Why do people file share unlawfully? A systematic review, meta-analysis and panel study

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Abstract

Unlawful digital media sharing is common and believed to be extremely damaging to business. Understanding unlawful file sharers’ motivations offers the opportunity to develop business models and behavioral interventions to maximize consumers' and businesses' benefit. This paper uses a systematic review of unlawful file sharing research, and the Theory of Planned Behavior, to motivate a large-scale panel study in which initial determinants were used to predict subsequent behavior. A meta-analysis found Attitudes, Subjective Norms and Perceived Behavioral Control were all associated with unlawful file sharing. Media type and demographic differences in the importance of Perceived Behavioral Control were found and attributed to more accurate evaluation of familiar activities, i.e., greater experience increases the influence of Perceived Behavioral Control but age does not.

The panel study confirmed that greater past experience was associated with Perceived Behavioral Control and Intention. We conclude that past experience increases the efficacy of the Theory of Planned Behavior and specifically Perceived Behavioral control in predicting behavior, contrary to some widely held beliefs about the role of experience. The role of experience is therefore crucial to understanding people’s choices. Practically, improving social approval, positive evaluation and access to lawful media should reduce unlawful behavior.

1. Introduction

Approximately half the adult population of the United States share digital media unlawfully (Karaganis & Renkema, 2013) at an estimated cost of $12.5 billion per year (Siwek, 2007). Unlawful file sharing, is where people copy, share or download media without the consent of the copyright holder. Unlawful file sharers are a vast source of potential customers who are viewed by the industry as a threat which must be countered to prevent the collapse of the legal marketplace (RIAA, 2015). This is not just a legal issue — legal interventions alone are often insufficient to motivate change. For example, a recent study has identified that reported file sharing behavior was predicted by the perceived benefit of the activity to consumers, but not by perceptions of legal risk (Watson, Zizzo & Fleming, in press).

1.1. File sharing behavior

There are several different behaviors which are included in research on file sharing. While copying media has a long history and concerns with music and video piracy predate the internet, digital media are generally easier to copy than analogue media (Towse, in press). Uploading or sharing media is qualitatively different to downloading and requires different knowledge and actions. Uploading also carries different risks and benefits; specifically, it is riskier, with greater penalties and greater efforts expended to track uploaders than downloaders. In some countries downloading can be lawful when uploading is not. At the time of writing downloading is the most common form of unlawful file sharing with the widest availability, and requires low effort for high benefit (Ofcom, 2013; Watson, Zizzo & Fleming, in press). Lawful
streaming, as opposed to downloading, is increasingly popular (Weijters, Goedertier, & Verstreken, 2014) but the legal position is complex — legal sites can host media which does not have copyright holder consent. There is little psychological research on streaming. Research into file sharing has often considered the different behaviors together, although they are distinct (Watson, Zizzo, & Fleming, 2015).

A successful intervention for unlawful file sharing requires an understanding of the problem, but there is a significant lack of existing data — a recent scoping review identified only 209 empirical articles (Watson et al., 2015). Of those articles, 32% used psychological models (of which the most common was the Theory of Planned Behavior, used in 13% of all empirical papers). The remaining research primarily focused exclusively on externally observable variables such as sales data (40%) or considered psychological determinants of file sharing using descriptive or ad hoc measures of attitudes/preferences or qualitative interviews (28%).

1.2. The Theory of Planned Behavior

The Theory of Planned Behavior is an excellent starting point as it examines whether the causal motivations of opportunity, social norms, and personal dispositions are combinable, or if one or more factors are sufficient to explain file sharing behavior within a validated, data-driven framework. Moreover, it was by far the most common model utilized in explaining file sharing identified in the review by Watson et al. (2015).

The Theory of Planned Behavior (TPB) is a socio-cognitive decision-making model that explains behavior by intention and three precursors to intention, Attitude, Subjective Norms and Perceived Behavioral Control (Ajzen, 1991). Attitude is a disposition to respond consistently favorably or unfavorably to an object, person, institution or event and could be influenced by advertising that highlights the potential costs of file sharing or benefits of legally-sourced media (Ajzen, 2005). Subjective Norms involve perceptions of ‘significant others’ preferences about whether one should, or should not, engage in the behavior; others’ perceived approval increases the likelihood of intention and can be influenced by providing information about an alternate norm (Ajzen, 1991). Perceived Behavioral Control is influenced by beliefs concerning whether one has access to the necessary resources and opportunities to perform the behavior successfully (Ajzen, 1991). Both internal (personal deficiencies, skills, abilities) and external (opportunities, barriers, dependence on others) variables are important for determining Perceived Behavioral Control (Conner & Sparks, 1996). For example, Perceived Behavioral Control (PBC) could predict how barriers, such as website closures, are effective in deterring the behavior of file sharers. PBC is of particular interest because attempts to deter file sharers by affecting their perceived opportunities to access unlawful files have had mixed success. Studies have shown interventions can be effective in altering behavior via PBC for example with unlawful driving behavior (Elliott & Armitage, 2009). Danaher and Smith (2014) explored the impact of the shutdown of a major file sharing website and identified a statistically significant increase in digital movie sales. However, it is impossible to determine from this study whether the observed increase would last beyond the 18-week follow-up period. Poort and Leenheer (2012) found that the blocking of the Pirate Bay website had led to 21% of participants reporting less unlawful file sharing, but had no effect on 72%, while 5% said they downloaded more. One problem with these studies is that the effects may be moderated by the availability of substitute websites, and the ability of downloaders to swap to alternative unlawful sources. Presumably more experienced file sharers may be better able to identify and use alternative sites to the ones they are used to. PBC and experience may therefore critically determine the effectiveness of blocking attempts and the variability in the reported behavior of Poort and Leenheer’s (2012) data. Ajzen (2002b) argues that behavior is only unlikely to change if the environmental stimulus changes without a shift in the motivational and cognitive factors. The unavailability of a major downloading website does not necessarily imply change in people’s intentions to unlawfully file-share. It is more likely that people will modify their behavior to match their intentions so long as they believe themselves capable of doing so (via PBC). It is argued that past experience only determines future behavior insofar as the past behavior fits the person’s current intentions. For example, the 72% of unchanged behavior reported by Poort and Leenheer (2012) could be because, despite the environmental context changing, unchanged cognitive and motivational factors produce behavior that remains the same.

The predictive power of the basic TPB components with respect to intentions and behavior are addressed in this paper, first in a systematic review and then in a follow-up panel study. In the systematic review we consider unlawful file sharing broadly because the reviewed literature includes copying, sharing and downloading. In the subsequent panel study we focus on downloading.

2. Systematic review and meta-analysis

We used a systematic review of a decade’s research (using the PRISMA framework; Liberati et al., 2009) to compare and aggregate the effects of Attitude, Subjective Norms and PBC across existing TPB studies. We wished to compare student and non-student groups — because we know student groups are much more likely to file share and therefore may have different motivations. There is a long tradition of caution in assuming that results from young, educated students automatically generalize to the wider population and here we can test if this is the case (Gordon, Slade, & Schmitt, 1986; Henrich, Heine, & Norenzayan, 2010). Specifically, we would expect students to have greater online experience and perhaps skills; there is some evidence that student social network use is similar in intention to non-student use but students are less likely to experience cybercrime, which supports the idea of their greater online skill (Benson, Saridakis, & Tennakoon, 2015). A similar rationale was used to compare age — which is associated with, but not identical to, student status and younger people have, in general, more rather than less past experience of file sharing (Bonner & O’Higgins, 2010; Coyle, Gould, Gupta, & Gupta, 2009; Rob & Waldfoogel, 2007; Sinha & Mandel, 2008). We were also interested in cross-cultural effects as unlawful file sharing varies by country which may be due to cultural, legal or economic differences (Watson et al., 2015). Here we compared individualistic with collectivist cultures (Hofstede, 2001) because it has been argued that this is a critical consideration when comparing the influence of different elements of the TPB. Specifically, it is argued that the role of social norms is greater in collectivist over individualist cultures (Al-Rafee & Dashiti, 2012). Finally, we compared across different media types (e.g. videogames, music, software, movies) because they are shared and used differently and we wished to test whether socio-cognitive motivations differed across media (Watson et al., 2015). It was not possible to compare different types of file sharing (e.g., copying, sharing, downloading, general) because there were insufficient studies in the different categories to compare. The inclusion and exclusion criteria are summarized in Table 1 and the scope of the search is summarized in Table 2. The search string was utilized in four academic databases encompassing a range of disciplines: Web of Knowledge, EconLit, Communication and Mass Media, and PsychInfo. Search terms were applied to the “topic” of articles in Web of Knowledge and to the full text of
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