Chapter 7.12
Ethical, Cultural and Socio–Economic Factors of Software Piracy Determinants in a Developing Country:
Comparative Analysis of Pakistani and Canadian University Students

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ABSTRACT

Consumer software piracy is widespread in many parts of the world. P2P based websites have made it easier to access pirated software, which has resulted in an increased emphasis on the issue of software piracy in both the software industry and research community. Some factors that determine piracy include poverty, cultural values, ethical attitudes, and education. Earlier empirical studies have looked at software piracy as an intentional behaviour. This study explores the demographic, ethical and socio-economical factors that can represent software piracy as a social norm among a developing country's university students. The authors have conducted a comparative analysis of university students from Pakistan and Canada, two countries that differ economically, socially, and culturally. The results of the study indicate that software piracy behaviour is different in both groups of students, but that there are also some similarities. Future research directions and implications are also presented.

If nature has made any one thing less susceptible than all others of exclusive property, it is the action of the thinking power called an idea, which an individual may exclusively posses as long as he keeps it to himself; but the moment it is divulged, it forces itself into the possession of everyone, and the receiver cannot dispossess himself of it. Its peculiar character, too, is that no one possesses the less, because every other possesses the whole of it. He who receives an idea from me, receives instruction himself without lessening mine; as he who lights his taper at mine, receives light without darkening me. That ideas should freely spread from one to another over the globe, for the moral and mutual instruction of man, and improvement of his condition, seems to have been peculiarly and benevolently designed by nature, when she made them, like fire, expansible over all space, without lessening their density at any point, and like the air in which we breathe, move, and have our physical being, incapable of confinement or exclusive appropriation. Invention then cannot, in nature, be a subject of property.

-Thomas Jefferson

Congress shall have power ... to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

-The Constitution of the United States, Article 1, Section 8, 1788

INTRODUCTION

Ethicist Richard Mason (1986) identified four main ethical issues of the information age: privacy, accuracy, property and accessibility. It has been suggested that Mason's work was very significant in the field of Management Information Systems ethics (Freeman & Peace, 2005). Mason (1986) considered intellectual property (IP) "as one of the most complex issues we face as a society" (p. 9). Mason identified *bandwidth* as the real threat in the digital world and viewed it as a scarce and fixed commodity at the time. However, with the rapid progress of hardware and software technology, bandwidth has increased immensely and has therefore made peer-to-peer (P2P) technology possible making e-file sharing a matter of few mouse clicks.

According to Husted (2000), knowledge and information are now more important factors in a national economy than the traditional physical assets that used to indicate economic well-being. Therefore, the protection of intellectual property (IP) has received increased attention in the recent past. Intellectual property refers to "the results of intellectual activity in the industrial, scientific, literary or artistic fields" (Forester & Morrison, 1990, p. 31). A government plays its role to protect the rights of owners by preventing unauthorised use of this intellectual property for a limited period of time (Seyoum, 1996) by using different measures such as copyrights, trade agreements and patents. Legality aside, there are ethical and moral issues that have risen from the use of software and its unauthorised copying both at the consumer and commercial level. The concept of ***Technoethics***[1] deals with such aspects of technology. "It designates that portion of ethics which deals with questions arising from technological development and activities. More precisely, technoethics deals with moral questions governing or resulting from the conception, production, distribution and the use of artifacts or technological systems" (Findeli, 1994, p. 50). In our chapter's context technoethics or ethics refers to the moralities and ethical values presumed or perceived with the use and copying of commercial software.

Software is a form of intellectual property and its unauthorized duplication is a crime. However, the practice of making illegal copies of software amounts to high rates in various parts of the world and in environments such as universities,

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