



The Imperatives of Sustainable Development in Ukrainian Higher Education

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Abstract

This article deals with the problem of the forming an imperative of Sustainable Development. The content and ideological potential of the idea of Sustainable Development are analyzed. The necessity of introducing informational and educational policies in the course of implementation of the principles of Sustainable Development is substantiated. The main disadvantages and problems of the system of higher education in Ukraine are considered in light of the of the idea of Sustainable Development. It has been proven that the content of the concept "ecological" significantly expands the context of expediency in implementing the strategy of Sustainable Development.

Key words: sustainable development imperative, educational practices, ecological responsibility, "green knowledge", "green values", "education for future", post-materialism.

INTRODUCTION

A modern globalized and unified world needs constructive solutions and universal strategies. The 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals constitutes such an integrated approach to conscious and responsible future achievements.. The proclaimed goals are intended to change consciousness in order to overcome the inherent and prevalent passivity. This passivity is caused, among others, by the post-colonial system of thinking, governing, management of Ukraine and other developing countries. We assume that the most effective way to change the situation is through the means of training and education. If we optimize such work in the system of higher education, the final result will be very fruitful. Indeed, environmental friendliness as a principle of thinking and activity of future teachers will be reflected in younger generations, future managers will be more plastic and rational in the implementation of solutions, and future engineers will be more inventive in the application of technology.

However, on the contrary, B. Jickling & A. E. J. Wals (2008) declare without exception: "For institutions such as the World Bank, education appears simply and solely about preparing individuals to join the local labour market to nourish the global marketplace and satisfy corporate needs". (Jickling B. & Wals A. E. J., p.3) Are such prerequisites of a social system level as the criticality of thinking, or reflection, and the ethical mode of responsibility still needed? B. Jickling & A. E. J. Wals (2008) establish that "Globalizing ideologies and the corresponding material effects are also having an impact on education. The powerful wave of neo-liberalism rolling over the planet, with pleas for 'market solutions' to educational problems and universal quality-assurance schemes, are homogenizing the educational landscape". (Jickling B. & Wals A. E. J., p.3)

But the situation is such that it is simply not possible to delay with solving urgent problems. The degree of the anthropogenic impact on the environment is demonstrated on an unprecedented scale. Therefore, reformatting the principles of interaction at all levels of the triad "human-socio-nature" has no means to delay. In addition, the modern enchantment of natural and technical sciences limits the possibilities of humanitarian discourse. There is a false and limited position. Pragmatism and operationality in data processing undoubtedly provide the

necessary foundation for adequate and effective solutions. However, as K. Madsbjerg rightly points out, only humanities can "break through the glass ceiling" (Madsbjerg C., p.21), or overcome the prevailing paradigm of thinking and analytics.

The fact is that reflection and moral responsibility are possible just on the basis of critical thinking and a broad worldview. Therefore, we have grounds to agree with Y. Habermas that the Age of Enlightenment is not an end to the process, and the technology of education and self-education are becoming even more relevant and demanding in modern digital civilization.

1. METHODOLOGY

The main theoretical thesis, which is consistently substantiated by the authors, is the statement on the expansion of the content of an "ecological" concept to the strategy of Sustainable Development. Accordingly, the theoretical basis of the study is the method of conceptual analysis. Its application enables the authors to analyze this concept, its significance in contemporary humanities, and the influence on the formation of consciousness and the nature of ordinary practices.

The system-structural method is fully effective for researching the implementation of a Sustainable Development strategy. Analyzing the system of higher education in Ukraine due to the effectiveness of its separate structural components, the opinion is based on the fact that the mechanism of forming a worldview on the principles of Sustainable Development in Ukraine has significant gaps from informational and educational work to practical tools for the application of this strategy.

The empirical substantiation of the study, in addition to the personal professional and pedagogical experience of the authors, is presented in the comprehensive work of A. Leszczynska, (2010). A. Leszczynska gives such grounds: "The empirical research was conducted in three countries. In total, 200 managers in public and private corporations nationwide were selected in Australia and Ukraine. In Poland the population of managers was 250." (Leszczynska A, p. 1241) So, the necessary representative base of our theoretical research is presented in significant terms.

2. TO THE CONTENT OF THE CONCEPT

In favor of the relevance of this topic, we note that the advanced world is based on and embodies the values of a democratic system. Democracy, in essence, is the coordination of the life of most citizens. In order for this coordination to be effective, adequate and purposeful education in general and an institutionalized education are required in particular. Therefore, education is a significant factor in the implementation of the idea of Sustainable Development.

The definition of Sustainable Development is quite a problematic issue. The basic parameters of the definition of this concept are as follows:

1. H. Stoddart (2011): "This concept of conserving resources for future generations is one of the major features that distinguish sustainable development policy from traditional environmental policy, which also seeks to internalize the externalities of environmental degradation". (Stoddart, H., p.9)

This way of defining fixes fundamental worldviews of the human relationship with the world, as enshrined by international organizations as a strategic program of action.

2. F. Mogensen & K. Schnack (2010): "However, a central element of the approach is to be critical of moralistic tendencies, preconceived ideas and hidden agendas when working with environmental education, health education, ESD or other teaching–learning sequences that deal with societal issues involving conflicting interests". (Mogensen F. & Schnack K., p.67)

This definition focuses on the implementation mechanisms of the Sustainable Development idea. It is clear that the realization of the latest worldview shifts is possible through education, persuasion and enlightenment. The distance from the idea to its realization lies in the set of autonomous subjectivities. To combine this set into a single mechanism is possible by methods and means of education that determines the content and nature of daily practices.

3. B. Jickling & A. E. J. Wals (2008) have analyzed factors that cause difficulties in the implementation of idea of Sustainable Development. They gave such basic positions: "The conflicts that emerge in the exploration of sustainable development, for instance, reveal the inevitable tensions among the Triple Ps (people, planet, profit) or the three Es (efficiency, environment, equity)". (Jickling B. & Wals A. E. J., p.63)

The objective of Sustainable Development is to achieve a balance between these diverse factors in a single coordinate system.

4. A. Reid and P. Petocz (2006) explore the understanding of the idea of Sustainable Development by participants in the education process, largely, lecturers. They concluded that the interpretation of the concept of Sustainable Development is not unambiguous. The variability of

understanding the concept is a kind of dialectical composition, the basis of which is the collision of concepts of 'sustainability' and 'creativity'. Furthermore, "our research approach was oriented towards presenting the ideas of 'sustainability' and 'creativity' as two higher-order attributes critical to a learning environment". (Reid A. & Petocz P., p.111) So, the concept of 'creativity' includes the components of 'disparate', 'overlapping', 'integrated', and the concept of 'sustainability' contains of 'distance', 'resources', and 'justice'. These semantic units form the meaningful field of understanding The Sustainable Development.

Consequently, the complexity of the contents of the Sustainable Development concept proves the need for information support in the implementation of this project. Therefore, a wide discussion is needed about the content, goals and methods of implementing of Sustainable Development.

3. TO THE PROBLEM OF THE SYSTEM-STRUCTURAL ORGANIZATION

The conceptualization of any strategy is a complicated and contradictory phenomenon. So, M. Hladchenko, H. de Boer and D. Westerheijden sum up "Our exploration has shown the importance of the agents who translate the global idea into national policy and how each of them translated it in a different way. In general, success or failure of reform depends on the interpretation of the idea by these actors in the process of translation, on the context from which they translate and into which they translate, how they see the causes and effects of translation, what problems they aim to resolve and how they formulate new policy." (Hladchenko M., Boer H., Westerheijden D., p.12) The authors study the problem of the formation of a research university in Ukraine. Many problems in the contemporary educational system are analyzed in the focus of their study. They claim that "looking at the rules of formulation it can be stated that because of the lack of systemic vision on development of the knowledge economy in the country, and a lack of the funding, the idea of the research university was hollowed-out while travelling into the Ukrainian discourse. The state did not create conditions suitable for knowledge transfer between universities and business, and universities had funding for neither equipment for laboratories, nor working conditions that would enable academics to engage in research (salary, conference allowances, etc.). In the normative model of a research university, abundant funding is a necessary condition." (Hladchenko M., Boer H., Westerheijden D., p.12)

The implementation of the 2030 Agenda for Sustainable Development principles in the education system in Ukraine faces a number of complex problems as well. Gomilko O.,

Svyrydenko D. and Terepyshchyi S. (2016) perfectly characterize the drawbacks of modern higher education in Ukraine: "Cheating, plagiarism, poor regulatory provision, strong administrative pressure, imitation of autonomy, isolation from the real needs of the society make HEU locally unique, but globally unattractive". (Gomilko O., Svyrydenko D. & Terepyshchyi S., p.183) A. Osipian gives a similar assessment of the post-totalitarian system of higher education in Ukraine: "Ukrainian HEIs, with their Soviet-style bureaucracy, institutional rigidity, clear lack of flexibility and slowness in response to emerging new challenges, remain distinct from their Western counterparts. Simply put, HEIs were caught unprepared, as well as the system overall was and still is not ready for major shifts and external impacts." (Osipian A, p.234) Another thesis states that: "Although a clear lack of university autonomy and corruption represent major problems for Ukraine's higher education, other problems persist as well. These problems include weak knowledge of the English language among university professors, near total absence of access to Western academic publications, and self-centered self-serving academic culture." (Osipian A, p.237)

All of these educational problems restrain the implementation of the Sustainable Development ideas in Ukrainian higher education. The educational model does not meet the contemporary need for the implementation of Sustainable Development imperative.

This situation is a result of the following factors:

- Broadcasting outdated knowledge. The gap between education, science and production in Ukraine is difficult to overestimate. Teachers have not been able to change the content of their lectures for decades. However, even fundamental and applied sciences are rapidly developing. Consequently, the best practices of scholars are outside the educational process. Studying physics at the level of the 17th and 18th centuries on specialized faculties of Ukrainian universities is a common practice.

- Artificial isolation. The way of existence of information is indifferent in its nature. The essence of information lies in the possibility of its application and purpose. Postcolonial mentality, and consciousness of the consumer is inherent in reducing the level of heuristic inquiries and activities. Hence, there is a paradoxical situation: actual access to information is open, and there is no valid request for it. There is a vivid example of limitation in consciousness, but not in reality.

- Lack of motivation. The main moving force of any activity is motivation. However, a number of disadvantages of modern higher education in Ukraine make a stable motivation to research impossible, teaching and educational activities. Gomilko O., Svyrydenko D. and Terepyshchyi S. (2016) list such disadvantages of Ukrainian education: "The outlined above

“isms” of HEU (provincialism, sexism, ageism, speciesism, and nepotism) indicate deep civilizational backwardness of the Ukrainian society, which was resulted from “conservation” of the way of life and thinking of *homo soveticus*, who is the product of the totalitarian ideology implementation" (Gomilko O., Svyrydenko D. & Terepyschyi S., p.194). The basis of the motivation of the postcolonial consciousness is the correspondence with the official ideology. Consciousness of consumption produces conformism. With this tacit consent, regardless of context, it has the aim of combating the strategy of Sustainable Development.

- Fragmentation of consciousness. The pathos of postmodernity, the pressure of everyday life, or the acceleration of civilization processes cause a fragmentation of consciousness, tearing of ideological beliefs and daily practices, ideals and values with plans and strategies for building the future. Thus, the ecological consciousness in the representation of the inhabitant is a separate sphere of realization of life activity. There is an absolutely wrong position. Consciousness, subjectivity, and activity are integral with ontological and heuristic characteristics. Therefore, ecology is a general and universal principle of the determination of life, common at the international, state, and personal level. The culture of environmental consciousness should be understood as the implementation of activity in an optimal way, as a balance of costs and benefits, resources and results, technology and nature.

4. TO THE PROBLEM OF PRACTICAL IMPLEMENTATION

A. Leszczynska admits: "Against this background, the state of ecological knowledge in Ukrainian managers looks “dramatic”. They are able to mention only international ecological organizations. The interviewees in this country would report possible environmental threats to the police (33 per cent), the fire brigade (30 per cent). Only four respondents (out of the whole population) were able to indicate examples of eco-labels. A significant part of the respondents in all the countries studied (.40 per cent) show a considerable concern for the general state of the environment. They consider the ozone layer and greenhouse effect to be the greatest threats..." (Leszczynska A, p. 1241) Specifics of management is also characteristic for *homo soveticus*: "The Ukrainian respondents are the most prominent in expressing a desire to have trade sanctions imposed (4.4), and to have local companies exposed to the same degree of environmental compliance as foreign companies (4.0). On the questions of negative construct they are, however, more supportive of international environmental concerns being subordinate to national concerns (3.4), and they believe that the national government should maintain central control over

environmental regulations (4.1). This reflects a more nationalistic and centralized perspective on environmental accountability." (Leszczynska A, p.1243) Even the basic principles of the organization of work in the sphere of environmental management are absent, as well as the motivation in general for this aspect of activity: "The Ukrainian respondents do not perceive any benefits resulting from the implementation of ISO 14000. It is probably due to a very low popularity of environmental management schemes in Ukraine, which are implemented only by international organizations. Moreover, the managers interviewed do not consider it necessary to form environmental committees in their organizations (2.6); they have a negative perception of their own accountability for implementing environmental management (2.3)". (Leszczynska A, p.1243)

As a result, the weakness of the world-view fundament for actualization of Sustainable Development ideas at Ukrainian higher education is obvious. On the other hand, the lack of attention on ecological problematic takes the root from world-view level of students and teachers. The reasons for this state are:

1. The extensive nature of production was inherent in the Soviet way of managing. According to such principles of organization of purpose-oriented activity, an ecological consciousness is not demanded. However, the productivity of such technology is low, and its impact on the environment is high. Obviously, inexhaustible resources do not exist. Therefore, such a strategy did not justify itself, but firmly established itself in the everyday consciousness of post-colonialism.

2. Condemnation as a leading tendency to the world. It is quite logical that A. Maslow represented the hierarchy of human needs in the form of a pyramid. For the overwhelming majority, the satisfaction of living needs is a sufficient level of implementation of ambitions. Therefore, the modern education of Sustainable Development permeates all aspects of human life, changing the nearest range of comfort. F. Mogensen and K. Schnack (2010) argue: "Thus, Bildung cannot be reduced to mere education in the sense of cultivation, normalization, or traditional socialization. On the contrary and in concert with the utopian dimension of critical theory, it has as its aim the fulfillment of humanity: full development of the capacities and powers of each human individual to question preconceived opinions, prejudices, and 'given facts', and intentioned participation in the shaping of one's own and joint living conditions". (Mogensen F. & Schnack K., p.61)

3. Low level of personal consciousness and responsibility. Functional thinking does not imply strategy and responsibility. Therefore, the task of education is to form self-consciousness towards oneself, one's activities, the world as a whole. F. Mogensen and K. Schnack (2010) argue

in this way: "The notion of indicators must reflect this Bildung approach. First by acknowledging that indicators cannot be seen as a mechanism that aims to prescribe and test the 'correct' content (knowledge, skills and values) in ESD, but rather must be formed in ways that stimulate and qualify students to become future citizens, who can make sound judgements, think critically and independently, and who can and will play an active role". (Mogensen F. & Schnack K., p.69)

The main questions are:

1. "Can we modernize direct educational practices using European approaches without fundamental transformations on the mental (world-view) level?"
2. "Which component is more important for essential changes in Ukrainian higher education on the way of sustainable development ideas implementation?"

We are convinced that a lack of sustainable development world-view orientations has a greater priority than the modernization of existing practices. Rebuilding the old system is a rather unpredictable right. Perhaps this is why reforms in Ukraine are slow and difficult to implement today. But the strategy of sustainable development is an optimal alternative to the formation of an effective educational system in the world and, in particular, in Ukraine. Efficiency in this case is based on the existing potential of consolidation of society and the world community.

Educational problems which restrain the implementation of Sustainable Development ideas at Ukrainian higher education

1. Lack of orientation in high level of students' responsibility. Ecological responsibility is a part of an individual's responsibility which should be one of the main directions of educational influence, but is not qualitatively implemented. The educational system is not oriented on forming a series of citizenship values including responsible ecological behaviour etc.

2. The education system is still oriented on the standards of classical education model where an ecological imperative is absent. The classical education model conceptualized in the 18th and 19th centuries by Komensky, Diesterweg, Pestalocci and others. This model logically does not contain ideas of global impact of the nature, risks for human surviving in the face of global ecological changes etc. Thus, there is a lack of "green knowledge", "green values" at the center of the education system.

3. No clear vision of "future human image". The anthropological project of the human is not clearly conceptualized. The role of the ecological mentality is not defined for future generations. Thus, educational approaches for a new type of human are not defined and not implemented.

4. Education lives according to the neoliberal ideology. Education is comprehended in terms of economic profits and long-term strategies such as “education for future” have marginal status. Sustainable development ideas with ones’ long-term ideology contradict the economic mechanisms of the contemporary education.

5. Education for Sustainable Development still has not received the prerequisite level of theoretical substantiation. The philosophy of education can formulate the strategies of formation of developed ecological mentality, but Ukrainian modernization processes have stochastic nature having a lack of a clear vision of an educational policy for Sustainable Development.

6. There is a gap between contemporary educational values in Ukraine and those in developed countries. Ecological values are very important for developed countries that correspond with countries’ educational approaches (post-materialism and pro-environmental values are becoming more and more important for people worldwide). In order to become a part of the world of global higher education, Ukraine should perform a revision of key educational values.

7. The cognitive strategies should be based on the flexible non-linear cognitive approaches. Such an approach is fruitful for solving contemporary and future ecological problems, but they are still linear in general in the Ukrainian educational tradition. The ecological problems are very complex and cannot be solved without a new cognitive orientation of students.

The weakness of the world-view foundation for implementing Sustainable Development ideas at Ukrainian institutions of higher education

1. Ecological paternalism. In the situation of world-view nihilism, the majority of individuals have paternalistic sentiments. Thus, they do not comprehend oneself as true subject of social activity (firstly, ecological activity). Students think that their impact of ecological situation is too minimal for changes. They expect that somebody (President, Government, World Bank) will solve big ecological problems on the higher level of social hierarchy and do nothing to change their everyday practices such separation of domestic wastes and so on.

2. The educational community believes in European standards and believes that Oxford or Cambridge educational methods would be a miracle. In reality, an external experience needs to be revised theoretically and implemented on the new world-view platform. Fruitful approaches work only on corresponding fundament of values: blind copying does not work.

3. Part of the educational community overestimates the value of the Ukrainian pedagogical tradition. Thus, rational mechanisms and new ideas (such as Sustainable

Development) get marginalized on the background of irrational beliefs in scientific and cultural heritage.

There are a lot of educational ecological pathologies. It is normal for a Ukrainian teacher of ecology to wear long fur coat. In addition, the outdated principle of the hierarchy of life forms is widespread. According to it, a lot of people in higher education environment actively manifest ecological discriminations such as speciesism (dominant status of the human being at the hierarchy of living organisms; exclusion of all non-human animals from the rights, freedoms, and protections afforded to humans). It also resonates with the ecological nihilism present in Ukrainian society in general (Ukraine has archaic regulatory framework in the sphere of animal rights protection; Ukrainian circuses use animals; charity activity in the ecological sphere is poor).

CONCLUSION

Consequently, the idea of Sustainable Development is important as given the following factors:

1. The idea of Sustainable Development forms an idea of the purpose and overall strategy of human life. Such a conscious and responsible attitude to the consequences of human activity is urgently needed for the modern world.

2. The overall purpose and strategy of the activity is a powerful factor in consolidating the efforts of mankind. Destructive practices, such as armed conflicts, imperial systems and thoughtless and unlimited consumption are a worthy alternative proclaimed as a program of goals for the transformation of reality.

3. The Principles of Sustainable Development are intended to harmonize the anthropic, social and natural spheres. The level of critical thinking, the development of modern technology and environmental consciousness embodies the preconditions for an optimistic view of the future instead of the pessimistic position of a helpless victim.

4. The implementation of the principles of Sustainable Development appropriately justified on the basis of discursive ethics of K.-O. Appel as a dialectic of social and individual in the communicative space of a democratic society.

5. Thanks to the Sustainable Development Strategy, the universalization of the conceptual content of the "environmental" takes place. Ecology is not considered more than one of the factors of production and economy, but as the initial criterion of life support.

Ukrainian higher education is a fruitful case for understanding the problem of forming an ecological way of thinking. Both developed countries as well as developing ones should make

education policies more “green” in order to implementing of Sustainable Development principles.

Wide processes of modernizing higher education are deeply connected with cultural and historical tradition of each educational system. There are no “ready for implementation” strategies of higher education: the heuristic approaches of American or Polish higher education need deep reflection using methods of the Philosophy of Education for implementation in the postcolonial (post-Soviet etc.) cultural landscape.

Educational strategies for the formation of a high level of ecological mentality and ecological worldview correlate with the general level of society well-being. Education can promote and develop the internal needs of students to be real “agents of changes” for Sustainable Development in the future. Thus, the modernization of education should be only a part of a complex societal modernization project.

REFERENCES

1. Gomilko O., Svyrydenko D. & Terepyschchi S. (2016) Hybridity in the Higher Education of Ukraine: Global Logic or Local Idiosyncrasy? *Philosophy & Cosmology*, 17, p. 177-199.
2. Hladchenko M., Boer H., Westerheijden D. (2016) Establishing research universities in Ukrainian higher education: the incomplete journey of a structural reform. *Journal of Higher Education Policy and Management*, DOI: 10.1080/1360080X.2016.1150232
3. Jickling B. & Wals A. E. J. (2008) Globalization and environmental education: looking beyond sustainable development, *Journal of Curriculum Studies*, 40:1, 1-21, DOI: 10.1080/00220270701684667
4. Leszczynska A. (2010). Manager's attitude toward environment. *Industrial Management & Data Systems*, 110, Iss 8, p. 1234 – 1250.
5. Madsbjerg C. (2017). Sensemaking: The Power of the Humanities in the Age of the Algorithm. Hachette UK, 240 p..
6. Mogensen F. & Schnack K. (2010): The action competence approach and the ‘new’ discourses of education for sustainable development, competence and quality criteria, *Environmental Education Research*, 16:1, p.59-74.
7. Osipian A. (2017) University autonomy in Ukraine: Higher education corruption and the state. *Communist and Post-Communist Studies*, 50, p. 233-243.
8. Reid A. & Petocz P. (2006) University lecturers’ understanding of sustainability. *Higher Education*, 51, p. 105–123 Springer. DOI 10.1007/s10734-004-6379-4
9. Stoddart, H. (2011). A Pocket guide to sustainable development governance. Stakeholder Forum, 137 p..





Rationality, Moral Motivation and Psychopathology

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Abstract

Motivational internalism is a view according to which moral judgments are necessarily motivating. Rationalist internalism (RI) is the most popular version of this view; it limits internalism to people who are practically rational. Motivational internalism, including RI, has been criticized as being incompatible with research into certain personality disorder; in particular psychopathic personality and pathological personality which is the result of damage to the ventromedial prefrontal cortex (shortened to VM damage). In this paper, I argue that many of the features of psychopathic personality and of VM damage, which some philosophers interpreted as direct proof against internalism, should be understood as having an effect on the practical rationality of the patients. This means that these personality disorders cannot be used as counter examples to RI and can, in fact, be seen as supporting RI to some extent. I begin by describing RI. I then turn to I describing the phenomenon of psychopathic personality and VM damage and their philosophically relevant features. Finally I discuss whether the features characterizing psychopathy and VM damage influence the degree to which these disorders can serve as counterexamples to internalism of the rationalist variety.

Key words: motivation, rationality, practical rationality, psychopathology, internalism, psychopathy

Motivational internalism (MI) is a view according to which motivation on the part of the person making a sincere moral judgement is internal to the judgement. According to the opposing view, Externalism (E), moral judgment is independent from motivation. Internalism and externalism have been the subject of much discussion in philosophical literature. In an attempt to move the discussion forward, a number of philosophers have put forward arguments based on psychopathology which are intended to show that MI is incompatible with empirical phenomena. The empirical phenomenon which is often discussed with regards to the question of internalism is psychopathy (Cima, Tonnaer and Hauser, 2010; Levy, 2007; Levy, 2014; Prinz, 2006; Zhong, 2013) (Cahn-Fuller, Shook, Giordano, 2018) and damage to the ventromedial prefrontal cortex of the brain (usually referred to as VM damage) (Roskies, 2003). This is because psychopathy and VM damage appear to pose a serious problem for MI, as the agents with high scores on the psychopathy checklist appear to be perfectly capable of moral judgment, but seem to be indifferent to it. In other words, they seem to lack any motivation connected to the judgments they express and the situation is similar in the case of VM damaged patients.

At this point, it is important to note that ‘psychopathy’ is not a label currently found in the contemporary versions of the IDC and DSM which are the two most common systems for classifying mental disorders. Some psychologists view ‘psychopathy’ to be an unhelpful, colloquial term rather than a medical one. Thus, the very existence of the disorder, as it is presented in philosophical literature, might be problematic. That being said, there is a substantial body of literature on the topic of ‘psychopathy’ which seems robust enough to justify a philosophical interest. We must however, remain careful about using the term given that there is controversy regarding its adequacy and explanatory and predictive value, as well as the pejorative and stigmatizing implication it often carries with it.

The aim of this paper is to demonstrate that contrary to the arguments of a number of philosophers psychopathy and VM damage cannot be used as counterexamples to internalism. However, I will focus on a specific form of internalism: rational internalism, or RI, which is currently the most often held version of internalism. I will first describe RI and show why it is the most popular, up to date, version of internalism. I will then turn to describing how psychopathy and VM damage have been understood in the philosophical debate concerning internalism and

whether the features characterizing psychopathy and VM damage influence the degree to which these disorders can serve as counterexamples to internalism of the rationalist variety.

1. DEFINING INTERNALISM

Broadly speaking, internalism is the view that moral judgments are necessarily connected to motivation. According to the internalist, when an agent makes a moral judgment he or she will necessarily be motivated to act in accordance with that judgment, though the motivation does not have to be overriding. Motivational internalism has been formulated in an array of various ways. Take for example just a couple formulations:

- Nagel (1970, p.7) “Internalism is the view that the presence of a motivation for acting morally is guaranteed by the truth of ethical propositions themselves”.
- Harman (1977, p.33) To think you ought to do something is to be motivated to do it”
- Blackburn (1984, p.188) “It seems to be a conceptual truth that to regard something as a good is to feel a pull toward promoting or choosing it.”

Clearly, the differences between these formulations, though at first glance similar, are in fact substantial. However, what they all have in common is that they feature a necessary connection between moral judgment and action. Thus, while they are formulated differently, they are all examples of a traditional form of internalism where moral judgment and motivation are necessarily connected. One of the main complaints about internalism is precisely that this connection between moral judgment and motivation is too strong. These forms of internalism propose that as a matter of fact, if someone makes a moral judgment he or she is motivated. This rules out the possibility of phenomena such as weakness of will, that is acting against one’s own judgment about what one ought to do. Because these phenomena are important aspects of our moral psychology, a theory of motivation which is incompatible is highly implausible. This is why RI is superior to traditional formulations of internalism. RI is an alternative version of internalism, which makes room for precisely such cases is RI, that is rational internalism by claiming that the internalism clause applies only to agents who are practically irrational. However, people suffering from phenomena such as weakness of will are in fact, practically irrational, hence they are not incompatible with this version of internalism.

RI: If an agent judges that she ought to Φ , then she will be motivated to Φ , if the she is practically rational.

The form of internalism I call RI is the most commonly found version of internalism in the literature. Versions of RI have been proposed by Michael Smith (1994), Christine Korsgaard (1996, 1997) and Jay Wallace(2006). RI is a conditional form of internalism, because it restricts internalism to a specific condition: only agents who are practically rational are necessarily motivated by their ought-judgments. This means that the connection between judgment and motivation is defeasible to some extent. The connection depends on the agents being practically rational. In other words, according to this version of internalism, if someone makes a moral judgment he or she is motivated *or* he or she is practically irrational.

The question is, of course, what is meant by practical rationality. One common worry is that RI might turn out to be trivial or circular; if being practically irrational simply means ‘not being motivated to act in accordance with what the agent judges he or she ought to do’ then RI is trivially true. If RI is to be a non-circular claim then, practical rationality must be characterized in a richer way. One such acceptable explanation of practical rationality is coherence between mental states. Failures of motivation are therefore cases of practical irrationality, because the agent's judgments are incoherent with his or her motivations. In other words, the defender of RI does not simply stipulate that ‘practically irrational’ simply means ‘not motivated by his or her moral judgments’, because he can explain where the practical irrationality lies, namely in the mismatch between the judgment and motivation (Smith, 2008). There are other ways in which we can give an account of practical rationality, *prima facie* at least, which would not make RI circular. Given the popularity of RI and the fact that RI and formulations of internalism in a similar vein are currently seen to be the most probable version of internalism, it seems to me worthwhile considering how RI fares when faced with criticism stemming from observations of psychopathic and VM damaged persons who, despite being apparently capable of moral judgment, seem to lack any motivation to act in accordance with their professed moral judgments.

2. PSYCHOPATHY AND VM DAMAGE

Two separate disorders are discussed in this paper, because both appear in important discussions concerning internalism and empirical phenomena. The two disorders are ‘psychopathy’ which, as I have already pointed out, carries problems with it as it is not clear the label is accurate, and VM damage, as discussed in the work of Damasio. It is worth mentioning, that like most discussions of internalism and externalism, discussions of the metaethical significance of psychopathy and

VM damage has always been discussed in terms of what it can tell us about motivation and *moral* judgement.

2.1. Psychopathy

The psychopath presents clinically as a “walking oxymoron”. On the one hand, the psychopath is capable of articulating socially constructive, even morally appropriate responses to real-life situations. However when left to his or her own devices, the psychopath’s actions are frequently inconsistent with his or her verbal reports. (Kiehl, 2008, p119)

The term “psychopathy” refers to a personality disorder which is often associated with displays of moral indifference followed by a lack of remorse or guilt. Furthermore, the disorder is usually characterized by a lack of empathy, by irresponsibility, shallow affect, impulsivity and indifference to the rights and feelings of others (Kiehl, 2008, p120). The main deficiency of psychopathy is supposed to be emotional, and it is from emotional impairments that the curious, and often deeply unsettling behavior of psychopaths stem. (Blair, Mitchell, and Blair, 2005)

The reason why psychopathy has recently received a lot of attention from metaethicists is because people diagnosed with psychopathy can display high levels of control and completely unimpaired reasoning abilities, while also displaying complete moral indifference. They are seemingly capable of making articulate and appropriate normative judgment which is clearly in stark contrast to their poor behavioral conduct and lack of any remorse or guilt at wrongdoing. This has been interpreted as showing that while psychopaths use normative language to pick out the same properties that non-psychopathic agents tend to, these seem to be of no practical significance to the psychopathic agent. In other words, psychopaths seem to be making ought-judgments completely devoid of motivation.

Clinical diagnosis and study of psychopathy have been based on the characteristics introduced by HarveCleckly and Robert Hare. Hare's psychopathy “checklist” is currently the basic model for diagnosis.

Hare’s Psychopathy Checklist—Revised (PCL-R)

Factor 1: Interpersonal/affective Factor 2: impulsive/antisocial Neither

Glib/superficial charm	Need for stimulation/proneness to boredom	Promiscuous sexual behavior
Grandiose sense of self-worth	Parasitic lifestyle	Many short term marital affairs

Pathological lying	Poor behavioral controls	Criminal versatility
Conning/manipulative	Early behavioral problems	
Lack of remorse or guilt	Lack of realistic, long-term goals	
Shallow affect	Impulsivity	
Callous/lack of empathy	Irresponsibility	
Failure to accept responsibility for own actions	Juvenile delinquency	
	Revocation of conditional release	

However, as has been mentioned before, currently the DSM does not refer to ‘psychopathy’ as such. Furthermore, there are now arguments proposed that the PCL-R does not capture important aspects of psychopathy and thus should be expanded or provided with other dimensions (Patric, Fowles, Krueger, 2009).

2.2. “VM Damage”

The so called “acquired sociopathy” is a personality disorder which is the effect of damage to the ventromedial (VM) area of the brain and is characterized by significant changes in the behavior of patients as well as cognitive impairments after the damage of specific brain areas (Damasio, 1993). Acquired sociopathy shares many features with psychopathy, especially an indifference towards the wellbeing and rights of others, impulsivity, poor social conduct, and problems with empathy. However, the two disorders do not align completely, and psychopathic individuals exhibit some symptoms which do not characterize acquired sociopaths, for example high levels of callousness, and instrumental or goal-directed aggression. Patients with VM damage (acquired sociopaths) on the other hand are characterized by problems with decision making, mood disturbances and problems with general motivation which are not characteristic of psychopathy.

To summarize then, the philosophically relevant features characterizing psychopathy then are low levels of empathy, lack of feelings of remorse and guilt at wrongdoing, shallow emotions, difficulties with long term planning, disruptive social behavior, goal directed violence, declarative social and moral knowledge, difficulty with the moral/conventional distinction, and some abnormalities in language use. The key features that seem to characterize patients with VM damage are: problems with decision making and motivation, disruptive social behavior, low empathy, shallow emotions, declarative social and moral knowledge, risky or imprudent behavior,

difficulties choosing the most advantageous course of action. The levels of IQ and working memory are not defective in any of the disorders.

3. PRACTICAL RATIONALITY AND PSYCHOPATHY

When considering whether the existence of psychopathy and VM damage are a problem for RI, what needs to be established is whether they involve problems with practical irrationality. If the features characterizing VM damage and psychopathy render people practically irrational, then the lack of moral motivation which we assume characterizes both disorders is not a problem for RI.

According to much of the literature, people with psychopathic personalities and VM damaged patients appear to have unimpaired reasoning capabilities outside of the moral social and prudential sphere. One of the most striking aspects of the discussed personality disorders is the high level of intelligence displayed by patients. Abstract reasoning, reasoning about space and numbers, classification of tasks all show that patients suffering from psychopathy or VM damage are capable of reasoning on par with control groups, sometimes higher. If we accept that ought-judgment is the sphere of reason, that is some loose sense of cognitivism, then we might think that the process of making ought-judgments should not be impaired in the case of people with psychopathic personality and VM damaged patients just like their abstract reasoning skills are not impaired. Theoretical rationality, which is usually understood as the rationality of cognition, particularly of beliefs, is usually distinguished from practical rationality, that is reasoning about what one ought to do (Harman, 2004). If this is right, then a preserved and fully functioning ability to reason theoretically, will not automatically mean that there is equal ability to reason practically. The evidence concerning psychopathic and VM damaged agents seems to indicate precisely that while the theoretical reasoning abilities of people with psychopathic personality, and VM damaged persons remain intact, their practical reasoning abilities may be impaired.

The first such issue we will take a closer look at is language use. First, consider some statements made by persons suffering from psychopathy from the studies of Robert Hare and Antonio Damasio. First, some quotes from agents with psychopathic personalities:

When asked if he had ever committed a violent offence, a man serving time for theft answered, 'no but I once had to kill someone' (Hare 1993, p.125).

My mother is a beautiful person, but I worry about her. She works too hard. I really care for that woman, and I'm going to make it easier for her. When asked about the money he had stolen from her he replied, 'I've still got some of it stashed away, and when I get out it's party time' (Hare, 1993, p.138).

Consider also (Kiehl and Buckholtz, 2010, p.120) the description of a man (scoring high on the PCL-R) convicted of killing his partner:

When asked if what he had done was wrong, he said that he knew it was a bad idea to throw her off the bridge. When I probed further, he said that he realized that it was bad to actually kill her. This inmate was subsequently released from prison and then convicted for killing his next girlfriend.

Furthermore, this description of another man whom Kiehl diagnoses with a psychopathic personality, who was convicted for rape and murder (Kiehl and Buckholtz, 2010, p.25):

He told the story, then concluded with an unforgettable nonsequitur. 'Do you have a girl?' he asked. 'Because I think it's really important to practice the three C's—caring, communication and compassion. That's the secret to a good relationship. I try to practice the three C's in all my relationships'.

The most we can safely infer from statements such as the ones above is that psychopathic subjects are capable of using normative and evaluative language with some accuracy as it is used by non-psychopathic agents. However, it is not clear whether these statements can be viewed as sincere moral claims. Viewing such statements as clearly indicating that subjects are making corresponding judgements about what they themselves ought to do seems implausible if one considers the context in which these judgements are made. The lack of motivation (or indeed often acting in ways completely opposite to what they claim), lack of regret etc., so characteristic of both agents with psychopathic personalities and VM damaged agents, suggests their lack of sincerity. The manner of speech of people with psychopathic personalities can make us doubt their sincerity. Describing one's mother as 'a beautiful person' claiming that one will 'definitely make things easier for her' and stealing her money and stashing it for 'party time' hardly seem consistent for example. While hardly any of us are always consistent, it seems that most of the normative and evaluative statements of people with psychopathic personalities are in this vein.

Research into the linguistic capabilities of psychopathic agents fits well here. Psychopathic people seem to use evaluative and emotional language in a slightly different way than non-psychopathic people. The linguistic abnormalities which seem especially relevant to the question of ought-judgment and motivation include difficulty in categorizing moral metaphors, the same way of expressing morally affective and neutral words, and a difficulty in understanding the affective significance of emotional words, even though patients are fully capable of providing the dictionary meaning of these words. These difficulties are evident in the way people with psychopathic personality traits use evaluative terms. One example of this is the tendency to speak in contradictory ways, making statements that use evaluative words without following their implications, so for example 'Mary is a trustworthy person. Sometimes she tends to go back on

her promises'. Though such statements are not strictly contradictory, they do not make much sense on the whole. They appear as if the speakers themselves were confused as to the real meaning of the words used. Kiehl (2008) suggests that one of the linguistic features common in people with psychopathic personality is their lack of sensitivity to the meaning of evaluative and emotional terms. One might be tempted to claim that, while understanding evaluative terms in a strict dictionary sense, people with psychopathic personalities are not aware of what these terms imply. As a result, evaluative terms seem to hold slightly different meaning to psychopathic and non-psychopathic people.

This lack of sensitivity to terms with either an evaluative or emotional aspect, seems to offer a plausible explanation of the, sometimes bizarre, ways in which psychopathic personalities use normative language without regard to how unfitting their claims appear in the context of their behavior. And it seems to support the interpretation that when making what appears like moral claims, these are quite unlike the moral claims of non-psychopathic people, because they carry with them a different emotional content. A much more plausible interpretation would be seeing their normative claims as reports of what people think is the case, rather than what they themselves think is the case. Clearly, the linguistic abilities of people with psychopathic personality do not impede their theoretical rationality – after all their understanding of moral terms is inhibited in the sense of dictionary meanings. However, they appear to be blind to the emotional, evaluative and implicatory content of these words, and this, it seems to me, can influence their potential for practical rationality. Practical rationality after all involves precisely thinking of values and oughts. So while basic rationality does not seem to be a problem for people with psychopathic personalities and VM damaged patients, their problems with language use might negatively influence their practical rationality.

Another piece of important data regarding psychopathy which may influence to what extent they can be considered to be practically rational are the results of studies regarding the distinction between morality and convention in the case of people with psychopathic personalities. The moral/conventional distinction has been one of the main focuses of Blair's research into moral thinking. According to Blair, the moral/conventional distinction is a distinction between transgressions with a moral and conventional character which is made by both adults and young children. Following other literature in the area, Blair characterizes moral transgressions as violations of people's rights and well-being, and conventional transgressions as violations of social and conventional rules which are not connected to rights and wellbeing. According to Blair, people treat moral violations as (a) serious and (b) independent from authority and geography, while they view conventional violations as (c) less serious and (d)

dependent on authority or geography. Whether or not individuals make this distinction is tested in experiments where participants are asked questions about hypothetical scenarios. After being presented with a scenario the participants are asked:

- (1) 'Was it OK for X to do Y?' (Examining the subject's judgement of the permissibility of the act.)
- (2) 'Was it bad for X to do Y [the transgression?]' and then 'On a scale of one to ten, how bad was it for X to do Y [the transgression]?' (Examining the subject's judgement of the seriousness of the act.)
- (3) 'Why was it bad for X to do Y [the transgression]?' (Examining the subject's justification categories for the act.)
- (4) 'Would it be OK for X to do Y if the authority says that X is allowed to do Y?' (Examining the subject's judgment of authority dependence/independence of the action. (Blair, 1995, p.16)

This way of characterizing the distinction may be problematic in itself. After all, it may be argued that the moral sphere extends beyond the realm of rights and wellbeing. For example we tend to assume that promise keeping is an important sphere of morality, but not every case of promise keeping is related to either rights or wellbeing. Furthermore, social and conventional rules may actually be connected to morality. Breaking social or conventional rules may well cause significant distress to people in some circumstances, in such cases the transgression is apparently both. However, even if we are not convinced about the terminology that a distinction between authority-dependent and independent requirements is made and further that this connects with the seriousness of the transgression, points to an important aspect of moral thinking. It seems that it suggests the ability to distinguish different types and sources of norms and values. Being unable to detect this distinction is surely a big problem for practical rationality. Blair's research suggests that in psychopathic people the ability to make the moral/conventional distinction is impaired.

In two different studies, Blair (1995) and Blair et al. (1995) administered the test for the moral/conventional distinction to a group of subjects with psychopathic personalities and to a group of non-psychopathic subjects. The subjects were all diagnosed with psychopathy according to the PCL-R, while the control group was non-psychopathic. The crimes were of a similar caliber. It turned out that the psychopathic subjects did not draw the moral/conventional distinction or only drew a mild one, while most of the non-psychopaths drew a distinction between conventional and moral transgressions. Furthermore, when asked to justify their answers psychopaths referred to general rules, conventions or authorities while non-psychopaths tended

to refer to the harming of victims. What this research suggests therefore is that there is a distinction that we standardly make in moral thinking which psychopathic subjects do not. This has important implications for practical reasons, because it seems that certain reasons do not enter into the deliberation of psychopathic agents.

The problem with Blair's research is that there are alternative explanations to his results. It is important to mention here that in Blair's tests, people with psychopathic personalities tended to rate all sorts of transgressions (both moral and conventional) as both very serious and impermissible, even those which non-psychopaths characterized as being authority independent and less serious. So they erred in favor of morality rather than convention. Blair's own explanation of this phenomenon was that they were 'faking good' in order to impress the interviewer. The question is whether they do make the distinction but rate all the transgressions for the reason Blair suggests, or if they do not make the distinction at all.

In other research by Aharoni et al. (2012), similar tests were presented to a group of people with psychopathic personalities and to non-psychopaths. However, in the Aharoni et al. test, the participants were informed that eight of the acts were morally wrong while eight were conventionally wrong. This means that the incentive to treat all of the presented transgressions as moral was removed. The result of the test was that the psychopathic subjects did not perform differently on this task than subjects who were not diagnosed with psychopathy, which suggests that they do, after all, possess the ability to distinguish moral from conventional norms. The problem with this conclusion is that the test does not make it clear whether the subjects report their own views or ones which they know they are expected to report. Further, informing them of the distinction primes them into providing particular answers.

Clearly, the ability to make the moral/conventional distinction is important to practical rationality. Should it be established that Blair is right and psychopathic people do have problems with making the moral/conventional distinction, it would be an important factor limiting practical rationality. However, the results considering the ability to make this distinction is not clear.

4. TROLLEY CASES

Research conducted recently on the basis of moral dilemmas is related to this. Moral dilemmas such as trolley cases, are a familiar tool in moral philosophy. The aim of such cases is to test our intuitions regarding 'personal' and 'impersonal' harms – where a personal harm is one where the

agent harms a victim directly rather than by redirecting an existing threat (for example pushing a fat man off a footbridge to stop a speeding trolley to save five people) and impersonal harm is when the agent harms the victim indirectly by redirecting an existing threat (for example flipping a switch on the trolley to kill one person, but save five) . Five studies presented such scenarios to subjects diagnosed with psychopathy and subjects who were not diagnosed with psychopathy, with different results. In the studies by Glenn et al. (2009) and Cima et al. (2010), there was no significant difference between the judgments of psychopathic and non-psychopathic persons. Subjects diagnosed with psychopathy judged the permissibility of personal and impersonal harms in the same way as those who were not. On the other hand, the study of Koenigs et al. (2012) found that the subjects with psychopathic personalities claimed that they would perform actions with impersonal harm significantly more often than those who were not diagnosed with psychopathy, and furthermore that subjects diagnosed with psychopathy and with low anxiety were much more likely to claim that they would commit an action that brought about personal harm. A similar result was found in other studies on moral judgment in VM damaged patients who in the study of Ciaramelli et al. (2007) were much more likely to claim to endorse actions involving personal harm if this harm brought about a significantly large benefit to others.

The results are therefore in conflict, some suggest that in the domain of personal/impersonal harms psychopathic people reason differently to non-psychopathic ones while others indicate that there is no significant difference. It is not clear-cut what this means for the issue of practical rationality in cases of psychopathy or VM damage. However, the distinction between personal and impersonal harms does seem to be an important aspect of moral reasoning. Thus, the research is relevant to the issue of practical rationality in cases of psychopathy to the extent that it tells us something about the way subjects with psychopathy and VM damaged patients reason about morality and the facts which they attend to in moral reasoning. An interesting problem here is that the moral dilemmas were not presented in a particularly moral way to the subjects. Rather than being asked whether they judge the action to be wrong or right, permissible or impermissible etc. the subjects were asked whether they would perform an action. This suggests a different, though connected, sort of reasoning to reasoning about norms. The practical reason is largely connected to the issues of value, it helps us guide our actions along the lines of what we ought to do. Hence, while research into moral dilemmas cannot be seen as being decisive to the issue of the practical reason of people with psychopathic personalities and VM damaged patients, it does suggest that the moral reasoning of these patients is slightly different from non-psychopathic, non-VM damaged patients and hence throws some doubt on whether they can be said to be practically rational in the way that is needed for RI.

Yet another issue suggesting problems in the sphere of practical reasoning that might make us question whether it is appropriate to say that psychopathic persons and VM damaged patients have unimpaired reasoning abilities is the ability to learn to avoid dangers from past experience. Conventionally understood, rationality seems to involve reasoning and calculating for one's own benefit, which also means avoiding that which is harmful. However, studies show that psychopathic persons and VM damaged patients (both late onset and early onset) fail to develop negative conditioning against things that are bad for them and favor immediate gains over higher, long-term ones. The Iowa Gambling Task (Bechara, Damasio, Damasio and Anderson, 1994) is designed to check whether the patient gains preference for more advantageous options through experience. Damasio (1994) says:

The patients participated in a computerized version of the Gambling Task. This task simulates real-life decision-making in the way it factors uncertainty of rewards and punishments associated with various response options. Unlike normal controls, but precisely as patients with adult-onset prefrontal lesions, both patients failed to develop a preference for the advantageous response options. They failed to choose options with low immediate reward but positive long-term gains; rather, they persisted in choosing response options which provided high immediate reward but higher long-term loss.

A similar experiment, the Card Playing Task (Newman, Patterson & Kosson, 1987), demonstrated that people with psychopathic personalities act in a similar way even if their strategy for obtaining a goal is failing. Participants received a deck of cards that had been arranged in such a way that 'nine of the first ten cards were face cards, eight of the next ten were face cards, seven of the next ten were face cards, and so forth. They were told that each time they turned over a card they would receive a point if it was a face card and lose a point if it was not. They could end the game at any time. Players earned easy points at first, but as the odds worsened, non-psychopaths noticed and stopped playing, usually after about 50 cards. People with psychopathic personalities, on the other hand, kept on playing until the deck was almost finished and their winnings had vanished' (Kiehl, 2010, p.2626). The discussed explanation for this failure at strategic planning concerned the shifting of the focus of attention, information gathered during the game shifted the attention of the non-psychopathic subjects while this was not the case with psychopathic patients. For the discussion of internalism and externalism the experiment seems very much relevant to the question of the ability to act in favor of one's own success.

Other studies (Bechara, Damasio, Tranel, & Damasio, 2005; Johns and Quay, 1962) show that psychopathic subjects and VM damaged patients have difficulty in fear conditioning and do not respond to punishment. The threat of receiving a painful stimuli and insertion of hypodermic

needles (Hare, 1972) showed that participants' aversive conditioning, which is measured by the levels of skin conductance is much lower than that of non-psychopathic agents, at least if their attention is directed at something else (Kiehl, 2010). What this suggests is that their ability to avoid what is dangerous or disadvantageous is grossly impaired. Subjects diagnosed with psychopathy seem to react with lack of concern to the threat of pain. Even their physiological reactions are different than those of non-psychopathic agents – they do not blink or have sweating palms when viewing drastic images, for example (Ermer and Kiehl, 2010). Difficulties with changing courses of action, even when they see that the action is not succeeding, as well as lacks standard reactions to unpleasant stimuli help understand why the apparently rational people diagnosed with psychopathy, tend to land in jail repeatedly. They have, after all, problems in learning from past mistakes. The irresponsibility, tendency for risky behavior and general lack of realistic long-term plans, which are all features often cited in discussion of both psychopathy and VM damage, make a lot of sense in this context and suggest significant impairments in practical reasoning.

CONCLUSION

Looking at all these issues, namely linguistic impairments, which affect semantic understanding of certain types of terms (abstract, emotional and evaluative), difficulties in reading some types of emotion, problems with the moral/conventional distinction inhibited fear conditioning which impairs their abilities to learn from past mistakes it still fair to say that patients suffering psychopathy or VM damage have intact reasoning abilities? If reason is understood in a very narrow way, as the ability to make inferences that conform to the principles of logic, then it does seem that VM patients and subjects with psychopathy display no defect in reasoning. If we want to adhere to a richer understanding of practical reason, however, then some of the characteristic features found in people diagnosed with psychopathy and VM patients affect their ability to reason practically. Such a richer sense of rationality is exactly what supporters of RI argue is necessary for a connection between judgment and motivation. While none of the research discussed above shows, individually, that the practical reasoning skills of people with psychopathic personalities are seriously limited, taken all together they provide us with a picture of an agent who is seriously impaired in his or her practical reasoning. Thus, research into the behavior, language use, general motivation deficits, and practical reasoning skills cannot serve as a counter example to rationalist forms of internalism such as RI. On the contrary, such research seems to fit right into the RI picture. Psychopathic and VM damaged agents may be capable of

high level abstract reasoning, while their practical reasoning abilities are impaired, and so it is no wonder that they lack motivation when making ought-judgments. Therefore, cases of psychopathy and VM damage not only cannot serve as good counterexamples to RI, but may perhaps even be seen to support it.

REFERENCES

1. Aharoni, E., O. Antonenko, and K. Kiehl. 2011. Disparities in the Moral Intuitions of Criminal Offenders: The Role of Psychopathy. *Journal of Research in Personality* 45:322-327
2. Bechara, A., Damasio, A. R., Damasio, H., & Anderson, S. W. (1994). Insensitivity to future consequences following damage to human prefrontal cortex. *Cognition*, 50(1-3), 7-15
3. Bechara, A., Damasio, H., Tranel, D., & Damasio, A. R. (2005). The Iowa gambling task and the somatic marker hypothesis: Some questions and answers. *Trends In Cognitive Sciences*, 9(4), 159-162.
4. Blair, R. (1995) A cognitive developmental approach to morality: investigating the psychopath. *Cognition*, 57, 1-29
5. Blair, J., Blair, K. Mitchell, D. and Peschardt, K. (2005) *The psychopath: Emotion and the brain*, Oxford: Blackwell
6. Bromwich, D. (2010) 'Clearing Conceptual Space for Cognitivist Motivational Internalism' *Philosophical Studies*, 148
7. Bromwich, D. (2011) 'Motivational Internalism and the Challenge of Amoralism', *European Journal of Philosophy*
8. Cholbi, M. (2006). Belief attribution and the falsification of motive internalism. *Philosophical Psychology*, 19, 607–616.
9. Cima, M., Tonnaer, F., & Hauser, M.D. (2010). Psychopaths know right from wrong but don't care. *Social Cognitive and Affective Neuroscience*, 5, 59-67.
10. Cleckley, H. (1976). *The Mask of Sanity* (5th edition.). St. Louis, MO: Mosby.
11. Damasio, A. (1994). *Descartes' Error: Emotion, Reason and the Human Brain*. New York: Avon Books
12. Damasio, A. (1999). *The Feeling of What Happens: Body and Emotion in the Making of Consciousness*. New York: Harcourt Brace.
13. Damasio, A. R., Tranel, D., & Damasio, H. (1990). Individuals with sociopathic behavior caused by frontal damage fail to respond autonomically to social stimuli. *Behavioural Brain Research*, 41, 81–94.
14. Ermer, E. and Kiehl, K.A.(2010). Psychopaths are impaired in social exchange and precautionary reasoning. *Psychological Science*, 21, 1399-140

15. Glenn, A. L., R. Iyer, J. Graham, S. Koleva, and J. Haidt. 2009. Are All Types of Morality Compromised in Psychopathy? *Journal of Personality Disorders* 23:384-398
16. Hare, R.D. (1965) Psychopathy, fear arousal and anticipated pain. *Psychological Reports*, 16(2), 499–502.
17. Hare, R.D.(1972) Psychopathy and physiological responses to adrenalin. *Journal of Abnormal Psychology*, 79(2), 138–147.
18. Hare, R.D. (1991) Hare Psychopathy Checklist-Revised: 2nd Edition (<https://ecom.mhs.com/%28S%285s3xcqrpzreqmhiolpduq45%29%29/product.aspx?gr=saf&prod=pcl-r2&id=overview>)
19. Hare, R. D. (1993). *Without Conscience: The disturbing world of the psychopaths among us*. New York: Pocket Books
20. Harman, G. (2004) ‘Practical Aspects of Theoretical Reasoning’ in Alfred R. Mele and Piers Rawling (Ed.) *The Oxford Handbook of Rationality*. Oxford University Press
21. Johns, J. and Quay, C. (1962) The effect of social reward on verbal conditioning in psychopathic and neurotic military offenders. *Journal of Consulting Psychology*, 26(3), 217–220.
22. Kiehl, K. (2008) Without Morals: The Cognitive Neuroscience of Criminal Psychopaths, In W. Sinnott-Armstrong (Ed.), *Moral Psychology Volume 3: The Neuroscience of Morality: Emotion, Disease, and Development*. Cambridge, MA: MIT Press.
23. Kiehl, K. and Buckholtz, J. (2010). Inside the Mind of a Psychopath. *Scientific American* September/October: 22-28.
24. Koenigs, M., Kruepke, M., Zeier, J., & Newman, J. P. (2012). Utilitarian moral judgment in psychopathy. *Social Cognitive and Affective Neuroscience*, 7, 708–714
25. Korsgaard, C. (1996) *The sources of normativity*. Cambridge: Cambridge University Press.
26. Korsgaard, C. (1997). The Normativity of Instrumental Reason. In Cullity and Gaut (Ed.), *Ethics and Practical Reason*. New York: Clarendon Press.
27. Levy, Neil. 2007. “The Responsibility of the Psychopath Revisited.” *Philosophy, Psychiatry, & Psychology* 14 (2): 129–138.
28. Levy, Neil. 2014. “Psychopaths and blame: The argument from content.” *Philosophical Psychology* 27 (3): 351–367.
29. Newman, J. Patterson, C. Kosson, D. (1987) Response Preservation in Psychopaths. *Journal of Abnormal Psychology*, 96, 2, 145-148

30. Oliveira-Souza, R. Ignacio, F. and Moll, J. (2008) The antisocials amid us. In W. Sinnott-Armstrong (Ed.), *Moral Psychology Volume 3: The Neuroscience of Morality: Emotion, Disease, and Development*. Cambridge, MA: MIT Press.
31. Patrick, C. Fowles, D. and Krueger, R. (2009) Triarchic conceptualization of psychopathy: Developmental origins of disinhibition, boldness, and meanness. *Development and Psychopathology* 21, 913–938
32. Prinz, Jesse. 2006. “The emotional basis of moral judgments.” *Philosophical Explorations* 9 (1): 29–43.
33. Roskies, A. (2003) Are ethical judgements intrinsically motivational? Lessons from ‘acquired sociopathy’. *Philosophical Psychology*, 16, 51–66.
34. Roskies, A. (2006) Patients With Ventromedial Frontal Damage Have Moral Beliefs. *Philosophical Psychology*, 19(5), 617–627.
35. Smetana, J. (1988) Adolescents' and parents' conceptions of parental authority. *Child Development*. 59(2), 321-35.
36. Smetana, J. and Braeges, J. (1990) The development of toddlers' moral and conventional judgments. *Merril-Palmer Quarterly*. 36, 329-346.
37. Smith, M. (1994) *The Moral Problem*. Oxford: Blackwell Publishers.
38. Tisak, M. and Turiel, E. (1988) Variation in seriousness of transgressions and children's moral and conventional concepts. *Developmental Psychology*, 24(3), 352–357.
39. Trevethan, S. and Walker, L. (1989) Hypothetical versus real-life moral reasoning among psychopathic and delinquent youth. *Development and Psychopathology*, 1(2), 91–103.
40. Wallace, J. (2006) Moral Motivation. In: J. Drier (Eds.), *Contemporary Debates in Moral Theory*. Oxford: Blackwell.
41. Zhong, Lei. 2013. “Internalism, Emotionism, and the Psychopathy Challenge.” *Philosophy, Psychiatry, & Psychology* 20 (4): 329–337.



The History of Sharing Video Content in Poland: Analog copies of the 1980s as a Factor of Digital Peer Re-production in the 2000s

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Abstract

We depict practices of Polish audiences in communist Poland and the transition of these practices after the fall of communism. In Eastern Europe, digital distribution of video content has been built on semi-peripheral culture of VHS tapes copying and sharing. Although the unique Polish 20th century historical trajectory contains the experience of being excluded from Western popular culture, the first decade of 21st century brought unlimited digital access to audiovisual content. Peer re-production, a non-creative mode of participation increased. Our article provides new historical data illustrating this specificity both in terms of historical experience and globalizing technological progress.

Key words: Poland, file-sharing, peer re-production, video content, TV series, post-network

We depict practices of Polish audiences in communist Poland and the transition of these practices after the fall of communism. In Eastern Europe, digital distribution of video content has been built on semi-peripheral culture of VHS tapes copying and sharing. Although the unique Polish 20th century historical trajectory contains the experience of being excluded from Western popular culture, the first decade of 21st century brought unlimited digital access to audiovisual content. Peer re-production, a non-creative mode of participation increased. Our article provides new historical data illustrating this specificity both in terms of historical experience and globalizing technological progress.

1. THE RESEARCH PROBLEM AND THE STRUCTURE OF OUR INQUIRY

When a top global business consulting company was commissioned to support the Polish audiovisual industry with data on the imagined loss through internet “piracy”, they made only one assumption: Those who download files, would definitely buy them, and would they have no opportunity to download. To attract media attention, as is usually promised by those who sell such consulting, the report started with two American television series: “Game of Thrones” and “House of Cards”. According to anecdotal evidence, Polish internet users seemed to be very active in downloading and sharing those two online television series. They were among the top global populations both downloading and sharing recent American post-network television series, regardless of the source (PWC, 2014). Our question is: what explains such an extent of re-production noticed at the semi-peripheral corners of the European Web?

This phenomenon can be explained from more than one perspective, combining global and local factors. One such perspective is the American cultural hegemony through internal attractiveness and advertising power. Another is the perspective of global culture flow. These explanations are obvious. The perspective we will hereby examine is the viewpoint of historical experience: country-specific, of national range, local rather than global. We will provide social research data, historical facts and discourse for the years 1980-2010. It will allow us to critically

illustrate the change trajectories in the practices of Polish audience access to Western culture after 2010. We deliberately limit the scope of this analysis to the beginning of the collapse of communism in Poland (1980) and the first two decades after 1989 (1990-2010). This period marks Poland's transition from communism to a liberal democracy and contributes to the explanations of post-2010 digital media culture phenomena.

The article structure is as follows. Firstly, we present Internet usage as non-creative peer re-production. Secondly, we describe our mixed methods approach. Thirdly, we use our first method (historical) to explain peer re-production in terms of historical experience and confronting discourse with practices. Fourthly, we use our second research method (survey research results) to focus on the specificity of Polish peer re-production. Finally, we theorize the pre-1989 ecology of access to audiovisual content in European semi-peripheries as a factor of the 21st century informal economy of the media.

2. INTERNET USAGE AS NON-CREATIVE PEER RE-PRODUCTION

Although we believe that the boundary between media, consumer and cultural studies is artificial, and results from the academic division of labor (see: Kellner, 2009), it seems that one of the problems of contemporary research in these fields is overstating the importance of creativity in everyday cultural practices. On the one hand, it is a legacy dating back to the 1970s' fantasies about the "new media". It has been fantasized that providing a return channel for customers would revolutionize social life. In this perspective, the current division between senders and recipients would result almost exclusively from access to tools of creating and distributing their own content. However, just as the Internet bandwidth is not what makes an active user, so the ability to create does not make a "creator".

As we limit our area of analysis to the period ending in 2010, the exploration of Polish context at that time (to which we will return later in more detail), showed some creativity-related paradoxicalities. Although more than half of Polish Internet users (58% male and 49% female Internet users) declared that they had ever placed a comment somewhere in the network or posted a comment in the message board, only for 8% users it was a daily activity. Although 17% Internet users declared writing own blog, only 3% of bloggers spoke of it as a daily occupation (Toczyski et al., 2011).

Within the iconic Internet sites based on user-generated content most traffic is generated by commercial content – uploaded legally or not. For example, the YouTube user-generated

content includes only 17.2% of the most watched videos, while the content posted by partners was more than 43%, and “pirated” content – almost 35% (TubeMogul, 2010).

Therefore, a statement of largely creative use of the Web makes sense only if we consider each trace left on the internet a creative work – emoticons placed under the entry on the blog or click on a “like” under the status of a friend on Facebook. But it is hard to resist the impression that the recognition of these activities on par with the creation of their own recordings such as music or video is an abuse and seems to be a new incarnation of cultural populism (McGuigan, 1992). Researchers find too often the subversive potential where in fact the existing relations of power are strengthened (Rafael, 2003). We therefore believe that although the Internet – whether use of this generalizing term may make sense nowadays – has redefined the existing hierarchies of culture and opened an unprecedented degree of public sphere in the bottom-up activity, the majority of Internet users is still a “silent majority.” At most they actively consume content provided by professional or amateur publishers or content delivered via a hybrid professional-amateur chain.

According to the Polish writer Jacek Dukaj, the use of the term “pirate” closes the opportunity for exchange of arguments and a real discussion about the informal economy of the media – which is why Dukaj proposes (one needs to add that without much effect) to replace it by another, such as “phreaker” (referring not only to the hacker culture, but also to the Polish tradition of the unauthorized transmission and using the cable television signal (Dukaj 2009).

At the same time, however, the importance attributed to the practices of piracy is changing – which can be seen even in the way of argument by Agnete Haaland, the president of the International Actors’ Federation, who said: “We should change the word piracy (...) To me, piracy is something adventurous, it makes you think about Johnny Depp. We all want to be a bit like Johnny Depp. But we're talking about a criminal act” (Shastry 2010). In turn, members of India's Raqs Media Collective, analyzing the exchange of files on P2P networks, presumably following the footsteps of the famous Temporary Autonomous Zone of Hakim Bey, refer to the democratic and subversive tradition of piracy: “Just as the piracy of the past disturbed the equilibrium composed of slavery, indentured labor, the expropriation of the commons, the factory system and penal servitude, the electronic piracy of the present is destined to wreck the culture industry either by making the economic and social costs of policing content prohibitive, or by ushering in a diversity of new protocols of usage, distribution, and reproduction of cultural and intellectual content that will make the whole enterprise of making vast sums of money out of the “nothing” of data and culture a difficult business” (2010: 148). As it can be seen, the

discourse is not homogeneous. Before we trace its historical transformations in Poland, a few more words about our conceptual apparatus should be said.

As mentioned above, the topic of shifting emphasis between production and redistribution of content in the networked information economy is the conceptual matrix we also designate through the modified (“pirated”?) notions serving the analysis of content over networks. Rethinking online creativity and so called piracy required careful choice of the language of such analysis. We decided to call it ‘peer re-production of TV content’, with the hyphen directing attention to the non-productive quality of reproduction: ie. re-production as it was named in previous work introducing the concept (Filiciak and Toczyski, 2014).

The interest in online creating coincides with the perception of culture’s economic potential and the culturification of economy. It has culminated in the concept of creative industries and treating the society as a resource from which the industry can draw. Such approach is exemplified by ideas of Richard Florida, already criticised (Lovink and Rossiter, 2007). Not denying the emancipatory potential of creative action for the individual, we want to point out that intentional creation is not as important for Internet activity as Internet researchers say, often repeating the slogans of Web 2.0.

The starting point for us is the concept of peer re-production. Yochai Benkler describes the commons-based peer production as a “radically decentralized, collaborative, and nonproprietary; based on sharing resources and outputs among widely distributed, loosely connected individuals who cooperate with each other without relying on either market signals or managerial commands” (2006: 60). In a similar manner, peer re-production works: anonymous Internet users share their resources (disk space, network connections, stored files), exchanging them in a non-hierarchical and out-market mode (Filiciak and Toczyski, 2014).

This definition is best suited for p2p file-sharing networks. Of course, the inputs of the users are usually incomparably smaller than those involved in cultural production, but the scale of this phenomenon is much greater – the number of people exchanging files on the network is not comparable to the number of people editing Wikipedia or forming Linux. It does not allow one to ignore this phenomenon. Ignoring this would mean adopting the perspective imposed by the creative industries, which are willing to criticize the pirates for the losses incurred by them; however, did not engage in a discussion about the “loss” of users who subsidize Web 2.0 companies providing them with free services, raising the value of their products and services (Terranova 2000), or even reproducing and providing “pieces of content” to generate an increased demand for certain content. In Benkler’s perspective, one of the topics relates to the fact that the content is non-proprietary which in relation to piracy cultures shows yet another

dimension: the lack of possession does not apply here only to rights (which in the case of pirated content are not possessed), but more often the lack of quasi-ownership or quasi-possession – increasingly important is just access, and not quasi-ownership or quasi-possession of content.

That means not even downloading the file to the computer, but watching a movie, listening to music or reading a text in the transmission stream using the content provided in one of the web sites by anonymous Internet users. At this point there are intermediaries – sites such as YouTube, which entails the need to introduce yet another category here. We believe that the informal exchange practices of the media cannot be analyzed in terms of simple opposition of the creative industries on the one hand, and on the other hand, user-generated content. All actors in the cultural scene – and there are more, also including technology, law, and often responding to the changes in the software (which was visible in further decentralization of p2p networks after the trial of Napster), discourses legitimizing or stigmatizing piracy, but also companies providing Internet services and manufacturing equipment – come together in complex relationships. Binary oppositions quickly introduce us to the world of fiction – for example, we might consider that as a result of piracy the users are gaining, and the industry is losing. But even if the manufacturers and distributors of content lose, at the same time the internet service providers' profits grow.

3. METHODOLOGY

This analysis is limited to 1980s and the first two decades after 1989 (1990-2010). To deliver insight for such long period, we have used mixed research methods. The first method is historical. We deliver historical facts, based on the discourse registered in print and online press.

The second method is national representative survey research, from which we provide declarative data. This method is also historical, because the research was conducted in 2010. Its context was the first Polish edition of World Internet Project (WIP), an international study on the Internet, to which we added questions on Polish Internet users' practices. Fieldwork was completed in May and June 2010. Computer-assisted personal interviews (CAPI) on representative random-quota took place in 2000 respondents' homes nationwide. The respondents were aged 15 years and older. According to the good practices in social sciences, the full questionnaire is available within the 2011 report from the project (WIP Questionnaire, 2011).

4. INSIGHTS ON DISCOURSE VERSUS PRACTICES. EXPLAINING PEER RE-PRODUCTION IN TERMS OF HISTORICAL EXPERIENCE

In the discussed period of 1980-2010, despite the efforts of legislators and those involved in cultural industries, the informal economy in Poland is the primary media, rather than a marginal way, to access audiovisual content, especially since such practice at law were banned only since 1994, after the entry into force of the “Anti-Piracy Act”.

We know from the literature that fan communities in non-democratic Poland under communism in the 1980s tended to access some cultural assets as a symbolic opposition to the state politics (Siuda, 2014). “Piracy” in the communist-socialist People's Republic (PRL, dated 1945-1989) has a long and interesting history, which does not respect the division between what belongs to the state or the regime, and what comes on a grassroots basis. Pirate was the “second circulation”, in which translations of foreign books and copied cassettes of performances by bards of the “Solidarity” movement circulated. However, the party dignitaries also “pirated”. We think that such phenomena related only to the entertainment, and as such, they are more universal. We can consider them in terms of peer re-production and an extended culture industry (Filiciak and Toczyski, 2014).

A good example of the universality of copying and redistribution practices are the practices associated with VHS recorders – Polish video boom of the 1980's was unique in the entire socialist camp. In 1984, Poland had about 70 thousand VCRs and three years later there were between 700 and 900 thousand VCRs. The official distribution of the cassettes was then about... twenty film titles. The circulation of unofficial content flourished, centered not on the “banned” production of political overtones, but primarily on the American popular culture and erotica. Present in Polish homes since the early 1980's, VCRs soon became a status symbol and a piece of equipment almost obligatory for Polish homes. After the fall of communism, leading up to the quasi-folk practices such as setting up a political VCRs' Holders Party, which, however, in contrast to the Polish Party of the Friends Beer similarly reflecting political pluralism of the beginning of the Third Republic, was not included in the Polish parliament. All of these devices were operated by copying the original material. Videos played using these devices were almost 100% provided by networks of selling and exchanging the copies with added amateur dubbing studios (except for content, there was also an important quality of the dubbing recording – the seller usually asserted that the offered copy was the “first copy”). The places of dissemination were organized in large cities at the weekly market, similar to the distribution of computer software and games. Interestingly, this mechanism was a faithful reflection of video content distribution among the Polish authorities of that period. The only difference was that the officials

had benefited from institutional support as the Polish state TV special organizational cell was preparing non-disseminated officially recorded movies for party officials. Most copies were made of a demo material that was sent to the Polish TV by potential foreign partners.

Institutional and informal levels, moreover, mixed together at different levels. The bottom-up organized network of copying and distribution often took the form of companies, but also on this Eastern side of the Iron Curtain state institutions were sometimes a source of copyright-protected recordings. An example would be broadcast “Radiokomputer” in Scouts’ Broadcasting (radio station belonging to the Polish Scouting Association), which from 1 July 1986 to the early 1990's broadcasted – for self-recording on cassette – software (utilities, educational and computer games) for Commodore, Atari and ZX Spectrum. The author of the broadcast, Tomasz Jordan, aired individual programs on the radio since 1984, of which he was writing in the computer magazine “Bajtek” (which was created in 1985 as a supplement to the “Youth Standard” with the support of his editor-in-chief Aleksander Kwasniewski, who later became Minister for Youth Affairs and after the change of system re-emerged as the Polish left-wing president). As some online sources say, Jordan wrote: “After the first issues, it turned out that the programs received in the ordinary range of radio receivers FM, recorded on tape, loaded up correctly to the computer (exactly about 70%). So a new source of software was available to all comers throughout the country. We should add – which is available for FREE! This type of emissions, conducted by Scouts’ Broadcasting, was the first in the socialist bloc countries” (Jordan, 1986).

Clearly, thinking in terms quite other than the infringement of intellectual property was dominant. The most developed, however, was a network associated with music market – not only on the radio (which often aired entire albums “to record” – radio DJs cared to make an appropriate long pause after their statements before the track would be released, and to not start talking until the last sounds), but also officially acting “recording studios”, copying music to blank media for payment, and after the collapse of the People's Republic of street stalls selling copies of the tapes. They were universal phenomena – and it was the music industry at a time, moreover, after a breakthrough of 1989, which became the main opponent of these phenomena in a broad discussion of the “piracy”.

The collapse of communist political system in 1989 was not only an important political breakthrough, but also a huge economic shock for Polish society. Reforms within the so called Balcerowicz Plan, named after the name of an academic economist and later finance minister professor, Leszek Balcerowicz, supported by Jeffrey Sachs’ advisory services, offered Poles a “shock therapy”, the critical recollection of which became the founding myth of the populist

political groupings, and also recently upgraded from modern left-wing positions. Such therapy was also the case of culture – in the first years after the collapse of the system state radically reduced funding in this sector, which gave an impetus for the prosperity of the entertainment mainstream low-cost such as the simple and not ambitious music disco polo, a private television for mass and uneducated audiences and – which from the perspective of this text is particularly important – for industrial-scale piracy, in the consequence of which the Polish people had access to cheap pirated copies. However, because of pressure from the United States and Western Europe – exacerbated by the Polish West-oriented aspirations closely linked with the political objectives of joining NATO and the EU – Polish law was adapted to Western standards, and newspapers started writing about piracy as an index of backwardness of Polish civilization. Which is even clearer as the traditional media industry is based, after all, on the traditional model of respect for intellectual property.

The press and the entertainment industry, therefore, despite the so-constructed discourse defended their common interest. The discourse left no room for the acceptance of what for years – alongside state-supported cultural institutions – was an essential element in the content distribution in PRL. The largest Polish newspaper, *Gazeta Wyborcza*, published a series of texts devoted to piracy in 1990 – containing information about the pressure from the West, but also information about the release of the album “Breathless” by the singer Madonna in Poland (Soporek 1990). This was the first premiere, which was held in parallel with the world premiere on the Polish market, what was interpreted as proof that “we are chasing the world”. Fighting piracy is described in the context of getting “maturity” of the music industry (the journalist even writes that our recording industry is facing “maturity exam”).

Under the “normalization”, numerous anti-piracy actions are held – including one of the biggest music festivals in Sopot, in 1991 entitled “Sing against the pirates” (KB, 1991). In 1992 in major Polish cities concerts in the series “Pirates are killing music” were organized (Brzozowicz and Chmiel, 1992). The press continues to educate the Poles, for whom “intellectual good” is still a fairly abstract concept.

The modernization discourse is reinforced by heavily emotional information about the dangers of the practice of piracy – the above mentioned *Gazeta Wyborcza* published, among others, in 1993, an article about holograms, allowing distinguishing the original from the pirated copies of the cassettes. Holograms are presented with a slight exaltation as a “certificate of morality” (Skawrońska 1993).

In 1994, the Parliament adopted a new law on copyright, the so called “Anti-Piracy Act”. “For the first time in Poland under the statutory protection are to be found not only authors but

also the producers and artists. In accordance with European standards, their rights will be protected for 50 years” – writes *Gazeta Wyborcza* on its frontpage (Dajbor, 1994). Soon after the introduction of the new law, an association of producers and publishers ZPAV reports that audiovisual piracy has dropped from 95% to 40% (Kowalski, 1994). In January 1995, prominent music critic and festival organizer Grzegorz Brzozowicz’s summary of 1994 is titled “Year of flowering phonographic”, and in it the first year of existence “in Poland the music industry functioning according to healthy market principles” is mentioned (Brzozowicz, 1995).

The second half of the 1990s appears, however, to be a period in which piracy CDs flourished and “pirates caught a second wind”. The situation radically changed thanks to Internet winning popularity – in the twenty-first century the gradual marginalization of “professional” piracy takes place, giving place to self-administered downloading content from the Internet. Today it is so widespread that, while earlier this downloading from the network was described by analogy to other practices (mainly theft), later it became a model to which others compare themselves.

In 2011, there were articles about the practice of reading comic books in a bookstore by young people, without subsequent buying the copy they read. Representatives of publishers compared that practice to Internet piracy. “Piracy” becomes thus the imaginary category for print publishers who reveal it by comparing unpaid reading to downloading – although ignorantly that this argument can be easily reversed (Wojtczuk, 2011; Czajka, 2011).

It should be noticed that in 2010, Poland was still cut off from many legitimate sources to access the content (range of platforms such as iTunes or Hulu did not include Poland). Their presence would not need to change the practice of “pirates” – but it is worth pointing out that the flourishing of piracy cultures can be regarded as a process in which citizens create their own grass-roots institutions for access to cultural content, because access is not provided to them by traditional institutions. It has developed its own mechanisms, including so called “subtitles scene”, which consists of translators’ groups working for free, preparing Polish subtitles for pirated copies of films downloaded from the Web. Moreover, the conflict between the subtitle translators and the company Gutek Film – one of the ambitious cinema distributors in Poland – was a good opportunity to trace the bottom-up discourse associated with piracy.

In December 2005, the company sent a letter to the administrators of the two largest sites with subtitles – napisy.org and napisy.info – in which the violation of Gutek Film’s rights to titles distributed by the company was stated (and thus, as has been claimed, their dialog paths). This led to suspension of activities of these sites (though napisy.info resumed its activity and functions to this day). The case went not only to court, but also to the biggest Polish newspaper columns,

reflected on a wide coverage on the Internet. These voices are analyzed in the article on “subtitles scandal” (Hofmokl and Tarkowski, 2007). Authors distinguish the following arguments, largely representative of the general arguments for the pirate practices: high prices for the originals, but also malfunctioning industry, which introduces valuable productions in Poland with a long delay or not at all – and p2p networks are the only way to access certain content. The distributing company was also an object of consumer complaints which stated that although self-advertised as a patron of culture, it is not company’s ambition to expand the market for cinema in Poland, but to act solely for profit. Part of the Internet users presents anti-market demands, but also refers to the right of fair use. In short – around pirate practices there is still present a huge gap between the joint media and the traditionally (narrowly) defined cultural industries’ perspective on the one hand, and the voices of ordinary citizens on the other hand.

5. SURVEY RESEARCH RESULTS: POLISH PEER RE-PRODUCTION SPECIFICITY

To explore the level of practices, a quantitative research process was designed that tested the theoretical model presented in the previous section. In 2010, we approached the first Polish edition of World Internet Project (WIP), an international study on the Internet, adding some questions on Polish Internet users’ practices to the questionnaire. Fieldwork was completed in the Spring of 2010 and published widely. However, the items on alternative access to culture, which were not available in questionnaires applied in other countries were not covered extensively.

While working on the project covering 1980-2010, we decided to include a number of items meaningful for our emerging insights, providing data not available within other WIP countries. Data were collected within computer-assisted personal interviews. General methodological information about this quantitative study can be summarized as follows: representative random-quota sample of 2000 respondents, interviews conducted face-to-face in homes, with Poles aged 15 years and older, with one-month fieldwork timing (May and June, 2010). Such a sample and method allowed us to describe the key results in reference to the whole population of Poland. The full report from this research was published as grey literature (Toczyski et al., 2010), followed by the 2011 report containing the full 2010 WIP questionnaire with indicated 2011 amendments (Toczyski et. al, 2011). Some initial interpretations of the two-year project results were highlighted as a supplement (Filiciak, 2011) to the full research report and as a separate discussion record (Toczyski and Ćwiklak, eds., 2011).

Having referred the reader to the full context in which the data were collected, we will present only that part of 2010 results which is interesting as the historical snapshot of Polish internet users' attitudes at that time. Nearly half of Internet users in 2010 declared that they had downloaded files for free, mainly because they simply did not want to pay for them. One in five internet users said they paid for downloading various files, usually movies and music, whereas slightly less than half of them download files without paying. Non-paid downloading usually concerned music (a third of internet users downloaded music files for free), movies (a quarter downloaded them for free) and, to a lesser extent, games (downloaded for free by every tenth of internet users). Those who downloaded such pieces of content for free admit the main reason for doing so was to get them without paying, even though they could afford to pay for them. Less than a third claimed that they just wanted to have a try before buying. Less than a quarter said that they could not afford to purchase downloaded content legally. A few of these people said that they had no other possibility of access to content they downloaded. Older respondents were less likely to download files for free. Men were involved in downloading more often than women.

In broader perspective, time spent on other media consumption suggested that internet users in a typical week spent less time on the offline media activities than Internet non-users. Other media consumption included watching TV, listening to radio and (to lesser extent) reading the press. This is the general profile of internet users, which suggested a migration of content consumption online already at that time. The age profile of those spending more than 10 hours weekly on watching TV or using Internet may be concluded by a simple observation of the fact that media content consumption habits change. Among those aged under 30, more people spent 10 hours or more on using Internet than on watching TV.

The most popular type of entertainment on the Internet was simply surfing in the Internet – every second Internet user did it at least once a day. Nearly two thirds of Internet users used Internet to download or listen to the music and slightly fewer visited websites with short films, download or watch movies and play games. Radio was listened to by slightly less than half of Internet users. The type of entertainment looked for in the Internet analyzed by gender shows that men more often than women took advantage of various types of entertainment available on the Internet. The biggest differences between genders could be observed in the case of watching erotic websites and playing games. The key data was, however, the percentage of Internet users who replied otherwise than “never” to the question “How often do you use Internet in following purposes?” with regards to downloading music, which decreased as age increased. 86% of the youngest Internet users declared they downloaded music, whereas the oldest – aged 60 years or more – only 24%. Downloading or watching online (streaming) movies, treated additively, was a

similar type of activity: responses to the question about this source of entertainment were between 82% in the youngest group and 16% in the oldest group. In other words, the migration of entertainment content consumption towards online was especially the characteristics of young generation.

Broadly understood, the “creative” activities of Poles (using Internet for all the analyzed activities) decreased rapidly with age. The older respondents were, the chances were that they would post fewer comments, pictures, send music video or write a blog. However, active internet usage other than sharing and other than producing a piece of content “ever before” was rare. Only 6% of the respondents created some form of art (more often the youngest group), and it was predominantly a photographic piece – or pieces – of content. Only one quarter of those, who created something, did not post it in the Internet. Nearly all of those who posted a photo were amateur photographers, who posted it on social networking website. Copyright was not a big issue for those who posted the content on the Internet. According to their understanding of their rights to these pieces of content, the majority of this content was not copyrighted. Still, one in ten of those who had posted their work on the Internet claimed that someone had used it. Internet users did not have a precise attitude towards the use of the content they posted on the Web by others, but over one third stated that they would not like anyone to use it. For a quarter of them, it was acceptable, but with their permission. Thus, “creators”, were faced with perceived copyright problems. Being only a “consumer” of the content did not seem to cause parallel perception problems.

Finally we approached the issue in a relatively direct manner, asking whether our respondents did happen to pay for different kinds of content or download it for free, in both cases at least from time to time. Men more often than women downloaded cultural content for free, especially music (37% vs. 30%), movies (30% vs. 21%), games (15% vs. 7%) and foreign TV series (6 vs. 3%). The question with which this issue was approached, was “Do you happen at least from time to time to download for free such things as...”, which we consider to be a good indicator of the problem. To counterweight the annoying issue, we also included the item “Do you happen at least from time to time to pay for an access in Internet to...”. One third of Internet users admitted to downloading music for free, one quarter of them – movies, and one tenth – games. The main reason for downloading these pieces of content is no need to pay for them. Respondents admitted that they can afford it, but they take advantage of the possibility to have them for free. Only 15% of Internet users paid for such things as music, movies, TV series (serials) when they downloaded them from the Web. The age structure of the discussed problem shows the prevalence of youth in free access to the culture.

Free access is a phenomenon not only strictly legal and economic, but also of collective consciousness. Among the majority of Poles, regardless of age, opinion prevails that the anonymity of the Web leaves people unpunished as well as the statement that the violations of others' goods should be punished. These two almost criminal statements provide a summary of an interesting empirical illustration of the problem of "piracy". Although the content of these items of the questionnaire was not associated with downloading, its reading in the context of informal circulation of content still shows the belonging of downloading files and streaming as ways of acquisition of cultural content – or any "pieces of content" – to a different category in the collective consciousness. Regardless of age, the colloquial terms "goods" and "unpunished" seem to have little to do with intellectual property.

However, as yet another counterweight, the observation cannot be omitted – while presenting the snapshot of Poland in 2010 – that there still exist such pieces of content, which are not yet that much mentally as well as physically separated from the medium. The issue of access to such pieces of content, namely books, is worth considering through the prism of two questionnaire items: "Where do you get books from?" and "How many books read last year did you get from...?". Books are paid content rather than free, but even as such still show the importance of sharing ("I borrow from friends": 52% of those who claimed that they read at least one book during last year before the survey interview took place). Within digital, sharing of content is also the structural background of p2p networks. Readers usually used to get books by borrowing them from friends, buying in bookstores (Internet users more often than non-users) or borrowing from libraries (the most popular way of getting books among students – probably because they have access to school or university library). Only 6% of readers used to buy their books via Internet (among Internet users this figure slightly grew to 9%) or in mail-order bookstore. At that time internet was not a common source of books, even for Internet users.

The percentage of those who got books from a particular source among internet users (N=1316) shows that there are specific kinds of content, which were – in 2010 – still strictly attracted to the medium (print) and as such were more accessible in the traditional rather than digital form.

6. PRE-1989 ECOLOGY OF ACCESS TO AUDIOVISUAL CONTENT IN EUROPEAN SEMI-PERIPHERIES AS A FACTOR OF THE 21ST CENTURY INFORMAL ECONOMY OF THE MEDIA

Anecdotal evidence from the studies sponsored by manufacturers of equipment for broadband Internet service suggests that for many Internet users, a key argument to have a faster connection is “piracy”. The complexity of the interdependence of the many actors in the Internet market is even higher, of course, with a more widespread introduction into discussion by providers of data transmission infrastructure – that is, especially telecoms – such an image of “value chain”, from which the conclusion is that the current infrastructure is made available below the real cost, and the publishers are to receive a disproportionate amount of revenue from sharing their content.

From the standpoint of efficiency of distribution, piracy cultures can thus be regarded as a peculiar source of bottom-up innovation. Its sources are generally low-income countries, so treating piracy cultures as a source of innovation can overcome the imperialist scheme, under which the world center of innovation are mainly highly developed countries (as exemplified by the products “designed in USA, made in China”). At the level of the informal economy of the media it is not “old center” which is a place to create new solutions – it is in the old “peripheral” countries where the attitude to intellectual property is often different than in the United States and Western Europe. At the same time, the experience of recent years shows that in terms of cultural content exchange beyond traditional hierarchies and market access, it is not “old peripheries” that equal to the standards of “old center”, but vice versa, young (and not so young) people from around the world are buying less and less and download more and more free content (“free” on their end) from the cultural network.

The accompanying discourse of piracy from 1989 to 2010 and beyond is relatively homogeneous. The top-down perspective dominates intended as the newspapers authors’ and business consulting self-identification with manufacturers and distributors of content, imagined as deprived of money. There are no voices trying to justify the widespread piracy or to identify traditional practices that allow coping with the unavailability (not just economic) of cultural content. The gap between the media and everyday discourse, where piracy is absolutely accepted, is enormous. Our article provided an illustration of this specificity both in terms of historical experience and technological advancement.

REFERENCES

All online links valid as of 15 May 2018

1. Benkler, Y. (2006). *Wealth of the Networks. How Social Production Transforms Markets and Freedom*. New Haven and London: Yale University Press.
2. Brzozowicz, G. and Chmiel, M. (1992). Piractwo z zasadami? *Gazeta Wyborcza*, 8 Jul 1992,.
3. Brzozowicz, G. (1995). Rok rozkwitającej fonografii. *Gazeta Wyborcza Poznań*, 5 Jan 1995.
4. Czajka, K. (2011). W sprawie oglądania komiksów. *Gazeta Wyborcza Warszawa*, 24 Jan 2011.
5. Dajbor, A. (1994). Piraci pod biczem. *Gazeta Wyborcza*, 6 Jan 1994.
6. Dukaj, J. (2009). *Dylemat pajęczarza*. Retrieved from <http://ksiazki.wp.pl/tytul,Dylemat-pajeczarza,wid,13348,felieton.html>.
7. Filiciak, M. (2011). *Instead summary: Informal Culture Circulation - The Scale and the Meaning*. In: Toczyski, P., Kustra, A., Rzeźnik, J., Gerszewska, M. (2011). *World Internet Project. Poland 2011*. Warsaw: Agora S.A. & TP Group, <https://depot.ceon.pl/handle/123456789/3639>.
8. Filiciak, M. and Toczyski, P. (2014). Peer Re-Production and an Extended Culture Industry. The Case of TV Content and Redistribution in Europeanizing and Globalizing Poland. *Studies in Global Ethics and Global Education / Studia z Etyki i Edukacji Globalnej*, 1 (1), 117-135.
9. Hofmokl, J. & Tarkowski, A. (2007). Piractwo ogranicza, piractwo wzbogaca życie kulturalne w Polsce. Analiza dyskursu na temat praw autorskich, rynku rozrywki i udziału w kulturze. In M. Burnecka & R. Próchniak (Eds.), *Dynamika kultury a (r)ewolucja własności intelektualnej*, tom I (173-198). Wrocław: Atut.
10. Jordan, Tomasz (1986). *Radiokomputer. Bajtek*, 11, <http://emusearch.net/forum/viewtopic.php?t=15335&sid=6718f3c9fa93e69b1535bff97316a66a>
11. KB (1991). Zaśpiewać przeciw piratom, *Gazeta Wyborcza*, 24 Jul 1991.

12. Kellner, D. (2009). Media Industries, Political Economy, and Media/Cultural Studies: An Articulation. In J. Holt & A. Perren (Eds.). *Media Industries. History, Theory, and Method (95-107)*. Chichester: Wiley-Blackwell.
13. Kowalski, B. Producenci zadowoleni. *Gazeta Wyborcza*, 15 Jun 1994.
14. Lovink, G. & Rossiter, N. (Eds.). (2007). *MyCreativity Reader: A Critique of Creative Industries*. Amsterdam: Institute of Network Cultures.
15. McGuigan, J. (1992). *Cultural Populism*. London: Routledge.
16. PWC (2014). *Wpływ zjawiska piractwa medialnego na gospodarkę Polski*, <https://www.pwc.pl/pl/biuro-prasowe/assets/pwc-polska-analiza-wplywu-piractwa-na-gospodarke-prezentacja.pdf>.
17. Rafael, V. (2003). The Cell Phone and the Crowd: Messianic Politics in the Contemporary Philippines. *Public Culture* 15(3), 399-425.
18. Raqs Media Collective (2010). *Value and it's other in electronic culture: slave ships and pirate galleons*. In Seepage (142-148), Sternberg Press: Berlin/New York.
19. Shastry, S. (2010). *Internet piracy taking big toll on jobs*. Retrieved from <http://www.reuters.com/article/2010/03/17/us-eu-piracy-idUSTRE62G3BU20100317>.
20. Siuda, P. (2014). In pursuit of pop culture: Reception of pop culture in the People's Republic of Poland as opposition to the political system – Example of the science fiction fandom. *European Journal of Cultural Studies*, 17(2), 187–208.
21. Skawrońska, J. (1993). Świadectwo moralności. *Gazeta Stołeczna*, 8 Oct 1993.
22. Soporek W. (1990). *Gazeta Wyborcza* [Piraci, 3 Feb 1990; Wideomania, 24 Feb 1990, ; 100 miliardów, 3 Mar 1990; IFPI w Polsce, 12 May 1990; Światowe premiery w Polsce, 26 May 1990].
23. Terranova, T. (2000), Free Labor: Producing Culture for the Digital Economy. *Social Text*, 63, Vol. 18, No. 2, 33-58.
24. Toczyski, P. and Ćwiklak D., eds. (2011). *Polish Internet Users as Compared to the World: Where and Which Way is the Polish Internet Going?* Warsaw: Agora, <https://depot.ceon.pl/handle/123456789/3671>.
25. Toczyski, P., Kustra, A., Rzeźnik, J., Gerszewska, M. (2010). *World Internet Project. Poland 2010*. Warsaw: Agora S.A. & TP Group, <https://depot.ceon.pl/handle/123456789/3857>.
26. Toczyski, P., Kustra, A., Rzeźnik, J., Gerszewska, M. (2011). *World Internet Project. Poland 2011*. Warsaw: Agora S.A. & TP Group, <https://depot.ceon.pl/handle/123456789/3639>.
27. TubeMogul (2010). *YouTube's Top 100 By Type*. Retrieved from <http://www.tubemogul.com/research/report/31>.

28. Van der Sar, E. (2008). *50% of All BitTorrent Downloads are TV-Shows*. Retrieved from <http://torrentfreak.com/50-percent-bittorrent-downloads-TV-080214>.
29. WIP 2011 Questionnaire (2011). In: Toczyski, P., Kustra, A., Rzeźnik, J., Gerszewska, M. (2011). *World Internet Project. Poland 2011*. Warsaw: Agora S.A. & TP Group, <https://depot.ceon.pl/handle/123456789/3639>.
30. Wojtczuk, M. (2011). Komiks spiratowany wzrokiem. *Gazeta Wyborcza*, Warszawa, 10 Jan 2011.

