Examining Digital Piracy: Self-Control, Punishment, and Self-Efficacy

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ABSTRACT

Digital piracy is a persistent and pervasive problem for society. Based on both the general theory of crime and deterrence theory, this study investigates the role of self-control, perceived severity of punishment and perceived certainty of punishment in predicting digital piracy behavior as well as self-efficacy. The results of the study show that risk-taking and punishment certainty are strong predictors of digital piracy behavior. Self-efficacy is also significantly related to punishment certainty and digital piracy behavior. Implications of the study for research and practice are discussed.

Keywords: digital piracy; low self-control; punishment certainty; punishment severity; self-efficacy; user attitude; user behavior

INTRODUCTION

Digital piracy is the illegal copying of digital goods—software, documents, audio, and video without the legal authorization of owners. With the rapid adoption of Broadband Internet in addition to the further development of technologies such as writable CDs and DVDs, software, music, and videos can be easily copied illegally. The United States government has been cooperating in the fight against digital piracy with the software, music and movie industries. An example of this cooperation is the Digital Millennium Copyright Act (DMCA). Under DMCA, anyone who attempts to access locked-up computer source code will face civil and criminal liability charges. However, despite legislative efforts, digital piracy is still a pervasive and persistent problem for society. Due to different economic, technological, regulatory, and cultural factors, countries differ in the piracy rate (Bagchi, Kirs & Cerveny, 2006; Ki, Chang & Khang, 2006). In several Eastern European countries, 92% of the software installed is illegal. The United States has the lowest piracy rate; however, 21% of the software installed in the United States is still pirated copy (Palmer, 2007). In addition, the music industry and the U.S motion picture industry both reported substantial losses from music and video piracy (Lewis, 2007; Liebowitz, 2006).
One reason for the prevalence of digital piracy may be because many people do not consider it as a crime. Digital piracy is acceptable to many people because it is considered “a soft crime which seems harmless, with no violence involved and, therefore, of no real danger to anyone” (Coldwell, 1998, p. 26). Many people hold the belief that information should be shared and exchanged freely. For example, a recent software piracy study shows that people are not ashamed of themselves for engaging in this type of behavior (Woolley & Eining, 2006).

Software piracy has been studied extensively (Cronan, Foltz & Jones, 2006; Limayem, Khalifa & Chin, 2004; Moores & Chang, 2006; Thong & Yap, 1998); however, research on digital piracy including music and video piracy is still in its infancy (Gopal, Sanders, Bhattacharjee, Agrawal & Wagner, 2004). There are only a few existing studies which examine the effects of digital piracy (Al-Rafee & Cronan, 2006; Bhattacharjee & Gopal, 2003; Chiou, Huang & Lee, 2005; d’Asous, Colbert & Montpetit, 2005; Gopal et al., 2004; LaRose, Lai, Lange, Love & Wu, 2005). Among these studies, the focus was placed on music piracy and did not take video piracy into consideration. As the availability of Internet connections with high-speed bandwidth has increased, video piracy has become more prevalent and thus the need to study it has increased as well. As the president of the Motion Picture Association of America (MPAA), Jack Valenti, mentioned, with a 56K modem, a pirate needs 20 to 24 hours to download a movie. However, with broadband or DSL, the download time is reduced to less than 20 minutes (Lewis, 2007). There is a need for further understanding of this phenomenon so that the legal authorities and related industries can combat this form of crime.

In addition, few studies have examined the role of self-efficacy in relation to digital piracy. Self-efficacy is the “beliefs in one’s capabilities to organize and execute the courses of action required to produce given levels of attainments” (Bandura, 1998, p. 624). In this study, self-efficacy refers to the belief in one’s ability to complete digital piracy such as downloading music or movie files from the Internet, duplicating music or movie files from other disks or installing a pirated copy of software. People who are engaged in digital piracy should perceive themselves capable of doing these activities.

The study builds on previous research by investigating digital piracy using two criminology theories: (1) the general theory of crime and (2) deterrence theory. The general theory of crime focuses on particular individual characteristics that make people more criminally inclined while deterrence theory emphasizes the power of punishment and apprehension. Because the skills that digital piracy requires are different from traditional crimes, people who commit digital piracy must feel that they are competent in committing the crime. Therefore, the study integrates self-efficacy with the two theories. By examining these two theories of crime and self-efficacy in relation to digital piracy, this study intends to provide a better understanding of the factors that has caused its proliferation.

**LITERATURE REVIEW**

Researchers studying software piracy have found that various individual factors such as gender, age, ethical predisposition, and knowledge of computer software laws influence software piracy behavior. Studies have reported that males pirate more than females and that young individuals are more likely to pirate than older individuals (Gopal & Sanders, 1998; Sims, Cheng & Teegen, 1996). It has also been found that a person with higher ethical propensity is less likely to engage in software piracy (Gopal & Sanders, 1998), and that people with a good knowledge of computer software copyright law are unlikely to be involved in software piracy (Lau, 2003).

Situational factors also affect software piracy. For example, software cost has been positively correlated to attitudes towards this illegal behavior. People have a more relaxed attitude...
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