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Contemporary perceptions of music piracy in South Africa

By

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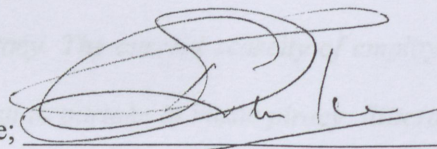
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Abstract

The aim of this study was to collect and critically analyse the perceptions of music piracy in South Africa, with particular focus on compact-disc (CD) music piracy, internet music piracy and retail music piracy. The socio-economic framework was utilised with empirical research approach leading towards a research method. But because of the

DECLARATION

I, **Thulani Gift Zulu**, hereby declare that the dissertation for the **master's** degree at the University of Venda, hereby submitted by me, has not been submitted previously for a degree at this or any other university and that it is my own work in design and execution and that all reference material contained herein have been duly acknowledged.

Signature:  Date: 08/09/2014

Keywords: perceptions, CD music piracy, internet music piracy, retail music piracy, music industry, South Africa, socio-economic

Abstract

The aim of this study was to collect and critically analyse the perceptions of music piracy in South Africa, with particular focus on compact disc (CD) music piracy, internet music piracy and retail music piracy. The socio-economic framework was enlisted with empirical research approach leaning towards the qualitative research method. But because of the statistical data which seemed worthy of consideration, a minimal quantitative analysis strategy was utilized. Interviews and focus group discussions were the main modes of data gathering, with the text analysis method at the core of the study. Due to the sensitivity of the subject, ethical considerations were adhered to. Through the findings of this study, factors such as employment and illiteracy emanated as major reasons that drive people to commit music piracy. The current scarcity of employment in South Africa has left people with no options but to partake in music piracy. Illiteracy, much as it spares music piracy as a large number of people are not able to operate the internet for illegal downloading of music, a certain percentage still turn to pirating music for sustenance. Also, a substantial number of illegal immigrants, seeking jobs in South Africa, add to the statistics of music infringement.

Keywords: perceptions, CD music piracy, internet music piracy, retail music piracy, music industry, South Africa, socio-economic

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ISINAMUVA LIYABUKWA

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World Intellectual Property Organization (WIPO) confirms that the selling of illegal physical music is a widespread aspect of music violation in Africa (WIPO, 2010: 8). Furthermore, the increasing usage of internet to illegally download music files aggravates the situation. As WIPO (2010: 8) contends, "Digitization of content and growing internet penetration has resulted in online piracy starting to become a much more serious threat than other forms of piracy in many developed markets". The International Intellectual Property Alliance (IIPA, 2007: 121) sees the increasing availability of broadband as expanding piracy even further. The prevalence of piracy is proving to be a global problem.

Piracy, which is perceived as "the duplication and/or distribution of copyright goods without license" (Chiang & Asanar, 2001: 2), takes place in different forms. Whereas others see it as a way of making quick money — after everything else has failed — others

CHAPTER 1: Introduction

1.1. INTRODUCTION

In June 2012, the Eshowe Crime Prevention Unit and Eshowe Crime Intelligence Unit in Kwa-Zulu Natal (KZN), South Africa, raided the residence of a 40 years old Congolese national who was under political asylum. The suspect was arrested for manufacturing, distributing and selling infringed copies of records (CD's and DVD's). Initial investigations indicated that the same suspect had previously been arrested on similar charges in April 2012 (RISA, 2012). Given the above mentioned anecdote, the prospects of music industry being a profitable enterprise are fading because of the prevalence of piracy. At another level, a survey on *Socioeconomic Dimension of the Unauthorized Use of Signals* by the World Intellectual Property Organization (WIPO) confirms that the selling of illegal physical music is a prevalent aspect of music violation in Africa (WIPO, 2010: 8). Furthermore, the increasing usage of internet to illegally download music files aggravates the situation. As WIPO (2010: 6) contends, "digitization of content and growing internet penetration has resulted in online piracy starting to become a much more serious threat than other forms of piracy in many developed markets". The International Intellectual Property Alliance (IIPA, 2007: 521) sees the increasing availability of broadband as spreading piracy even further. The prevalence of piracy is proving to be a global problem.

Piracy, which is perceived as "the duplication and/or distribution of copyright goods without license" (Chiang & Assane, 2002: 2), takes place in different forms. Whereas others see it as a way of making quick money — after everything else has failed — others

see it as a scourge that robs them of the fruits of their hard labour. For an unemployed person, piracy, albeit a risky business, is a somewhat easier way of making money. With access to sophisticated technology, several counterfeit goods could be manufactured and sold tax-free to the unsuspecting members of the public.

There are many perspectives from which to look at music piracy. In simpler terms, though, music piracy is the illegal replication and/or circulation of music. Similarly, Allen (2012: 1) sees music violation as “the illegal act of uploading or downloading digital sound or video without explicit permission from and compensation to the copyright holder”. Presently, pirating of music involves advanced devices which can be used to commit this act. These are mentioned in a definition by Steyn (2005: 78), who views piracy as an unlawful “duplication and/or distribution of music including downloading, file sharing, and CD-burning”. The development of technology has not only helped the spread of music piracy, but has also contributed to its new *modus operandi*. Nevertheless, it is unlawful to upload or download music without the consent of the copyrights owner.

Arguably, studies on the perceptions of music piracy are plentiful. By implication, strategies to combat it can benefit from persistency. Perceptions of music piracy will therefore be the subject matter in this proposed study. As expected, information emanating from this study will assist in the fight against music piracy in South Africa.

1.2. PROBLEM STATEMENT

Presently, many people sell counterfeit music products in South African streets, unrestricted. Unfortunately, this tendency is costing the music sector fortunes. It is

estimated that 20 billion songs were illegally downloaded in 2005 (Leung, 2012: 6). This is despite the fact that profits of the music industry's role players are not restricted only to their personal benefit, but are enjoyed through the entire value chain of the music industry. Suspiciously, these actors may not classify their acts as piracy. For most, piracy occurs somewhere in the dark alleys, and is perpetuated by the sometimes-unknowing vendors. Nonetheless, the result of music piracy violates the rights of legal music owners. It further substantially damages the wellbeing of the music industry and that of the socio-economy of South African households. Like in any profitable enterprise, for music sector to function well, the perceptions about its problems should be examined. The rights of music owners should be protected. People should be made to understand that it is illegal and immoral to infringe on copyright. There should be an on-going dialogue both at grass roots and in academe. The perceptions of music piracy, sparing no agency that may be implicated, should become topical. Currently, accumulation of the perceptions of piracy is heavily biased against the less sophisticated form, leaving the more erudite multinational companies scot-free. For this reason, incomplete accumulation of perceptions about music piracy could be lying as the root cause of a currently deteriorating South African music industry. To succeed in the fight against piracy, a holistic approach in collecting its perceptions is necessary. Without a holistic gathering of opinions when dealing with music piracy, the scourge will continue unabated, and the profits of the music sector will continue to diminish. This, unfortunately, means careers in the music enterprise will shrink, adding to the growing rate of unemployment in South Africa.

1.3. RATIONALE

Through reviewing of discussions on music piracy, one notices that many writers use a general approach when perceiving music piracy. However, a comprehensive perception, which takes into account all facets of the concept, is desirable. To achieve this, consideration of the location where piracy takes place could serve as a pointer. If one is aware of all contexts in which music piracy occurs, the information gathered therefrom is most likely to be more useful. It is expected that appreciating the result of this project, given its advocacy for a holistic approach, will result in greater investment in terms of time and resources to the question of music piracy. As intended, studies such as this one could be added to a collection of works meant for public awareness and also for reference purposes to emerging scholars. Having experienced the effect of piracy first hand as a musician, the need arose of wanting to contribute to finding a solution to the seeming unstoppable scourge of piracy. By providing a considered profile of the scourge, this study will contribute towards finding a solution. Discourse about music piracy will serve in academic forums.

1.4. AIMS AND OBJECTIVES

This study is concerned with South African perceptions of what constitutes music piracy. To this end, this research will capture and juxtapose perceptions emanating from target groups such as the vendors, who are the overt or personification of physical forms of music piracy in South Africa, the retailers, some of whom are alleged to run more sophisticated music piracy schemes and internet service providers, who deal with online music

distribution, some of whom are also allegedly implicated in the bigger scheme of music piracy.

The objectives of the study will be to:

- Capture the different perspectives of what constitutes piracy within the music industry, and how it differs from the generic notion of piracy
- Expose the identity and operations of music pirates
- Identify factors responsible for the perpetuation of piracy

1.5. GUIDING QUESTIONS

Below is a list of questions that will help in managing data collection:

- What is music piracy and how different is it from other forms of piracy?
- Who is a music pirate and how do they operate?
- What leads people to commit piracy?
- Whether those involved in piracy know it and therefore willingly collude in its perpetration?

It is hoped that at the end of this study, the *modus operandi* of music pirates will be analysed and documented to the benefit of policy makers and other stakeholders involved in fighting the scourge.

1.6. LITERATURE REVIEW

Literature deliberated in this study carries empirical views by authors whose researches inform, among other matters, various perceptions of music piracy; of which will be extensively dwelt into on chapter two. For the purpose of clarification, however, to this end the prevalence of music piracy in South Africa affects the music industry and its participants. Since this tendency has proven to be a threat to the South African economy, alternative efforts in solving the problem of piracy, such as gathering of the perceptions of music piracy; which is an attempt made in this study, seem suggestible. But then again, other than the efficiency of existing works, this study's review is also managed through engaging two components which are pre-reading and content analysis.

Pre-reading, entails several characteristics that specifically focus on this research's generic review. In other words, it aids topic clarification, theoretical framework and methodology, among other things. And, by engaging pre-reading, it is hoped that the articulation of this study's review will be enhanced. Similarly though, an enriched review ought to entail an informed context.

With regard to content analysis it is a component that should provide a scientific method of looking into this study's communiqué, through considerations of research objectives. Therefore, content analysis should support the opening of a systematic exploration that will allow an analytic discussion by scholars' contributions; relating to the perceptions of music piracy as it happens, among other economies, in South Africa. Moreover, through existing

body of literature, attempts to go deeper into core matters regarding the perceptions of music piracy will be made.

In the next chapter, with the assistance of content analyses, an intense discussion and critical analyses of literature based on the perceptions of music piracy takes place. Various informed perceptions of music piracy provide a clear cut on how the scourge is perceived. However, seemingly, these perceptions do not incorporate all forms of music violation as it happens in South Africa. Also, due to the persistence of piracy, implications could be that there are inadequacies as far as collecting of the perceptions of music violation; which could lead to failing to completely apprehend all its forms.

But firstly, pre-reading helps with deliberations on literature review regarding the effect of music piracy on socio-economy of the music sector, its participants and the South African economy. Meaning, the two aspects mentioned above are inseparable; which could suggest that, since music piracy poses a threat on both these aspects, it appears significant to divulge on issues around their relationship to music piracy. However, as it is important to consider a space where music piracy occurs, it also seems relevant to consider literature on methodology; which will also be skimmed in the next section.

1.7. RESEARCH DESIGN AND METHODOLOGY

Chapter three entails an extensive discussion on the design and methodology used for this study's data collection. In the list of matters that will be deliberated on are, a theoretical socio-economic which resulted as a framework employed to fashion this study's design. Thereafter, core issues that concern the South African socio-economic aspect in relation to

music piracy, takes place; for instance, the understanding of the socio-economic aspect. However, the socio-economic framework is decoupled for uncovering of gist issues that concern this survey's background. This is followed by the method used in carrying out data collection. As part of essential matters that form part of this section, a suitable data collection technique that conforms to the nature of this research is revealed. To validate a chosen data collection method though, an approach which consists of data collection, interviews, data collection instruments, data analysis, pilot testing, ethical considerations and limitations emerges.

1.7.1. Ethical consideration

“Ethics in research are guidelines that enable the researcher to ensure that all respondents participate voluntarily and are not harmed” (Wysociki, 2008: 228); According to Gray (2009:576), “Ethics in research are study standards of conduct and values and how they impact on the researcher and research subjects”. These definitions relate research morals to an approach that conforms to the practises of the people living around the study field, thus accommodating their philosophies and lifestyles. This study will therefore employ this ethics in reaching its objectives.

1.7.2. Anonymity

“A research project guarantees anonymity when the researcher and the people who read about the research cannot identify a given respondent” (Babbie, 2007:64). In other words, the investigator is affirmed not to give out respondents' names in the study. During the

carrying out of data collection for this study, identities of participants will be concealed by way of using pseudonyms.

1.7.3. Confidentiality

“The researcher must be prepared to protect respondents’ identity and any information that arises from their participation in the research” (Henn, 2008:85). This definition underpins a scholar’s defence over subjects’ identities and other materials that emerge during their involvement in the project. The above principles suits approaches intended in this study.

1.7.4. Deception

“Researchers may be dishonest about who they are and what they are doing, thus use deception in order to conduct their study” (Hesse-Biber & Leavy, 2006: 109). In other words, investigators are likely to use false identities and aims to achieve the purpose of their studies. Objectives of this project will be obtained through honesty towards the participants and provide them with information necessary for them to have knowledge about the study being conducted.

1.7.5. Voluntary participation

“It implies that people should never participate in a study unless they explicitly and freely agree to participate” (Neuman, 2011:135). Further explanation to this, is that it will entirely be the respondents’ choice to take part or not in a research. The investigator will therefore provide the respondents with information about the study’s advantages and disadvantages, if there are any, and what will be required for them to participate voluntarily.

1.7.6. Informed consent

“The researcher should obtain the necessary permission from the respondents after they were thoroughly and truthfully informed about the purpose of the interview and the investigation” (Welman *et al*, 2005:201). A scholar carrying out a study project must first get authority from participants once they are meticulously and honestly made aware of the measures to be applied in a study.

1.7.7. Validity and Reliability

“Validity is concerned with the notion of truth, how the findings of the research actually portray a true picture of what is being studied” (Browne, 2005:412). According to Leedy and Ormrod (2005:92), “validity is the extent to which the instrument measures what it is actually intended to measure”. In other words, the validity and reliability of data lies on the factual information collected from the study field. Therefore, this survey will apply validity notion to ensure whether the findings from the target group are valid.

“Reliability is the degree to which the research yields consistent results when the characteristics being measured have not changed” (Leedy & Ormrod, 2005:93); According to Browne (2002:410), reliability is whether another researcher, if repeating the research, using the same method for the same research on the same group would achieve the same results. For collection of reliable information from participants, this study will employ reliability technique.

1.7.8. Limitations

The researcher believes that should he have more time, he would be able to acquire more information on this project (the perceptions of music piracy), which after its' accomplishment, he would further contribute in finding solutions to the music piracy problem.

1.8. CONCLUSION

This chapter has detailed the significance of employing recording of the perceptions of music piracy as it occurs in South Africa. Attempts to validate this detailing are supported through a conical perspective of a problem, for precision. Among other issues is a scope of existing perceptions of music piracy. Because of the negative impact of music piracy on the South African music sector, a socio-economic aspect which is a framework in this project is, therefore affected. Consequently, carrying out of this study is expected to help in solving this problem. Also, gathering of the perceptions of music piracy would expand the existing knowledge of related studies for prospective scholars to benefit from. By implication, it will further assist in disseminating awareness against music piracy to the public; and thus pave a way for a desired socio-economic aspect of the South African music industry.

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CHAPTER TWO: Literature review

2.1. INTRODUCTION

This section is aimed at justifying the current research and reflects an understanding of prevalent arguments. Levy and Ellis (2006) opine that the purpose of literature review ought to clarify how the current study builds on, or draws from, already existing studies. Following this advice, reviewing literature served as a compass for this project and the approach used is in two stages: firstly, for any scholarly work, literature review on the technical aspects of conducting and writing up research is integral. The second step is divided into three themes that involve surveying studies carried out in the past few years about the subject matter. Whereas a global understanding is crucial, literature focusing on discussions that, among others economies, also includes South Africa has proved helpful in establishing the currency and the gaps of the topic; hence the rationale to conduct such a study. During the pre-reading stage of literature, it became apparent that the socio-economic aspects are central to a study dealing with piracy. Essentially, skimming through literature on, or about research, is imperative; hence my starting with the acknowledgement of such literature.

Pre-reading involves scanning of a text for main ideas. For example, it typically involves looking at headings, subheadings, chapter overviews, and conclusions (Nordquist, 2011). Rather than detailed 'content analysis' (Prasad, 2008), which entails a systematic exploration or analytic discussion by scholarly research contributions. In this instance,

however, pre-reading focuses on generic areas such as theoretical framework and methodology, and generally the framing of a research topic or problem.

2.2. PRE-READING BASED LITERATURE

This part of a discussion deals with the skimming of essential topics that reflect this study's background. Matters such as music industry's socio-economic and methodological aspects in relation to music piracy in South Africa, are of concern. An understanding of this discussion should clarify gist issues based on the above mentioned areas; thus shaping a way for a need of employing the accumulation of the perspectives of music piracy, which is the subject matter in this study.

2.2.1. Literature on the socio-economic impact of music piracy

In this section, pre-reading helped in skimming the socio-economic aspects, a framework of this study, in relation to music piracy. This is so because the socio-economic aspects cannot be divorced from the implications of piracy. In other words, a disturbance of these aspects by piracy, leads to a disturbance in the well-being of the artists, and by extension, the economic functioning of the South African music sector. An intensive discussion on matters that concerns South African socio-economy in relation to music piracy may therefore seem significant.

A study on *Piracy as Counter-Hegemony: a Cape Flats case study*, discusses how consumers in Hanover Park in the Cape Flats, South Africa, use piracy as resilience towards racial and class marginalisation. Also as part of a discussion, this paper further

deliberates on issues around the socio-economic impact of music piracy in that area (Bosch, 2010). Deriving from Bosch's findings, seemingly music piracy can be implemented as a tool in political tangles. One could predict undesired socio-economic outcomes from such a situation. Perhaps, this example could add on issues that may need addressing when engaging the perceptions of music piracy in South Africa.

In a different study, *Aspects of the South African Music Industry: An analytical perspective*, among the factors used in evaluating the impact of music industry global evolution, piracy emerges to be a challenge as far as the socio-economy of the South African music sector (de Villiers, 2006). Through surveys by Bosch and de Villiers, one could conclude that there is a selection of other areas that can gain assistance once perceptions of music piracy approach are engaged in finding a solution. This could further change the extent of the piracy threat in the South African music industry and its socio-economy.

Similarly, in a study called *Audiovisual Piracy, Informal Economy, and Cultural Globalization*, Mattelart (2012), with the help of literature produced by the main copyright-based industries which focuses more on the losses due to audiovisual piracy, builds an understanding of the social, economic, and political influences caused by this scourge. Among other aspects, it helped in explaining the prominence of pirated goods which are considerably cheap. Mattelart further points out that, in sub-Saharan African countries, these goods are more affordable for the consumers than the goods in the certified stores. This study seems to coincide with de Villiers' since both studies focus on the factors

associated with the socio-economic impact of music piracy. One could anticipate such developments when collecting the perceptions of music piracy in this study.

At another level, a report titled *Strengthening the Creative Industries for Development* by whom was prepared for reviewing an assessment policy of the status of creative industries in Zambia. South Africa is also reviewed. Regarding the current study, this review is relevant because it also affords critical points; such as the significance of the involvement of governments in addressing music industries' piracy problems in their countries and how government's participation in solving such issues has an effect in the growth of the countries' socio-economy (UNCTAD, 2009). Meaning, challenges facing music industries ought to be intervened by governments. Such an exercise could be helpful in avoiding unfortunate situations such as unemployment; which according to findings by Gomes *et al* (2013) in a study titled "*Determinants of Worldwide Software Piracy Losses*", is responsible for people stealing music. This would provide the music fraternity with a grasp to restore its socio-economic aspect. However, observing the perceptions of music fraudulence appears to reflect other issues about music piracy; this could be useful in assessing developing topics, such as those pertaining to policies. Also, this practise might hasten processes for a quick realisation of progress in South African music milieu.

Seemingly, a study on *Cultural Industries Arts, Culture and Creative Arts First Paper: Towards an understanding of the current nature and scope of the Creative Industries in the Western Cape* responds to the outcry for the involvement of governments on creative industries issues, such as music piracy. This paper states that, the South Africa's

Department of Arts, Culture, Science and Technology's growth strategy assisted the Western Cape Province in attaining an overall best performance as far as good markets in arts, among other fields which are mentioned in this paper (Van Graan, 2010). An achievement by the Western Cape Province could reflect a success in the containment of piracy. For us to disseminate the restraint of music violation, understanding its perceptions seems extremely important.

Music industry is an essential aspect of all other cultural industries that use music for any purpose, such as a compulsory musical opening of an opera, commercial jingles and the acceleration of identities for corporate brands (Ambert, 2003). Ambert affords us these examples as evidence of the important roles played by the music industry in ensuring a desirable socio-economic factor. And further discusses the impact of the trends affecting this sector.

Besides, due to transformation, many people no longer depend on land resources for survival, but instead, equip themselves with knowledge for economic stability. A study on *Intellectual Property, Education and Access to Knowledge in Southern Africa* entails perceptions about the socio-economic; and further states that, currently, societies of the developing economies are battling with daily challenges of education and literacy, while their governments are struggling to balance the scarce resources and people's massive needs (Kawooya *et al*, 2006). This is to say, societies in environments such as South Africa, for example, are pressed in bringing the strength to the country's socio-economic. This statement should be exerting the emphasis of the importance of maintaining a healthy

socio-economic aspect. Perhaps, what could be creating the difference is that, “producers of knowledge goods, heretofore located in the north, are increasingly global in scope; exporting, with their expansion, an intellectual property rights (IPR) regime that poses current and potential deterrents to learning” (Kawooya *et al*, 2006). Therefore, for us to achieve a stable music milieu we have to address issues that are associated with the socio-economic factor by engaging all fronts.

Therein lays my contention that, although attempts have been made in solving the problem of piracy, the perceptions which could afford answers to all these factors, seems to be missing. Perhaps, employing such an approach in solving the problem of music piracy could yield the desired socio-economic benefit to the South African economy.

2.2.2. Problems in methodologies related to music piracy research

This section discusses issues around methodologies that are employed in conducting research related to music piracy in South Africa. It appears in the skimming of this literature review that, research approaches could lead to obtaining of wrong information in research. This means, methodologies that are moot to socio-economic factors could result in a misdiagnosis of the reasons and the socio-economic impact of the scourge that is music piracy. For instance, foreign-sourced methods insensible to the indigenous dynamic of music piracy can be problematic. The Joffe and Newton report (2008) bemoans the disadvantages of engaging external approaches in solving music piracy problems in Africa. Joffe and Newton (2008) are of the opinion that, “there is no common methodology for data collection on the African continent making comparability extremely difficult” (44). Wrong

data about music piracy could lead to a continuous application of incorrect methods in a fight against music violation. Similarly, with regard to this study, foreign methodologies could influence the gathering of data and the findings, which could in turn lead to the perceptions of music piracy that do not precisely reflect the actual setting of a study site.

For better clarity, more perspectives from African oriented research seem to identify details caused by the application of inappropriate techniques in African scholarship.

Similar to Joffe and Newton, research on the African continent is strongly influenced by Western ways of conducting studies; unfortunately this may create an interruption between scholars and a field of study. It may isolate scholars from the actual environment which they are studying (Wedgwood and Hammett, 2005). In other ways, a continuation in applying foreign methodologies in African based research might result in misinterpreting of findings; which would further hinder progress made in developing critical aspects such as socio-economy.

However, the problem of methodologies appears to have caught the attention of particular practitioners whose scholarship, among other matters, critically analyses the behaviour of applied methods in African oriented studies. They have identified and hypothesized whilst posing positive criticisms there against. For instance, (Mapaya, 2013: 44) warns that “ardent Afrocentrists caution against embarking on research with a preconceived research design”. Put simply, Mapaya advises that, experts who are devoted in African scholarship warn about carrying out research that entails bias methodology.

Additionally, Mkabela (2005) seems to respond to Mapaya's caution by suggesting a solution to the alleged predicament of methodologies associated with research in Africa. Mkabela starts by first tapping on the content pertaining issues that are connected to methodologies subject matter. Among the debated issues, according to his paper, facts and dynamics facing researchers conducting research in indigenous African culture are highlighted. Also, the cultural aspirations, understandings and practices of African indigenous people that should position researchers to implementing and organising the research process are endeavoured. This is to say, conducting research ought to strictly entirely adhere to correct procedures of the site where a research is conducted. And should this not be the case, problems such as stopping music piracy, which would result in an unhealthy socio-economy, might be a resultant.

Furthermore, among other emerging discussions on issues pertinent to methodologies, Owusu-Ansah (2013) emphasises the significance of employing indigenous knowledge, such as the Afrocentric concept in carrying out African oriented research. According to Owusu-Ansah, this practise is necessary because it values and includes indigenous knowledge and people. Both Owusu-Ansah and Mkabela above, consider the Afrocentric paradigm as a solution that can address whilst performing justice to African oriented research. However, fetching a different viewpoint, this paper posits that, "to be meaningful and empowering, African-based research must of necessity, include African thought and ideas from inception through completion to the implementation of policies arising from the research" (p1). Based on the literature pertaining methodologies, a role of Afrocentric

concept as postulated in preceding studies seemingly prompts one to look into matters concerning policies that administer the music sector.

2.2.3. Discussing policies in relation to music piracy

It appears from the scanning of literature that, seemingly, policies which are applied in administering of music industries could be an indirect source that helps to reinforce inappropriate research approaches which could lead to invalid diagnosis of the music piracy problem.

One of the existing situations that might lead to possible questioning of policies in relation to the application of methodologies in music industries research is in Uganda. An African Copyright and Access to Knowledge (ACA2K) paper titled *Country Report Uganda*, states that, like any other economy in Africa, Uganda operates under a foreign Copyright Act; and that the majority of people in Uganda, particularly in rural areas, do not acknowledge copyrights (Kawooya *et.al*, 2009). The above statement by Kawooya *et al* looks to afford about one of many, if not all African economies that may be operating under a Copyright Act similar to that one in Uganda. This report further states that, a repealed 1964 Copyright Act which was implemented by a music industry in Uganda since 1953 was never revised, even though a 1911 Copyright Act of British tradition from which it was derived had seen many amendments since its launch. In other words, because of a policy that is inappropriate to current music industry conditions and site, techniques that are used in research such as music piracy in Uganda inevitably stand to become ineffective. To this end “this environment of external pressure coupled with some internal demands from

recording/performing artists, create a certain kind of policymaking” (Kawooya *et al*, 2009: 11) in African countries. A 2006 Copyright Act that is currently in use, because of its limited focus on teaching and education, will have potentially serious consequences for education and research (Kawooya *et al*, 2009).

The results of the situations such as that of Uganda could be caused by policies that are doctrine to be embraced by all nations, irrespective of the oddity of the implemented policy. Perhaps as Story (2003) in a study titled *Study on Intellectual Property Rights, the Internet, and Copyright* perceives it, that, regardless of the circumstances, policy makers expect that policy is to be adhered to by all the countries and that viewing of a policy by these countries is supposed to be perceived as “unquestionably fair and a good thing”(p15). Such an approach in implementing of a policy unfortunately stands to misguide critical methods in administering a music industry and collecting of information. One sees an “attempt to put in place an inflexible ‘one size fits all’ regime for the encouragement, protection, and use of such expressions is an extremely fraught policy-making exercise” (Story, 2003: 15). In other ways, for policy makers to put in place a doctrine whose outcomes are not universally uniform when carrying out research seems flawed. The effect of the precision of policy and how it is applied could extend in the correct channeling of music piracy studies. “Rather than as a unified entity, piracy should be seen as a heterogeneous whole, where diverse agents with different objectives intervene, on a variety of fields, and where amateur practices coexist with small or medium-sized businesses, be they local or national, and transnational counterfeiting industries” (Mattelart, 2012:736). Therefore, perceiving piracy through a diversified perspective could ensure desirable results in research. It could ensure

positive perceptions of music piracy in South Africa, and could further help in research methodologies in general. This approach stands to safeguard that at the end, we reach unbiased results in research.

Also, a report titled *The Internet and South African Music* by Green (2012) talks about

However, in order to obtain accurate results, discourses among informed communities in addressing matters concerning the issues surrounding policy seem significant. Scholars such as Dordi (2008) in a study titled, *Impact of Counterfeiting on International Trade* investigates the chief legal and policy matters regarding the discussions that are presently going on pertaining “Anti-counterfeit Trade Agreement” (ACTA). Also in this paper an analysis of counterfeit issues concerning the crucial international agreements (TRIPs/WTO and WIPO), as a resultant of the improvements brought by ACTA are deliberated. Through the magnitude of matters that emerge in this literature, apparently, issues associated with policy deserve prioritising.

From the same viewpoint concerning matters of policy, Nkala (2012), in a study titled *Towards a Model for Digital Distribution and Value Capture in the South African music industry*, contributes towards issues of policy. In his study, Nkala also talks about reviewing of policies that are implemented in music sector related matters. He opines that, for developing countries to reach desired economic status in the music industry, they need to get rid of “reinforcing existing inefficient monopolies or oligopolistic systems that fail to deliver the required results” (44); and that, “these policies need to take into account contextual cultural, business and societal factors”(44). A perception on policies from Nkala’s statement seems to coincide with the report by Kawooya *et.al* on Uganda. This

exercise could be of great significance in profiling of accurate perceptions of music piracy in South Africa.

Also, a report titled *The Internet and South African Music* by Green (2012) talks about matters surrounding policies. It states that, globalisation is one of the ways to escalate an environment whereby ‘the rich get richer and the poor get poorer’. It adds that, this is because, through globalisation, “developing countries have been unable to take advantage of the global exchange and trade of cultural goods due to structural adjustment policies imposed by the International Monetary Fund and the World Bank” (Green, 2012: 20). Put differently, trading in cultural goods such as music is unattainable by developing countries since they are monopolised by the already rich economies to favour them, through initiatives such as globalisation. Based on a statement by Green, also in research on music piracy, policies could be adjusted to be in favour of a certain class of the world society. This perception could contribute to alerting of unforeseen issues when carrying out studies on the perceptions of music piracy in South Africa.

Before, engaging into discussions that deal in policy matters, apparently, one needs to have an informed understanding about all the factors entailed in the subject. A study by Teljeur (2003) titled *An Economic Review of Policy and Intellectual Impact* talks about property rights as the focus of numerous policy debates that are presently taking place, both nationally and internationally. Music piracy form part of these debates. Teljeur states that, a detailed understanding of the “pros and cons” is crucial before one embarks on debates that concern policy issues. According to IPRs, this “is the first step toward a comprehensive

economic review of the intellectual property regime in South Africa, and is aimed at reintroducing economics into the intellectual property debate and evaluating the appropriateness of South Africa's laws for its stage of development and economic policy framework" (p3). One could conclude that, this practise should re-enforce the stability of *those who seek answers in connection with pivotal aspects such as policy*. Similarly, although there is a difference in titles, this study also advocates for comprehensiveness in finding answers to the perceptions of music in South Africa.

2.3. CONTENT-BASED LITERATURE REVIEW

This section discusses the literature specific to a selection of perceptions of music piracy. In order to obtain the most probable perceptions regarding music counterfeit one should be mindful of sites where music piracy occurs. This is because, "research projects that are community embedded have to be pliable so that they do not appear to be oblivious of the climate within which they occur" (Mapaya, 2013: 63). How do vendors define piracy? Are their perceptions consistent with those of retailers or those who run internet platforms? Preliminary research points to the blanketing of perceptions irrespective of whether such are advanced by vendor or retailer sourced research. Yet these two constituencies, because of their different motivations, may arrive at deferring perceptions. Put in the mix could be definitions by authors focusing purely on internet bound music piracy.

By implication, the emergence of the digital era has popularised the internet bound music piracy. Seemingly, as proof of its perpetuation, moreover, this form of music counterfeit has seen several authors opting to carry out studies in this discipline. With it, however, also

comes a negative effect that deteriorates the socio-economic aspect of the stakeholders of the South African music sector. Probably, because of the speediness at which it processes the information of music file, piracy committers find it convenient as this could mean quick cash for their illegal business. Apparently, it has overshadowed other forms of music piracy, such as CD and retail music infringing. As Nkala (2012) puts it, “the major economic factor from the physical channel no longer exists in the digital chain”. Could it be that, physical and retail piracy are losing the spotlight on the bases that they are the most curbed or, is it that, since the literate class is mainly exposed to online networking; it is thus assumed that digital music piracy is the most perpetuated form?

Additionally, there are currently ways to measure customer’s perceptions or behaviour in relation to online music world. For instance, a Technology Adoption Model consists of scopes through which an individual person’s adoptions conduct: i) “perceived usefulness, which is the degree to which the person believes that a particular system enhances his or her job performance and ii) perceived ease of which is the degree to which a person believes that the technology or system is full of efforts” (Nkala, 2012: 30). Through such developments the scope of effectiveness seems to be a one sided. Perhaps, also considering a space where piracy takes place may stimulate dedications to develop models that deal on the perceptions of other forms of piracy. This approach could completely apprehend the problem of a scourge.

2.3.1. Documented perceptions of music piracy

On the face of it, physical music piracy involves offenders selling counterfeit CD/DVD thereby stealing from copyright owners. According to Assenova (2007), physical piracy is the selling of music written on CDs and other movable devices such as USBs in breach of owner's copyright. In the study of *The Persistence of Piracy: The Consequences for Creativity, for Culture, and for Sustenance Development*, Panethiere (2005) refers to music piracy committed on the street as "the piracy of recorded music embodied in physical carriers - primarily of CD's, but also in many territories of cassettes" (p3). The above-stated examples of perceptions, and indeed many other in this category, point primarily to the activities of vendors or unassuming individuals while ignoring the high quality copyright infringer who are often the retailers.

The forgoing narrow perceptions, however, do not seem to escape the scrutiny of the Institute for Policy Innovation (IPI). In a 2007 report titled *The True Cost of Sound Recording Piracy to the US Economy*, which also mentions the South African case, the IPI states that, physical piracy implies mass-produced pirated or copied CDs and music video DVDs (Siwek, 2007:4). This perception, the examples cited above, begins to take into consideration the involvement of retailers because of its particularity on the mass production aspect of the practice. Nevertheless, the term retail does not only refer to products in physical form; such as shared as CDs, DVDs and other objects that store music Zentner (2006), but also digital online based retail stores; which according to Bounagui and Nel (2009), in a study "Towards understanding intention to purchase online music

downloads”, need to be made more easy to operate due to a fast gain in popularity by these stores.

To date, internet bound piracy emerges as the most prevalent form of copyright infringement. In their study titled *Determinants of Digital Piracy among Youth in South Africa* Van Belle *et al.* (2007) see internet piracy as “the illegal act of copying digital goods - software, digital documents, digital audio (including music and voice) and digital video – for any reason other than backup without explicit permission from and compensation to the copyright holder” (47). Van Belle *et al.* (2007) have tapped into internet bound piracy. This observation is consistent with Steyn’s (2005), Tade and Akinleye’s (2012) which aggregate online piracy as the act of stealing digital goods, software, digital connections, digital audio (music and voice), and digital video without paying or permission of the copyright holder.

Perhaps, as another proof that online piracy is indeed prevalent, is among the findings in a research by de Velliers (2006) who opines that, internet piracy can also be viewed as the illegal uploading and downloading of sound whether for commercial gain or not, comprising other related technology structures. Alternatively, piracy is the unlawful internet uploading or downloading of audio including other linked technological features. To this end, it seems clear from the literature that internet music piracy gains more attention in studies that relate to this study. But, a complete profiling of the perceptions of music piracy could open more fields of research that address the problem.

According to Lionetti and Patuelli (2010) in a study titled *Trading Cultural Goods in the Era of Digital Piracy*, for example, bemoan that, “there is no specific legal definition of digital piracy, which would be more accurately described as digital infringement of copyright. This implies the disembodied and non-physical nature of digital products. The lack of common definition is reflected in the treatment of copyright infringement in different jurisdictions, which at varying degrees provide exceptions to the rights of the copyright owner” Lionetti and Patuelli (2010:3). Alternatively, the difference in how the preceding authors perceive music seems to create gaps that appear to favor certain copyright owners. If this statement stands to be true, therefore, in order to grasp common perceptions of music piracy requires different techniques in dealing with the subject matter; such as employing a strategy that incorporates the perceptions of all the forms.

It is clear from a sample of perceptions that there seems to be some level of exclusivity when perceiving piracy. Those who function in the physical domain seem to neglect the newer cyber net forms and vice versa.

2.4. CONCLUSION

Through the help of this literature review, gaps were identified pertaining issues that link to music piracy; which ultimately determined whether there is indeed a need for considering the perceptions of music piracy in the South African context. Three areas: policies, methodologies, and current perceptions of music piracy, were identified as playing part in determining the strength of socio-economy of the South African music industry. Seemingly, a policy that administers the South African music industry emerges as an old

reinforced mechanism which to a certain degree, influences methodologies/designs of South African oriented research, for example. Through such a mechanism, methodologies therefore, remain an existing tool that upholds the legacy of a policy that possibly misguides African oriented studies from gathering of correct data. On the other hand, current perceptions of music piracy appear to exclude other forms of music piracy. When combined, the above mentioned issues appear to disturb progress of the African orientated scholarship. It is on such grounds that there could be a high significance for considering a comprehensive compiling of the perceptions of music piracy, as it happens in South Africa, to exhaust all hidden issues emanating from the music piracy problem.

3.2. THEORETICAL FRAMEWORK

The theoretical socio-economic framework (Giddens, 1998; Jansen, 2006) is used for this study. A socio-economic framework refers to the analysis of a relationship between the economic aspect and human activities (Kreiser, 2005). It is a viewpoint of a connection between the economic and the social aspect. Simply, the socio-economic framework seeks to find out how the economic and the social aspect are interrelated. It questions the linkages created by the music sector in developing the socio-economic aspect (Ambert, 2003). Missing a role played by the music sector in shaping the socio-economic factor is examined by this framework. Its relevance to this study draws from its ability to create a

CHAPTER THREE: Methodology and design

3.1. INTRODUCTION

In the previous chapter, matters that concern methodologies were extensively discussed. Issues such as the tendency of research methods to influence studies formed part of the deliberation. Although mindful of such influences, this study however, upholds the methodology as per its scope. Johannesburg as a seat of the music industry in South Africa was chosen as this study's research field. Furthermore, this chapter entails an extensive discussion on the framework of the project. A normative procedure of the qualitative approach was employed. However, because of the figures which appeared in this study, a minimal quantitative technique was also included. Tools that were involved during data collection are also discussed in this chapter. In all, this chapter is divided into two main sections: framework and research design. Finally, the chapter ends with a conclusion.

3.2. THEORETICAL FRAMEWORK

The theoretical socio-economic framework (Gulati, 1998; Jeong, 2006) is used for this study. A socio-economic framework refers to the analysis of a relationship between the economic aspect and human activities (Keizer, 2005). It is a viewpoint of a connection between the economic and the social aspect. Simply, the socio-economic framework seeks to find out how the economic and the social aspect are interrelated. It questions the linkages created by the music sector in developing the socio-economic aspect (Ambert, 2003). Meaning, a role played by the music sector in shaping the socio-economic factor is examined by this framework. Its relevance to this study draws from its ability to create a

standpoint insofar as understanding music piracy in relation to the music industry. This would then allow for precise perceptions of three forms of music piracy in South Africa. For a better clarity though, it seems significant to decouple and briefly discuss the socio-economic aspect.

3.2.1. Understanding the economic element of music piracy

Hypothetically, the economic aspect is concerned with day-to-day needs of people (Poort *et al*, 2010; Pope, 1999). It speaks to the basic needs like, food, shelter and clothing and the ability to procure those, for example. People are constantly in the economic mode as they survive. At a grander stage, the wellbeing of a country's economy depends on a balancing act of supply and demand. Industries, including the music sector, because of their capacity to generate profit, actively partake in this economic milieu. They create revenue through employment, which leads to the production and selling of music products. Likewise, these employments become augmented through extended assistance to other industries (Ambert, 2003). In other ways, the music fraternity helps in creating jobs through assisting other industries. For no-cultural industries for instance, music directly assists in leisure and retail industries by enhancing the environment of these businesses set-up (Ambert, 2003). Music helps in attracting or accompanying customers while they do shopping or relaxing at hotels. In this instance, to a certain degree, music assists such industries to generate profit. But due to prevalence of piracy, this sector is losing revenue and as a result, the music fraternity is suffering (Morton and Koufteros, 2008), and this affects the country's growth domestic product (GDP). Also, piracy suppresses the developments intended to assist in providing for

civilians that are linked to the music sector; such as musicians, the music sector marketing personnel and their families. Addressing music piracy could benefit from appreciation of the economic variable affecting both the industry and country. It could help in re-establishing the industry and the country's economic strength. In other words, a proper profiling of this scourge should make economic sense.

3.2.2. Understanding the social aspect of music piracy

Besides the economic element, the social aspect (Gianluca, 2012; Thurasamy *et al*, 2003) is equally crucial. A number of reasons responsible for the consumers' attitudes towards the illegal selling of music exist. Amongst these, ethics, gender and personal income of the perpetrator to establish social patterns could be interrogated. Gopal, *et al* (2004) enlists the *ethical behaviour model* to understand the scourge. Coupled with an understanding of the economic element, the social-economic approach leads to recording of the perceptions of the problem for a better understanding.

For creating a clarification as to why gathering of the perceptions of music piracy is important, it seems important to seek insight into each component that comprises the social aspect in relation to music piracy in this project.

3.2.3. Perceptions of ethics in relation to music piracy

This section discusses perceptions of ethics in relation to music piracy. The term *ethics* derives from the Greek word *ethos*, meaning "character" (Drevdahl *et al.*, 2001). Therefore, in this instance, ethics refers to the character of individuals towards pirating of music.

Characteristics in music violation should explain what instigates the individuals' attitude to partake in music piracy.

A study titled *Determinants of Digital Piracy among Youth in South Africa*'s findings on a research comparison between practitioners and students show that, students are generally ethically lenient in infringing music compared to practitioners. These findings further indicate that undergraduates are proven to be ethically lenient compared to postgraduates (Van Belle *et.al*, 2007: 49). Seemingly, issues around digital piracy as postulated by Van Belle *et.al*, prove to call for a solution. However, a study by Van Belle *et.al*, minding that it can be of substantial use in documenting material for further research, it focuses only on one discipline of music piracy. Gathering of the complete ethical perspectives of music piracy in general could be meaningful.

Can We Help Information Systems Students Improve Their Ethical Decision Making? This is a study which evaluates a difference of music theft, among other things, between Information System students who take ethics classes and the ones who do not (Theda & Ahyick, 2010). Perhaps, educating people about ethical behaviour towards music stealing as indicated in a paper by Theda and Ahyick could minimise the effects of this scourge. Coupled with a comprehensive compiling of the perceptions of music piracy, one could predict that the problem of piracy may be eliminated.

On the other hand, *Ethical Issues in the Music Industry Response to Innovation and Piracy* is a study concerning emerging conflicts between music industries and their customers. In the midst of issues that are tackled in this paper, ethical issues which are transpiring from

various industries are observed (Easley, 2005). Researching on ethics in relation to music piracy as practised by Easley, is one of the ways undertaken in attempting to curb music crime.

3.2.4. Perceptions of gender in relation to music piracy

Gender, as highlighted earlier, is part of a social characteristic, whereas a social characteristic is a portion of the socio-economy component. This section therefore, attempts to create a profound understanding of the social part of the socio-economic aspect in relation to music piracy.

For example, van der Byl and Van Belle (2008), on a study titled Factors Influencing South African Attitudes toward Digital Piracy postulate that, out of all theories showing the individuals attitude towards digital piracy, in which music is also included, gender was found not having any influence. Meaning, according to findings by van der Byl and Van Belle, gender does not have any impact in music infringing by individuals.

Similarly, a survey on the *Impact of Gender and Opportunity Recognition on Attitude to Piracy of Computer Industry Products*, discusses the influences of software piracy, in which is implicated to assist in perpetuation of music piracy. Its results however, indicate that, gender is not found to be having any significant effect on attitudes towards software piracy (Okurame & Ogunfowora, 2011). Coinciding findings by both studies above could indicate that, generally, gender does not affect individuals' attitudes toward music violation. This could indicate that, at least there is relief as far as gender's connection to music infringing. However, these facts could purely be showing a portion of issues that relate to music

violation; whereas a holistic profiling of music piracy could solve the problem of piracy in general.

3.2.5. Personal income in relation to music piracy

Personal income is one of the aspects that are believed to be stimulating music violation. This section therefore tries to instigate the understanding of this feature.

Understanding the impact of income in relation to music piracy could help in bringing closer issues that seem difficult to solve. Such as enabling us to comprehend the difference in music counterfeit consumption across economies (Olsen, 2005). This comprehension as detected by Olsen could be significant in solving particular areas of music piracy. With the involvement of a complete compiling of this scourge, a greater scope of the problem of piracy could be dealt with.

In other instances a level of income can result in political tangles as a strategy used by affected members of the public to be heard; with music infringing taking place in the process. An example of such is set on a low income neighbourhood of Hanover Park, Cape Flats in South Africa (Bosch, 2010). Here, Bosch explored this neighbourhood's practice and their perceptions of consumption of music infringing in which they partake. The exploration by Bosch proves an extent in which a social element in relation to music piracy can reach. This investigation by Bosch could be a critical diagnosis. And such findings could be helpful in obtaining a comprehensive compiling of music piracy such as documenting of its perceptions; by which, a solution to a music piracy problem could be realized.

3.3. METHODOLOGY

In order to achieve a holistic perception of music piracy, which constitutes the aim of this study, Johannesburg, as a seat of music industry in South Africa, is chosen for conducting this survey. It is in these kinds of environments where pirated music trade prevails, unabated. The pervasiveness of music piracy in this situation constitutes a socio-economic dynamic setting that warrants an analysis. At the authors' disposal are both qualitative and quantitative data to contend with.

Zhang and Wildemuth (2009: 1) define qualitative content analysis as “any qualitative data reduction and sense making-effort that takes volume of qualitative material and attempts to identify core consistencies and meaning”. From the above definition, data pertinent to the perceptions of music violation gathered along the prescribed aims of this study assisted in solving the problem of music piracy. The research orientation was therefore, largely qualitative. Notwithstanding a definition which see research design as a plan or structured framework of how one intends conducting the research process in order to solve a research problem (Richardson, 2007: 9). This study followed the normative processes of data collection through various means, including interviews, journal keeping, observations and any other method that emerged in the field. For analysis, textual data was transcribed and analysed using text analysis. Media theorist McKee states that, “[t]extual analysis is a methodology- a data- gathering process- for those researchers who want to understand the ways in which members of various cultures and subcultures make sense of who they are, and how they fit into the world in which they live in”(as cited in Bouy, 2012:8). In relation

to the above definition, this study amongst other things carried out a critical analysis of textual data which was collected during interaction with the participants. Also, this extensively helped in uncovering the *modus operandi* of music piracy and other attendant aspects related to the three elements that comprise this study. Numbers/figures featured in some aspects of analysis. This implied the employment of minimal quantitative analysis strategies. Specifically the methodology entailed data capturing using:

3.3.1. Data collection

According to Juma (2011), “[i]nterview is a two way conversation in which the interviewer asks the questions to collect data and learn about ideas, beliefs, views, opinions and behaviour of the respondents”(65). This understanding of the processes involved in interviews informed how this study would utilise the interview method as one of its main data collection strategies. The preferred method was non-scheduled interviews. It is because this kind of method makes the participants at ease when voicing their opinions (Gehring, 2010). An interview of this nature encouraged participants to engage without preparation. Gehring’s theory is proved to be true because this approach covered a broad perspective of music piracy from the respondents and thus assisted in gathering of its holistic perceptions. Furthermore, a random process of interviewing or what is commonly known as unstructured interviews was preferred in this regard. This kind of interview is defined as interviews in which neither the question nor the answer categories are predetermined. Instead, these interviews rely on social interaction between the researcher

and the informant (Zhang and Wildemuth, 2009). Zhang and Wildemuth relate this technique to the disciplines of anthropology and sociology.

3.3.2. Data collection instruments

Data collection instruments refer to tools employed in collecting information required to carry out a study (Mbambo, 2009: 41); Data collection instruments refers to the utensils which are used to capture research findings. For the purpose of this study, the following technological devices were of use.

- Mini disc recorder to record the interviews
- Camera, where permissible to record interviews

It was envisaged that, the selected tools would help in gathering the perspectives and other generic information that would reflect a true image of the study field.

3.3.3. Scope

Key to the many questions that were asked was the quest to cover enough respondents both in terms of numbers and as per the three strands. The study interviewed not less than three street vendors, music retailers and internet service providers:

- Street vendors: The focus was on vendors who depend on the sales of pirated music CD's and DVD in the streets of Johannesburg. This sector forms a big number of perpetrators of music piracy. For an example, they sell these products at

- taxi ranks, on pavements and just about anywhere in the city; in short, they are the most visible pirates.
- Music retailers: Since retailers keep music products in big stocks, some are alleged to run covert manufacturing plants in the backyard of their premises. One can assume that these retailers have connections with the vendors.
- Internet service providers: Immediately an album is released, it appears on several cyber-stores. In this medium one can either download an mp 3 version or order a physical CD, which will be delivered by mail. Assuming that the physical copies are solicited from credible sources, the challenge becomes magnified by downloads that are illegally available. It is important then to understand the concept of piracy at this level.

For further clarifications on this investigation, an illustration showing the deriving of the formula from which the South African music sector pertains helped. According to Joffe and Newton (2007: 44), three unique components form the music value chain:-

- The recording sector, which concerns the production and consumption of tangible music products such as CD's, cassette tapes, music videos and internet downloads.
- The performance sector, which focuses on live performances which is the principal means of income generation for musicians in South Africa and the rest of the continent.

- The multidisciplinary sector, where music is a component of a product of performance such as audio-visual material film, theatre-performance, commercials and tourism.

This dissection of the industry into its components gave a clear insight as to which aspects of this sector are mostly affected by piracy.

3.3.4. Data analysis

To carry out the analysis of data, this study employed text analysis. In his definition, McKee (2003) explains textual analysis as “a way for researchers to gather information about how other human beings make sense of the world”. He further states, “ [w]hen we perform textual analysis on a text, we make an educated guess at some of the most likely interpretations that might be made of that text” (McKee, 2003:1). Textual analysis enables researchers to make informed findings about peoples’ perceptions towards social events; also, through scholarly understanding, clarifications on research data can be made. Therefore, textual analysis ascertained a correct prescription in analysing data pertinent to this study and how music crime participants perceive music piracy.

3.3.5. Pilot testing

“Pilot testing involves developing one or more draft or preliminary version of a measure and try them before applying the final version in the hypothesis testing situation” (Neuman, 2011:191). According to Kumar (2005:10), a small scale study is undertaken to decide if it is worth carrying out a detailed investigation on the basis of the assessment made during

the exploration study. Verifying the importance of a research by first sampling data, helps in deciding whether the project is valuable; this method therefore assisted in collecting samples from at least one participant from each stage of the targeted group.

3.4. 3.4 CONCLUSION

The chapter dealt on the empirical information which justified the importance of carrying out this study, i.e., research design, framework, sampling approach, data collection method and instrument and analysis. Data collection for this study was conducted in Johannesburg Central Business District (CBD) in Gauteng province, South Africa. It targeted music piracy committers who operate in the city's streets, outlets, internet cafes.

Chapter four of this study will present research findings, analysis and interpretations with regard to the interviewing of the participants. The findings to the perceptions of music piracy pertaining three categories, i.e., CD/physical music piracy, retail music piracy and internet music piracy, will be presented, analysed and discussed.

CHAPTER FOUR: Presentation, Analysis and Discussion

4.1. INTRODUCTION

The purpose of this chapter is to present, analyse and discuss the findings in reference to the perceptions of participants towards music piracy. The purpose of this exercise was to establish the South African context of the perceptions about the scourge, in regard to Johannesburg as the study field. Gathering of the findings was carried out through interviewing the participants. Participants that were interviewed consisted of a focus group which was divided into three categories: 1. Participants who sell pirated music CD's and DVD's in the streets. 2. Participants who operate music outlets and, through my interaction with them, it appeared that some of them also sold pirated music products. 3. And participants who operated internet, as internet is highly implicated for perpetuation of music piracy.

4.1. RESEARCH FINDINGS, ANALYSIS AND DISCUSSION

Generally, nine (9) unstructured interviews with the participants who sell pirated music. CD's and DVD's in the streets, participants who operate music outlets and participants who operated internet cafés, as internet is highly implicated for perpetuation of music piracy were conducted in the central business district (CBD) of Johannesburg, South Africa. Data was collected on the 5th April 2014 (CD piracy); 6th April 2014 (retail piracy) and 7th April 2014 (internet music piracy). An unstructured interview had five questions:

- What is music piracy and how different is it from other forms of piracy?

- Who is a music pirate and how do they operate?
- What leads people to commit piracy?
- Whether those involved in piracy know it and therefore willingly collude in its perpetration?

But because of the nature in how these questions are posed, it seemed separating them into modes of seven could create more clarity.

Findings that were derived from a focus group were expected to contribute to the existing studies of music piracy. As a result, this exercise could further bring us closer to remedying the piracy problem.

Participants' actual names were withheld for the sake of anonymity. Instead, I used stage names. Also, it would appear that in the main content of this chapter, I attempt discussing in detail about my experience in the study field. This exercise should reflect a clear picture about all the factors that constitute music piracy. Specifically, it helped in assessing the study field and the behaviour of the participants.

4.2. GENERAL BIOGRAPHICAL INFORMATION

Under biographical information, gender and age of the participants (music pirates) were presented and analysed. A reason for assessing the age was because it seemed necessary to find out which age group is likely to commit music piracy in South Africa. The motive for evaluating the gender was to establish which gender is more associated with music counterfeit in South Africa.

4.2.1. Gender

Out of the nine (9) participants who were interviewed, eight (8) of them consisted of males. And only one (1) was female. Analytically, this finding differs from van der Byl and Van Belle (2008) because their findings state that gender does not have any influence on the prevalence of music piracy in South Africa. According to data collected in this study, males appear to be dominant in pirating of music. Perhaps, the responsibilities for men to provide for their families in terms of food, shelter, clothing and education for their children compels them to find means to carry out these duties and as a result, some partake in pirating music. Music piracy is an easy operation to carry out and is vulnerable to exploitation.

4.2.2. Age

Through observation of the participants, it was established that the age group of males who committed music flouting ranged between approximately, sixteen (16) and fifty (50). The only female who was interviewed seemed to be in her early twenties. Seemingly, the reason for males to be the main perpetrators of music piracy, judging from range in age, is poverty, responsibilities that emerge with being a grown up male and the nature of bravery that males possess. However, it seems there is lack of literature that discusses the general age group of piracy committers in South Africa since most discussions on this factor focus more on one aspect of music piracy.

4.3. NATURE OF THE STUDY FIELD AND THE CONDUCT OF THE

PARTICIPANTS

This section discusses the encounters and the environment of the study site. The purpose of this procedure is to attempt to reflect the actual image of a music piracy site and how the participants responded during my visit at a research field. For us to apprehend music violation, we have to, not only capture its statistics but also the sites where it takes place. This should advise us on which perspective and approach to involve when solving the problem.

On the first day at the study field, a site appeared quiet, which brought suspicions that I might have chosen a wrong day for field work; a Monday, and a time of the month when most people still have to wait for at least two weeks before their next salary. Unanticipated, accessing the research field was not a big challenge although at first; some participants appeared unsettled when I presented the reason for my being there. But as time went, they seemed to adapt. This progress in accessing the field study can be credited to particular stages of methodology that were involved. Ethical consideration, anonymity, confidentiality are some of the stages that were engaged during interaction with the participants.

As far as participation is concerned; after I had told the participants why I was there, some of them showed disinterest in being interviewed while being recorded; not to mention having their pictures taken. As a result, it therefore became difficult to also probe some of the questions to some participants. The deception stage of the applied methodology in this survey was helpful because, not revealing their actual identities surfaced as a safe mode for

them and the interviewing progress was therefore secured. Also, for the sake of assurance and progress, I showed them my student card as proof that I was a student, not a police officer or agent. I therefore, continued to produce a student card each time I introduced myself throughout my interactions with the focus group.

As I wandered around in search of the participants, I spotted a man who appeared to be in his middle age, Matome. In front of him, was a table that displayed CD's of different artists; such as, Deborah Fraser, Chommie, Sechaba, to name just a few. I then had an impression that, his target market was gospel clientele. Behind him, stood a shelf that looked to be almost two metres in height, leaning almost on the window of one the well-known furniture shops. This gave me the impression that if the shop management were aware of the legitimacy of his business, then it would seem, probably, that such an establishment also indirectly or unintentionally promotes piracy by not only letting perpetrators use their space, but by turning the blind eye.

At a first glance, Matome had mistaken me for one of his potential buyers. I then introduced myself. He was kind enough to turn down the volume of his sound system which at the time played one of the popular wedding songs loudly. Immediately after I had told him why I was there, his facial expression instantly changed; but looked calm again after a short while. He then agreed to be interviewed, recorded and his stock to be taken pictures.

My first stop as far as interviewing music retailers was at a textile shop which among other things sold electric appliances. During my stopover at this store, a male (Kabelo) and a

female seemed to be working as attendants there. Kabelo, with whom I interacted until I left the shop, appeared to be in his mid-forties. After I had introduced myself, he also introduced himself as the owner of the shop. During this time, it was obvious to them that I was not there to buy or enquire about the products which were sold in the store, but on a different business. At that moment, a woman was sitting on a low seat, leaning forward and very observant of everything that was going on between me and Kabelo. Regarding music piracy, which he picked up during my introduction to him, he admitted to be printing CDs and selling them to hawkers, but denied to be referred to as a pirate, since he was not selling music in the streets. For the sake of progress, I then agreed with him and asked whether I could interview him while recording everything we spoke about, which he liaised to.

The next interview took place in a music outlet situated at an elegant shopping complex. Immediately when entering the outlet, one could not miss a long neatly packed shelf of music and movie DVDs which was placed along a wall. On the adjacent wall, was another shelf, also neatly packed and carrying only music CDs. And opposite a DVD shelf, rested a big counter. Behind it, Piet, who was seated and greeted me with a smile. I then greeted and smiled back. Still intrigued by the visibility of an outlet which seemed to be doing well, in an era that is infested with music piracy, I then told him why I was there. Effortlessly, Piet agreed to be interviewed whilst being recorded.

Next to Piet's music outlet, was an internet café. Similarly, the appearance of this café looked classy. Unlike the typical presence of most cafes found in the townships, for

instance, this shop seemed to be targeting an elite clientele. This is so because of the high prices of the products and services which were offered in that café. Thembi, who was the only customer at the time of my visitation at the café, set in front of one of a number of computer cubicles that were placed along the wall of the shop. Because she seemed to be still busy at the time, I then asked whether I could talk to her for a few minutes. She then asked the purpose of our conversation and suggested that I wait for her for two minutes as she was finishing with exploring the internet. After at least five minutes of waiting, she then joined me outside a café where I was waiting. I then disclosed why I was there and she did not hesitate to agree, but refused to be taken a picture as she was unsure whether to trust me or not.

For the next interview, I entered another busy shopping complex which was closer to a taxi rank and one of the leading chain supermarkets. Next to the supermarket, there was an internet café which was the only online shop in that shopping complex. Inside the shop were few students in school uniforms and Mashudu, who appeared to be in his late thirties. I therefore approached him and introduced myself. As expected, he first seemed unsettled and as part of my duty, I had to develop ways to calm him.

I then walked about ten minutes to my next stop. Two males, Dosto and Don, who seemed to be in their late twenties, displayed a collection of CDs by various artists on a table in front of them. The setting of this part of research site was rather a hidden location, where, seemingly, only pedestrians could access. Seeing that although they were companions but had different tables, I then decided to try and interview them separately. I first started with

Don. On his table, he had selections of music CDs and sex-movie DVDs. I greeted him in English and he responded in isiZulu. We then continued to communicate in isiZulu. When I asked to interview him while recording our conversation, he refused. I then requested to write down notes instead, to which he still denied. As a result, my attempts to interview Don were unsuccessful. At that moment, I concluded that perhaps, involving a recording device unsettled him. Also, from the size and appearance of his stock, one could tell that he has been in the business for a long period. Figuratively, I had missed an opportunity to gather substantial data on physical music piracy. I then moved on to his companion Dosto, with the expectation of being dismissed in the same way as his acquaintance Don did. Surprisingly, Dosto sounded very confident and willing to fully participate in the interview. He turned out to be the interviewee with whom I spend the longest time on that day.

As I left a hidden spot where music piracy committers such as Dosto and others lined their tables, the end of a footpath which I was walking on led to a taxi rank. Unexpectedly, the rank was a bit quiet at that time of the day. Maybe, I thought to myself, hawkers who sold music products to the taxi commuters waited for peak hours as most people were either at work or still doing shopping. I therefore, wondered around hoping to, at least, come across at least one of the CD hawkers. Suddenly, a middle aged looking male (Dux) who was carrying a well decorated box on his shoulder, walked towards me. Inside a box was a music device that played music that was loud enough to pull the attention of possible buyers at the rank. Next to the music device was a stack of pirated CDs that he sold. I thought he would be upset and leave when I introduced myself and told him my story. But

instead, he kindly lowered the volume on the sound device and attentively listened to what I had to say.

On the outskirts of the city, about 30 minutes' walk from the CBD, in a rather quiet part of the city, was another internet shop that was owned by a middle aged man who spoke in a foreign accent. It appeared to me that, the main market for that café was students who went to a college situated about three minutes from the café. Noticeably, a sign that informed customers of the regulations of the café was attached in the middle of a wall, on top of a row of computers which were used for accessing the internet. I then looked around hoping to see another sign that read 'no pirated music downloads', perhaps. As I was approaching the desk where customers were served, Meshack noticed that I was heading towards him. He then reacted by instantly asking whether he could help me. I immediately presented myself and waited for a negative reply, since he seemed quite busy on the internet. Nevertheless, he requested that I wait for a minute. I then asked if we could talk outside the shop since there was too much noise created by other students who also operated the internet. After at least four minutes of waiting, he finally came in my direction. He warned that the interview should not take more than five minutes as he had not finished with what he was doing.

Lastly, Tshepo's music outlet was also situated inside the shopping centre where I had interviewed Mashudu. His store consisted of rather a small space that could barely accommodate five customers at a time. This could have been his strategy to save renting costs and expenses that came with it. At the time of my stopover, he actually sat and

operated his business from outside the shop to give space for customers. He did not seem to mind being interviewed, but resisted to being photographed.

Analytically, because of the signs of anxiety which were apparent on most of the assistants whom I questioned, one could therefore comment that most participants were aware of their illegal involvement in music piracy. Other than being nervous, body language and facial expressions by some participants showed that they were willing to hold their grounds if it turned out that my presence there threatened them and their business. This behaviour could have been triggered by a thought of what would happen to them and their families if I had been there to disturb their means of livelihood. For instance, out of all the respondents on the above question, two participants, both from the CD music piracy group, made it obvious through showing signs of irritation and frequent attempts to derail the interrogation process by cutting into an interview via bringing up new topics that were not related to the interview. On the other hand, those who seemed relaxed during the process could have been aware that, by showing signs of intolerance they would have exposed themselves as culprits.

4.4. ANALYSING OF PRELIMINARY FINDINGS

In the case of validity and reliability; although some of the responses by the participant to certain questions were not consistent, which may have implied that, up to that stage, data that was collected was invalid, most answers from the participants were actually valid. This is so because most of the responses they gave were envisaged in this study. For instance, answers to questions such as: How do piracy participants operate? ; According to the

participants, who is a music pirate; and how do music piracy committers perceive piracy? , had a lot of similarities, which confirmed their validity and therefore, reliability.

For the sake of obtaining consistent results, I then adopted the pilot testing phase. In this stage, I interviewed three participants in each category. Meaning, I interacted with three street vendors, three retailers and three internet cafes, for preliminary results. I then compared findings from each category for obtaining of pilot testing results. By implications, I was therefore at a final stage of collecting data.

For the sake of clarity, a systematic approach emerges as significant in the lay-out of this section. Hence I start by first presenting of the findings.

4.5. PRESENTING OF FINDINGS

4.5.1. Perceptions of the participants in defining music piracy

The first respondent to answer a question under this theme was Matome, who expressed that “*ake o kwishishi*”, a Sepedi way of saying ‘I do not understand’. Seeing that he could have been alarmed by the question, I then rephrased the question. But before I could finish rephrasing it, he proclaimed that, *music piracy is when someone pirates CD’s* (Matome). Although his answer was not detailed, I got the impression that he was not settled yet, as far as the interview was concerned; and decided to record his response anyway since it seemed to entail the key words that define music piracy. Matome was of the perception that music contravention pertained of an individual who illegally reproduced music. Similarly, as far the question of music piracy, Kabelo stated that, he *only knew music piracy as a CD that is*

played without permission, beyond that he would not know (Kabelo). Also, Kabelo's perception to the question thou it did not have a clear cut but one could pick up that he knew what music piracy is. At this point, answers given by Matome and Kabelo indicated that they had an idea concerning the question. In the same vein, Thembi who represented the online category said that, *"music piracy is when one downloads a song from an internet and not buying it"* (Thembi). According to Thembi, music piracy consists of an illegal transfer of music from the internet. Similar to the responses given by the above participants, although a bit different in wording, regarding the first question, Piet opined that, *"music piracy is any music product that is not bought online or at a shop"* (Piet). From Piet's perspective, music infringement happens when music is owned by an individual or an organisation without having bought it from the internet or an outlet. To the same question, Mashudu was of a view that, *"it is selling music illegally without the agreement of the owner"* (Mashudu). In Mashudu's point of view, pirating of music is when music is traded without the owner's consent. Dosto sounded expressive and in harmony with others when he stated that, *pirating of music is when an individual takes someone else's music and sell it without the agreement of the original owner. The rightful owner would then be aware that his/her music is selling but without getting profit* (Dosto). On his reply, Dosto indicates that the copyright owner would be alert of the sales of his/her music as it is illegally disseminated. To the same question: what is music piracy? Dux's perception was that, *"music piracy is when someone copies a CD without getting permission from a record company or owner"* (Dux). At this point perceptions were that both the owner and corporations that deal in music production are affected by music piracy. On the other hand,

Meshack replied that *“music piracy is when you get music from the internet, for instance, without buying it”* Meshack. This is a recurring perception by some partakers in response to earlier questions under this theme regarding online music violation. Lastly, Tshepo answered that; *music piracy is copying and writing someone else’s music without permission* (Tshepo). Correspondingly to previous opinions, according to Tshepo, music piracy incorporates manipulation of music without a permission of the genuine owner.

This section presents the analysis on the findings as provided by the participants to a question what music piracy is. In general, the partakers in this part of presentation, notwithstanding a difference in their use of words, gave similar answers to the query. Most of the participants, mentioned that music piracy is when music is either reproduced onto CDs or downloaded without paying for it or getting permission from a copyright owner. This perception coincides with that of some of the authors’; such as Assenova, 2007; Panethiere, 2005 and van Belle, although their perceptions focus on different forms of piracy, but when integrated, give a common perception of what music piracy is. For instance, Steyn (2005: 78) views piracy as an unlawful “duplication and/or distribution of music including downloading, file sharing, and CD-burning”. By implication, the knowledge of what music piracy is, by participants, could signify that they are aware of their involvement in this illegal act. Despite them being aware, they further willingly or unwillingly continue to partake in illegal selling of music. The persistence in committing music counterfeit by the participants could mean that, beside the nine participants who took part in this survey, a number of other hawkers who also commit the similar act somewhere else in the country could be rapidly multiplying the scourge on daily basis. Unfortunately,

the perpetuation of music piracy could permanently disable the South African music sector; and this might lead to permanent unavailability of employment in this sector.

4.5.2. Determining the different forms of piracy from the participants

This section presents answers of the participants to the second question of this survey. The first participant I interacted with was Matome from a physical piracy group. He replied that, *Piracy is piracy, either way; when someone imitates another person's creations its piracy. Unless if I do not understand your question* (Matome). To the question regarding the difference in forms of piracy, Matome responded that, in all perspectives and forms, piracy is the same. According to him, there is no difference between, for instance, CD and online piracy. Not surprising, for anyone looking at piracy superficially, not considering central issues, piracy forms can be similar. Similarly, Dosto from the CD piracy class concurred with Matome's views through responding that:

There is no difference, ke movie, ke porno, ke gospel, ke local or international music, they are all piracy. The only difference is, as you can see that I also sell 'porno', I cannot sell it openly because I deal with people of different status. I am forced to hide such discs from the public. Some people pass here with their children, for instance, so it's difficult to sell it openly.

Also, Meshack from the internet pirate side said that *he does not think it differs. This is because the whole idea behind piracy is theft. For instance, in the case of music, it's an intellectual property out of which owners make a living* (Meshack). Contrary to the views by Matome, Dosto and Meshack, the rest of the participants' responses showed that there is

a difference in the forms of piracy. According to Dux, *forms of piracy differ because some are gospel, some, movies, some, Nigerian movies and so on* (Dux). For Kabelo on the retail piracy side stated that, *piracy forms differ on the products. For example, with regard to shirts that I am selling here, there are shirts that have the same labeling whereas they are in fact, fake. When someone sells them, he is committing piracy* (Kabelo). Mashudu also seemed to have the same sentiment with Kabelo about the difference in forms. He said that, *the difference is that with music, a sound is pirated by downloading or sharing it. Where else other forms consist of emulating other people's physical copyrighted products* (Mashudu). Again, other participants who appeared to share the same opinion in the forms of piracy are, Tshepo and Thembi. Tshepo was of the view that, *with music, for example, people can use USBs and phones to download from the internet. Unlike him, he only sells music in the physical form* (Tshepo). Whereas Thembi's opinion was that, *the difference is, when you want to pirate music you just go and download a song you want from an internet and no one will see you doing it, while with other forms you can get caught because of the physical presence of the product* (Thembi). Piet on the hand stated that, *"quality determines the difference in forms of piracy. With music, it sounds the same even when duplicated. But in the case of other products, quality does show"*.

In this section, I will attempt to engage an analysis pertaining responses of the partakers to the second question.

Unlike in the first question, regarding a query under this theme, the difference, in ratio, of responses by the participants has increased. Three out of nine participants did not think that

there is any difference in the forms of piracy. Two other participants gave views that, beside music, the rest of counterfeit goods in general create a difference in the forms piracy. The other two responded by involving internet as causing the difference. One participant mentioned both the internet and any other pirated goods as creating a difference. The last one mentioned the quality of music as forming a difference. In addition, the participants appeared to be gradually adjusting to the process of being interviewed. This was evident when some of them at that time, voluntarily gave information which according to my observation, they believed could relieve them of some stresses. Nevertheless, at this point it seemed there were a lot of differences in perceptions among the participants regarding the difference in the forms of piracy. Conclusively, one can deduce that, collectively, answers by the participants did not match that of, for example, Karaganis (2011); who also has a perception to the question. Out of nine, only four participants seemed to be close to how Karaganis sees the difference in the forms of piracy. He observes about as affecting movies, books and music, to mention a few. Therefore, Karaganis' perception pertaining to different forms of piracy is not quite similar to that of the participants. This could indicate that there is no clear cut in creating the understanding of the forms of piracy. Lack of clarity in defining a fine line between the forms of piracy could make it difficult for the public to differentiate classes of infringement. Therefore, if the public is not aware of such differences, they are likely not to know how internet piracy varies from retail piracy, for example. It is such almost invisible barriers that allow involuntary committing of music piracy by the South African public.

Still under the same theme that entails different forms of piracy, two participants referred to the internet as the source that brings the difference in the forms of piracy. Minding that one of the two falls under a different category (retail music piracy) of the participants, and yet he alleged the internet music piracy as causing a variance. This could mean that, maybe internet emerges as a prevalent form of music piracy in South Africa. Similarly, earlier in this research, WIPO (2010) also sees the dissemination of an internet as the most common perpetrator of music piracy. However, this study shows that also physical or CD piracy proves to be prevalent in South Africa. Seemingly, contrasts in establishing the precise difference in the forms of piracy could lead to difficulties in concluding which form is the most pervasive.

Lastly, Piet emerged as having a dissimilar judgement to the rest of answers by other participants. From his comment, one could conclude that, because of the unchanging quality when music is pirated, it makes it convenient for infringers to carry out their illegal practise.

4.5.3. Perceptions of the participants in defining a music pirate

The purpose of this theme is to establish who music pirates are. This exercise could help in capturing and profiling of accurate information regarding music pirates. This information would consequently, further help the music industry and stake holders in addressing the piracy problem. At the end of a presentation, a process of analysing the views by the participants will be presented.

In this case, I will group the participants according to similarities in the answers they gave. The first participant is Dosto. To the question asked in this section, he responded that, *a music pirate is a person who makes a living through selling music without the consent of the owner* (Dosto). The succeeding interviewee was Dux. It took a while in making him understand the question. This incidence led to probing of the question, which also at first, did not seem to be working. Later, I realised that he could have been confused by the question because, to him, it sounded like the first question: what is music piracy? But ultimately, he gave an answer generally similar to that of Dosto. Concerning a question that is asked in this theme, he said that, *music pirates are people who make copies of music CDs and sell them* (Dux). Thereafter, Kabelo was another participant, like Dosto, above, who included the selling of infringed music in his response. At that time he seemed more conscious of the answers he gave. He was one of the assistants who always looked very selective when answering questions. One would have concluded that his conduct was caused by the thought of implicating himself. In his response to the question, he answered, *a music pirate is someone who sells illegal music in the street. Unlike me, people only come in to have music of their choice duplicated. They then go out to the street and sell CDs to the public* (Kabelo). The last interviewee or respondent who responded similarly was Tshupo, one of the CD outlet operators. Unlike Kabelo, he appeared composed throughout the interview. On a perception on who a music pirate is, he replied that, *"I am not sure, but I think it is a person who buys empty CDs and uses them to copy other peoples' music and then sell it"*. Regarding the views of internet music infringers, Thembi was of the opinion that, *"a music pirate is anyone who downloads music without paying a certain amount of*

money". On the other hand, Mashudu confessed in his reply by stating that, *"I think a music pirate is someone like me. This is because when I want a song I just go to the internet and download it without paying"*. Similarly, Meshack, like Thembi and Mashudu, referred to the internet or downloading when he replied that, *"almost everyone is a pirate because no one goes to the shop to buy music anymore. People just go to the internet and download music for free. Or, right now, if I want a song, I can just Bluetooth it"*. Regarding the same question Piet answered, *"I would say it is someone who does not want to spend money on CDs, but goes and download music from the internet for free. And then give that music around to his/her friends. I understand if you want to download a song on your phone. But do not go and download the whole CD. That is something else"*. From Matome's perception, *a music pirate is anyone who replicates music products and reprints their covers.*

This section entails the analysis concerning a question: who is a music pirate?

Generally speaking, the participants seemed to concur when defining of a music pirate. There are however areas that distinguish their perceptions. For instance, three participants who fell on the category of CD music piracy, although they have similar perceptions concerning who a music pirate is, one appeared to be more understandable when answering the question. On average, their responses could match Siwek's (2007) perception; who sees physical piracy as implying a mass-produced pirated or copied CDs and music video DVDs. This exercise seems to inform us that, perpetrators know probably more than we think. Getting in contact with the participants during this study made it almost effortless to

achieve the findings that were honest and gave their side of perceptions of music piracy. Still on the theme, the last participant also from the CD piracy category revealed that some committers do not only infringe music but also reprint the covers or sleeves of the original CD. Probably, copying of covers is used by pirates to lure buyers into buying fake CDs, as they would consider them as genuine. One could conclude that it seems as an eye opener that some music piracy committers are capable of having the same skills as the professionals in big legitimate production companies to remanufacture physical music goods. This tendency could already suggest a competition for principled traders and danger for the music sector.

Moreover, as one participant stated earlier in this discussion that, music pirates are individuals who do not want to spend on CDs, but instead, download music illegally from the internet to give it to their friends. One should not miss that, as much as there are pirates who commit this act for gaining profit, there are also those who counterfeit music for their personal. These are individuals who commit music piracy in their home. However, to a certain extent, Zentner (2006) agrees with the participants' views because this author also talks about sharing of pirated music in this study. Therefore, sharing of music can-not be left out when addressing issues that involve music piracy. Also, the responses of the three respondents from the internet class gives an idea that, perpetrators could only define who music pirates are, based on the form of piracy that they themselves are involved in, such as the internet.

4.6.4. Perceptions of the participants on how music piracy committers operate

In this section, perceptions of the participants on how music piracy committers operate will be presented. Through my observation, it is at this stage whereby some of the participants looked to be hesitant in given out information. Revealing how music piracy operation works, depending on the question that is asked, implies that one has to uncover the core sights from where these processes take place. A main worry by some participants, perhaps, was that they could unwillingly reveal the locations where they themselves get their supplies. The participants were therefore reluctant to respond to questions under this theme.

The first participant to give a reply to the question on this theme was Matome. To the question of operation, his perception was that, *there are a lot of people with printing machines around town. If you go up this street, you will see other guys displaying CDs on the ground. Most of them have personal printers in their houses. They get best-selling CDs from their friends and replicate them in their backyards; they then come and sell them here in the streets* (Matome). According to a response by Matube, CD piracy operators own machines used to duplicates counterfeit CDs in their own backyards. The next partaker also from the CD piracy category was Dosto. He replied that,

Initially, people sold a selection of music, international, local, music from Zimbabwe, Nigeria and so on. Consumers would come and make orders of music CDs and to promise to come buy them later. Through that demand, we then developed strategies of duplicating music copies. We either found people who were quick in making duplicates for less or if one has enough money, would buy a machine to carry the job him/herself. This was because it did not feel good watching a potential buyer leave with money because I could not provide the product. On the issue of selling them on the tables, we used to sell CDs from our bags. But because people could not ask whether we had CDs they wanted, we then introduced tables so

that people could see everything that we sold. And with the system of tables, police sometime come and confiscate our stocks. We do not argue with them because we are also aware that we are committing piracy here. Fines for pirated CDs depend on the police officer. The ones who understand our situation only fine us R500 to R600. But terrible ones fine us up to R150 per CD. Hence, at most times we run and leave our stocks when police come, as we cannot afford to pay such high fines.

From this answer by Dosto, in other ways, a demand in music CDs by consumers forced vendors to re-enforced their operations by buying duplicating machinery that would quickly process the replication of CDs. Dosto's reply is similar to that of Matome in a sense that, both participants indicate the use of self-owned machines by operators to carry out music CD piracy. Contrary to both responses by Matome and Dosto though, Dux replied by sharing that, *mostly it is Nigerians who supply people with pirated CDs*. According to Dux's knowledge, Nigerian nationals provide music piracy perpetrators with stocks to further sell to the South African public.

On the retail class, the first participant to respond was Kabelo. To the matter of operation by music violators, he stated that, *it is simple, an individual goes into a shop and buys a genuine copy of CD and duplicate it into one hundred or five hundred CDs or whatever number desired by him/her. For instance, a song 'wayi thsukutsha' (shake yourself), one can buy a real copy from a music bar and make many other copies out of it. From thereon, he/she goes to a street and shouts 'wayi tshukutsha'; and makes a lot of money out of that one CD* (Kabelo). In other ways, a piracy committer purchases a real copy of a music CD then uses it to make more fake copies, depending on a number of copies he/she wants. In this case, Kabelo's response differs from the rest above because he mentions that

perpetrators buy a single genuine CD copy and use it to replicate more counterfeit disks. Also from the retail class to respond to the same question of operation was Piet. He replied that:

If you go to Pretoria Chinatown, there are shops there lined up and selling pirated music. Why? Those shops are a main supply of pirated music. They stock imported illegal music in big quantities and that is where the problem is coming from.

Piet says he knows about main suppliers of infringed music in Pretoria Chinatown. And according to him, they are the main dealers of counterfeit music. A feedback by Piet is similar to that given by Dosto. This is because both Dosto and Piet indicated that there are main suppliers of pirated music in South Africa. Despite the similarity, his perception is contrary to that of Matome, Dosto and Kabelo because they stated that machinery and using of genuine copies for operation are included in their opinions. The last participant who gave his perception from the retail grouping was Tshepo. He was of the opinion that,

Hawkers nowadays, unlike before, due to a need by consumers, they have advanced. They now have access to equipment that allows them to effectively establish their businesses; such as buying their own machinery to make as many CDs as possible. Unlike food, CDs do not get spoiled. So, one is able to make as many copies of CDs as they want, depending on the availability of capital to do so.

Put differently, according to Tshepo, music piracy operators, due to improvement of life, CD sellers are able to buy machines to duplicate as many CDs as possible. Tshepo shared the same views with Matome and Dosto.

In reference to the perceptions by participants from the internet music piracy group, Thembi shared that, *“it starts when I hear you playing a song that I like, you will then transfer it to my phone or you can refer me to a sight on the internet”* (Thembi). From Thembi’s point of view, music piracy operation is carried out through individuals who share the music by means of mobile phones and by use of the internet. With Meshack, although he was more orientated with online piracy, but his views were;

firstly, people who compile different music in same CD, because they know what music do people listen to at that time. They then sell compiled fake CDs with funny covers on them for commercial gain. And with other people, it is a matter of transferring music from one person to the next using Bluetooth.

Meshack’s perception about piracy operation shows that music compilation either initiates piracy or perpetuates it. However, part of his view is comparable with that of Thembi. The last participant who shared his view on the question of music violation process was Mashudu. He responded by sharing that, *“most people do not have money to buy music and they download it for free instead. This trend is then spread among people who want to access music that they like”* Mashudu. Comparatively, perceptions about how music pirates operate seem to be common among the participants from the internet class.

In this section, an analysis pertaining to how music counterfeit in South Africa operates, is carried out. Individual participants were asked the same question. Their responses were then compared to establish whether there were either any similarities or dissimilarities in

them. For clarity, it seems relevant to first discuss each opinion by participants whose views and behaviours seem to stand out under this theme.

Out of all nine participants who responded to the question of how music pirates operate, three implicated the accessibility of machines used to duplicate counterfeit music as the main cause. Two participants associated foreign nationals with rampage of music flouting in South Africa. One respondent's view shows that pirates buy an original CD and use it to manufacture infringed copies, whilst each, three, of the nine participants linked the internet, music compilation and personal income to the rage of piracy, respectively.

Seemingly, the general perceptions on how music pirates operate show that pirated music hawkers have gained access to what perhaps might have restrained the perpetuation of piracy all along, machinery. Through interpretation of views by the participants to the question under this theme, it would appear that, initially, pirates were restricted from perpetuating piracy because of the scarcity of such machinery. One would therefore, conclude that, technology plays a significant role in the spreading of music counterfeit in South Africa.

According to the respondents, the next fastest perpetrators of piracy are foreign nationals. Perhaps, because of the advancement of technology in their countries whilst South Africa is still in the developing stage, they therefore see the opportunity to exploit the music business in such a country. What could be promoting this situation is an easy access to South Africa by foreigners.

The outcome of the query under this theme also show that there are pirated music committers who buy genuine copies of music and use them to make more false copies. This act could be analysed as the lack of information by committers in carrying out piracy without spending in music outlets. Maybe, this behaviour could also be related to illiteracy. This is because a certain percentage of the population in South Africa is illiterate. Illiteracy could therefore, reflect on individuals' capability to source music that they want to sell, from the internet.

It emerged from some participants earlier in this chapter, although the question was asked differently, that, personal income is the core issue behind pirating of music in South Africa. Many factors could lead to this situation. Among others is the issue of employment. The scarcity of employment for the majority of the people, the immigration of other people from neighbouring countries and overseas into South Africa to look for jobs, supplements the problem of personal income.

Overall, through the perceptions of the participants in this passage, the demand of music appears to be still high in South Africa. However, there are factors involved in derailing progress and the development of the music industry in this country. This far, other than internet being the main feature that perpetrates music piracy as demonstrated earlier in this study, there is currently easy availability of machines to duplicate fake CDs.

4.6.5. Perceptions of the participants on how music pirates commit piracy

The purpose of this section is to question why music offenders partake in music violation. Obtaining the knowledge behind music contravention will help in knowing from which

angle to view and try to solve the problem. Subsequently, the information provided by the partakers, to the question, will be analysed and discussed.

For clarity and organised technic, the perceptions to this question will be presented according to the categories of music piracy.

The first participant to give his perception in this theme was Matome. He stated that, *a lack of job opportunities influences people to practise music piracy. If there were adequate jobs in South Africa, only a few people would commit piracy.* Matome is of the opinion that, the problem of piracy is spurred by the shortage of employment in South Africa. Similarly, Dosto, his perception was that, *for one to be able to eat, bath and travel, needs money. So, with the current employment situation in this country, a person is forced to pirate music to be capable to do the things I have mentioned earlier* (Dosto). From my point of view, Dosto's view compliments that of Matome. According to both participants, employment is the main reason why they commit music piracy. Also from the CD category, Dux responded that, *people commit piracy because of lack of employment, my brother. Although there are people who do not intend partaking in this act, their financial circumstances push them to doing so* (Dux). Similarly to views by Matome and Dosto, Dux is also of an opinion that unemployment drives individuals to pirate music for a living in South Africa.

From the retail category, Kabelo, as the first participant to give his opinion, stated that, *technology has given access to anything. It has allowed people to do whatever and whenever they want, music included* (Kabelo). Contrary to responses given by Matome, Dosto and Dux, Kabelo's view suggested that, instead, the improvement of technology has

given rise to the spreading of music piracy in South Africa. In Piet's opinion however, people pirate music *"to save money for themselves and to make more money from other people"* (Piet). This is to say, people who commit music piracy do so because they do not want to spend money on buying music, but go beyond stealing it, by selling it to gain profit. Currently, under this theme, Piet's view is conflicting with the rest of other opinions above. Tshepo, also from the retail side, pointed out at the lack of jobs in South Africa as the cause for music piracy. He went on to say that, music, because of easy access and less risks of being arrested it has been targeted by most unemployed people who need a quick start. Alternatively, Tshepo's opinion was that due to the shortage of jobs in South Africa, people have targeted music as a source that provides them with a fast financial start. Minimum dangers of being apprehended makes music a good choice for perpetrators to exploit. The last presentation under this theme entails perceptions of participants from the internet music piracy category, to the question: why do music pirates commit piracy? Thembi stated that;

people today do not want to pay for music because since it is easy to access it for free whilst the other option involves finances. That makes people to choose between the two options and end up going for the more convenient one, which is getting music for free.

From this perception by Thembi, one is able to postulate that, even though music is sold, it can also be accessed for free. Thembi's response had similarities to that by Piet and part of Tshepo's; since Piet in his answer mentioned that people do not want to pay for music, whilst Tshepo stated an easy access to music as one of the reasons why people commit

music piracy. Similar to the view given by Thembi, but a bit elaborated, Meshack observes that;

it is not because we do not have money to buy music. For convenience sake, these days we do not use cassettes or walk-man for listening to music, we now use laptops and phones. So, why would I go and buy a cd when we do not have DVD players anymore. A DVD player can be there but we mostly use phones to listen to music these days. Some musicians do sell their music on the internet for less, for instance. But people do not want to go to that extent of buying, but pirating it instead

The perception that Meshack gave seemed to be self-explanatory. According to him, evolution in technology has changed the way music is manipulated. It has done this through advancing the devices that are used by people to listen to music. Through these advancements, people are now able to obtain music for free, although that act distresses those who have invested in it. As proof, a self-confession by Mashudu who stated that, *“it is because people can now access music for free. So, instead of buying, which can be costly, I also choose to download it for free”*.

In this section I attempt to analyse the views of partakers to a question under this theme. Again, this analysis will adopt a categorical approach.

Out of the nine participants who took part in this theme, four pointed out to unemployment as a main cause for pirating of music in South Africa. Also, out of the four participants who are of the same opinion that being jobless is a reason for their involvement in pirating of music, three are those from the CD piracy category. By implication, according to these findings, most CD music violators are therefore forced by the circumstances of being

without work to committing this crime. Again, one out the three participants in the CD category referred to unemployment as forcing even individuals who want to abstain from piracy to also partake in it. Similarly, Mhiripiri (2012) also talks about issues of unemployment as associated with music piracy.

It also appears from an analysis, under this theme, that out of all nine participants, two perceive the escalation of music piracy as caused by the improvement of technology. This perception seeks to draw attention to the two participants who think development in technology pushes people to buy or free load music from the internet. But, in comparison, since a number of participants who view unemployment as a root cause for music piracy surpass that of those who perceive technology improvement as a cause, it could therefore suggest that, unemployment is the actual source of music piracy.

Furthermore, through my assessment, on average, participants who are of an opinion that unemployment causes people to pirate music seemed older than the participants who point at technology as the cause. One could therefore conclude that, perhaps, due to responsibilities that come with being a grown up, individuals who partake in piracy do so because of jobs issues; whilst young individuals, because of their age which come with less responsibilities, carry out music counterfeit by means of internet for mainly pleasure. Nevertheless, existent literature has insufficient information that informs with these findings.

Lastly, amongst all partakers who took part in this theme, two participants perceived the existence of piracy as being spread by the choice that people have to either to spend on sold

music or obtain it for free. Specifically, one participants' view shows that presently, people have an option of either buying music or not. Also, Van der Byl and Van Belle (2008)'s study shows how ethics influences music piracy. Due to the current undesirable financial conditions of households in South Africa, people are likely to choose free downloading of music as an option. Again, unemployment did not seem to affect two participants probably, because of their age group.

Generally, from this analysis it appears that, unemployment, improvement of technology and people's choice to either buy or pirate music are factors that are spreading music infringement in South Africa. Also, apparently, physical piracy is mainly perpetuated by, on average, male adults who sell pirated music products for sustenance.

4.6.6. Perceptions of the participants on whether those involved in piracy know it and therefore willingly collude in its perpetration

Under this theme, perceptions of the participants in regard to their involvement in pirating of music and whether they therefore keenly conspire in its perpetuation will be presented. This exercise emerges as significant because it afforded the perceptions about the willingness of committers in practising music piracy. Gathering of these perceptions enabled the diagnosis of other factors; such as ethical conduct. Documenting of such perceptions could add to the existing information related to this study and further add to archive information that would contribute to finding a solution.

The layout of this section consists of a categorical presentation of the perceptions of the participants to the question under this theme. Categories that form part of this theme are: CD music piracy by vendors, retail music piracy and internet music piracy.

The first participant who took part in this exercise was Matome. In regard to the question he responded that;

pirating music is not good, but as a musician who makes wedding songs, and since lately, in places such as Polokwane only music for artists such as Oliver Mtukuzdi is sold; not wedding songs, yes I know that I am committing piracy and doing it willingly since it is my own music that I am pirating, I do not think there is anything wrong when I make wedding songs and copy my own music.

(Matome)

Put differently, Matome's response to the question suggests that, he is aware of his involvement in music piracy and he carrying it out knowingly. The next participant in this query was Dosto. His response to the question was that:

I know that I am pirating music. But I am not doing it out of will. Besides sustaining me and my family as I mentioned earlier, for some artists whose music does not get enough publicity, piracy helps in promoting their work. So, although what I am doing is not right, but the fact that I am helping to promote aspiring musicians makes me feel that I could be doing something right

(Dosto)

In Dosto's opinion, he is alert of his participation in infringing of music but is not doing it willingly. Music of artists who seem to be struggling in penetrating the music sector makes him think that, although he is violating the copyrights of already established artists, aspirant

ones are gaining out of his involvement in piracy. The feedback by Dosto is therefore contrary to that of Matome. After probing the question, Dux gave a response almost similar to that by Dosto. His opinion was that “yes my brother, I know that I am doing it but it is only because I do not have any other form of employment. This is presently my only way of providing for my son and wife” (Dux). In this case, Dux also knew of his action regarding music flouting, but was embarking on it unwillingly. His excuse was unavailability of employment. When comparing his response to the rest, it shows that it is similar regarding the awareness of their involvement in piracy, except Matome’s. He practises this act out of will.

On the retail music piracy category, Kabelo’s reply was that “*I cannot answer that question. If only I understood what goes on as far as music piracy is concerned, I would be able to answer your question.*” I then rephrased the question. He later responded that:

I am not aware that I am committing music piracy because from people like me, there is no much threat posed because I do not go out on the streets to persuade people to buy my products. People choose to come and buy these CD copies

According to Kabelo, although he admitted to reproducing other artists’ music at the back of his shop, but denies being aware of his involvement in music counterfeit. He claimed that the fact that he does not sell copies of music in the street meant that he cannot be implicated. He is doing it willingly because of financial gain. So far, Kabelo is the only participant who did not admit that his actions were deliberate. Remaining on retail music piracy and on the same question in this theme, Piet said that he condemns music piracy and

wishes that everyone who is involved in this act to get caught. And therefore, could not admit of being aware of practising music piracy willingly because all his products were genuine. In other ways, from his opinion, Piet could not be responsive to the question since he only sold legitimate music products in his store. So far, Piet's response does not correspond with those of the other participants' earlier in this theme. The last participant under this category was Tshepo. He said:

Although piracy is bad, it can also be good. For aspirant musicians, piracy provides a stage for promotion. So, to your question, not all my CDs consist of piracy. I only sell few pirated CDs, mainly by overseas artists to improve my business

From his view, Tshepo is selective when pirating music. He said that he only pirated music of foreign musicians and does that for a better turnover. From all responses to this point, Tshepo's answer is consistent with the above under this theme.

On the other hand, from the internet music piracy group, Thembi stated that:

I personally do not commit music piracy because I am not well orientated in how to download music using the internet. Instead, my friends, mostly male ones download music for me. But I also feel like I have committed piracy because I listen to stolen music. Although it is difficult to judge myself as committing crime since music piracy has become some kind of a culture in the society we live in.

In her response, Thembi claimed that she does not directly commit music counterfeit since she does not know how to download music herself, from the internet. But mainly her male friends provide her with the music. She continued by stating that, she struggles finding

herself at fault since music piracy has become a widespread habit among communities. Also, Thembi's response is different to the rest of the participants because, from her opinion, she is not directly involved in music piracy. And the willingness to indirectly partake in this scheme is hard to underline due to full infiltration of piracy in the society. On the same question, Meshack's perception was that;

Yes, I am aware that I commit music piracy. In the case of whether I do it willingly or not, anyone ends up doing it out of will because of the availability of easy ways to carry it out. This accessibility is caused by the advancement of technology which has made it less risky for one to get caught. So except for people who sell pirated CDs, music pirates have become almost invisible

In his answer, Meshack admits to committing music piracy and from his statement he is doing it willingly because seemingly, there are no risks in carrying it out. The last participant from the internet music piracy group was Mashudu. He also admitted to committing music piracy and said that, he is not doing it willingly but because most people do it. In his statement, Mashudu confessed to committing piracy and as far as willingness to doing so, he pointed out to the countless number of people who commit piracy as the reason why he also does so. In spite of differences, Mashudu's view has similar characteristics to those given by Meshack.

This section consists of the discussion and analysis of the perceptions of the participants to the question that seeks to establish their awareness and willingness in the involvement of committing music piracy. The aim of this exercise was to determine whether perpetrators are aware of their involvement in piracy and if they are doing it willingly. Out of this

practise, it was expected that the information gathered would help in finding a solution to piracy.

Out of the nine (9) participants that took part in this theme, four (4) admitted to being aware of their involvement in committing music piracy and were doing it unwillingly. Three (3) out the nine participants were aware of their involvement in committing piracy and did willingly. One (1) participant out the nine said he was not aware of his involvement and did it unwillingly. Also, one participant did not admit to being aware of his participation in music piracy because he claimed that he only sold legitimate music products.

Based on the statistics, my analysis was that all the participants did not give straightforward answers to the questions. All their responses were supported by the reasons that attempt to redeem their connection in music piracy. Through observation, it seemed, the reasons given by the participants entailed both genuine and false details. Their reasons ranged from unemployment, pressure form society, advancement of technology and denial. Overall, advancement in technology, and employment seemed to be the reasons given by most participants to support their answers.

However, on aggregate, the findings showed that the participants are aware that they are committing music piracy. This is because the only participant who said was not aware of his connection in music piracy admitted to be manufacturing fraudulent music copies at the back of his shop. The rest of the participants confessed to being involved in pirating music. However, through my observations, the involvement of the participants in piracy seemingly cannot be separated from the various factors that led them to commit piracy in the first

place. Also Gomes *et al* (2013) concur with this observation by stating that unemployment is another factor that can give answers for the prevalence of piracy. This is besides a participant who said he committed piracy willingly because he thought it is legitimate to pirate one's own music. Accordingly, like other participants, he would only be replicating his own music and not that of others, if there were other ways of making a living. As it is, presently, it appears that a lack of cash flow in South Africa drives people to commit music piracy and illegally download it even when they would prefer buying.

4.6 CONCLUSION

To conclude, the main points that emerged from this chapter were that, participants had various perceptions to questionnaires that were used to interview them. To the first question that seeks whether the participants knew what music piracy is, a high percentage showed that they had the knowledge of defining music piracy. The next theme was aimed at finding out if they could differentiate between the forms of piracy. To this query, it appeared that participants could not clearly define the difference. In answering whether the participants could identify a music pirate, generally, the participants seemed to have an idea. They were also aware how music pirates operate. Perhaps, given that they committing music fraud, they were therefore able to give almost similar reasons why they committed piracy and were aware that they were involved in this particular act of crime.

Apparently, there is an indication of uniqueness in music piracy in South Africa. Unlike in other countries, illiteracy and unemployment are major obstacles that derail the objectives of the music sector in South Africa. Evidently, from the findings that transpired in this

study, the setting of the study field proved that, illiteracy spares the remaining functioning South African music industry. Also, a high rate of foreigners who effortlessly and illegally enters South African borders in search of jobs escalates the situation.

5.1. INTRODUCTION

In this chapter, the summary, research method and methodology of the study are drawn. The recommendations are however drawn according to the results of presentation, analysis and discussion that will come in the next parts also reflecting the impact of music piracy to the South African music industry. Following up this study, a conclusion including the recommendations will also be made.

5.2. SUMMARY OF THE RESEARCH

This study was intended to ascertain the perceptions of music piracy in South Africa and to reflect its socio-economic impact. Collection of the samples was targeted on in Johannesburg CBD. In following up this study, the study was intended to include as one outlined the introduction, problem statement, objectives of the study, aims and objectives, and guiding questions. Chapter two dealt with the review of literature, body, the technical and the content based literature from the technical section. Issues relating to methodologies were discussed. Under the content based literature section, the perceptions of preceding authors on music piracy were deliberated. Also, the socio-economic aspect was depicted to gain the core issues in relation to music piracy. From the literature it transpired that it would be difficult to deal with music piracy when the methodologies that are employed in carrying music piracy research do not conform to the environment where the problem occurs. This was also reflected by the perceptions of preceding authors which were found to be flawed or biased. Hence the collection of

CHAPTER FIVE: Summary, recommendations and conclusion

5.1. INTRODUCTION

In this chapter, the summary, recommendations and conclusions of this study are drawn. The recommendations are however discussed in reference to the conclusion of presentation, analysis and discussion that took place in chapter four; also reflecting the impact of music piracy to the South African socio-economy. To wrap up this study, a conclusion including the recommendations will also be made.

5.2. SUMMARY OF THE RESEARCH

This study was intended to establish the perceptions of music piracy in South Africa and to reflect its' socio-economic impact. Collection of the findings was carried out in Johannesburg CBD. In fulfilling its objectives, this study was structured as follows; chapter one entailed the introduction, problem statement, rationale of the study, aims and objectives, and guiding questions. Chapter two dealt with two levels of literature review body; the technical and the content based literature. Under the technical section, issues relating to methodologies were discussed. Under the content based literature section, the perceptions of preceding authors on music piracy were deliberated. Also, the socio-economic aspect was decoupled to gain the core issues in relation to music piracy. From the literature it transpired that it would be difficult to deal with music piracy when the methodologies that are employed in carrying music piracy research do not conform to the environment where the problem occurs. This was also reflected by the perceptions of preceding authors which were found to be limited or biased. Hence the collection of

perceptions of music piracy committers as postulated in this study to can, to a certain degree, help the situation. Chapter three discussed the research methodology. It provided a critical analysis of the methodology used, the study field, sample method, data collection method and the analysis. The survey was qualitative and minimal quantitative in nature and was carried out in Johannesburg Central Business District, Gauteng in South Africa. It targeted music pirates, who for analytical purposes were grouped into three categories; namely CD music pirates (vendors), retail music pirates and internet music pirates. An unstructured interview questionnaire was used to collect findings from music piracy participants. Most participants were willing to participate in this study. Chapter four consisted of the presentation, analysis and discussion of the findings. The responses were collected from the participants through engaging of an unstructured interview questionnaire; and were prepared for documenting through organising, interpreting and analysing them. The sample size was nine (9) participants comprising three CD music pirates, three retail music pirates and three internet music pirates. Eight (8) of these were males and one (1) female. The actual names of the participants were withheld for confidentiality. The aim of the field work was to collect the perceptions of music piracy perpetrators in South Africa in conjunction with the socio-economic aspect. And chapter five presented the conclusion of the research followed by recommendations.

5.2. RECOMMENDATIONS

This section deals with the recommendations for this study. The recommendations that surface are based on the findings of this research and the literature review that is presented

in chapter two. They are in regard to the three forms of music piracy; CD/physical music piracy, retail music piracy and internet music piracy.

5.2.1. CD MUSIC PIRACY

In order to achieve success in the fight against music piracy we need to understand all the dynamics that are involved in this problem. For us to obtain this, all matters that are involved in instigating and solving the problem have to be closely looked at. The following are the causes of the problem, the perceptions of CD piracy by the perpetrators, the environment where the problem occurs, to mention but a few; other than just focusing mainly on the statistics of the CD music piracy. This will ensure the precise diagnosing and remedying of the situation as it emerges.

5.2.2. Understanding the causes of CD Music piracy

The adequate acknowledgement of the causes of CD music piracy in South Africa could help us in identifying the solution to the scourge. Also, since it can be concluded through the findings in this study that a low personal income, an evolution in technology and the questionable policing system seem to be the main causes of this problem in South Africa, it is thus significant to also consider the nucleus or the primary cause of the problem, which might be giving leverage to either of the secondary causes stated above. This is because, although insufficient income, improvement in technology and poor policing can be postulated as the causes, some perpetrators are likely to falsely use them as excuses in order not to be implicated. So, to expose such lame excuses, an excuse has to be identified and addressed. Through a critical analysis of the findings under CD music piracy category, one

could conclude that, instead, the root cause of CD music fraudulence according to the participants and through my observation is the scarcity of employment in South Africa. Therefore, to solve CD piracy in South Africa, issues around unemployment have to be mixed in the same pot as those of CD music piracy, and prioritized.

5.2.3. Addressing the perceptions of the perpetrators towards CD music piracy

It emerges in the findings that the perceptions of music piracy in South Africa do not favor the music sector. In order to win a fight against CD music piracy, the present perception towards music piracy has to be investigated. This will improve on the efforts that are already in place in trying to resolve the problem. It will further restore the significance of music in the minds of the South African public. The economic implications should not be an issue. Meaning, it is proven that a music industry yields notable revenue if managed and nurtured well. Therefore, in order to restore and develop positive perceptions in the perpetrators, the music industry should be aggressively transformed. Buying of music CDs should be made fashionable. Stakeholders and business people in South Africa should invest in it unwaveringly, with the mindset of regaining their investments at a later period. This should involve seizing of injecting capital that is limited to the budget or is remotely believed to be sufficient to carry out this task. Personnel deployed in changing the perceptions of CD music piracy should, like in any sector that is perceived as the power engines of the economy in South Africa, be thoroughly trained individuals who will in every inch be in a position to account for this mandate.

5.2.4. Considering of the environment where cd music piracy takes place

It also appears in the findings in this study that, the environment in which CD music piracy occurs also instigates the music piracy. Because of the still developing structures in Johannesburg, South Africa and high population, the city therefore presents an environment that allows illegal trading of music CDs in hideous places which are not easily accessible for monitoring. Some of the fraudulent CD selling stations can only be accessed by pedestrians since they are too narrow for vehicles to drive in. These areas therefore become hot spots for hawkers who want to shy away from being exposed to the police who are monitoring the streets.

By implication, in order to address physical piracy comprehensively, we have to consider the environment where it takes place. Specifically, to achieve positive results in a fight against CD piracy the methodologies that are applied in South African/African research has to adapt to the environment where piracy takes place; other than generalizing the methods which could lead to undesired data.

5.2.5. RETAIL MUSIC PIRACY

According to this study's data, some music retailers profit from the prevalence of piracy while others lose revenue due of the existence of this scourge. Retailers who profit through music piracy are those who, other than just selling bogus music products to the public, also supply small illegal music businesses with stocks. Those who lose because of piracy, do so through opting to be ethical by selling legal music products.

Addressing the issues of music retailers that profit from piracy

Indications of the findings of this study show that music retailers who make profit through piracy do so by running their own manufacturing sites in their businesses' backyards. Some of these retailers are illicit individuals who know both the street and formal settings of the business of selling illegal music; at least it emerges in this research. Through the success of some of these trades, seemingly they are literate traders who are capable of running successful entrepreneurships through selling of illegal music goods. The positioning and success by some, in this trade, could prove a threat to the remainder of the music sector in South Africa. This is so because one can draw a line that, the effectiveness of illegal retailers could be a proof that they are more connected not only in getting the latest music through illegal downloads from the internet for replicating and selling, but also sophisticated CD machinery to carry out this act. These operations result in the selling of pirated music which gains momentum through popularity gained from the public since most of these retailers sell these products close to almost nothing. As such, illegal music trading gradually becomes a successful and quick way of making profit. This could unfortunately be luring the legal retail trading to joining in the black market because of their lucrative nature; which means, the gain in momentum by bogus retailers might see us reach an era where the music sector is dominated by the black music market.

In order to rescue this situation, we need to link retail music piracy to issues of unemployment in South Africa. This is because the prevalence of the illegal music retailers could be enhanced by lack of employment. A lack in jobs creates a gap that could be

noticeable to fraudulent music outlets and they then fill this gap by introducing cheap music products to the public. These operations are mostly likely to prosper since the quality of music remains almost unchanged even after being replicated. Seeing that this could be a difficult battle to win, one suggests joining forces with these corrupt retailers. Their literacy and ability to run business in the dark alleys could be transformed into good use. Instead of arresting corrupt retailers, which could be costly, converting them into partners in the music businesses seems more feasible and more people such as vendors who sell counterfeit CD could be employed to sell genuine music in outlets and in streets instead. It is therefore advisable for the stakeholders and the organizations that are involved to turn this problem into a solution instantly.

The retailers who sell genuine music and are affected by piracy

It is found in the findings of this survey that, there are music retailers who sell genuine music and yet are affected by the prevalence of piracy in South Africa. These are merchants who even after a long period of the existence of music counterfeit, have kept their businesses clean and somehow still manage to run them. This is despite the visible stress that they go through since most of their clients are opting buying from their counterparts who sell fraudulent music products. Since the buying of music from outlets seems to be constituted by ethics and the status of consumers, music outlets are therefore there to cater for such. However, pricing of music products still matters to them and as a result, retailers who sell fraudulent CDs and DVDs at lower prices appear to take over the reins of retail music business in South Africa. Such a strain as a result of competition, which is absorbed

by these honest outlets, could therefore be gradually draining the frankness from retailers. Likely, instead of giving up in this particular field of business because of piracy, some if not most retailers could be joining the illicit music trading with an aim of also getting a share of lucrativeness in the black business.

In order to solve this problem, emanating a strategy that would quickly, less costly and efficiently get both parties on track whereby they will both honestly earn profit through selling of music products, seems significant; other than sending such wrong doers in detention which could be costly for the state. This is because, the ability of retailers to run dishonest trading and at some instances manage to get away with it, could imply some form of expertise in them. Due to lack of skills in South Africa, one could therefore advise that, transformation of such misused skills of deceitful retailers might be helpful. A third party, such as stakeholders and the government are in a position to intervene and quickly have this issue sorted out.

5.2.6. INTERNET MUSIC PIRACY

It emerges from the findings of this study that the internet perpetuates music piracy substantially in South Africa. Through the usage of online, participants (piracy committers) are able to manipulate music files and download them for free; which is an illegal act since in some instances there would be no form of agreement between them and the copyright owners of that particular music. However, through analyzing this situation, one could postulate other issues such as advancing of technology, ethics and personal income as contributing to internet music flouting;.

5.2.7. Improvement of technology and music piracy

It is due to the improvement of technology, that, the internet was introduced and from it anyone with necessary skills can upload, download and transfer music files. Most perceptions of the participants in this study somehow pointed at the technology and the introduction of internet as the root source of the prevalence of music counterfeit in South Africa.

To solve the problem of online music piracy, keeping in mind the magnitude of this form of piracy, one would suggest that, instead of trying to reverse the situation by attempting to keep the fingers of the perpetrators from pressing that button, adapting to the situation seems more realistic. Finding ways to encourage the perpetrators and the public to buy music using the present advancement of internet could help in 'cutting to the chase'. This approach could save time, is cost effective and most importantly, instead of prosecuting the wrong doers, they would be rehabilitated and deployed in different fields where their skills would be put to positive use. Of course, during the implementation of this exercise it is important for one to keep in mind the environment in which this application takes place. By so doing, a practical and effective method that conforms to indigenous people and their culture would have obtained. The effectiveness of any method in research and solving of a problem is likely to yield progressive outcomes.

5.2.8. Internet, ethics and music piracy

Beside technology as an influential aspect in spreading piracy in South Africa, it appears in the findings of this study that, even if perpetrators have the means to buy music, easy

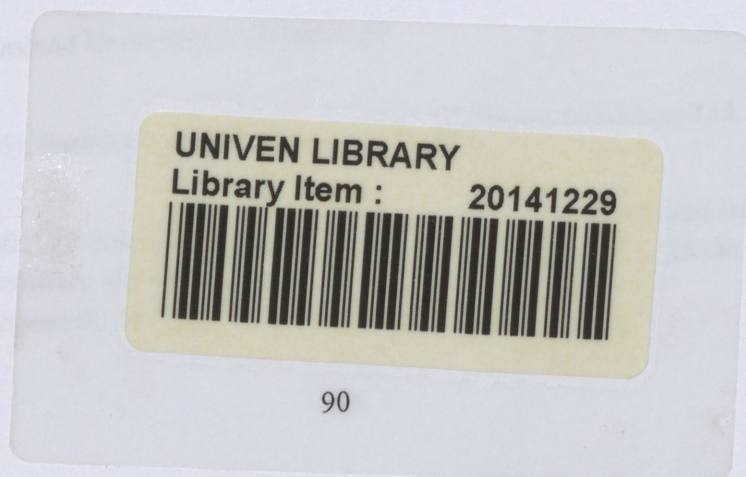
access to music which is provided by the availability of the internet affords people the choice whether to buy or steal music.

In order to address the issue of ethics in relation to music piracy, perceptions of the perpetrators and of the public towards music and piracy must be topical. Because ethics are based on the mindset of an individual and how a person sees and responds towards things, similarly, it therefore means that we have to influence how we want the public to view music and piracy. By implication, just like how a song that is believed to be a blockbuster, we have to actively deal with the perceptions of people in redirecting their mindset to seeing music as significant and worth paying for. Again, in order for this approach to yield positive outcomes, funding ought not to determine its success.

5.2.9. CONCLUSION

In this chapter, the summary of the layout of the research and recommendations that consists of the three categories of music piracy, the subject matter, were discussed. Under CD/ physical piracy, cause of the problem, the perceptions of CD piracy by the perpetrators, the environment where the problem occurs, formed part of the topic. However, it also emerged that physical piracy could be misdiagnosed. It surfaces that the actual cause of CD piracy in South Africa is lack of cash flow or balance in personal income. On the other hand, under retail piracy, recommendations were based on music CD retailers who gain profit from the prevalence of piracy and those who lose revenue due of the existence of this scourge. It resulted that, because of the gap created in pricing of music products due to piracy, legitimate retailers are likely to be slowly converting their businesses into illicit

ones for profit gain. This is because, legitimate retail seem to lose their clientele to the bogus retailers. And the engaging of the perpetrators in finding a solution seemed to be able to solve the problem of piracy in South Africa. Lastly, factors that are linked to the perpetration of internet music piracy are advancing because of technology, ethics and low personal income. It emerged that adapting to the evolving technology and conversion of perpetrators skills to positive use could help the situation.



6. REFERENCES

- Ambert, C. (2003). "Promoting the Culture Sector through Job Creation and Small Enterprise Development in SADC Countries: The Music Industry". International Labour Office
- Allen, J. (2012). *Online Music Piracy in College-Age Students*. Southern Mississippi: The Aquila Digital Community.
- Assenova, V. (2007). "Determinants of the music piracy divide". In *Undergraduate Economic Review 3.1* (p. 1). University of Pennsylvania.
- Babbie, E. (2007). *The Practise of Social Research (11th Ed)*. New York: Thomson
- Bosch, T. (2010). "*Piracy as counter-hegemony: a Cape Flats case study*". *Communicare: Journal for Communication Sciences in Southern Africa= Communicare: Tydskrif vir Kommunikasiewetenskappe in Suider-Afrika*: 99-116.
- Bounagui, M. & Jacques N. (2009). "*Towards understanding intention to purchase online music downloads*". *Management Dynamics: Journal of the Southern African Institute for Management Scientists* 18.1: 15-26.
- Bouy, D. (2012). *The Specificity of Horror Sources in Asia Horror Cinema*. Brisbane. Queensland University of Technology
- Browne, K. (2005). *Introduction to Sociology*. USA: Blackwell Publishing Ltd.
- Chiang, E. a. (2002). Copyright piracy on the university campus: Trends and lessons from the Software and Music Industries. *International Journal on Media Management*, 145-149.

- De Villiers, W. M. (2006). Aspects of the South African Music Industry: An analytical perspective. Diss. University of Pretoria.
- Dordi, C. (2008). Impact of Counterfeiting on International Trade. Universita' Bocconi , Milano, European parliament.
- Drevdahl, D, et al. (2001). "Reinvesting in social justice: A capital idea for public health nursing". *Advances in Nursing Science* 24.2: 19-31.
- Easley, R. F. (2005). "Ethical issues in the music industry response to innovation and piracy." *Journal of Business Ethics* 62.2: 163-168.
- Gianluca, P. (2012). *LEGAL ASPECTS OF SOCIAL NETWORKING*. Milano: Via Visconti di Modrone 2.
- Gehring, D. (2010). Evaluating the Batterer Intervention Programs in Napa County: what type of intervention is provided and does the process reduce domestic violence. Diss. California State University, Sacramento.
- Gomes, N. D, Pedro, A. C. & Luis. A. A. (2013). Determinants of Worldwide Software Piracy Losses. No. 2013-19. GEMF-Faculdade de Economia, Universidade de Coimbra.
- Gopal, D. e. (2004). A behavioral model of digital music piracy. *Journal of Organizational Computing and Electronic Commerce* 14.2, 89-105.
- Gray, E. (2009). *Doing Research in the Real World*. Sage.

- Green, C. (2012). The internet and South African music: The impact of the internet on the protection of South African recording artists' copyrights and consumers' fair trade. Diss.
- Gulati, R. (1998). Alliances and Networks. *Strategic Management Journal*, Vol. 19, 293–317.
- Gulati, S. C. (1988). *Fertility in India: An econometric analysis of a metropolis*. New York: Sage Publications.
- Henn, M. (2008). *A Short Introduction to Social Research*. California. Sage.
- Hesse-Biber, S & Leavy, P. (2006). *Feminist Research Practice: A Primer*. Sage.
- IIPA. (2010). *South Africa's Movie Piracy Challenges*. South Africa: Intellectual Property Brief.
- Jeong. (2006). *Industrial Relations in Korea: Diversity and Dynamism of Korean Enterprise Unions from a Comparative Perspective*. New York: Routledge.
- Joffe, A. & Newton, M. (2008). *The Creative Industries in South Africa*. Human Sciences Research Council.
- Joffe, A. & Newton, M. (2007). *Creative Industry of South Africa*. South Africa. Human Resource Research Council.
- Joffe, A. & M, Newton. (2009). "Creative industries." Sectors and skills: 235-253.
- Joost P, N. V. (2010). Legal, Economic and Cultural Aspects of File Sharing. *Communications & Strategies* 77, 35-54.
- Juma, J. O. (2011). *Africa Worldviews Their Impact On Psychopathology and Psychological Counselling*. SA: University of South Africa.

- Leedy, P. D. & Ormord, J. E. (2005). *Practical Research Planning and Design* (8th Ed). New Jersey: Pearson Mevill Prentice Hall. p. 92-93.
- Kawooya, D. Kakungulu, R. & Akubu J. (2009). "ACA2K country report: Uganda, IDRC, Ottawa; Shuttleworth Foundation, Cape Town and LINK Centre, University of the Witwatersrand, Johannesburg".
- Keizer, P. (2005). "A Socio-Economic Framework of Interpretation and Analysis". *International Journal of Social Economics* 32. 1/2: 155-173.
- Kumar, R. (2005). *Research Methodology: A Step by Step Guide for Beginners*. California. Sage.
- Leung, T. (2012). *Music Piracy: Bad for Record Sales but Good for the iPod?* Chicago: SSRN 2244111.
- Levy, Y. (2006). A System Approach to Conduct an Effective Literature. *Informative Science Journal Vol.9*, 182.
- Lionetti, S, & Roberto P. (2009) "Trading cultural goods in the era of digital piracy." University of Lugano, Lugano (Quaderno della Facoltà di Scienze Economiche 09/07).
- Mapaya, M. G. (2013). Investigating Mmeno wa Setso (Indigenous African Music) As Practised by Bahananwa in Limpopo, South Africa: Towards Ordinary African Musicology. University of Venda.
- Mattelart, T. (2012). "Piracy Cultures| Audiovisual Piracy, Informal Economy, and Cultural Globalization". *International Journal of Communication* 6: 16.

- Mbambo, D. (2009). *Research Methodology*. Pretoria: University of South Africa.
- McKee, A. (2003). *Textual Analysis: A beginners Guide*. SAGE.
- Mhiripiri, J. T. (2012). "Towards an epistemology of management and economics in the Zimbabwean music industry". *Journal of African Media Studies* 4.3: 339-355
- Mkabela, Q. (2005). "Using the Afrocentric method in researching indigenous African culture." *The Qualitative Report* 10.1: 178-189.
- Morton, N. A. & Koufteros X. (2008). Intention to commit online music piracy and its antecedents: an empirical investigation. *Structural Equation Modeling* 15.3, 491-512.
- Newman, W. (2011). *Social Research Methods: Qualitative and Quantitative Approaches* (6th Ed. Boston Pearson: Allyn and Bacon Publishers. p. 109-191.
- Nkala, D . N. (2012). *Towards a Model for Digital Distribution and Value Capture in the South African music industry*, University of Pretoria. South Africa.
- Nordquist, R. (2011, July 31). *Grammar and Compositions*. Retrieved April 27, 2013, from grammar.about.com.
- Okurame, D. E. & Ogunfowora, A. S. (2011). "Impact of gender and opportunity recognition on attitude to piracy of computer industry products." *Gender and Behaviour* 9.1: 3419-3434.
- Olsen, K, & O. E. C. D. Secretariat. (2005). "Counterfeiting and piracy: Measurement issues." *WIPO/OECD Expert Meeting on Measurement and Statistical Issues*, Geneva..

- Owusu-Ansah, F.E. & Mji, G. (2013). *African indigenous knowledge and research*. African Journal of Disability 2(1)
- Panethiere, D. (2005, April 30). "The persistence of piracy: The consequences for creativity, for culture, and for sustainable development". Retrieved February 03, 2014, from UNESCO e-Copyright Bulletin.
- Poort, J. Rutten, P & Van Eijk, N. (2010). Legal, Economic and Cultural Aspects of File Sharing. *Communications and Strategies* 77, 35-54.
- Pope, T. (1999). Social, Economic, and Political Aspects of Music and Digital Media . *Computer Music Journal* , 49-56.
- Prasad, B. D. (2008). Content Analysis: A Method in Social Science Research . In *Research Method for Social World* (pp. 179-193). New Dehli: Rawat.
- Kawooya, D. Prabhala, A. &. Rens, A (2006). Intellectual property, education and access to knowledge in southern Africa. ICTSD/UNCTAD/TRALAC,.
- Richardson, N. (2009). "The Handling of Aggression in Therapy from a Gestalt Perspective". University of South Africa.
- RISA. (2012, June 22). *KZN Police gives another blow to a known counterfeiter*. Retrieved May 20, 2013, from www.stoppiracy.org.
- Siwek, S. E. (2007). *The true cost of sound recording piracy to the US economy*. Institute for Policy Innovation.
- Steyn, M. (2005). *A supply chain model for the South African recording industry*. University of Pretoria.
- Story, A. (2003). "Study on Intellectual Property Rights, the Internet, and Copyright." International Telecommunications Union Report.

- Tade, O., & Akinleye, B. (2012). "We are Promoters not Pirates': A Qualitative Analysis of Artistes and Pirates on Music Piracy in Nigeria. *International Journal of Cyber Criminology* 6.2.
- Teljeur, E. (2003). Intellectual Property Rights in South Africa: An Economic Review of Policy and Impact Intellectual public: Trade and Industry Monitor
- The Creative Industries in South Africa Report. (2008). *The Creative Industries in South Africa Report*. CAJ: Culture, arts and jobs. Pretoria: HSRC.
- Theda, T. & Ahyick, M. (2010). "Can We Help Information Systems Students Improve Their Ethical Decision Making?". *Interdisciplinary Journal of Information, Knowledge & Management* 5.
- UNCTAD. (15 Oct. 2009). Strengthening the Creative Industries for Development in Zambia. Retrieved on 04 June 2014 from www.unctad.org
- Thurasamy, R. e. (2003). Counterfeit Music CDs: Social and Personality Influences, demographics, attitudes and purchase intention: some insights from Malaysia. *Academic Conferences Limited*.
- Van Belle, J. Macdonald, B. & Wilson, W. (2007). "Determinants of digital piracy among youth in South Africa.". *Communications of the IIMA* 7.3.
- van der Byl, K. & Van Belle, J.P. (2008). "Factors influencing South African attitudes toward digital piracy." *Communications of the IBIMA* 1.1: 202-211.
- Van Graan, M. (2010). "Cultural industries, arts, culture and creative arts, first paper: Towards an understanding of the current nature and scope of the creative industries in the Western Cape."

- Wedgwood, R. & Hammett, (2004). *The Methodological Challenges of Researching, Education and Skills Development in Africa*. University of Edinburgh.
Retrieved 02 May 2014 form www.cas.ed.ac.uk
- Welman, C. Kruger, B. & Mitchell, B. (2005). *Research Methodology* (3rd Ed.). Cape Town. Oxford University Press.
- WIPO. (2010). *Socioeconomic Dimension of the Unauthorized Use of Signals – Part II*. Geneva: Screen Digest.
- Wysociki, D. (2008). *Reading in Social Research Methods*. (3rd Ed.). USA: Thomson Wadsworth.
- Zentner, A. (2006). "Measuring the Effect of File Sharing on Music Purchases". *Journal of Law and Economics* 49.1: 63-90.
- Zhang, Y. & Wildemuth, B. (2009). Unstructured Interview. In B. Wildemuth (Ed.), *Applications of Social Research Methods to Questions in Information and Library Science* (pp. 222-231). Westport, CT: Libraries Unlimited.
- Zhang, Y. & Wildemuth, B. (2009). "Qualitative Analysis of Content". *Applications of Socail Research Methods to Questions in Information and Library Science*: 208-319.

7. APPENDIXES

