either legitimately or illegitimately.

Member Hierarchy

The stratification of members within the retro gaming subculture forms a hierarchy that relates to piracy through the aforementioned tension between exclusivity and sustainability and as a result of the moral imperative dictating whether or not piracy is legally, morally, and practically justified. The term "collector" is often used by members to differentiate between casual game players and those more committed to the retro scene. This differentiation relies on both permitting piracy to sustain the differentiation but also in highlighting the nuances within a moral imperative that defines piracy as multi-dimensional in terms of motives. In other words, the rationale for piracy must include questions of moral "difference" between users; otherwise collectors and non-collectors would be on equal footing.

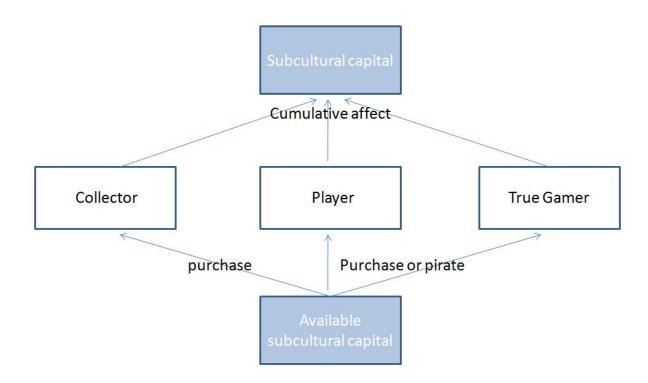*Hierarchy, Status, and (Sub)cultural Capital*

Cultural capital is an important concept in sociology. It designates the resources available to members of a culture (or here I will suggest subculture), such as ascribed and earned traits, that give them some advantage in their group (Coleman, 1988; Portes, 1998). Coleman and Dyer-Witheford (2007) suggest that digital piracy represents a gift culture, wherein cultural capital is gained through the sharing of games and "cracks." I observe that, in the retro gaming subculture, gift-giving is not the primary means of gaining subcultural capital. Instead, capital acquisition interacts with hierarchical structures that relate to legitimate purchases, expressions of interest in gaming and – to a limited extent – the sharing of knowledge about how and where to pirate these games.

In a general sense I am contending that hierarchy within a subculture relates to cultural capital within that subculture. This combination is in line with what Thornton (1996) observes in "club culture," where subcultural capital combines with other forms of capital to grant or deny access to avenues of a subculture. Other subcultures may emphasize different forms of cultural capital relevant to their hierarchies (e.g., masculinity in Wheaton, 2000). In the case of the retro gaming subculture, this capital acquisition and expenditure interact with deviant and normative behaviors. Specifically, available (sub)cultural capital allows for easier pirating, but other forms of capital (e.g., monetary) make the acquisition of collector status possible. In turn, obtaining an earned or ascribed status (Dore, 1973) then allows for acquisition of more (sub)cultural capital.

Though not categorically rigid, I observe three main statuses emerging within the retro gaming subculture: the collector, the player and the true gamer. Each of these statuses is related to piracy in different ways, but perhaps more importantly, each operates within a dynamic of subcultural status structure. For example, some users must sacrifice or diminish their status as a collector in order to maintain their status as a true gamer or player: "some games are just too damn expensive to justify a purchase, Panzer Dragoon Saga for example. I make it a rule not to play an emulated game for the sake of beating it." (No. 016)

Thus, though a continuum exists across the labels of player or true gamer and collector, the ideal subcultural position is one encompassing both. However, maintaining a balance of both requires, in many cases, an exchange of one status-definition for another, creating a dynamic status orientation that changes depending on many factors related to piracy (e.g., money, time, technical knowledge, friendship). That this balance emerges as a dynamic process within the subcultural framework suggests that one's "status set" (Merton, 1957) encompasses a variety of roles and labels even within a microcosm of social interaction focused on a very specific set of interests (e.g., retro gaming). The figure below elaborates on this framework, outlining how, specifically, deviance (i.e. piracy) or conformity (i.e. purchasing) serve to award subcultural capital in the context of a pathway toward a certain ascribed or earned status. Further, these statuses provide a cumulative capital-gaining effect, reinforcing the aforementioned preference of many retro gamers to be viewed as collectors, players and true gamers.

The figure above broadly categorizes many available assets under "Available subcultural capital." One specific asset, for example, is technological knowledge and access. Some members may lack the ability or knowledge to pirate though possessing the motivation and moral willingness: "I don't pirate games, because I don't have the means, but I do download music off of the internet." (No. 017)

In addition to incorporating and explaining the role of forms of capital such as technical knowledge or the extent of one's personal network, the dynamics represented in the figure above also relevant to the construction of a piracy ethic, or moral imperative: "Most people here are collectors though. So original is top priority for us." (No. 017)

> I'm a collector as well No. 017, and it's not like when Nesten/MAME/Gens came out I wasn't all about downloading roms. That's been years ago, and I just wouldn't do it now. I'm not judging anyone, I just think it is morally wrong. (No. 018)

> I will list the times I pirate games: 1. The game is very rare and hard to find 2. Was never released in my country 3. The game is priced to high for me to afford (Panzer Dragoon Saga). (No. 019)

These accounts evidence that decisions to pirate are more complex than previous research has suggested. Such decisions take into account not only moral or practical considerations but also the dynamics of subcultural structure. In addition, it is worth noting the specific mention of the game "Panzer Dragoon Saga." I observed this game mentioned numerous times in discussions of piracy, as it represents almost a rite of passage in the retro gaming community. To play this game is mandatory for a player or true gamer, and to own it is, while perhaps not necessary, at the very least a sign of great prestige for a collector, gaining him a good deal of subcultural capital.

Finally, it is important to note the relationship between gaming subcultures and industry practice. Developers may be able to utilize the subcultural hierarchy within retro gaming to discourage piracy. As one user notes, collectors may gain satisfaction or even status by obtaining physical materials alongside their games:

> Once again, I point to the single player PC game of the late 90's. With a keygen/cd hack there was no reason to purchase those unless you were the type who liked having a real hard copy and all the things that come with it (box/manual). (No. 014)

Gaming subcultures and the gaming industry are also linked by the relationship between sustainability, hierarchy and system and game sales. As one member hypothesizes: "these consoles are heavily pirated BECAUSE they are so popular, not the other way around." (No. 015) In other words, piracy may be a symptom of market success rather than a cause for market failure.

Ascription of Subcultural Statuses to External Parties

Ascribed statuses are also extended beyond the retro gaming subculture. Coleman and Dyer-Witheford (2007) observe that game pirates themselves are often interested in development and help create (or remake) pieces of software. As an extension of this interest and involvement, even developers are judged by and placed into the hierarchy established in the retro gaming subculture. This process frames developers as "outside insiders."

Almost invariably, developers are perceived to be true gamers − or, at the very least, players − according to the model established in the subcultural hierarchy. In turn, the development and consumption of "good games" is linked with non-monetary rewards:

> Yeah, the creators shouldn't care about people pirating their stuff. They shouldn't be making games for the money, they should me doing it to create great games. I don't have any PS1 or Dreamcast games that aren't backups. I also have a modded [modified] Xbox and I had a modded Wii with only backups. (No. 021)

> I also think that piracy is ok as long as it's an old game that won't really affect the company. And shouldn't it make the developers a little happy that even if people didn't buy their game, a whole grip of people downloaded it? It means people still wanted their game, right? (No. 022)

> No, I'm serious. If they're not making games for the love of them, they shouldn't be making them. I'm not saying they shouldn't be upset about people pirating, but that they should at least be happy that people are playing their game. (No. 021)

Some users consider reaching out to developers to let them know how they feel about certain issues like DRM (digital rights management): "Another option is to not buy the game and not pirate it but send an email/letter to the company explaining that you're interested in the game and why you don't plan to buy it." (No. 022)

Given that pro-producer attitudes can reduce piracy, these findings are particularly important to industry efforts to curb piracy (Chiou et al., 2005). They suggest that attitudes about game developers, movie or music producers and other media producers may be linked more to perceived and ascribed characteristics than to actual producer positions on piracy.

A Negotiated Moral Imperative

Hierarchical structure does not by itself define piracy in the retro gaming subculture. It serves as a framework within which piracy is framed as deviant or normative, moral or immoral. Along these lines, Cohen (1955) argues that subcultural goal and status structures are negotiated by members to make possible achievement within the subcultural context. Cloward and Ohlin (1960) also emphasize structure but, further, differentiate between types of subcultures, each producing a different set of achievement goals and opportunities.

The retro gaming subculture does not necessarily fall within one particular definition of subculture as outlined by Cloward and Ohlin, but it does reflect the negotiation process outlined by Cohen. In the case of digital piracy and retro gaming, this process aids in the development of a moral imperative about potentially illegal or unethical behavior. The negotiation process is organic but operates in the context of the discussed hierarchy found in Internet subcultures (McArthur, 2009) and of the constant interpretation and portrayal of individual and group identities (Kinkade & Katovich, 2009).

> I look at it like this. 1. It is stealing. 2. If the game is available for purchase and the original publisher is going to get the money I won't pirate the game for anything other than trial. 3. If the game is only available on ebay or something I'm not too concerned with the ethics of downloading it. (No. 023) As a lifelong gamer, I feel guilt when I dig in the profits of the companies that gave me so much joy. This statement also relates to the notion of exclusivity, suggesting that "true gamers" should in fact not pirate (No. 023).

The moral imperative is particularly relevant to retro gaming in a number of ways. For example, a popular venture for publishers is to release compilations of retro games from their catalogs. One user who already owns these games but wishes to play them on his computer is conflicted about whether to pirate in such a case.

"If I own a game compilation, or own a game on the Virtual Console or XBLA [Nintendo and Microsoft's online game shops, respectively], is it legal for me to download and play a ROM of each individual game? For the most part it seems compilations just contain a ROM and emulator on the disc so it would make sense in that way, though how can you be sure that it's not actually a port? (No. 024)

He continues, "Maybe to you guys this kind of stuff is irrelevant but I, as an upstanding Canadian citizen, like to purchase my games. And that sounded mean and I'm sorry," thus reinforcing the morality of his motives and seeking input from others regarding his perspective.

Others are indeed quick to reply, helping to negotiate a moral position on this issue.

Who gives a shit? Just download the rom (like you were going to anyway) and play it" (No. 025). To which No. 024 replies, "Well actually I wouldn't download the ROM if it wasn't legal. That was the whole point of making this thread." This statement elicits some accusations of moral superiority: "got us a dudley do right over here. I'm gonna have to agree with tinz. I am actually very curious as to why you don't want to do it if it's illegal. (No. 026)

 Well actually I wouldn't download the ROM if it wasn't legal. That was the whole point of making this thread" (No. 012). He continues later on, stating that he would feel "dirty" if he filled his new computer with pirated software.

However, others agree with the position of No. 024, affirming that "stealing is wrong."

He probally just wants to be honest about the internet. although with older roms its no less different if getting mp3 files off the internet for free imo [in my opinion]. no ones gonna hunt you down, true, but its still stealing nonetheless which, by social standards, is wrong. (although i download roms as well). (No. 027)

This discourse represents a specific example of the back and forth dialogue that helps construct a negotiated position on, or ethic of, piracy within the retro gaming subculture. There are three particularly significant elements of this process: legal considerations, financial considerations and moral considerations.

Legal Considerations

Much research has considered whether or not the presence of legal restrictions deters piracy (e.g., Peace et al., 2003; Higgins et al., 2005; Wolfe et al., 2008; Chiang & Assane, 2008; Yang et al., 2007). Some studies have found that deterrence has little impact on piracy (Al-Rafee & Cronan, 2006; Gillespie, 2006). Many deterrence studies focus on the individual decision making as it relates to a threat of legal sanctions. In the current analysis, I operationalize legal sanctions through the lens of retro gamers themselves. More specifically, I am interested in how legal considerations related to piracy serve as an intermediate step (or variable) on a path toward a negotiated ethic of piracy. I argue that this negotiation process is more dynamic and realistic than the assumption that individuals

make decisions about piracy in a vacuum, where peer (i.e. subcultural) influences are absent.

Some users contend that the possibility of being punished for piracy is the only deterrent to an otherwise guilt-free pursuit of pirated software: "For me, the issue wouldn't be whether it was legal or not, but whether or not I'd get caught. If I knew 100% that I wouldn't get caught, then the roms would be coming my way, baby!" (No. 028)

However, others link the legality of piracy more closely with moral considerations, contributing to a subcultural position that views piracy as both a legal and moral issue:

> I like to consider myself an honest and ethical person, never having shoved any game down my trousers in Gamestop and attempted to furtively make my way away from the counter, to the exit while avoiding the gaze of the clerk. This was due to fear and guilt. Guilt, that if I leave the store I would receive a text based message asking if I was proud of myself. Fear, that if I would ever return to the store the owner would declare that he wasn't kidding when he told me to pay and that I would soon have to pay the ultimate price. You can really learn a lot from video games. (No. 003)

Nevertheless, legal–moral connections can be diminished through a process of disassociation or neutralization (Sykes & Matza, 1957): "Legality does not equal morality. Do what you feel is right, and if the law conflicts with it, the law is wrong." (No. 029)

Though individually these opinions represent a wide and contrasting spectrum of legal and moral consideration, they nevertheless operate within the normative structures defined by the subculture within which they exist. Some retro gamers are keenly aware of this, using the normative framework as a lens through which to gauge the morality of piracy: "…but still based off social standards piracy and or stealing is still wrong." (No. 030) This user expressly acknowledges what others tacitly refer to: that his/her own individual perspectives on the legality of piracy is, if not shaped by, at least operative within a larger subcultural framework of normative definitions.

Financial Considerations

To suggest that orientations toward piracy hinge entirely on legal or moral considerations would be misleading. Indeed, in the retro gaming subculture, financial considerations are an important part of the social construction of a piracy ethic. However, I observe that the majority of these considerations relate to ramifications of piracy on industry members and not to the personal finances of those making piracy decisions. In this respect, retro gamers are particularly mindful of the distinction between contemporary and retro consoles and games, several users suggesting that piracy of retro systems and games is not detrimental to publishers:

> Yes, its bad [to download ROMs/ISOs] for a modern console because developers/publishers are still making a profit. No, its not bad for a reasonably older console because they are becoming harder to find and maintain each day due to age, and developers/publishers are not making money on them any more. (No. 031)

> Well, it's not like companies make a load of money off of those games anymore – if you buy a real copy, it isn't helping Nintendo, or Sega, or anybody except GameCollector69 of eBay.com. (No. 032)

On occasion, publishers will re-release retro games, usually in collections or through digital distribution. Persons in the retro gaming community often view this as an attempt to exploit consumers:

> Well, okay, Nintendo is still making money off of ROMs by making people pay $5-10 for 'em on VC [virtual console]... but seriously, $8 for an SNES ROM? Who is ripping off who? Stick it to tha man! (No. 032)

While the above user's attitude may seem to represent a stance of resistance against the industry, many users apply what Downing (2010) identifies as the "try before you buy" type of piracy, wherein a person downloads a game to test it before making a purchase decision. User No. 024, who was concerned with filling his computer with pirated software, still supports trying before he buys, noting:

> When it comes to downloading a game to play around with if I'm bored, or using a ROM to try before I buy then I'm cool with that, I just don't want a ton of the stuff hanging around. (No. 024)

This user applies the same "try before you buy" standard to retro and contemporary games, emphasizing the importance of purchasing retro games even when they are available and their piracy is perceived as having a minimal impact on the financial state of developers and publishers.

Moral Considerations

Legal and financial considerations contribute to the development of a moral position on piracy; but many in the retro gaming community maintain that ultimately, regardless of these considerations, piracy is either moral or immoral. An example of the parsing out of morality from financial complexities can be found in one user's assessment of piracy: "By that logic, it's wrong to steal from ma and pa stores but its hunky dory to steal from bigger stores like Wall-mart. Stealing is the wrong no matter who you steal from." (No. 003)

Similarly, No. 018—a self confessed Christian who often serves as the "preacher" in this particular subculture—asserts: "Theft is theft. We're not talking about stealing bread to feed our families. Either way, if you pirate a lot of things and get caught, you'll pay the consequences and have no one to blame but yourself." (No. 018)

Another retro gamer employs humor to emphasize his point about the immorality of piracy: "(no. 033): Making copies of wii, 360 games, etc when you don't own the original just ain't right. It's like punching an eight year old and taking the lemonade from his lemonade stand." However, other users view the morality of piracy as less cut and dry; they suggest that the definition of theft varies, thus emphasizing the subjectivity of both law and morality:

> Not all countries consider copying a game a crime. Although selling them is. But where it is illegal yeah you pay for what you do. (No. 36)

> If someone dies do i have the right to take the $20 bill out of his pocket? He doesn't need the $20 anymore. He'll never know if it was there or if it goes missing. (No. 033)

> I think the comparisons to stealing are exaggeration. I hope the people making these comparisons realize this. There is more than one reason that 'stealing' is treated rather differently from violation of IP [intellectual property] / copyrights by legal systems (e.g. you don't see 'cease and desist' letters sent to pickpockets). (No. 34)

No. 34's comment above highlights an interesting component of the retro gaming subculture's moral quandary regarding piracy: digital piracy is qualitatively different from physical theft. One user (No. 035) posts a humorous graphic that reads, "Piracy is not Theft. It's Piracy," followed by a picture explaining that theft removes an original copy while piracy makes a copy. Philosophically, this distinction is central to the moral imperative of piracy.

Despite the general agreement that piracy is not *exactly* the same as theft, some retro gamers return to the developer and publisher's perspective:

> One of the guys from Stardock (big anti-DRM [digital rights management] proponents) illustrated it best: you cannot stop piracy, as it is too easy to pull off. So you just need to do all you can to support the people who give you money and just ignore the pirates. (No. 014)

No. 014's perspective brings the social construction process full circle. By ascribing the status of "true gamer" to game developers, the moral culpability of piracy is neutralized. If developers are themselves true gamers then they will, by this logic, understand that gamers will do what it takes to play good games.

Ritual Reinforcement of the Moral Imperative

Acknowledging that a moral imperative (or ethic) of piracy is the result of a social construction process is an important step in gaining a more holistic understanding of digital piracy. However, it is also important to examine the symbolic interactions (Blumer, 1969) and subcultural specific rituals that contribute to and reinforce this social construction process. Rituals are tied to symbolic interaction, as indeed they represent symbolic value. They range in complexity from simple gestures (such as a handshake) to elaborate religious ceremonies (e.g. Durkheim, 1915). They reinforce cultural, or in this case subcultural, imperatives relating to beliefs and values. Online, and specifically within the retro gaming subculture, rituals take the form of repeated dialogues, topics, and discourse trajectories that consistently emerge as symbolic of the subculture's position regarding, in this case, piracy. On the Internet, perhaps even more so than offline, rituals become important in maintaining and shaping cultural identity, where "identities are constructed, given meaning, and shared through the ritual of computer-mediated interaction" (Williams, 2006, p. 195).

Some of these rituals relate to habits and behaviors outside of the Internet subculture, such as how piracy affects one's disposition toward gaming in general: "The one problem I've personally had with emulation is that it devalues gaming for me. A while after I

started, I really stopped enjoying games, simply moving from one to the next without much discretion." (No. 037)

More often, however, such rituals relate to the discourse on piracy internal to the community (here, in the retro gaming forums). I have already discussed one ritual in the form of a rite of passage (i.e. the purchase of the particular game, "Panzer Dragoon Saga"), but there are many other rituals emergent within the retro gaming subculture that are not specific to one game or system. These rituals are pro-piracy or, at the very least, attempt to "explain away" or neutralize any moral dilemmas relating to piracy. One ritual involved in the neutralization process is what Sykes and Matza (1957) refer to as "condemning the condemner": "I just can't feel sorry for rich people when it comes to finances. Independent games/movies/music on the other hand is a different story." (No. 023) "I don't particularly give a shit if some wealthy stockholders aren't going to get a new pool for their house in the Hamptons this year." (No. 023)

Another ritual encompasses what I will term "active inaction": resigning to the futility of an argument over a moral issue. I often witnessed discussions end with users commenting on the nature of the discussion rather than its content. This ritual reinforces the moral ambiguity of piracy while also upholding that resolving the ambiguity is ultimately of little real significance, especially compared to the core of the retro-gaming community: retro games. To illustrate, one member states after a long discussion of piracy: "Another option is to not buy the game and not pirate it but send an email/letter to the company explaining that you're interested in the game and why you don't plan to buy it." (No. 017)

Similarly, discussions of piracy almost invariably shift toward discussions of morality in general, with other, more extreme examples of deviance (e.g., prostitution, murder) being discussed:

> I think piracy is… Wait for it… Wait for it… Oh, who gives a shit. I see people doing far worse all the time. I also see people starving on the side of the street. There is terrible shit on the news every day. I just don't have the time to worry about people who are doing just fine. I buy a lot of games because I want to support the companies that continue to make them. (No. 028)

> [No. 028's] spider-sense was tingling. I think there's absolutely nothing more that can be gained from this conversation. (No. 014)

This ritual, again, reinforces the triviality of piracy while upholding its moral ambiguity in the context of deviance in general and of the core bond of the retro gaming subculture. It also reinforces neutralization.

Ultimately, this set of rituals emphasizes that, regardless of their position on the spectrum of moral postures toward piracy, the members of the retro gaming subculture are bonded by their appreciation of retro games. This reality holds implications for understanding deviance in the context of subcultures in general. Subcultural theories of deviance may in fact overstate the importance of deviance as a bonding mechanism, at least in so far as they suggest that this mechanism is the central component of the subculture. Indeed, the data I gathered suggests that a dismissal of deviance, or a nonchalant orientation toward it, is more salient than its express celebration.

Finally, beyond the dialogue in forums but also in the context of the online subculture, I observed that the technical ability to pirate manifested itself as a ritual within the retro

766

gaming subculture. Many users are interested in technology in general, and their ability to pirate reflects this. Guides for creating "backups" on many systems are posted by site contributors on the studied website. Here, community members also contribute to on comment on the guides. These guides are located under the same "system headings" as guides for the best games, further reinforcing that true gamers will use their technological know-how to pirate. The shared creation and consumption of these guides ritualistically reinforces pro-piracy attitudes while also promoting the exclusivity of retro-gaming subculture.

Limitations

The current study is not without its limitations. First, as I have noted, this analysis draws from a specific online community represented by one forum. The impact of this approach on generalizability is limited because of my emphasis on the process of social construction rather than exclusively on its outcome (i.e. piracy or its deterrence). Nevertheless, it is important to note that the findings presented here cannot automatically be generalized to all retro gamers, all software pirates, or all persons who choose not to pirate software. Future research should seek to examine and compare multiple retro gaming subcultures (or similarly ambivalent groups).

Additionally, though the unobtrusive nature of my current inquiry helps alleviate the possibility of a Hawthorne effect, as is the case with almost all Internet research, one must consider the candidness and truthfulness of the respondent's claims (especially when subcultural status stands to be gained or lost). Furthermore, as noted by the diverse range of theoretical perspectives used to explain piracy, the focus of the current inquiry on subculture can be seen as a limitation.

In the following section I provide some suggestions for how future research may help avoid and/or address some of these limitations.

Implications
Theoretical & Empirical Implications

In spite of its limitations, the current research illustrates that subcultures are multidimensional and cannot be essentialized into one particular orientation toward complex moral issues. I have presented but one of many possible examples of a subculture in which this multidimensionality is expressed through a negotiation process related to one form of deviance (in this case, digital piracy). In this subculture there exists a usually subtle tension between deviance and conformity. However, this tension is not dichotomized, but instead represents a spectrum of orientations that culminate into a shared moral imperative that result from a process of social construction. This process and spectrum within which it operates is fluid and organic. Members of the subculture can gain and use subcultural capital to navigate their way from, for example, the status of player to that of collector. The status continuum and hierarchy works in conjunction with the social construction of deviance, reinforced through rituals that ultimately and ironically reunite members with divergent perspectives on moral issues. This convergence is accomplished through rituals that reinforce the core, non-deviant components of the subculture – in this case, retro gaming. I contend that this process is highly organic but also, perhaps unknowingly, directed toward maintaining the exclusivity of the subculture while still permitting the entrance of new members so as to sustain the subcultures relevance.

These dynamics of member convergence and a dynamic spectrum of deviance-normative negotiation hold implications for the study of subcultural deviance in general. They again suggest that research on deviance should consider subcultures more holistically. Theoretically and empirically, we must conceptualize, measure and capture the behaviors of subculture members that represent core bonding mechanisms within those subcultures. These mechanisms may or may not be deviant in nature, but they are likely multidimensional, representing a constant negotiation between statuses or, in other words, a "drifting" within a subculture itself.

Furthermore, as Gunter (2009) suggests, willingness to pirate may not necessarily translate to actual piracy. The findings I present here are consistent with this hypothesis, suggesting that the social construction process involved in negotiating the ethicality of piracy is important in either deterring or encouraging actual piracy. That this negotiation process occurs within a subculture is consistent with Gunter's (2009) findings that differential association with pro or anti-piracy persons contributes to the actual act of piracy.

Further to whether or not one pirates, the nature of the specific subcultural hierarchy under examination also suggests that subcultures where deviance is only a potential and partially defining feature likely contain members who must negotiate and sustain a balance between various identities within the subculture. In a larger theoretical context, this feature suggests that subcultural explanations of deviance should pay more attention to the reasons why persons are, the majority of the time, conforming, while at other times deviant, and how these statuses interact. (e.g., Matza's [1964] drift theory.)

Finally, the assumption within the piracy research that a desire to consume (i.e. consumerism) leads to the illegal downloading of software and other media may be a dubiously simplistic hypothesis. My findings suggest that subcultural demands may construct conditions under which other goals predominate over consumer desires at either a micro or a macro cultural level. In other words, status within a subculture may be dependent not on consuming goods through any means possible but instead on consuming them "legitimately."

The conditions under which each approach to subcultural study is appropriate deserves further attention and should be explored at greater length in future research. Such research will benefit from integrating subcultural and other perspectives (e.g., strain). Ultimately, the current findings suggest that such theoretical integration is integral to understanding individual and group decisions regarding digital piracy.

Implications for Industry and Policy

Coleman and Dyer-Witheford (2007, p. 940) suggest that digital pirates oftentimes "disseminate game culture, and sometimes save old games…." This is especially true of retro gamers. The gaming industry should be mindful of this reality, taking the opportunity to support retro gamers in so far as such support will help to maintain a thriving gaming culture. Unfortunately the gaming industry seldom follows this policy. Recently, for example, SEGA took legal action against fans who developed a remake of the popular retro game "Streets of Rage" (*Joystiq*, 2011).

Actions like SEGA's seem counterintuitive, especially when, within a thriving gaming culture, publishers can exploit the hierarchy of gaming subcultures by appealing to the "collector," "player" and "true gamer" definitions in different ways. Players and true gamers may wish only to play the game, thus facilitating digital distribution (at lower

768

prices), whereas collectors will likely be willing to purchase games at a higher price if they include physical collectable items.

Finally, the current findings make evident that gaming community members assume that (good) developers are also game players. As such, the ideal developer is envisioned as one who makes games for "the love" of games rather than for profit. The game industry as well as policy makers should work toward creating public awareness among consumers that, while developers are indeed gamers, they must also make a profit to continue investing in their passion.

References

Adler, P. A., & Adler, P. (2008). Of rhetoric and representation: The four faces of ethnography. *The Sociological Quarterly*, *49*, 1-30.

Adler, P. A., & Adler, P. (Eds.). (1994a). *Constructions of deviance: Social power, context, and interaction*. Belmont, CA: Wadsworth Publishing Company.

Adler, P. A., & Adler, P. (1994b). Observational techniques. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research*. London: Sage.

Agnew, R. (2000). Sources of criminality: strain and subcultural theories. In J. F. Sheley (Ed.), *Criminology: A Contemporary Handbook,* 3rd Edition (pp. 349-371). Belmont, CA: Wadsworth.

Al-Rafee, S., & Cronan, T. (2006). Digital piracy: Factors that influence attitude toward behavior. *Journal of Business Ethic, 63*(3), 237-259.

Anderson, E. (1999). *Code of the street: Decency, violence, and the moral life of the inner city*. New York: Norton.

Batat, W. (2008). Exploring adolescent development skills through internet usage: A study of French 11-15 year olds. *International Journal of Consumer Studies, 32*(4), 374-381.

Becker, H. S. (1963). *Outsiders: Studies in the sociology of deviance*. New York: The Free Press.

Berg, B. L. (2004). *Qualitative research methods* (5th edition). California State University: Pearson.

Blevins, K., & Holt, J. (2009). Examining the virtual subculture of Johns. *Journal of Contemporary Ethnography, 38*(5), 619-648.

Blumer, H. (1969). *Symbolic interactionism: Perspective and method*. Berkeley: University of California Press.

Brown, S., Kozinets, R. V., & Sherry, J. F., Jr. (2003). Teaching old brands new tricks: Retro branding and the revival of brand meaning. *Journal of Marketing, 67*(3), 19-33.

Business Software Alliance (2003). *Software piracy fact sheet*. Retrieved Oct. 15, 2009, from http://www.bsa.org

Carter, D. M. (2005). Living in Virtual Communities: An Ethnography of Human Relationships in Cyberspace. *Information, Communication and Society*, *8*(2), 148-167.

Carter, D. M. (2004). Living in Virtual Communities: Making Friends Online. *Journal of Urban Technology, 11*(3), 109-125.

Cherny, L. (1999). *Conversation and Community: Chat in a Virtual World*. Stanford: CA: CSLI Publications.

Chiang, E. P., & Assane, D. (2008). Music piracy among students on the university campus: Do males and females react differently? *Journal of Socio-Economics, 37*(4), 1371-1380.

Chiou, J. S., Huang, C. Y., & Lee, H. H. (2005). The antecedents of music piracy attitudes and intentions. *Journal of Business Ethics, 57*(2), 167-174.

Cloward, R., & Ohlin, L. (1960). *Delinquency and opportunity: A theory of delinquent gangs.* Glencoe, IL: Free Press.

Cohen, A. (1955). *Delinquent boys: The culture of the gang.* Glencoe, IL: Free Press.

Coleman, J. S. (1988). Social capital in the creation of human capital. *American Journal of Sociology, 94* (Supplement: Organizations and Institutions: Sociological and Economic Approaches to the Analysis of Social Structure), S95-S120.

Coleman, S., & Dyer-Witheford, N. (2007). Playing on the digital commons: Collectivities, capital and contestation in videogame culture. *Media, Culture & Society, 29*(6), 934-953.

Condry, I. (2004). Cultures of music piracy *International Journal of Cultural Studies*, 7(3), 343-363. *Contemporary Ethnography, 35*(2), 173-200.

Cooper, J., & Harrison, D. M. (2001). The social organization of audio piracy on the internet. *Media, Culture & Society, 23*(1), 71.

Denzin, N. K. (1999). Cybertalk and the method of instances. In S. Jones (ed.), *Doing Internet Research: Critical Issues and Methods for Examining the Net* (pp. 107-125). Thousand Oaks, CA: Sage.

Diamond, N., Sherry, J., Muniz, A., McGrath, M., Kozinets, V., & Borghini, S. (2009). American girl and the brand gestalt: Closing the loop on sociocultural branding research. *Journal of Marketing, 73*(3), 118-134.

Dore, R. (1973). "Two Employment Systems," chapter 10 of *British Factory, Japanese Factory*. Berkeley: University of California Press.

Durkheim, E. (1965 [1915]). *The elementary forms of the religious life.* New York: The Free Press.

Ellis, D. (1984). Video Arcades, Youth, and Trouble. *Youth and Society, 16*47-65.

Ezzy, D. (2002). *Qualitative analysis: Practice and innovation.* London: Routledge.

Fletcher, J. (2011, April 11). Streets of rage remake taken down. *Joystiq.* Retrieved April 15, 2011 from www.joystiq.com

Garcia, A., Standlee, A., Bechkoff, J., & Cui, Y. (2009). Ethnographic approaches to the internet and computer-mediated communication. *Journal of Contemporary Ethnography, 38*(1), 52-84.

Geertz, C. (1973). *The Interpretation of cultures: Selected essays.* New York: Basic Books.

Gillespie, T. (2006). Designed to 'effectively frustrate': Copyright, technology and the agency of users. *New Media & Society*, *8*(4), 651–669.

Green, N. (1999). Disrupting the field: Virtual reality technologies and "multisited" ethnographic methods. *The American Behavioral Scientist, 43*(3), 409-421.

Gunter, W. (2009). Internet Scallywags: A Comparative Analysis of Multiple Forms and Measurements of Digital Piracy. *Western Criminology Review, 10*(1), 15-28.

Hebdige, D. (1979). *Subculture: The meaning of style.* London: Methuen.

Higgins, G. E., Fell, B., & Wilson, A. (2006). Digital piracy: Assessing the contributions of an integrated self control theory and social learning theory using structural equation modeling. *Criminal Justice Studies, 19*(1), 3-22.

Higgins, G. E. (2005). Can low self-control help with the understanding of the software piracy problem? *Deviant Behavior, 26*(1), 1-24.

Higgins, G. E., Wilson, A. L., & Fell, B. D. (2005). An application of deterrence theory to software piracy. *Journal of Criminal Justice & Popular Culture, 12*(3), 166-184.

Higgins, G. E., & Makin, D. A. (2004). Self-Control, deviant peers, and software piracy. *Psychological Reports, 95*(3), 921-931.

Hinduja, S. (2007). Neutralization theory and online software piracy: An empirical analysis. *Ethics and Information Technology, 9*, 187-204.

Kini, R., Ramakrishna, H., & Vijayaraman, B. (2004). Shaping of moral intensity regarding software piracy: A comparison between Thailand and U.S. students. *Journal of Business Ethics*, *49*(1), 91-104.

Kinkade, P., & Katovish, M. (2009). Beyond place: On being a regular in an ethereal culture. *Journal of Contemporary Ethnography, 38*(1), 3-24.

Marshall, L. (2004). The effects of music piracy on the music industry: A case study of bootlegging. *Media, Culture and Society, 26*(2), 163-181.

Matza, D. (1964). *Delinquency and drift*. New York: John Wiley and Sons, Inc.

McArthur, J. A. (2009). Digital subculture: A geek meaning of style. *Journal of Communication Inquiry, 33*(1), 58-70.

Merton, R. K. (1957). The role-set: problems in sociological theory. *British Journal of Sociology, 8,* 106-120.

Messner, S., & Rosenfeld, R. (2001). *Crime and the American dream* (3rd ed.). Belmont, CA: Wadsworth.

Muñiz, A. M., Jr., & Schau, H. J. (2007). Vigilante marketing and consumer-created communications. *Journal of Advertising, 36*(3), 35-50.

North, A. C., & Oishi, A. (2006). Music CD purchase decisions. *Journal of Applied Social Psychology*, *36*(12), 3043-3084.

Peace, A. G., Galletta, D. F., & Thong, J. (2003). Software piracy in the workplace: A model and empirical test. *Journal of Management Information Systems, 20*(1), 153-177.

Portes, A. (1998). Social capital: Its origins and applications in modern sociology. *Annual Review of Sociology, 24,* 1-24.

Psathas, G. (1995). *Conversation analysis*. Thousand Oaks, CA: Sage.

Rehn, A. (2004). The politics of contraband: The honor economies of the warez scene. *Journal of Socio-Economics, 13*(3), 359.

Roberts, L., Smith, L., & Pollock, C. (2004). Conducting Ethical Research Online: Respect for Individuals, Identities and the Ownership of Words. In E. A. Buchanan (Ed.), *Virtual Research Ethics: Issues and Controversies,* (pp. 156-73). Hershey, PA: Information Science Publishing.

Rokka, J. (2010). Netnographic inquiry and new translocal sites of the social. *International Journal of Consumer Studies, 34*(4), 381-387.

Schau, H. J., Muñiz, A. M., Jr., & Arnould, E. J. (2009). How brand community practices create value. *Journal of Marketing, 73*(5), 30-51.

Sykes, G., & Matza, D. (1957). Techniques of neutralization: A theory of delinquency. *American Sociological Review, 22*(6), 664-670.

Thornton, S. (1996). *Club cultures: Music, media, and subcultural capital*. Middletown, CT: Wesleyan University Press.

Warr, M. (2002). *Companions in crime: The social aspects of criminal conduct*. New York: Cambridge University Press.

Wheaton, B. (2000). "New lands": Masculinities and the "new sport" participant. *Men and Masculinities, 2*(4), 434-456.

Whitty, M., & Gavin, J. (2001). Age/Sex/Location: Uncovering the Social Cues in the Development of Online Relationships. *CyberPsychology and Behavior, 4*(5), 623-630.

Williams, J. P. (2006). Authentic identities: Straightedge subculture, music, and the internet. *Journal of Contemporary Ethnography, 35*(2), 173-200.

Wolfe, S. E., Higgins, G. E., & Marcum, C. D. (2008). Deterrence and digital piracy. *Social Science Computer Review, 26*(3), 317-333.

Yang, D., Fryxell, G., & Sie, A. (2007). Anti-piracy effectiveness and managerial confidence: Insights from multinationals in China. *Journal of World Business, 43*(3), 321-339.

Yar, M. (2005). The global 'epidemic' of movie 'piracy': Crime-wave or social construction? *Media, Culture & Society, 27*(5), 677-696.

Yi, M. (2004, December 18). They got game. *San Francisco Chronicle Online*. Retrieved May 1, 2008 from http://www.sfgate.com/

Yochim, E. C., & Biddinger, M. (2008). 'It kind of gives you that vintage feel': Vinyl records and the trope of death. *Media Culture & Society, 30*(2), 183-195.