

**MAPPING SOUTH AFRICAN INTERNET USERS' OPINIONS ABOUT THE USE
OF PEER-TO-PEER FILE SHARING TECHNOLOGY TO INFRINGE ON
COPYRIGHTED FILMS AND/OR TELEVISION SERIES CONTENT**

by

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DECLARATION

I, Isabè Botes, declare this work, Mapping South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content, is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

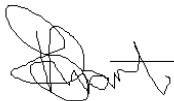
I further declare that I have not previously submitted this work, or part of it, for examination at Unisa for another qualification or at any other higher education institution.



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As witness

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Abstract

ABSTRACT

The aim of this study was to investigate the various reasons consumers continue to infringe on copyrighted content, specifically in the South African context, even if the law forbids it. This investigation is two-fold since it also recognises that there are many individuals who do not infringe on copyrighted content even though they have access to peer-to-peer file sharing technology. This information could prove valuable since it can then be used to find comprehensive market-led solutions to the problem that targets the end-user. This study adopted a mixed method approach in order to cross validate findings and to reveal aspects of empirical reality. The target population for this study consisted of 100 adult South Africans who have access to the internet. Data was collected through an online, self-administered questionnaire. Quantitative data was analysed through descriptive statistics, while qualitative data was analysed through thematic analysis. The results show that there are variety of factors that influence respondents' attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology, each of which is discussed in detail. The study concluded by identifying 24 factors that favourably influence people's attitudes towards copyright infringement, including high prices of legitimate goods, historical inequality in South Africa, and perceived low risk of being caught and punished. Based on the conclusion above, the study recommends that policy makers such as government officials, boards of directors, managers, committees, and executives use the results of the study when making decisions and determining policies, especially in the South African context.

DEDICATION / ACKNOWLEDGEMENTS

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GLOSSARY OF TERMS

BitTorrent

A peer-to-peer file sharing protocol that allows data to be transferred asynchronously; the complete file is only assembled after completion of downloading (Beekhuyzen 2009:266).

Copyright

The exclusive right to license, make copies, or exploit artistic, musical, or literary work (Copyright [sa]).

Copyright infringement

In terms of this work, this phrase is short for digital copyright infringement through peer-to-peer file sharing technology. It refers to the unlawful downloading of copyrighted content without owning the rights to do so.

Data

Distinct pieces of information, formatted in a special way that can have a variety of forms such as text, numbers, or even thoughts in a person's mind. A collection of instructions that are used to manipulate data is called programmes (Goldschmied 2008:17).

Digital media

Digitalised audio, video, graphics, and text that can be transmitted over computer networks or the internet (Digital media [sa]).

Download

The direction the digital content moves, over the internet, by receiving data to a local system from a remote system. In a file sharing context, BitTorrent Internet Protocols allow data to be transferred asynchronously and the complete file is only assembled after completion of downloading (Beekhuyzen 2009:266).

Glossary of Terms

File sharing

The process of distributing or providing access to digitally stored data, which allows the storage of such data to a local system through decentralised peer-to-peer networking (Beekhuyzen 2009:266).

Infringe

This term is used to indicate that peer-to-peer technology is used to violate or transgress the law (Infringe [sa]).

Leech

A person or system that receives data from a remote system to a local system (Beekhuyzen 2009:266 & 267).

Peer

An individual who is busy downloading and uploading digital content via peer-to-peer networks (Beekhuyzen 2009:266).

Peer-to-peer file sharing

Often abbreviated as P2P, this term is used to include all peer-to-peer software and not only BitTorrent. 'Peers' are computer systems that use peer-to-peer software connected to each other via the internet and can share data directly. Thousands of computers can be connected to other systems in this way (P2P [sa]).

Piracy

The infringement of copyrighted digital goods by means of peer-to-peer file sharing technology (Beekhuyzen 2009:267).

Although this colloquial term is widely used and acknowledged in academic works to describe digital copyright infringement, a single, comprehensive definition has not been developed; rather a common understanding of the term is used in most instances (Beekhuyzen 2009:1).

Glossary of Terms

Pirate

Both a noun and a verb, 'pirate' can refer to a person engaged in the act of copyright infringement through peer-to-peer file sharing technology or to the act itself.

Seed

A person or system that sends data from a local system to a remote system (Beekhuyzen 2009:266 & 267).

Softlift

Copyright infringement of software through peer-to-peer file sharing technology (Van der Merwe 2006).

Torrent files

Small computer files that contain information on how to download larger files (Kumar 2014).

Upload

Sending data from a local system to a remote system with the intention that the local system will save a copy once the sending of the file is complete. Uploading can also be referred to as 'sharing' (Beekhuyzen 2009:267).

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List of abbreviations

LIST OF ABBREVIATIONS

BBC	British Broadcasting Corporation
CD	Compact Disc
DVD	Digital Visual Disc
GDP	Gross Domestic Product
ISP	Internet Service Provider
LP	Long Playing
P2P	Peer-to-peer
PC	Personal Computer
SABC	South African Broadcasting Corporation
SAFACT	South African Federation Against Copyright Theft
TV	Television
VPN	Virtual Private Network

CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 INTRODUCTION

This study focuses on South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content. Investigating this issue is important because copyright infringement is a serious issue that costs the global entertainment and software industries millions of rands each year (Baumgartel 2007:52). Bilstein (2010:27) estimates that the South African entertainment industry loses more than R500 million in this way every year. This comes from a loss of media sales, which leads to a loss of jobs in the creative, manufacturing, and retail industries as the profit margins of companies are far below what they would be if people paid for the media they consume (Hope 2014:3).

1.2 BACKGROUND OF THE STUDY

This study is concerned with the unlawful downloading of copyrighted content, through peer-to-peer file sharing software, without owning the rights to do so. 'Peers' are computer systems that use peer-to-peer software that is connected via the internet to each other and can share data directly. Thousands of computers can be connected to other systems in this way.

Copyright infringement has been around for centuries, from the time when monks copied documents by hand to Gutenberg's invention of the printing press in 1456, to the digital millennium in which compressed file formats revolutionised the way content is copied and shared (Gantz & Rochester 2005:54). Today, high-speed internet connections and computer technologies allow the average consumer to copy an unlimited number of media files in the comfort of their own home and at minimal cost. It also allows consumers to download high quality copies. In fact, a 2016 study found that nearly 50% of downloaders now prefer to download high definition copies (Massive piracy of ... 2016).

Chapter 1: Introduction and background to the study

The copying and downloading of such files is a phenomenon that occurs in almost every country around the world as peer-to-peer file sharing technology allows users to consume and distribute digital media that they do not legally own, and have not paid for, on a global scale (Baumgartel 2007:52). The term 'digital media' refers to digitalised audio, video, graphics, and text that can be transmitted over computer networks or the internet (Digital media [sa]), while the term 'peer-to-peer file sharing' refers to computer systems (peers) using peer-to-peer software that is connected to each other via the internet and can share data directly. Thousands of computers can be connected to other systems in this way (P2P [sa]).

Wall (2005:80) identifies five factors that have made digital copyright infringement popular, namely that it is an isolated act, anonymous, transnational, relatively easy to do, and it has created a shift from owning physical items to owning ideas. Therefore, the transgression seems a victimless crime (Liang & Phau 2012; Higgins & Makin 2004:1; Higgins, Fell & Wilson 2006:4).

As in most other countries, South Africa's copyright legislation, which is governed by the Copyright Act (1978:s 7a), declares that unless the copyright owner provides explicit consent, their original works may not be reproduced. Legislators around the world have implemented various regulations and laws to eradicate and control these reproductions over the last two decades. Not only does the problem persist, it seems that more and more people are doing it on a global scale (Al-Rafee & Cronan 2006:237). Keeping in mind that the top-down approach, whereby governments force laws on citizens, have consistently failed over the years, it has become necessary to search for answers using a bottom-up approach. This means that the end-user's attitudes and motivations should be examined, and based on this information, deterrent measures can be put in place (Moreira de Sa 2011:6). Meireles (2015:11) also argues that understanding what people's attitudes are is important because attitudes can be changed.

According to Karaganis (2011:01), copyright infringement through peer-to-peer technology has unique characteristics in emerging economies, such as in Brazil,

Russia, and South Africa, that have to be kept in mind. Relative to local incomes, prices of media products in these economies are up to 10 times higher than in developed countries such as the United States of America. However, when examining the attitudes and motivations of people, it becomes clear that money is not the only motivational factor, and in many instances, people justify their behaviour in such a way that, in their mind at least, their actions are not criminal or immoral.

This study is focused on the complex and varied issues related to using peer-to-peer file sharing technology to infringe on copyrighted films and/or television series. The term 'copyright' refers to the exclusive right to license, make copies, or exploit artistic, musical, or literary work (Copyright [sa]). The term 'infringe' is used in this study as a synonym for 'transgress' and 'violate'.

It is the aim of this study to investigate the various reasons consumers continue to infringe on copyrighted content (Higgins 2007:523), specifically in South African context, even if the law forbids it. This investigation is twofold since it also recognises that there are many individuals who do not infringe on copyrighted content even though they have access to peer-to-peer file sharing technology. This information could prove valuable since it can then be used to find comprehensive market-led solutions to the problem that targets the end user (Van der Byl & Van Belle 2008:202; Barkachi 2014:25).

1.3 MOTIVATION FOR THE STUDY

The motivation for the study was the pursuit of truth. Copyright infringement of films and/or television series through peer-to-peer file sharing technology is increasing with each year (Higgins 2007b:523). Reyman (2010:2) states that the problem persists because the internet has an open architecture, but the laws that govern it are closed. There is also a gap between the reality of copyright law and the social reality of everyday activities. Reyman (2010:03) also identifies how legal developments conflict with cultural value systems and proposes a model

that includes intellectual commons, collaboration, responsibility, and emphasising exchange of public goods.

In order to find effective solutions to the problem, it is important to understand the opinions of the end user (Van der Byl & Van Belle 2008:202). This cross-sectional study aims to explore exactly that by conducting an examination of South African internet users' attitudes towards using peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content. Results could be used in future research to find more comprehensive and contemporary solutions for this problem and benefits all the relevant stakeholders.

1.4 CONTEXT OF THE RESEARCH PROBLEM

Copyright infringement through peer-to-peer file sharing technology is a unique problem because it occurs in a global space and, currently, there is no single political system that governs it. This is mainly because each individual computer that makes use of this technology becomes part of the network that is the engine that drives this phenomenon (P2P [sa]). It is important to note that there are two kinds of digital copyright infringement through peer-to-peer technology. Firstly, there is end-user infringement, which is when a person downloads a product for personal use or to share with others, and secondly, for-profit infringement, which is when content is downloaded and sold (Peitz & Waelbroeck 2010:1).

Copyright infringement of digital goods, which includes software, gaming, music, video, printed work, and films, has been studied and researched across many disciplines, such as: psychology, law, criminology, computer sciences, communications, and media studies. An examination of copyright also requires the researcher to keep various aspects of social psychology, information technology, communication, criminology, law, and business ethics in mind (Veitch & Constantiou 2011). It has, however, become clear that there is no single approach to studying the issue (Lorde, Devonish & Beckles 2010:9). Although each of these formats have their own unique characteristics, a parallel exists between the ways it has been investigated in the past (Hope 2014:11); therefore,

Chapter 1: Introduction and background to the study

this study is informed by a wide variety of literature written on the topic of digital copyright infringement.

The minimum requirements for downloading copyrighted material through peer-to-peer file sharing is a computer with an internet connection and download capacity. The term 'downloading' refers to the direction that the digital content moves over the internet by receiving data to a local system from a remote system. In a file sharing context, BitTorrent Internet Protocols allow data to be transferred asynchronously; the complete file is only assembled after the downloading is complete (Beekhuyzen 2009:266).

Technical knowledge on how to operate BitTorrent software is also required. Liang & Phau (2012) state that the more a person believes in their own abilities to use a computer and download content illicitly, the more likely they are to do it. Only one digital copy of a file has to be uploaded in order for it to be shared on a global scale. This means that anyone anywhere can make anything available on the internet, which can then be consumed locally (P2P [sa]). The problem, however, is that users very rarely only download one item (Sheridan 2011:1455).

Although not usually a legitimate academic resource, it must be remembered that the virtual world created by the internet, while not a physical space, is still a space where people gather to socialise, talk about their opinions, share their thoughts, and contribute to the global community. Research about how people behave on the internet and their attitudes towards their behaviour on the internet cannot, and should not, happen without making use of sources on the internet. One might refer to this digital space as the natural environment of the file-sharer, making it a researcher's most valuable resource. Not all the research for this study can exclusively focus on the South African context because peer-to-peer file sharing is a global issue. In order to understand how it affects South Africa, an understanding of what is happening globally becomes necessary.

When content that was produced abroad, and should be paid for, is imported and consumed illicitly locally, diplomatic relationships with other countries become

strained. Perhaps most importantly, local entertainment and creative industries are negatively affected. It is therefore the social and ethical responsibility of the country in which the copyright infringement occurs to try and mitigate the problem. This is essential if it wishes to protect its own economy, the social norms and values of its citizens, its entertainment and creative industries, and its relationships with countries with which it purposefully exchanges cultural goods.

In order to ensure that copyright of products does not lose its validity when it crosses international borders, the Berne Convention of 1886 (hereafter referred to as 'The Convention') was established. The Convention is an international treaty that governs copyright. It requires its member states to recognise foreign copyright holders the same way it would its own nationals and to provide them with adequate protection. It protects reproductive works in all manners and all forms regardless of the technology used to reproduce the work (Groenewald 2011:4).

The Copyright Act, which is based on British law (Groenewald 2011:10) was written on the provisions of The Convention after South Africa became a signatory of it in 1928 (Groenewald 2011:4). Under the Act (1978:s 2.2), a work is eligible for copyright if it exists, is original, and is categorised in the Act and made into a material state. After The Convention was implemented, it no longer became necessary to place a copyright notice on a product to show that it was, in fact, protected (Hart-Davis 2001:8).

The Copyright Act (1978:s 27.6a) states that the maximum penalty for a first conviction is a fine, not exceeding R5 000, and/or imprisonment, not exceeding three years for each article. For any other convictions, the infringer could be liable for a fine, not exceeding R10 000, and/or imprisonment not exceeding five years per article. However, as Bilstein (2010:30) states, the chances of collecting fines and penalties from poor and under resourced defendants are almost non-existent.

The Copyright Act, however, is not the only Act that criminalises the illicit copying of digital goods. In South Africa, an infringer can be prosecuted under five other Acts. The Films and Publications Act (1996:s 24A.1) states that no person shall knowingly distribute or exhibit a film without the necessary prior registration. This refers to the Registration of Copyright in Cinematograph Films, which has the main purpose of having copyright owners of films register products in order to have proof of ownership in case of dispute, or should their rights be infringed (Copyright for film ... [sa]). The Counterfeit Goods Act (1997:s 1.1a) states that it is illegal to reproduce any intellectual property without the authority of the owner; this is especially true for when films, television series, and/or music are downloaded through peer-to-peer networks, copied onto a DVD or CD and sold or shared. Likewise, the Electronic Communications and Transactions Act (2002:s 87.1 & 2) addresses the issue of extortion, forgery, and fraud by means of a computer and criminalises it as a form of cyber-crime. Finally, the Companies Act (2008:s77.2) states that the director of a company can be held liable for any illicit activities that take place within an organisation.

In 2014, Majedien Norton, a Capetonian man, pleaded guilty to copyright infringement for uploading the South African film *Four Corners* on The Pirate Bay website. He was charged with infringing the Copyright Act, read with the Registration of Copyright in Cinematograph Films Act, and contravening the Films and Publications Act (Copyright infringement ... [sa]). Norton received a three-year suspended sentence for the former, and was fined R3 000 or a suspended six-month sentence for the latter. Although Norton's case was the first of its kind in South Africa, it did not go to trial because Norton took a plea deal and so the case did not establish a legal precedent (Price 2014).

Internet Service Providers (ISPs) are the only parties that benefit financially when digital products are infringed. An obvious solution is to have ISPs block infringing peer-to-peer traffic altogether. However, the Electronic Communications and Transactions Act (2002:s 73-76) exempts ISPs in South Africa from liability, provided they meet a few conditions. Some of the conditions include that the service provider should not initiate the transmission, but only provide the

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transmission of the data; it cannot modify or select the data or the addressee. The ISP is also not liable if it does not have knowledge of what the data is, or is not aware of the facts and circumstances surrounding the activity, and must be quick to remove or disable any such data with a takedown notice. Simply put, ISPs are under no obligation to monitor any data they transmit, and therefore cannot be held liable for what users do (Groenewald 2011:26).

Research that undertakes to view the problem of digital copyright infringement from both a global and local perspective is required. So too is research examining the arguments for and against the matter within the South African context. Researchers such as Urs (2004:204) believe that new technological developments and challenges have rendered the Copyright Act inadequate to deal with issues of copyright as advances in digital technology have revolutionised the way end users consume digital content. Therefore, it has to be reviewed.

Regardless, South Africa still faces many challenges regarding copyright protection and enforcement, especially relating to the illegal peer-to-peer file sharing of films and television series. Firstly, it has become a global phenomenon at consumer level in which it is not uncommon for individuals to download hundreds of gigabytes of content per month without paying for it. According to MUSO (How bad piracy ... 2016), a group that monitors illegal downloading of films and television series through peer-to-peer platforms, South Africa ranked 34th worldwide in 2016 of countries that illegally consume copyrighted content, outranking countries like the United States of America and India. They measured this by considering each country's total internet users, which means that South Africans who have access to the internet are highly likely to consume copyrighted content illegally.

In 2015, MyBroadband, which conducts the annual *Tech Survey*, found (This is how ... 2015) that 53% of the 2 889 respondents who answered their survey reported having downloaded digital media illegally in the 12 months prior. 80% of those respondents confirmed doing so through BitTorrent. In 2016, their results

showed that of the 2 385 respondents, 65% admitted to downloading digital media content illegally in the 12 months prior to the survey (What South Africans ... 2016).

A major issue of concern for authorities is that criminals build large organisations by downloading and then selling digital products illegally. They download the latest content, such as music; films; and television series, burn it to a CD or DVD, and sell it directly to consumers at a very low price at intersections and taxi ranks (Karaganis 2011:136). It is a very profitable industry with minimal policing which has become a major problem because sellers use the hefty profits they make as capital for other illegal activities, such as human trafficking, terrorism, and illegal drug trading (Treverton, Matthies, Cunningham, Goulka, Ridgeway & Wonga 2009:xii). Downloading and selling illegal DVDs and CDs requires no specialised skills. The risk of getting caught is low and punishments are usually a lot less severe than those of other crimes (Treverton et al 2009:29-30; Rochelandet & Le Guel 2005:76).

Interestingly, Janssens, Vandaele and van der Beken (2009:86) argue that because consumers can download and consume media products at home, the demand for illegal CDs and DVDs has decreased as have sellers' profit margins. However, they acknowledge that criminals are highly adaptable and, to supplement the profit made from hardcopy sales, have set up illegal online stores with cheap, illegally obtained content that looks legitimate. This is, however, riskier because, unlike street sales, online transactions usually leave a paper trail, which could be used to find them.

This study, therefore, seeks to begin correcting a knowledge gap in Communication Science through the provision of detailed survey data. When exploring the issues within the South African context, the country's unique attributes have to be considered. Locally, under resourced law enforcement agencies simply cannot keep up with the rates at which digital copyright infringement occurs. The high levels of imported western media and technology and the high unemployment rate means that people who are often desperate for

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gainful employment resort to criminal activities to support their families (Bilstein 2010:27).

The arguments against illicit peer-to-peer file sharing are usually centred on two axes. Firstly, it is argued that content creators lose out financially because their content is consumed without them being compensated for it, and secondly, the creators' intellectual property is infringed (Gantz & Rochester 2005:4). While these are valid factors, which are protected by the law, justifications in favour of illegal file sharing are vast and numerous. By exploring it, a better understanding of the opinions and motivations behind peer-to-peer file sharing can be gained.

The research has social value because once these complex issues are better understood, specifically within the South African context; countermeasures that are in the interest of all stakeholders can be implemented. However, Higgins (2010:102) and Holt and Copes (2010:641) state that the more countermeasures are implemented, the more file sharers are challenged to find ways to circumvent them and even see it as a rewarding experience. For instance, following orders from the High Court, ISPs in the United Kingdom have recently blocked 100 infringing websites (Ernesto 2015); however, this did not stop the public from accessing these websites since these measures can easily be circumvented by making use of a Virtual Private Network (VPN).

The study is feasible as the research problem is practical, ethically acceptable, and will advance current knowledge. It is relevant not only to Communication Science as a broad field of study but also to Media Studies specifically. Conducting research in this field could lead to solutions that benefit end users, the government, and other stakeholders like content creators (Hill 2007:9; Al-Rafee & Cronan 2006:238). It will also benefit the global and local economy as people will be held accountable to pay for the content they consume.

1.5 PROBLEM STATEMENT

The problem statement is: A cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

1.5.1 Definition of technical terms in the problem statement

The terms in the problem statement have to be defined. The problem statement reads: A cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

Cross-sectional approach: this means that this study took place at only one point in time (Wimmer & Dominick 2014:456). This is because the study was a once-off study that took place between 25 October and 23 November 2017, which is considered adequate since the research need not be conducted over a long period.

Mixed methods design: this means that the study is a quantitative and qualitative study. Using quantitative methods allows for standardised questioning to be used, while qualitative methods allows for flexible questions to be asked, which is ideal to gain additional information (Wimmer & Dominick 2011:444-445). Using triangulation also enhances the confidence of the results and confirms the consistency of the data. Data found to be inconsistent would prompt new inquiries into the area (Bryman 2008:392).

Internet users: the problem statement specifically refers to South African internet users since they are the target group in this research. It does however exclude all vulnerable groups, such as minors and pregnant women. Since the self-administered questionnaire was distributed online, all respondents were considered internet users; the questionnaire required respondents to indicate that they are South African.

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Peer-to-peer file sharing technology: Often abbreviated as P2P, this term is used to include all peer-to-peer software and not only BitTorrent. 'Peers' are computer systems, using peer-to-peer software, that are connected via the internet to each other and can share data directly. Thousands of computers can be connected to other systems in this way (P2P [sa]).

File sharing: The process of distributing or providing access to digitally stored data that allows the storage of such data to a local system through decentralised peer-to-peer networking (Beekhuyzen 2009:266).

Infringe: this term is used to indicate that peer-to-peer technology is used to violate or transgress the law (Infringe [sa]); a copyrighted product is one that gives the owner the exclusive right to license, make copies, or exploit artistic, musical, or literary work (Copyright [sa]). Although there are various media that can be downloaded through peer-to-peer technology, this study focuses specifically on films, which includes motion pictures on cinema or television, and television series, which refers to a group of episodes that are broadcast at regular intervals on any television platform (tv-series. 2017).

Copyright: The exclusive right to license, make copies, or exploit artistic, musical, or literary work (Copyright [sa]).

Other terms that are relevant to the study are defined in the glossary of terms.

1.6 AIM OF THE STUDY

The aim of this study was to investigate the various reasons consumers continue to infringe on copyrighted content, specifically in the South African context, even when the law forbids it. This investigation is twofold since it also recognises that there are many individuals who do not infringe on copyrighted content even though they have access to peer-to-peer file sharing technology.

The study was conducted through applied communication research with the goal of solving a specific problem by collecting, analysing, and interpreting data (Wimmer & Dominick 2014:454). The intention was to understand the phenomenon from the respondents' point of view as well as to describe the relationship between measurable variables (Williams 2007:70).

1.7 OBJECTIVES OF THE STUDY

To achieve the aim of the study, the following objectives were addressed:

- To establish what South African internet users' attitudes are towards the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.
- To determine factors that positively influence people's attitudes towards copyright infringement on copyrighted film and/or television series content.
- To determine factors that negatively influence people's attitudes towards copyright infringement on copyrighted film and/or television series content.

1.8 RESEARCH QUESTIONS

The study answered the following questions:

What are South African internet users' attitudes towards the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content?

What factors influence respondents' attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

What can be adopted to curb the infringement of copyrighted film and/or television series content?

1.9 SUB-PROBLEMS

The establishment of the research questions required sub-problems to be formed.

1.9.1 Sub-problem one

What attitude do respondents have towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

1.9.2 Sub-problem two

What are the identifiable characteristics of respondents who have a predominantly positive attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

1.9.3 Sub-problem three

What are the identifiable characteristics of respondents who have a predominantly negative attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

1.9.4 Sub-problem four

What are the factors that influence respondents' attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

1.10 ASSUMPTIONS

The establishment of the sub-problems requires assumptions to be formed.

1.10.1 Assumption one

The majority of respondents have a predominantly positive attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology.

1.10.2 Assumption two

Respondents who predominantly have a positive attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology are likely to be 18 – 25 years, male, have a grade 8 to 12 education, be non-religious, and have an individualist culture.

1.10.3 Assumption three

Respondents who predominantly have a negative attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology are likely to be 50 – 65 years, female, religious, and have an individualist culture.

1.10.4 Assumption four

There are a variety of factors that influence respondents' attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology.

1.11 SIGNIFICANCE OF THE STUDY

This study is of significance to policy makers, the government, broadcasters, ISPs, other researchers and academics, and the general public. Policy makers such as government officials, boards of directors, managers, committees, and executives will benefit from the study because the results can be used to make decisions and determine policies. This holds true for all policy makers, especially

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in the South African context because not only does this study sum up relevant theories and factors that influence copyright infringement through peer-to-peer file sharing, but it provides and explores these factors from the end user's perspective in the contemporary media environment.

This study is also significant for broadcasters, specifically the public broadcaster, the South African Broadcasting Corporation (SABC), in two substantial ways. Firstly, the SABC is mandated to educate, inform, and entertain the South African public; however, it cannot fulfil this role if people have replaced watching free-to-air television with downloaded media. For the consumer, making this change has apparent benefits, such as instant gratification, access to a wider variety of content, and avoiding having to watch advertisements. Secondly, if fewer people are watching traditional television, the audience that advertisers can reach in this way becomes smaller. This is significant to the SABC, which earns a great deal of money by selling advertising space. Therefore, by understanding the contemporary needs and opinions of the average consumer, broadcasters will be able to adjust their traditional business models to remain profitable in a modern and more digitised society.

Internet service providers (ISPs) will also benefit from this study as peer-to-peer traffic influences bandwidth speeds, especially as it is possible to download content continuously without manning the computer. By understanding what people's needs are, they are able to provide services accordingly. Researchers and academics will benefit from this study and its results as it provides a better understanding of the contemporary media consumption habits and opinions of South Africans. This will be of value in that future research projects that can build on, and investigate, the results of this study. The study will also help to uncover critical areas that require more research, and it will enhance the body of knowledge and data already in the field.

Finally, the study benefits members of the public who are interested in how others view this issue and what factors have influenced their options.

1.12 OVERVIEW OF CHAPTERS

Chapter 1 introduces the problem by providing more insight into the global and local context of copyright in South Africa as well as the history and laws that govern it. It then explores the first case of this nature in South African history, and the research problem, assumptions, and research questions are then discussed. A definition of the technical terms used in the problem statement then follows, and the extent of the study is explained. The chapter concludes with an overview of the goals and objectives of the research.

Chapter 2 consists of a literature review that explores the history of peer-to-peer file sharing technology as well as what makes it unique. The factors that influence people's attitudes towards copyright infringement is then discussed, and the chapter ends with an examination of relevant theoretical frameworks.

In Chapter 3, the research methodology of the study is discussed by exploring the research design and research methods. The research area, target population, accessible population, sampling methods, and sample size of the pilot and main study are discussed in detail. The measuring instrument for the pilot study and the main study is explained, and the validity, reliability, and reflexivity of the study are discussed. Following this, the process of documenting the data is explained, and how triangulation as the method of research is used is discussed. The chapter concludes with a comprehensive account of ethical considerations.

In Chapter 4, the method of analysing the data collected from the self-administered questionnaire is discussed, including data coding and data analysis procedures, and the results of the study are discussed.

In Chapter 5, the results of the study are interpreted, and the research questions are answered.

In Chapter 6, the results of the study are summarised, a conclusion is drawn, and recommendations are made.

1.13 SUMMARY

This chapter focused on providing an introduction into the research problem by providing more insight into aspects surrounding digital copyright infringement in South Africa as well as the history and laws that govern it. The research problem, assumptions, and research questions were then discussed, the technical terms were defined, and the aim and objectives were defined. The research questions were formulated and the significance of the study discussed. Furthermore, technical terms used in the study were defined, and the extent of the study was described.

Chapter 2 consists of a literature review that explores the history of peer-to-peer file sharing technology and what makes it unique. The factors that influence people's attitudes towards copyright infringement are then discussed. The chapter ends with an examination of relevant theoretical frameworks.

CHAPTER TWO LITERATURE REVIEW

2.1 INTRODUCTION

This chapter discusses the creation and history of peer-to-peer file sharing in depth and then provides a literature review. The term 'literature review' can be defined as "a summary of previous research on a topic" (Bailey 2017). Therefore, this chapter reviews and summarises literature written about factors that influence people's opinions on the topic. Key theories, models, concepts, methodologies, and studies relevant to the topic are then discussed. The theoretical framework for the study is clarified, and in conclusion, the relevance of the theory to the study is discussed.

2.2 THE CREATION OF PEER-TO-PEER TECHNOLOGY

Peer-to-peer file sharing began in 1999 with the launch of Napster, the hugely popular website that allowed users to download songs in MP3 format at no cost. Napster was designed in such a way that it had a central registry that displayed the private computers that were logged on, which meant that users could be identified through their IP addresses. It also made use of a central server, which contained all the content in one place, from which music was downloaded; this means that if the server was taken down, so was the website. By the time Napster was shut down in 2001 due to a series of legal challenges, it had over 25 million users worldwide (Da Rimini 2013:315).

On 2 July 2001, Bram Cohen announced the release of a new software application called BitTorrent, which addressed the issues Napster had faced. Although Cohen did not design BitTorrent for the purpose of illegal file sharing, about 80% of its users currently use it to download copyrighted content such as films and television series illegally (How SAFACT plans...2016). Through BitTorrent, each computer that runs the application becomes a server in itself by uploading data to other computers. This means that there is no single source

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where all data is stored and it therefore cannot simply be taken down (Da Rimini 2013:315). The answer to another problem for digital copyright infringers came in the form of VPNs, which can be installed and used with BitTorrent to hide the user's IP address. This makes the infringer untraceable (Da Rimini 2013:319).

BitTorrent technology is unique because it breaks a file into smaller data pieces and data is not stored in any one location. As users download or 'leech' data, they automatically also upload or 'seed' it so that another user can download (and seed) it again. This is possible because the technology does not require users to upload or download data pieces in a chronological order (Da Rimini 2013:316). Therein lies the problem: the difficulty with peer-to-peer file sharing at consumer level is not that it is illegal to download content but rather that it is illegal to distribute copyrighted content (Torrenting... 2008).

It is important to understand that the technology itself is not illegal; instead, it is just a medium that facilitates illegal activities. This is because peer-to-peer file sharing technology, such as BitTorrent, does not allow one to only download content but instead forces the user to upload content as well, even if only at one kilobyte per second (1kB/s) (Hoffman 2013).

Torrent files, which are small computer files that contain information on how to download larger files (Kumar 2014) via BitTorrent, are found on torrent file indexing websites like The Pirate Bay and Kickass Torrents. These websites are like search engines for torrent files, and allow users to search for a torrent file by typing in the title of the media for which a list of options are then displayed (Da Rimini 2013:316).

Since each torrent file varies in size, quality, and the amount of leechers (downloaders) and seeders (uploaders), a user might prefer to select a torrent file that is small in size, high in quality, and has a lot of seeders (Da Rimini 2013:316). Although authorities across the globe have closed down many torrent indexing websites, Da Rimini (2013:314) explains that there are thousands of these

websites. When an original website is closed down, new proxy websites spring up in its place; this is called 'The Napster Effect'.

2.3 INFLUENCING FACTORS

Over the years, many researchers have theorised why people make use of peer-to-peer technology to infringe on various kinds of copyrighted content, such as films, music, television series, and computer software. These researchers have collectively come up with a wide variety of factors that play a role in influencing infringers' intentions. Since these factors are exactly what this study wishes to determine, it becomes useful to identify and explore existing literature on the topic. Research studies done on this topic have also had many mixed results. Although some factors might be more prevalent than others, it should be remembered that it is usually a complex blend of factors that influences (Giletti 2012:26) the attitudes that people have towards copyright infringement; those with a more lenient attitude will be more inclined to infringe (Van der Byl & Van Belle 2008:203).

2.3.1 Gender

Gender is another factor that many authors have theorised has an influence on intention to commit digital copyright infringement. However, studies by Halttunen (2010:68); Makkonen et al (2011); Sinha & Mandel (2008:7); Cronan and Al-Rafee (2007:537); Chiang and Assane (2009:519); Navarro et al (2014:103); Bhattacharjee, Gopal and Sanders (2003:108); Sherman (2008:100); Higgins (2007a:523); Van der Merwe (2006); Hinduja (2003:54); Rochelandet and Le Guel (2005:77); and Hardy et al (2015:7) found that men are more likely than women to download illicit media file and Hope (2014:85), Al-Rafee and Cronan (2006:246), Van der Byl and Van Belle (2008:202), Lorde et al (2010:24), and Robertson et al (2012:221) found that gender does not play a particular role at all.

2.3.2 Age

Age has also been investigated as a contributing factor to copyright infringement. Al-Rafee and Cronan (2006:240), Gopal et al (2004:7), Yoon (2010:415), and Halttunen et al (2010:66) investigated age and found that most digital copyright infringers are young. Ethics literature asserts that in most instances younger people tend to act more unethically compared to older counterparts and are therefore more likely to download digital content illegally (Al-Rafee & Cronan 2006:246; Al-Rafee & Rouibah 2010:286; Giletti 2012:24; Gopal et al 2004:18; Halttunen et al 2010:66; Phau et al 2009; Sinha & Mandel 2008:1; Van der Byl and Van Belle 2008:202; Makkonen et al 2011; Freestone & Mitchell 2004:121; Van der Merwe 2006; Liebowitz 2005:28). Giletti (2012:24) and Sherman (2008:101) posit that older consumers are used to purchasing goods in a physical format, and they might therefore be more reluctant to obtain it digitally, or it is possible that the majority of this group does not have the necessary technical skills and equipment.

2.3.3 Income

Another factor often associated with illegal peer-to-peer file sharing activities is income. This factor is also often associated with age as it is argued that young individuals, such as students, usually have a smaller disposable income than older individuals who have started to earn a living. Sherman (2008:101), Halttunen et al (2010:68), Sinha and Mandel (2008:1), Makkonen et al (2011), Chen et al (2008:412), Dejean (2009:334), and Hart-Davis (2001:103) assert that people might therefore be more willing to download media content illegally for free, even if they are at risk of being severely penalised. Sinha and Mandel (2008:12), and Makkonen, Halttunen and Frank's (2011:110) study confirms this as they found that respondents with a higher income are less likely to infringe on digital copyrighted content.

Lessig (2004:68) argues that downloading copyrighted content that is no longer commercially available causes zero economic harm because it is akin to selling a collection of LP vinyl to a collector.

It is, however, not only individual income that is of significance, but also the economic environment as a whole. Shin et al (2004:93) studied the digital copyright infringement rates of 49 countries, compared this to each country's annual gross domestic product (GDP), and found that countries with lower GDPs are more inclined to infringement. Since South Africa's GDP per capita is extremely low at US\$5 724.00 (as per 2015 statistics) (Kolesnikov 2017), it is understandable that instances of digital copyright infringement are high (Karaganis 2011:10).

Karaganis (2011:ii) argues that domestic peer-to-peer file sharing imposes losses on specific industries but not to the larger economy as people spend the money they would have spent on entertainment goods on other things, such as food or business expenses, instead of the money going to overseas content producers. In turn, this creates jobs locally in other sectors and increases the tax revenue, which is an advantage for the economy of any developing country.

2.3.4 Level of education

Balestrino (2008:459) suggests that people who are more educated generally have a higher income and prefer better quality products that are either authentic or of the same quality as authentic products. They are therefore less likely to be willing to deal with the hassle of searching for an illicit product of high quality, and prefer to buy authentic products instead. In contrast, Hinduja (2003:54) believes that people with a higher level of education are more curious about the world, and are therefore more likely to explore (illegal) downloading as an option. However, Rochelandet and Le Guel (2005:77) found that people who participate in illegal file sharing have lower education. Hsu and Shiue (2008:726) found that the higher a person's education, the lower their willingness to pay.

According to 2016 statistics, 14,6% of the South African adult population is illiterate. Only 42.8% have a Grade 12 qualification and only 14% have some form of post-school qualification (South Africa. Statistics South Africa 2017:17), which could also be a contributing factor to digital copyright infringement (Liebowitz 2005:28; Balestrino 2008:458).

2.3.5 Religion and culture

Religion and culture have also been theorised to influence people's intention to commit digital copyright infringement. In many societies, women have less power and masculinity dominates; therefore, men are more likely to download content illegally (Yang & Sonmez 2007:735). According to Al-Rafee and Rouibah (2010:284) and Sherman (2008:102), religious people deem downloading of this type to be unethical or a sin of sorts. They studied the influence that an announcement by religious scholars condemning the act would have on infringement rates in a conservatively religious Islamic community. Their results showed that respondents reacted negatively and, consequently, it had a large deterrent effect (Al-Rafee & Rouibah 2010:289). Sherman (2008:102-103) found that religious people stated the immorality of illicit downloading as the reason they deter from the behaviour but acknowledges that moral codes can vary greatly across a single religion.

Yang and Sonmez (2007:731) posit that educational expenditure, individualism, religion, and language make up a culture. They studied the effect of culture on digital copyright infringement in 76 countries and found that religion was one of the factors that directly influenced people's intentions to share illicit digital files. Their study provides insight into how religion and culture influence how people think about intellectual property. While some religions, like Christianity, strive for individual achievement and value self-interest, self-reliance, competition, and self-achievement, other religions, such as Buddhism and Confucius Analectism, strive for collectiveness and value altruism, social harmony, and cooperation (Yang & Sonmez 2007:734; Douglas, Cronan & Behel 2007:509).

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In collectivist cultures, where the sharing within the community is regarded as a virtue, copying and sharing is a sign of respect to the creator (Yang & Sonmez 2007:739). In contrast, the individual's needs come first in individualist cultures (Al-Rafee & Rouibah 2010:284; Phau et al 2009:2; Shin et al 2004:104). Barkachi (2014:23) points out that it is human nature to share and appreciate culture and cultural products. Shin et al (2004:104), however, argue that people in collectivist cultures care a lot about their peers but they are relatively indifferent to the needs of outsiders. So while they would share between themselves, they do not care much for the needs and welfare of outsiders such as producers and artists.

Kini (2004:96) confirms this with studies from Taiwan, which is a collectivistic society, and the United States of America, which is an individualist society. Yang and Sonmez (2007:739) do however acknowledge that societies are diverse and are becoming increasingly globalised, and it is therefore impossible to generalise (Yang & Sonmez 2007:735).

2.3.6 Price

As Chen, Shang and Lin (2008:411) suggest, monetary gains such as low income, low price of illegally obtained goods or cost saving, and the high price of legitimately obtained goods is often stated as the reason people continue to download content illegally. Hill (2007:20) suggests that copyright holders should take this to heart and lower the price of products because if it is a successful deterrent to illegal copyright infringement, it will positively affect their price margins in the long run. Interestingly, Van der Merwe (2006) posits that it is a catch-22 situation where (software) products are so expensive because people illegally download them and producers have to make their money somewhere, and inversely, people illegally download produces because they are too expensive.

Gopal et al (2004:9) reason that, not only is the willingness to pay for a product decreased when the price of an authentic product increases, but the value of the illegally downloaded product increases. Higgins (2007b:46) found that the higher

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the value of the product, the more likely it will be downloaded. Hope (2014:76) found that overpriced media is the prevailing reason why people continue to infringe on content. Al-Rafee and Cronan (2006:247) agree with this but believe that it is important to educate the public on why prices for legitimate goods are higher by explaining the different costs involved in producing the product. However, Arnab and Hutchison (2006:3) found that only a third of respondents cited cost as their primary motivation.

Arnab and Hutchison (2006:3) call this the 'fair price' of a product and define it not only in terms of production costs and profit the producer wishes to make from the product but takes into consideration what consumers would reasonably be willing to pay for the product. According to Veitch and Constantiou (2011) and Hill (2007:13), it is important to investigate price perceptions consumers have in order to find a fair price. In other words, they look at what consumers think prices for products should be and compare it to what the price of the product actually is.

The results of Giletti's (2012:22) study, in which he found that individuals who view the price of a media product as fair purchased products more regularly than those who did not, supports this statement. This means that an individual's attitude towards price is a significant contributing factor in the decision to download media content illegally. Contrary to expectation however, Giletti (2012:26) found that copyright infringers do not consider price the primary reason for their behaviour.

A study by Freestone and Mitchell (2004:126) found that some respondents considered themselves victims of inflated prices that are kept high on purpose while Halttunen, Makkonen and Frank (2010) found that consumers would simply like prices to be lower.

The students in the Gantz and Rochester (2005:80) survey said that they did not want to pay the retail price for CDs because they did not necessarily listen to all the songs on it; instead, they prefer to create their own CDs that only contain songs that they enjoy. Although this study was conducted in 2005, a similar

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contemporary study by MyBroadband found that 72% of South Africans who illegally download content watch digital video content on their laptops or personal computers, while less than 4% watch it on a traditional television (This is how... 2015). This is a major problem for the South African Broadcasting Corporation (SABC), which is suffering large financial losses in the form of advertising and television licence revenue (Ndenze & Capazorio 2017).

Gantz and Rochester (2005:157) and Gopal et al (2004:4) found that there is a strong correlation between income and copyright infringement: the less money a person has, the more they are inclined to download content illegally. This holds true for individual users as well as countries as a whole since countries with weak economies usually have more instances of digital copyright infringement (Gantz & Rochester 2005:165). Therefore, they suggest that the price of media content should be different in each country, based on individual economic, historical, political, and social factors. Van der Byl and Van Belle (2008:202) disagree and state that no matter what a person earns, they will download free media content illegally if they think that the original product is overpriced.

Hill (2007:6) states that record companies try to sell their products at the same price worldwide so that there would be no need for people to shop abroad. Van der Byl and Van Belle (2008:202) agree that it is a problem since consumers are aware of what media costs internationally, which is particularly relevant considering that most South Africans have weaker purchasing power than their global counterparts.

Some people illegally download copyrighted content simply because they can; it is freely available, free, and easy to acquire, allowing them to spend their money elsewhere (Hart-Davis 2001:12). Or, as Giletti (2012:2) states: "Why pay if it's free?". Likewise, Gantz and Rochester (2005:191) argue that most students have a very small discretionary income to spend on entertainment, and therefore prefer to obtain what they can for free and spend their money on other items. Some copyright infringers argue that they spend the same amount of money on legitimate digital content than they would have if they did not have access to it for

free. Treverton et al (2009:31) contend that because most films are watched only once or twice, people are generally not willing to pay a lot of money for them and will even be satisfied with a low quality copy.

2.3.7 Historical inequality in South Africa

Locally, historical inequality is also a major contributor to the way South Africans view digital copyright infringement. Poverty and social inequality shapes South Africa as the country has a history of being subject to oppression, diplomatic tension, and political contestation that originated in the Apartheid era. Low incomes, high media prices, and persuasive advertising have created a demand for media goods that many South Africans simply do not have the means to acquire, so they obtain it illegally. They also argue that the sanctions imposed against South Africa during Apartheid created a culture whereby cultural goods were copied because it was simply too expensive or not otherwise available. Book bans and government censorship of cultural products made copying a form of political resistance, which still exists today (Karaganis 2011:99; Brown, Haupt, Bosch, Jonker & Kariithi 2011:99).

During Apartheid, cultural products and services were almost exclusively only available in white communities. Many years after the country's first democratic elections, due to the enduring unequal purchasing power between whites and blacks, these geographical barriers still exist. The fact that only 20% of people in the country have access to a computer is proof of this (Statistics South Africa 2016:81).

Money is a large motivator for many copyright infringers since downloading a copy of a digital product is free, except for a small amount in data fees (Arnab & Hutchison 2006:3). Karaganis (2011:ii) argues that one of the main contributing factors to the peer-to-peer file sharing problem is that technology prices have fallen faster than incomes have risen in the developing world. Therefore, more people have access to content they cannot afford to acquire legally.

2.3.8 Access and availability of legal sources

Some copyright infringers justify their behaviour by arguing that the content they wish to access is either not available to them through legitimate sources (Hill 2007:22; Lessig 2004:68), or the hassle of accessing these products via legitimate platforms is too great (Hill 2007:22). In Arnab and Hutchison's (2006:3) study, 16% of respondents said their primary motivation for obtaining content illegally is the unavailability of legitimate sources. This refers not only to media that is hard to come by due to geographic and political constraints but also media that is considered old and out of date by publishers and rights holders. 27% of their respondents said they download unpopular or obscure material that is not legally available.

In the South African context, competition amongst service providers has motivated copyright infringement of television series and/or films by means of peer-to-peer file sharing. For instance, the television series *Orange is the New Black* and *House of Cards* are not available to view through any source other than MultiChoice since Sony sold them the exclusive broadcasting rights. These two shows only broadcast on MNET, and the only way to get access to MNET is to pay Multichoice's R759.00 monthly subscription fee (Compares package 2017). A television, a decoder, and a television licence are also required.

Other television series, such as *Hemlock Grove*, *Making a Murder*, and *Master of None*, are exclusively available on Netflix, South Africa, so consumers (or household) might also want to have a Netflix subscription. This subscription, for the most basic package that allows streaming in low quality video, costs US\$7.99 (about R105) per month. One also requires an internet subscription and a media device such as a media box, PlayStation 4, or computer (Vermeulen 2016b).

Furthermore, Netflix South Africa's competitor ShowMax has exclusive rights to shows like *Game of Thrones*, *Boardwalk Empire*, and *True Blood*. On the other hand, OntapTV has secured exclusive rights to the next three seasons of *Doctor Who*. A ShowMax subscription costs R99 per month, and OntapTV's cheapest

option costs R69 per month, and for both these options an internet subscription and a media device to view the content is required. Alternatively, the consumer might choose to access all these and more television series and/or films illegally by downloading them for free, without having to subscribe to anything and only pay for an internet subscription. Many South Africans choose this option (Vermeulen 2016b).

Access and availability are particularly relevant in instances where a government censors or bans certain content. For instance, *India's Daughter*, a documentary produced by the British Broadcasting Corporation (BBC) about the rape and murder of 23-year-old Jyoti Singh, "whose violation and murder by gang rapists exposed the violent misogyny of Indian society" (*India's Daughter ... [sa]*), is censored by the Indian government. Although the BBC allowed the video to be uploaded to YouTube, the Indian government instructed that the video be blocked in India; YouTube complied. The Indian government might think that the film is not suitable for its country, but the global society that governs the internet disagrees. Consequently, people who want to view restricted content turn to the internet to download illegal copies (*India's Daughter ... [sa]*) by making use of a VPN. In Pakistan, for instance, the distribution of Indian films were illegal for more than 40 years, and the only way to see it was to download or buy illegal copies that were smuggled into the country (Treverton et al 2009:32).

One of the best ways to access content legally is to purchase DVDs. However, as Belleflamme and Peitz (2010:5) state, these original copies are often released later than the versions that are available for download online. However, demand almost always runs ahead of supply in South Africa (Karaganis 2009:113). It might take months for the legitimate DVD release and years for public broadcasters to broadcast popular television series and/or films after their initial release date (Moreira de Sa 2011:3; Da Rimini 2013:311; Karaganis 2009:113). As a result, many people prefer to download free, easy to access content illegally (Van der Byl & Van Belle 2008:202).

2.3.9 Convenience

According to Arnab and Hutchison (2006:3), there are also people who find obtaining goods legally inconvenient since they would have to visit a store or order a copy of a CD or DVD online where they have to register their financial and personal details on a website. In their study, 34% of respondents cited this inconvenience as the primary motivation for downloading media illegally. Alternatively, as Van der Byl and Van Belle (2008), Chen et al (2008:414), Cronan and Al-Rafee (2007:538), Halttunen et al (2010:69), and Phau et al (2009:2) assert, consumers can conveniently copy digital goods illegally in the comfort of their own home without ever having to provide their personal information.

The limited mobility of hard copy formats of digital content such as a CD or DVD requires the consumer to transfer the product to a digital format in order to be able to use it on more mobile platforms like MP3 players, tablets, and smartphones, which is illegal to do in South Africa (Beekhuyzen 2009:31). Van Belle et al (2007:58) found that convenience is a significant contributor of intention to download illegally. As a solution, Phau et al (2009:6) suggest that more legitimate platforms, akin to iTunes, should be developed so that consumers can legally buy and download content in a convenient and cheap way.

2.3.10 Subtitles

Many people have no other choice but to infringe on copyrighted content because it is the only place where they can get episodes of popular television series and/or films with subtitles (Moreira de Sa 2011:3; Jacobs, Heuvelman, Tan & Peters 2012:959). In Brazil, for instance, a group of people, called Legenders, dedicate their free time to adding Brazilian Portuguese subtitles to popular American television shows like *Supernatural / Sobrenatural*. When a new episode or film is released, it is divided into separate parts; each part is then assigned to a Legender who translates it. Once the subtitles are complete, the parts are put back together and made available for download. In order to ensure that the quality

of the work remains high, all Legenders follow a strict code of conduct and are thrown out of the group if they do not adhere to it (Moreira de Sa 2011:4).

These groups of amateur subtitlers also exist in China in the volunteer community of Zimuzu (Castells & Cardoso 2012:830). Beekhuyzen (2009:2) refers to these communities and the sense of belonging to a group that is created online as the cultural aspects of cybercrime.

2.3.11 Technological developments and access to technology

Authors Al-Rafee and Rouibah (2010:283); Arnab and Huchison (2006:1); Belleflamme and Peitz (2010:1); Cronan and Al-Rafee (2007:538); Giletti (2012:5); Gopal, Sanders, Bhattacharjee, Agrawal and Warner (2004:2); Hope (2014:1); Karaganis (2011:118); Liang and Phau (2012); Lysonski and Durvasula (2008:2); McKenzie and Walls (2016:2); Meireles (2015:1); Shin, Gopal, Sanders and Whinston (2004:104); Van der Byl and Van Belle (2008:202); and Van Belle et al (2007:51) believe that copyright infringement of digital goods through peer-to-peer file sharing technology can also be attributed to technological developments and access to technology. A study conducted in the South African context by Van Belle, Macdonald and Wilson (2007:54) confirms this.

In order for a person to download digital media files, a computer, an internet connection, the relevant software application such as BitTorrent and knowledge of how to use the application is required. According to the *2016 Statistical Release Report* from *Statistics South Africa*, of the 55 million plus people who live in South Africa, about 95% have access to a cell phone and just over 20% have access to a computer (South Africa. Statistics South Africa 2016:81).

Until 2009, only a single undersea cable linked South Africa to the wider global internet, which only allowed 0.8 gigabytes per second total capacity (Karaganis 2011:118). Since then, the Eastern African Submarine Cable System (EASSy), a fibre cable that connects countries in East Africa to the rest of the world, has been implemented and allows a transfer speed of about 10.5 terabytes per second

(New undersea fibre ... 2016). As these services and technology improved and grew to allow more storage space, while also becoming cheaper, South Africans were able to download and store more and more data on their personal computers (Karaganis 2011:118). In 2016, the Internet World Stats, which reports on usage and population statistics, reported that South African internet users increased from just over 2.4 million users in 2000 to just over 17.7 million users in 2011, to about 28.5 million users in 2016 (South Africa Internet ... 2016).

2.3.12 Technical ability

Technical ability in terms of having the necessary skills to download content illegally is also an important factor. It is usually associated with age as young individuals who grew up with digital products generally have a better understanding of how software applications work than their older counterparts. Consequently, they are more likely to download illicit digital content (Hope 2014:92). They are also used to having freedom of choice and immediate access to whatever digital product they want (Halttunen et al 2010:69).

Another factor is that the vast majority of studies makes use of university students as the target population. While it is understandable that university students and lecturers who investigate the issue only make use of students as their target population, since they are easily accessible, it is also possible that it has led to the group being unnecessarily stigmatised (Hope 2014:23). Tan (2002:105), Halttunen et al (2010:70), Van der Byl and Van Belle (2008:202), and Sheridan (2011:1476) all suggest that it could be because young individuals do not fully understand the difference between ethical and unethical behaviour and thus fail to consider that illegally downloading might be unethical and morally questionable. Furthermore, Gantz and Rochester (2005:54) state that some digital copyright infringers incorrectly think that they cannot get into trouble with the law because they are minors.

2.3.13 No quality loss

Another factor to consider when theorising why people infringe on copyrighted content is that there is little to no quality loss when copying files digitally (Shang, Cheng & Cheng 2007:349). Hope (2014:13), Liebowitz (2005:15), Lysonski and Durvasula (2008:2), and Sudler (2013:150) assert that copyright infringers enjoy copying digital media. Unlike with analogue products, such as audio cassettes, the advancement of digital technology has allowed for a copy of a digital file to be made with little to no loss of quality. This is true whether the media file is downloaded over the internet or a copy is made of a CD or DVD.

Digital media do not lose considerable quality when compressed onto smaller file formats either, which allows for more data to be stored on a storage device such as a hard drive; the smaller the file size, the quicker it is to download. It has therefore become impossible to differentiate between legal and high quality illegal copies of digital media (Sudler 2013:156).

Hope (2014:13) states that since new technologies have made file formats such as cassette tapes, CDs, and LP vinyl obsolete, people have had to repurchase new, digital copies of music that they had already paid for in the past. Having digital copies allows for more mobility as they can be easily played and stored on a computer, mobile phone, or portable storage device for instance.

The Copyright Act of 1978 makes it illegal to transfer a file from one platform to another (called format shifting) by, for instance, taking a file from a CD and transferring it to a removable flash memory stick to listen to in the car. This means that consumers have to purchase a copy of the product for each platform even if they have acquired a copy of it in another format (Groenewald 2011:14).

Belleflamme and Peitz (2010:2) attribute the low cost and high quality of digital reproduction as the reason for the dematerialisation of media such as music and films. Copyright owners cannot control the reproduction of digital media since any end user could easily make a copy illegally, especially if the reproduced product

is of a high quality. They state that if reproduced products were of poor quality, people would prefer to buy original copies that are of a high quality and illegally reproduced media would not pose such a threat to the entertainment industry.

Liebowitz (2005:15) posits that copyright infringers consider three main factors with regards to quality before they decide to download content illegally. Firstly, they consider if the quality of the downloaded copy is relative to a legally obtained original. Secondly, the ability of the downloaded copy to substitute for aspects that an original copy would have, such as a CD or DVD cover, photos, posters, or lyrics. Thirdly, the ability to use the content in a variety of public locations, for instance playing a DVD at a school or community centre or a CD in a restaurant or club.

Chiang and Assane (2009:512) and Sinha and Mandel (2008:4) state that media products obtained from legitimate sources are nearly always of a very high quality. In comparison, content obtained from peer-to-peer torrent indexing websites vary in quality and often have bad quality content, such as films that are uploaded with a 'cam version'. This refers to a bootleg version of a film recorded by means of either a handheld camera, a camera on a tripod in a cinema, or in front of a television. Although these versions are usually the first to be released, they have very low picture and audio quality. Janssens et al (2009:93) agree with this view and state that there are no guarantees of the quality of the product when downloading illegally and that it could contain malware. They therefore refer to the "perceived quality" of the product that the infringer expects to get. Van der Byl and Van Belle (2008:210) consider this an important selling point that producers and distributors of digital media should use to reduce digital copyright infringement.

2.3.14 Lack of knowledge and confusion concerning copyright laws

Lack of knowledge concerning international and local laws are also a contributing factor to the problem (Bilstein 2010:28). There are several ways to share files that are both legal and illegal, but sometimes the difference is not clear to the

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consumer and consumers are also almost never aware of changes made to copyright laws even though it affects them directly. Luckily, South African law dictates that a person cannot be held accountable if they were not aware and had no reasonable way of knowing (actual knowledge) that they were infringing on copyrighted content (Groenewald 2011:25).

One of the main methods most organisations use to curb copyright infringement through peer-to-peer technology is to create an awareness amongst the public about laws pertaining to copyright (Al-Rafee & Rouibah 2010:285). The confusion amongst consumers is justified since copyright laws differ from country to country and platform to platform. In many parts of the world, it is legal to make a copy of a legitimately acquired film on another platform, such as downloading the file from a DVD and transferring it to a mobile device or for back-up purposes (Hart-Davis 2011:9). This is called format shifting. In South Africa, however, the Copyright Act of 1978 prohibits making copies of any kind (Groenewald 2011:13). It is important to reiterate here that the Act does not make provision for the development and challenges of digital technology and has to be revised (Groenewald 2011:9).

In some countries, a levy is paid to copyright holders for each blank CD or DVD sold since consumers might use blank disks to infringe on copyrighted items. This is confusing for consumers since they argue that they have already paid for the infringed product and therefore their actions cannot be illegal (Hart-Davis 2011:9). For others, having to pay a levy to use the product for legitimate and legal purposes means that they are now owed, and to make up for this, they download copyrighted content in order to get their money back (Hart-Davis 2011:10).

The duration of copyright also creates a problem because many consumers do not know when copyright on a product expires and enters the public domain or what exactly the terms 'fair use' and 'fair dealing' mean (Hart-Davis 2001:41). Many digital products do not come with copyright notices, and when they do, they usually have lengthy texts and use complex terms that consumers simply do not read (Fellmeth 2016).

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Simply put, in South Africa, published literary, musical, and artistic products are copyright protected for the duration of the life of the author, and 50 years from the end of the year the author dies. If unpublished, they are protected from the date of creation. Photographs, films, and computer programmes are copyright protected for 50 years from the end of the year in which they are first published or broadcast (South Africa 1978:s 3.2).

Many consumers are confused by small details like the fact that it is legal to purchase a DVD and invite friends over to watch the film together; it is, however, illegal to make a copy of the DVD and give it to those friends so that they can view it whenever and wherever they want (Hart-Davis 2001:31). On the other hand, it is legal to lend the legally acquired DVD to someone as long as the copy of the original is returned to the owner without any copies having been made (Hart-Davis 2001:31). This brings many people to the argument that if it is legal to have one copy of a book in a library that is used by multiple people, it must surely be legal to upload a legally acquired copy of a digital product such as a film and share it with others. It is not though because, as Gantz and Rochester (2005:6) state, when a library book is borrowed and then returned, the borrower does not have their own copy of the product. Therefore, borrowing a library book is akin to listening to a song on the radio, while downloading media illicitly is akin to making photocopies of a library book.

Moreover, it is legal to sell a legally acquired copyrighted work, such as reselling a DVD to a friend, but then the buyer must have the sole right to use that product for personal purposes in future, and all copies and back-ups that the original owner has must be destroyed (Hart-Davis 2001:28). The laws surrounding various audio, video, graphics, text, and software files all differ (Hart-Davis 2001:28-33), and it creates doubt and confusion amongst consumers who then end up infringing on copyrighted content due to a lack of knowledge.

The general rule with regards to copyrighted content is: if a person does not own the rights to the product or the copyright holder has not granted permission to them to distribute the product, it is illegal (Hart-Davis 2001:29). The problem,

however, is that digital technology has made it easy and cost effective for consumers to make multiple digital copies of a product and retain a copy for themselves, or to share the product online anonymously and allow others to download copies of it (Hart-Davis 2001:29; Higgins 2007b:35).

The Berne Convention (1971:1348) states that the protection of copyrighted works are restricted exclusively for scholarship, teaching, study, or research. In the United States of America and several other countries, this principle has been worked into their copyright Acts as the doctrine of fair use. In South Africa, the Copyright Act refers to this principle as the fair dealing doctrine (Groenewald 2011:18) and provides exceptions to copyright for the purposes of criticism or review, reporting current events, research, private study, and personal or private use (South Africa. 1978:s 12-19B).

Groenewald (2011:8) explains that the fair dealing doctrine allows members of the public to make limited use of products that are protected by copyright. A product enters the public domain for one of four reasons. Firstly, it could be that it is no longer protected by copyright. This usually pertains to works that are now considered classics such as Charles Dickens' novels, Shakespeare's work, or classical music. Secondly, the original copyright holder might also decide to forego their copyright and place an item in the public domain. Thirdly, the work might not be copyrightable, such as ideas, links and URLs, names and titles, and facts (Hart-Davis 2001:51). Lastly, work on which the copyright has reached the end of its term enters into the public domain (Lessig 2004:24). All material in the public domain can be used and distributed freely without consequence, even over peer-to-peer networks (Hart-Davis 2001:13-14).

Secondary liability, which is also referred to as secondary or indirect infringement, occurs when an infringer is not aware that they have obtained a copy of a product illegally and then distribute it to others. Although most people understand what copyright infringement is, many do not realise it when they participate in secondary infringement (Stowel 2009:3). For instance, this might occur when a

friend asks another for a copy of a film, which unbeknownst to them was downloaded illegally, and is then distributed to other parties.

There are copyright infringers who genuinely believe that their actions do not substantially influence producers' earnings (Phau et al 2009:6). According to Hart-Davis (2001:156), Lessig (2004:68), and Dejean (2009:337), some infringers argue that they participate in illegal peer-to-peer file sharing because they would not have paid for the content in the first place, were they presented with the option, so the production companies are not losing money.

Some copyright infringers argue that because they have purchased a product, it is their right to do with it as they please. This, however, is not the case in South Africa where it is illegal to make a copy of a product on a different format, and it remains illegal to share copyrighted items with someone else. Paying for a copyrighted item does not give the buyer copyrights (Gantz & Rochester 2005:85). Rather, it only allows the buyer to use the product in terms of the fair dealing doctrine (Hart-Davis 2001:42).

2.3.15 Overzealous content producers

There are many who believe that large media corporations and famous actors do not need the money (Gantz & Rochester 2005:80). Gantz and Rochester (2004:82) found that most respondents believe that the money made from selling media products does not actually reach performers and that if it did, they would have bought an authentic product. Others believe that film studios that have \$100 million budgets for films and performers who earn millions of dollars per film have too much money already (Hart-Davis 2001:15).

Gantz and Rochester (2005:80) declare that copyright infringers find digital products overpriced and sold by “greedy megacorporations”¹. It is, however, not only the bottom line of large media corporations that suffers but also other people who are involved, including performers, individual creators, and other small- and medium-sized organisations like local shop owners (Perlmutter 2010:414).

Oberholzer-Gee and Stumpf (2010:23) argue that artists also receive non-monetary compensation for their work such as fame and social status. In 2013, the Chief Executive Officer of the American broadcaster HBO said that the recognition that *Game of Thrones* gets for being the most illegally downloaded television series is “better than an Emmy” (Ravenscraft 2014). Ravenscraft (2014) also argues that the increased word-of-mouth marketing and resulting sales generated by digital copyright infringement is in favour of the producers.

Phau et al (2009:4) found that an anti-establishment attitude is a definite determinant of illegal downloading behaviour. Sherman (2008:160) found that South Africans think it is acceptable when record companies lose money, but it becomes unacceptable when artists suffer. Perlmutter (2010:415) states that some infringers argue that some artists and producers want their work to be downloaded; if they did not, they would make more of an effort to appeal to their fans and the public to consume authentic media products only.

2.3.16 Lack of physical presence

Some copyright infringers who equate their actions to stealing argue that one cannot steal something that does not have a physical presence; thus, they do not believe that downloading digital content is wrong. Hardy, Krawczyk and Trowicz (2013:14) found that the fact that media does not have a physical presence made it more ethically and socially acceptable for people to download content illegally

¹ Hill (2007:3) indicates the “big five” media organisations—namely BMG, the Warner group, the Universal group, Sony and EMI—are often blamed for price-fixing of products from the United States.

than traditional theft, such as stealing a DVD from a store. They also found that respondents did not believe that copyright holders had lost anything by it, monetary or otherwise.

2.3.17 Sampling

While most copyright infringers state that they only make use of peer-to-peer technology to download items for their own entertainment and very rarely share it with others, there are those who say they download content in order to sample it (Holt & Copes 2010:643). They do this so that they can experience a product before making a purchase decision. This is referred to as the sampling or exposure effect (Janssens et al 2009:9; Peitz & Waelbroeck 2010:1), and is akin to “try-before-you-buy” (Sheridan 2011:1474).

Interestingly, there are copyright holders and researchers who are not completely opposed to the idea. Dejean (2009:327) found that people who download content illegally have a higher willingness to pay for legitimate goods because many of them only wish to ensure that they get good value for money and products that they enjoy.

Dejean (2009:329) and Belleflamme and Peitz (2010:10) suggest that the sampling effect should be used by copyright holders as a way of promoting their material. This could be done by, for instance, releasing part of a song or the pilot episode of a series for downloading and sharing, much like film trailers, and then providing the consumer with an option to purchase the rest of the album or series through legitimate sources.

Peitz and Waelbroeck (2004:49) agree that this will positively affect profit margins because it makes their products more attractive for consumers but say that sampling should be available for a limited time only to ensure that future purchase is still made possible. They also state that sampling gives useful information to record companies and allows people to make better-informed purchasing decisions. Liebowitz (2005:15) disagrees and argues that sampling would most

likely lead to a decrease in music sales, as it will allow people access to more free content. Peitz and Waelbroeck (2004:3) assert that sampling would allow copyright holders to save on marketing and promotional costs.

It is also suggested that retailers and marketers could take advantage of data from P2P networks to determine what and why people are downloading (Peitz and Waelbroeck 2004:19). According to Ravenscraft (2014), people only download products that are of interest to them.

2.3.18 Free culture

Falkvinge (2015) believes that the internet is a vast resource and should be thought of as a public library where people can access free content since it is a global resource that can be accessed from anywhere by millions of people at a time. This concept is referred to as “free culture” (Falkvinge 2015), and the people who hold this belief might be referred to as ‘fundamentalist libertarians’ (Is downloading TV ... 2015).

Just because something is available for free on the internet does not mean accessing it is legal. This is because the internet allows anyone from anywhere in the world to upload anything they want whether it is copyrighted or not. Regardless of how or where it is accessed, it remains copyright protected and does not give anyone the right to distribute or reproduce the work “even if it is there for the taking” (Hart-Davis 2001:12).

Holt and Copes (2010:641) assert that there are some copyright infringers who believe all information should be free and that the internet should be the method to distribute it. Many therefore consider all information on the internet to be ‘open source’, which means that it can be reproduced, consumed, and changed in any way the consumer sees fit. Others argue that copyright restricts access to information because the economy is built on a system of greed, and it is therefore their moral obligation to stand against it. They also disapprove of those who sell infringed copyrighted items and reject them as respondents in their sub-culture

because they consider the work they do to be their duty, and take great pride in it. To their minds, their actions are noble, and this allows them to justify their behaviour as morally acceptable (Holt & Copes 2010:642).

These communities are not feeble and they believe in their cause. Moreira de Sa (2011:4) tells of how the online community of Legendas.TV in Brazil donated money to have the website's servers moved to another country when it got into trouble with local law enforcement. This has led to uploaders, who are in fact strangers, being seen as symbols of freedom from "elite power and its structures of control" (Da Rimini 2012:311). In these communities, uploaders and sharers are seen as rebels, modern day Robin Hoods, and champions of the people fighting against oppression rather than criminals (Halttunen et al 2010:68; Gray 2012:289; Holsapple, Iyengar, Jin & Rao 2008:200). Gray (2012:288) calls this "stealing from the rich to entertain the poor".

Lessig (2004:xiv), an activist of free culture, describes free culture not as a culture where media products are free, meaning there is no monetary charge for them, but a culture where people are free to experiment with and remix digital media products in a creative and innovative way. Free culture, in Lessig's view, protects creators but also supports innovators by moving away from a permission-based system. Lessig (2004:282) therefore founded Creative Commons, a non-profit organisation that licences copyrighted products in a way that reserves some rights of the creator but still encourages creativity and innovation, unlike traditional copyright licences that have more of a closed off 'all rights reserved' culture (Lessig 2004:277).

Giletti (2012:22) found that when consumers estimate the price of what they think a product should cost (called price fairness), the freely available alternative has a much bigger influence than the competitor's prices. Consequently, there is a disparity between the price at which the product is offered and what the consumers are willing to pay.

Many justify their behaviour by arguing that they are promoting the product because they are distributing it to consumers and that people are now downloading content they would otherwise never be exposed to (Hart-Davis 2001:11; Van der Byl & Van Belle 2008:208). There are, however, consumers who acknowledge that it is not the large media conglomerates or and rich and famous performers who suffer the most from copyright infringement, but rather the emerging, independent artists and companies that need the money from royalties to earn a living. Therefore, many feel that it is immoral to infringe on items produced by these artists (Granados 2016). Barkachi (2014:25), however, states that it is exactly these producers who benefit most from the exposure they get when their products are downloaded and shared.

2.3.19 Need or desire for entertainment

Some people justify their behaviour by saying that they do it because they have a need or desire for entertainment (Van der Byl & Van Belle 2008:203). Veitch and Constantiou (2011) include desire as an aspect in their proposed model that aims to determine why people infringe on copyrighted content. According to them, desire is a primary motivator since desires drive intention and intention drives action.

While it has been proven that media with an entertainment value is more likely to be downloaded illegally (Van der Byl & Van Belle 2008:207), it is not a valid reason since it is not considered a fundamental human right by most countries (UNESCO 2017).

3.20 Positive affective beliefs

There are copyright infringers who download content simply because of the emotions of joy, elation, and pleasure they experience because of their behaviour (Liang & Phau 2012; Al-Rafee & Cronan 2006:248). Many also enjoy the thrill, excitement, and risk of their behaviour (Liang & Phau 2012). These emotions are referred to as positive affective beliefs and are an important factor because there

is a substantial relationship between an individual's feelings and their attitudes. If a copyright infringer experiences positive emotions as a result of their behaviour, they are more likely to continue doing so (Liang & Phau 2012; Limayem, Khalifa & Chin 2004:126; Al-Rafee & Cronan 2006:248). The reverse is also true: those who experience negative affective beliefs such as shame and guilt while downloading content are unlikely to do it again (Van der Byl & Van Belle 2008:204; Higgins 2007b:46).

2.3.21 Habit or routine

After the initial excitement has worn off, some copyright infringers continue with their behaviour out of habit or routine (Ajzen 2002b:108). In many instances, past behaviour influences individuals to do so again automatically, without self-instruction (Triandis 1980:159; Yoon 2010:407; Bamberg & Schmidt 2003:268), which can make the behaviour seem inconsequential (Lysonski 2008:5). Higgins, Wolfe and Marcum (2008:442) believe that habit impedes a person's ability to accurately assess the potential consequences of their actions. Although habits and routines can be changed, they are good predictors of behaviour in general (Robinson 2010:iii; Lysonski 2008:14) as it influences intention (Robinson 2010:12) and affects attitudes (Yoon 2010:415; Limayem et al 2004:126).

Limayem et al (2004:130) and Giletti (2012:27) found a positive association between previous copyright infringement and willingness to repeat the behaviour. According to Robinson (2010:19), habit is an important factor because the behaviour becomes a natural part of life; a person might have received positive feedback with regards to their actions that re-enforces the habit.

Vermeulen (2016b) points out that until the launch of Vidi in 2014, there were no subscription video streaming services legally available in South Africa. With ShowMax launching at the end of 2015 (Donnelly 2015) and Netflix launching in 2016 (Vermeulen 2016a), this might have caused many South Africans to develop illegal file sharing habits that are still being practised today (Bamberg & Schmidt 2003:268).

2.3.22 Perceived importance of the issue

Perceived importance, or moral intensity, of the issue is another factor that influences people's attitudes towards digital copyright infringement as it significantly influences ethical judgement and behavioural intention (Jones 1991:366; Robin, Reidenbach & Forrest 1996:17; Cronan, Leonard & Kreie 2005:231). This means that if a person perceives the issue of copyright infringement as less important, they are more likely to behave unethically and *vice versa* (Cronan et al 2005:221). According to Jones (1991:382), the perceived importance of an issue is affected by the psychological and physical consequences of an action, when the consequences will occur, and how likely the consequences are to occur. A study conducted by Van der Byl and Van Belle (2008:204) confirmed that South Africans who infringe on digital copyrighted items through peer-to-peer technology do not consider it an important issue, and therefore have a lenient attitude and continue with the behaviour.

2.3.23 Morality

The way that a person reasons about issues is referred to as their moral or ethical judgement. This is an important factor since moral judgement affects people's perspectives and attitudes (Liang & Phau 2012). Kohlberg (1969:177) identifies three major levels, organised in six stages, of moral judgement. The first level is pre-conventional morality in which people want to avoid being caught and punished (stage 1), and want to know how it benefits them (stage 2). This first level is common mostly amongst children. At the second level, conventional morality, people conform to social norms (stage 3) and have a law-and-order mentality (stage 4). This second level is more common amongst adolescents and adults. At the third level (the post-conventional level), people live by their own moral codes, an acceptance for others is developed (stage 5), and universal ethical principles are applied (stage 6) (Kohlberg 1969:177-183; Al-Rafee & Cronan 2006:240; Hill 2007:11; Kini, Ramakrishn & Vijayaraman 2004:93).

People participate in copyright infringement of digital content through peer-to-peer technology because their behaviour is not unethical according to their moral judgement. This means that copyright infringers do not feel guilty or ashamed of their behaviour and do not feel a moral obligation to refrain from it (Phau et al 2009:2). Hardy et al (2013:1) notes that moral and ethical issues concerning digital copyright infringement is controversial. They contend that either millions of people are morally rotten, or perhaps people simply do not think of digital copyright infringement in the same way they think of traditional theft. Ravenscraft (2004) states that, for many, digital copyright infringement remains a moral grey area. While many see it as akin to shoplifting a DVD, others consider it to be the same as making a recording of a song that is playing on the radio (Hardy et al 2013:3).

Freestone and Mitchell (2004:126) found that copyright infringers do not think that they are harming anyone and do not see that their actions have economic consequences and therefore do not morally object to it. Berry (2016) argues that just as same-sex relationships and divorce were once deemed immoral, unethical, and illegal, copyright infringement might become an act that is widely accepted within society. Liang & Phau (2012); Kini et al (2004:92); Yoon (2010:405); Lysonski and Durvasula (2008:167); and Cronan and Douglas (2006:ii) disagree with them and assert that infringing on copyrighted digital media products is and will forever be morally wrong and ethically unacceptable.

Kini et al (2004:93), however, prompts that moral judgement is not the only factor that plays a part in determining if a person will illegally download copyrighted goods. There are, however, also those researchers who believe that moral judgement and ethical decision-making is not a significant factor that influences people's attitudes towards digital copyright infringement (Al-Rafee & Cronan 2006:248; Siponen, Vance & Willison 2012:337).

Freestone and Mitchell (2004:126) suggest that the internet is a new and unique environment, and therefore traditional theories of morals and ethics developed

for the physical world should not be applied online. Rather, new models and theories should be developed to explain why people behave the way they do online. This is essential, as the internet is a virtual realm where people can adopt a virtual persona and keep their real identities secret; they behave differently than they would in face-to-face situations. Hinduja (2008:392) agrees by stating that the anonymity the internet provides release from “the traditional constraints of behavior [*sic*]”.

Interestingly, Karaganis (2011:179) argues that morality becomes an irrelevant factor to those who are facing economic hardships. In poor communities, such as those found in South Africa, there is no distinction to be made between legal and illegal digital goods because there is little or no demand for legal goods, and therefore illegal goods become the market. In these communities, the notion of morality, which is usually the basis of campaigns against copyright infringement, become obsolete (Karaganis 2011:64). Karaganis (2011:121) also reports of instances where South African copyright infringers argue that copyright infringement is not a moral issue for them because, in their poor communities, the R80 that the product would legitimately cost means a lot more than \$6 would to rich, unsympathetic American media producers.

2.3.24 Ethics

Glass and Wood (1996:1189-1198) and Douglas et al (2007:503-512) investigated the impact that factors of ethics theory, namely fairness, justice, and equality of an act, have on deterring digital copyright infringement. They investigated three types of fairness, namely: reciprocal fairness, which is associated with the cost of the product; distributive fairness, which is associated with how evenly the product is distributed throughout the population; and procedural fairness, which is associated with the interaction between the consumer and the producer (Douglas et al 2007:505). The results show that people think justice, equality, and fairness (Glass & Wood 1996:1194), especially reciprocal and procedural fairness, are important determinants of copyright infringement (Douglas et al 2007:509). In other words, the higher the perceived

fairness, the less people will infringe on digital copyrighted content (Meireles 2015:9).

There are authors who distinguish between deontological and teleological ethical perspectives to explain why people infringe on copyrighted digital media (Freestone & Mitchell 2004:122). A deontological perspective focuses on the intentions behind actions and behaviours, while a teleological perspective focuses on the perceived consequences of such actions. It is concerned with what the consequences of actions might be, what the likeliness is that it might occur, whether it is desirable or undesirable, and the importance of each group that might be affected by it (Hunt & Vitell 1986:9). Teleologists might not have a moral objection to copyright infringement as a result since it has benefits such as that it provides a large number of people with access to free information and entertainment, can be acquired more quickly, and is free (Freestone & Mitchell 2004:122; Shang et al 2007:350; Limayem et al 2004:126).

2.3.25 Perceived behavioural control

Another factor that influences a person's intention to download content illegally is their perceived behavioural control, which is to say how easy or difficult a person perceives an act to be and how it affects their actions (Ajzen 1991:183; Yoon 2010:405). Ajzen (2002a:668) explains that, in order to avoid confusion, it is perhaps better to read it as "perceived control over performance of a behavior [sic]". This suggests that people who have the capabilities and resources will have more perceived behavioural control (Ajzen 1991:183) and are therefore more likely to participate in digital copyright infringement (Yoon 2010:414; Meireles 2015:16). While people who feel that they have less control over the outcome, such as punishment they might incur, are less likely to perform the behaviour (Meireles 2015:20).

Meireles (2015:46) and Van Belle et al (2007:58) found that perceived behavioural control is a significant contributor to the intent to commit digital copyright infringement, and that past behaviour influences perceived behavioural

control (Ajzen 1991:188) because previous experience enhances one's sense of control. Ajzen (1991:182) also notes that perceived behavioural control does not refer to an individual's general disposition but rather to a specific behavioural context and may not necessarily be entirely realistic.

2.3.26 Perceived risk of being caught and punished

Researchers such as Janssens et al (2009:77); Bilstein (2010:29); Hill (2007:11); Hsu and Shiue (2008:729); Karaganis (2011:122); Halttunen (2010:66); Al-Rafee and Cronan (2006:247); Lysonski and Durvasula (2008:18); Robertson et al (2012:215); Sinha and Mandel (2008:2); and Van der Byl & Van Belle (2008:203) who have studied copyright infringers who believe that the perceived risk of being caught and punished is minimal. Therefore, it is unlikely for consequences to occur in instances where infringers are caught. This culture of low risk and high reward has motivated many to infringe on copyrighted content (Belleflamme & Peitz 2010:4). Perceived risk is based on the degree of certainty that punishment will occur, the severity of the punishment, and the quality of the infringed product as it might have lower quality than originals or contain malware (Veitch & Constantiou 2011).

Brown et al (2001:23) posit that the law is a major contributing factor since there is currently no legal precedent in South Africa confirming that hosting copyrighted files on peer-to-peer networks and the indexing of such files is illegal or unlawful. People will continue with this behaviour as it goes undetected and unpunished by law enforcement (Hart-Davis 2001:15). Ventrose and Forrester (2010:4) point out that it is simply not financially feasible for copyright holders and governmental organisations to track down individual downloaders and hold each accountable for the few kilobytes of data they share each time they download. As Barkachi (2014:24) states, the legal ramifications of these proceedings are usually considerably out of proportion of their desired effect.

Perceived risk influences decision making because it creates anxiety in the consumer (Taylor 1974:54). Therefore, Bilstein (2010:29) suggests that, as a

remedy to copyright infringement, South African lawmakers should take advantage of the risk factor and implement regulations that make it too “financially risky”. If corporate strategies and government policies increased the risk of punishment, people would find downloading copyrighted items less attractive and, consequently, instances of digital copyright infringement would decrease (Chiang & Assane 2009:521; Robertson, McNeill; Green & Roberts 2012:215; and Sinha and Mandel 2008:2). Yoon’s (2010:406) results show that perceived risk is a deterrent to copyright infringement. Hsu and Shiue (2008:722) found that perceived risk of prosecution did not have a positive influence on willingness to pay for authentic goods, particularly because respondents felt that, in reality, the risk of getting caught is minimal (Hsu & Shiue 2008:729).

Chiang and Assane (2009:512) posit that the perception of risk is reduced when groups of individuals participate in risky behaviour together. When individuals justify infringement of digital copyrighted content in terms of their social group, they often argue that ‘everyone does it’. In these instances, it is also more likely for people to think that their chances of getting caught are minimal because there are others in the group who download more than them. Since law enforcement tend to focus on blatant offenders, they are bigger targets (Liang & Phau 2012; Hart-Davis 2001:8; Moore & McMullan 2009:447). Interestingly, Steininger and Rückel (2013:1663) found that younger people have a lower perceived risk of being caught and prosecuted.

2.3.27 Neutralisation

When an act such as digital copyright infringement becomes the social norm in a society, people do not view their actions as immoral, unethical, or even illegal. This phenomenon can be explained by neutralisation theory, which states that people justify their behaviour and eliminate feelings of guilt by claiming that it is ‘normal’ (Liang & Phau 2012; Halttunen et al 2010:67). Van Belle et al (2007:61) found this to be the case amongst South African youth.

Neutralisation theory is a very effective way of explaining illegal file sharing (Siponen et al 2012:334). It was introduced by Sykes and Matza (1957:667), who state that there are five major ways people justify the guilt they feel over their delinquent behaviour. Firstly, they deny responsibility for their actions (Sykes & Matza 1957:667) by, for instance arguing that if copyright infringement though peer-to-peer file sharing was a legitimately illicit act, people would not be allowed to own the technology to make it happen (Gantz & Rochester 2005:83; Hart-Davis 2001:8). This type of thinking allows the infringer to feel that they were “helplessly propelled” into the situation (Sykes & Matza 1957:667). Secondly, since digital copying does not remove the original product, delinquents justify their behaviour by denying injury or harm, and consequently, the third technique is denial of a victim (Sykes & Matza 1957:667; Hart-Davis 2001:8).

Moore and McMullan (2009:443) state that while some infringers might acknowledge that it does cause a victim (such as a media company) harm (financially), they justify it by arguing that the victim can afford the injury, and it is therefore not really an injury. The fourth technique is to condemn the condemners by shifting focus from their own behaviour to what they consider the illicit and hypocritical motives and behaviours of those they condemn, which in this instance is usually the media companies that sell the media products (Sykes & Matza 1957:668; Bryan 2014:219; Moore & McMullan 2009:443). The final technique is to appeal to higher loyalties by ignoring social demands and satisfying their own entertainment needs as well as those of their significant others (Sykes & Matza 1957:669; Bryan 2014:220).

Coleman (1994) adds three neutralisation techniques: firstly, the infringer will argue that everybody else is doing it and that subjective norms therefore nullify liability. Secondly, they will deny the necessity of the law by justifying that the relevant laws are unfair or unjust. Thirdly, they claim that they are entitled to the items that they download illegally as a way of making up for some other shortcoming in their lives. Bryan (2014:229) found that all the respondents in their study who admitted to being digital copyright infringers used at least one, and in most cases two, of these techniques.

Chen et al (2008:411) found that people download illicit content because it is fashionable to do so. As a result of social influences, people behave in a way that seems to be socially appropriate at the time. Media content, which is mostly obtained through illegal downloading, becomes a symbol in their groups, which they use to identify with others. They argue that prior to something becoming fashionable, the need for it is non-existent. People, especially youngsters, with a predisposition towards wanting to be up-to-date with the latest trends would usually adopt the behaviour quickly as they are easily influenced by peers (Chen et al 2008:412).

2.3.28 Subjective or social norms

A person's subjective or social norms, which are the prevailing social rules and pressures to which they subscribe, also have an influence on attitudes. For Al-Rafee and Rouibah (2010:284); Al-Rafee and Cronan (2006:348); Yoon (2010:405); Veitch and Constantiou (2011); Trafimow (2009:506); Robertson et al (2012:216); Meireles (2015:11); Liang and Phau (2012); and Elster (1989:99), subjective norms are influenced by the views of family and close friends or "significant others" as Al-Rafee and Cronan (2006:237) refer to them. Elster (1989:101) states that they are "emotional and behavioural propensities of individuals".

Interestingly, Sinha and Mandel (2008:13) found that the possibility of embarrassment in a social context did not influence respondents' willingness to pay for legitimate digital products, as they did not view their behaviour as a transgression of social norms. Just as the law distinguishes between crimes that are *mala in se* (wrong in themselves) and *mala prohibita* (illegal but not immoral) (Sykes & Matza 1957:667), Balestrino (2007:455), argues that there is no social stigma attached to copyright infringement of digital media. This is because there is no perceived social cost, remembering that legal norms do not necessarily reflect social attitudes.

Hope (2014:87) found that South Africans consider copyright infringement socially acceptable. The extent to which a person is concerned about what their significant others think about them and their behaviour is referred to as normative beliefs. Normative beliefs therefore influence subjective norms as it is natural for people not to want to disappoint their significant others (Yoon 2010:411; Meireles 2015:16). A study by Van Belle et al (2007:58) found that individuals amongst South African youth with strong convictions are less likely to download digital content illegally, and confirms that normative beliefs have a negative impact on intention to download illicit content.

Studies have also shown that if significant others think that copyright infringement is wrong, people are less likely to participate in the behaviour themselves, especially if it means avoiding shame and embarrassment. Al-Rafee and Cronan (2006:247), Veitch and Constantiou (2011), Lysonski and Durvasula (2008:15), and Sinha and Mandel (2008:3) state that the reverse is also true, and therefore subjective norms are a significant contributor to the issue.

2.3.29 Social benefits

For many, it is a social process (Da Rimini 2013:323), and they infringe on copyrighted content because of the social benefits that satisfy interpersonal needs. It provides benefits such as being able to pay off debt, increase social capital, doing a good deed for others, making friends, adding to their personal collections and even in exchange for favours (Chen et al 2008:412).

While copying and sharing content is a way to make friends online for some (Moreira de Sa 2011:4), others see it an act of kindness when people share information amongst themselves for their own enjoyment without expecting anything in return (Da Rimini 2013:314; Van der Byl & Van Belle 2008:202). Many do it to feel included when discussions about popular media content come up in conversation and to feel “part of the crowd” (Karaganis 2011:121). Van der Byl and Van Belle (2008:202) suggest that another social benefit of copyright

infringement is that people are able to pay off debt quicker since they do not have to spend money to acquire digital media content.

Karaganis (2011:122) investigated low-income neighbourhoods in South Africa, such as Hanover Park, and found that sharing digital content is a reason for families and friends to come together in a social setting. Content is rarely sold amongst residents or kept for personal collections; instead, it is exchanged and shared within social circles (Karaganis 2011:122; Phau et al 2009:1). Treverton et al (2009:31) argues that some people download content illegally in order to feel part of the group in instances where their peers have used a particular digital product such as a song or film and they have not. In some instances, content is shared in anticipation of future favours from others (Van der Byl & Van Belle 2008:202). Arnab and Hutchison (2006), who also studied the South African context, found that 83% of their respondents had no objection to sharing illegally downloaded digital content with friends and family. 50% of their respondents also stated that they would not object to their friends and family sharing the content with others.

2.3.30 Hoarding

Another social benefit that satisfies interpersonal needs is the hoarding of digital content by copyright infringers (Giletti 2012:27). While digital hoarders do not necessarily consume every file they download, they compete with others to have the largest and most extensive collection of digital files (Karaganis 2011:265). Interestingly, Navarro, Marcum, Higgins and Ricketts (2014:105) found that internet addiction is positively correlated to digital copyright infringement. Many who hoard in this way derive immense pleasure from obtaining content, sorting through it and developing databases. Hoarding digital content is made easy because it is cost effective, does not take up the physical space DVDs and CDs do, and while peer-to-peer networks force the infringer to share content, it does not require the original owner to give up their copy (Giletti 2012:27).

2.3.31 Machiavellianism

Researchers have also investigated Machiavellianism as a possible reason why people participate in digital copyright infringement. Machiavellianism refers to the way that people will pursue a goal no matter the cost or how unethical their endeavours might be. Machiavellianists do not consider ethics a serious issue and would therefore continue with their behaviour regardless of how it affects others (Van der Byl & Van Belle 2008:204; Sinha & Mandel 2008:3). Van der Byl and Van Belle (2008:207) studied Machiavellianism amongst South African copyright infringers and found that while it does not directly influence behaviour that leads to digital copyright infringement; it is strongly correlated to gender and cognitive beliefs. Similarly, Sinha and Mandel (2008:6) and Al-Rafee and Cronan (2006:246) found that a person with Machiavellian tendencies are less likely to be willing to pay for legal media goods and are more prone to digital copyright infringement as a result.

2.4 KEY THEORIES, MODELS, AND STUDIES

Researchers do not usually focus on one factor only: instead, they investigate and theorise about factors and concepts, which are then combined to create complex new theories and models. Although discussion of all the philosophies that have been developed over the years would be inconsequential, a few merit mentioning: Digital Piracy Attitude Model, Deterrence Theory, Rational Choice Theory, Self-control Theory (or The General Theory of Crime), the Behavioural Model of Digital Piracy, Social Learning Theory, the Three Stage Decision-making Model, and the van der Merwe study.

2.4.1 The Digital Piracy Attitude Model

Al-Rafee and Cronan (2006:237) developed a model, called the Digital Piracy Attitude Model, which investigates digital copyright infringement based on Ajzen's (1991) work. The model comprises subjective norms, individual attributes such

as age and gender, and cognitive and affective beliefs as well as perceived importance as predictors of intention to infringe on digital copyrighted content.

2.4.2 Deterrence Theory

Higgins (2007:33) believes that copyright infringement is nothing more than simple criminal behaviour. He makes use of Deterrence Theory in a variety of works, inspired by the classical works of philosophers Hobbes (1651), Beccaria (1963), and Bentham and Lafleur (1948). He also makes use of more recent works by Grasmick and Bursik (1990), and incorporates Cornish and Clarke's (1986) Rational Choice Theory, Gottfredson and Hirschi's (1990) Self-control Theory, and Ajzen's (1991) version of intentions to explain why people knowingly participate in this criminal behaviour. Higgins (2007b:34) believes that these three theories identify important factors that motivate people to infringe on copyrighted content, and argues that if these factors exist, they can be mitigated and controlled to reduce criminal behaviour.

Deterrence Theory suggests that after calculating the benefits and consequences of their actions, people choose either to violate or to obey the law (Lebow & Stein 1989:208). A person will act after evaluating the likelihood, and how long it will take, of their criminal behaviour being detected as well as the severity of possible punishment. The higher the chances of negative consequences, the smaller the chances that behaviour will occur. Over the years, various researchers have added new components to the classical Deterrence Theory, developing Contemporary Deterrence Theory (Higgins et al 2005:170). It improves on the original theory and now includes factors such as self-disapproval, as well as social disapproval from significant others, which brings about feelings of shame guilt and embarrassment (Grasmick & Bursik 1990).

2.4.3 Rational Choice Theory

Similar to the Digital Piracy Attitude Model, Rational Choice Theory (Cornish & Clarke 1986) suggests that people participate in criminal behaviour by rationally

choosing to do so if they have the means and if they believe that the benefits would outweigh the costs. Higgins (2007b:33) believes that three components of Rational Choice Theory can be used to explain why people infringe on digital copyrighted content, namely: a crime specific focus, the distinction between criminal involvement and the criminal event, and the belief that people will engage in criminal behaviour if they believe that such behaviour would benefit them.

2.4.4 Low Self-control Theory

In the Low Self-control Theory, also known as The General Theory of Crime, developed by Gottfredson and Hirschi (1990), low self-control is the key component. Higgins (2007a:524, 2007b:44, and 2010:111) suggests that this theory plays a role in explaining why people make use of peer-to-peer file sharing technology to infringe on copyrighted content. The theory refers to a person's ability to resist the temptation to perform a criminal act by practising self-control. Therefore, the lower a person's self-control, the more likely they are to perform the behaviour. According to the theory, low self-control is a result of ineffective and inconsistent upbringing, and consequently, these people become self-centred, insensitive, and risk-takers as adults (Higgins & Makin 2004:3; Marcum et al 2011:63). The theory also suggests that people are more likely to disregard the long-term consequences of their behaviour if they have low self-control. As a result, they will be attracted to activities that maximise their own pleasure regardless of how it affects others. Low self-control has been found as a determining factor of digital copyright infringement².

Since low self-control theory suggests that criminal behaviour is inherently pleasurable, it has been combined with Ajzen's (1991:179–211) version of intentions in which motivation is believed to be a key factor in influencing behaviour. Consequently, Higgins (2007a:524) states that since copyright infringers do not have full self-control, have a need to avoid media fees, or have access to computers, they continue with the criminal behaviour.

² Higgins et al (2005:167), Higgins et al (2006:16), Higgins (2007a:526), and Higgins (2007b:48)

2.4.5 Behavioural Model of Digital Music Piracy

In an attempt to explain the behavioural dynamics of audio copyright infringers, Gopal et al (2004:89) created the Behavioural Model of Digital Music Piracy based on factors such as ethical propensity, gender, age, and attitudes. It indicates that while the various types of copyright infringement have unique dynamics, the factors that influence people's opinions towards it are typically the same. The Club Size Piracy Level variable is described as the equivalent of one member of a club purchasing a legal copy of a particular media file and then sharing it with various other club members. The Ethical Index variable measures ethical propensity to determine intention to infringe based on the core beliefs of the individual. The Justice Ethical Predisposition Dimension variable is based on the extent that individuals understand the consequences of their actions and behaviours in relation to the justice system and rule of law (Gopal et al 2004:12). Lastly, the Money Saved Using MP3 variable measures how much respondents save per year because they listen to downloaded (free) MP3s (Gopal et al 2004:13).

2.4.6 Social Learning Theory

Higgins (2010:112) and Gunter (2008:54) believe that copyright infringement is criminal behaviour that can be explained as a product of social interaction, and identified behavioural determinants based on Akers' (1998) Social Learning Theory. The theory suggests that the most powerful influences to infringe on copyrighted content are from the criminal's primary group, which are their significant others. Secondary influences come from factors such as official policies, campaigns, and government officials. The theory also states that individuals are more likely to participate in a certain behaviour if their primary or secondary groups approve and/or participate in the same activities (Gunter 2008:55-56).

2.4.7 The Three Stage Decision Making model

Lorde, Devonish and Beckles (2010) developed the Three Stage Decision-making Model, which aims to explain the individual factors and processes that individuals go through that encourages them participate in criminal behaviour. In the first stage, the individual is presented with the chance to take part in the behaviour. In stage two, they consider environmental factors such their awareness of consequences, professional, legal, personal, societal, and business environment, their own belief system, and personal values. If these factors do not seem like a reason to deter from this behaviour, a person proceeds to the third stage in which they reflect on a variety of factors, such as personal beliefs, attitudes, moral judgement, perceived behavioural control, and affordability. If still undeterred by these considerations, and given that they have access to enabling technology, most people will decide to participate in criminal behaviour.

2.4.8 The Van der Merwe Study

A notable study by Van der Merwe (2006) studied softlifting practices, the illegal sharing of software, by students from the University of South Africa (Unisa). Van der Merwe (2016) notes that there are five important factors that are significant with regards to the sample population.

Firstly, since Unisa is a distance education institution, these students generally have a higher income than students at traditional universities who usually have low paying part-time jobs or are dependent on their parents for pocket money. Secondly, most of the students study independently and are therefore not influenced by their peers as would be the case in traditional universities where it is more common for students to establish social relationships with each other. Thirdly, Unisa students are from a diverse range of age groups and, fourthly, includes all cultures and communities. Finally, the study was conducted amongst students pursuing computer-related qualifications, which implies that they have computer experience and knowledge of software in general.

The results of the study included that younger students, and men, were more likely to download software illegally (called softlifting). Interestingly, the study also found that those who work full time and have a larger disposable income softlift more. Finally, the study found that students with more computer knowledge and experience were more likely to softlift, and the results from the distance-learning students therefore do not differ from students who attend traditional universities (Van der Merwe 2016).

2.5 THEORETICAL FRAMEWORK

This research project was informed by three relevant theories: the Theory of Planned Behaviour as informed by the Theory of Reasoned Action, the Theory of Interpersonal Behaviour, and the Uses and Gratifications Theory.

2.5.1 The Theory of Planned Behaviour as informed by the Theory of Reasoned Action

The Theory of Reasoned Action was developed by Fishbein and Ajzen (1975) in an attempt to predict human behaviour based on the intentions and pre-existing attitudes of people after they have assessed the possible outcomes of an action. They posit that behavioural intention is influenced by subjective norms and attitudes, which is in turn influenced by the situation and the individual. Liang and Phau (2012) believe that the theory is ideal to explain a variety of behaviours, including digital copyright infringement.

This theory is relevant to this study because subjective norms and attitudes towards copyright infringement are also studied. Question 20, which is the foundation for the study, is based on this theory as it determines respondents' pre-existing attitudes towards the issue.

Ajzen (1991:179) realised that the Theory of Reasoned Action is incomplete without perceived behavioural control as a factor and created the Theory of Planned Behaviour as a result. The new theory deals with issues of behavioural

control as it was realised that a person can only have behavioural control over voluntary behaviours (such as digital copyright infringement). Ajzen (1991:181) also states that if intentions, which are influenced by a variety of factors such as resources and opportunities, are resolute; the behaviour is more likely to occur. This theory is relevant to the study as it builds on the Theory of Reasoned Action and speaks to access and availability of resources as a factor that influences attitudes towards digital copyright infringement, a factor that is explored in the study.

2.5.2 Theory of Interpersonal Behaviour

Triandis's (1979) Theory of Interpersonal Behaviour has often been used to explain illicit downloading. The theory suggests that a person's attitude is influenced by their evaluation of the possible outcomes of a specific action, while emotions, which are influenced by social factors, affect, and subjective norms, effect intention to commit an act. Triandis also posits that personal habits and other facilitating conditions are a further determinant of intentions since positive experiences of an act will lead to the act being committed again.

This theory is relevant to the research as it explores how social factors, affective beliefs, and subjective norms influence attitudes towards copyright infringement. It should, however, be noted that the Theory of Planned Behaviour and the Theory of Interpersonal Behaviour differ with regards to behavioural control. While the Theory of Planned Behaviour asserts that an individual can control voluntary actions and decide to participate in or to refrain from a specific behaviour, the Theory of Interpersonal Behavioural posits that people do not have control over their actions once those actions become habitual (Hope 2014:17). The study, therefore, also explores how habit influences attitudes towards copyright infringement.

2.5.3 Uses and Gratifications Theory

The Uses and Gratification Theory is based on the premise that interest, taste, and needs are the basis of audience formation, the needs being the desire for information, diversion, companionship, relaxation, and escape. The approach denotes that audiences choose different media based on their expectations and the gratifications sought (McQuail 2012:423).

The Uses and Gratifications Theory is intended to determine why people use certain media, and in terms of this, this research study explores why people prefer to use and obtain certain media in certain ways compared to others. According to McQuail (2012:423), people's choices of media consumption are informed by their morals, identity, and the purpose they wish to achieve, such as relaxation, information, and so forth.

One of the assumptions of this approach is that people choose media in a rational way that satisfies specific goals and needs and, therefore, the audience member is an active participant. In this way, audience formation can be rationally explained (McQuail 2012:424). In terms of this research study, aspects such as access to media, moral and ethical issues, and demographic characteristics such as income level were explored in order to explain why people prefer to access content in various ways.

The uses and gratification approach assumes that audiences are aware of their own media-related needs and can voice and motivate these needs (McQuail 2012:424). In this research study, the various opinions and media consumption habits of consumers were explored. Another assumption of the approach is that various personal and social needs for content play a much larger role in attracting audiences than the cultural and aesthetic features thereof (McQuail 2012:424). To this end, personal and social aspects of content consumption and sharing were explored in this study. The final assumption of the approach is that all factors that play a part in audience formation can be measured (McQuail 2012:424). As

such, this study explores how a variety of factors influences attitudes towards copyright infringement.

2.6 SUMMARY

This chapter provided an in-depth literature review on works of scholars, academics, and other authors who have identified factors that influence people's opinions about copyright infringement through peer-to-peer file sharing technology. It started by reviewing how peer-to-peer technology was created, and looked at issues concerning its legality. Furthermore, it looked at key theories, models, and studies that have been proposed or conducted by other academics in the field. The chapter ended with a description of the theoretical frameworks the study was based on and its relevance to the research.

In Chapter 3, the research methodology of the study is discussed by exploring the research design and research methods. The research area, target population, accessible population, sampling methods, and sample size of the pilot and main study are discussed in detail. The measuring instrument for the pilot study and the main study is explained, and the validity, reliability, and reflexivity of the study is discussed. Following this, the process of documenting the data is explained and how triangulation as the method of research is used, is discussed. The chapter then concludes with a comprehensive account of ethical considerations.

CHAPTER THREE RESEARCH METHODOLOGY

3.1 INTRODUCTION

This chapter discusses the research methodology that was adopted to conduct this study. The term 'research methodology' can be defined as "a systematic plan for conducting research" (Kothari 2004:2), meaning that it is the strategy that will be used to conduct the research. As such, forming the research methodology requires articulating the research design and deciding the research methods. This includes defining the research area and population, deciding how and when the pilot study will be conducted, how the data will be analysed, and ensuring that the research is reliable, valid, and considers and complies with ethical standards.

3.2 RESEARCH DESIGN

Research designs are procedures for gathering, examining, understanding, and reporting on research results. It is important to ensure that the research design is rigorous because it guides methods used during the study as well as how results are interpreted (Wimmer & Dominick 2011:444-445)

The purpose of the study is to conduct a cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content. The measuring instrument used was an online self-administered questionnaire. During the main study, which was conducted from 25 October to 23 November 2017, the hyperlink to the questionnaire was promoted by means of social media (including Google Plus, Twitter, Facebook, Instagram, and LinkedIn) through relevant online forums and chat rooms as well as through emails sent to the researcher's personal contacts. Respondents were encouraged to share the hyperlink with their contacts as well.

3.2.1 Paradigm

Broadly, a paradigm is a collection of assumptions that people make about the “nature of reality, the status of human knowledge, and the kinds of methods that can be used to answer research questions”. (Macleod 2009). This study adopted a pragmatic paradigm because it collected both qualitative and quantitative data, integrates both qualitative and quantitative research, and can rationalise reasons for using a mixed methods design (Dudovskiy 2017).

3.2.2 Approach

This study adopted a mixed methods approach. This means that the study is a quantitative and qualitative study that overlaps the strengths of both. Using quantitative methods allows for standardised questioning to be used, while qualitative methods allows for flexible questions to be asked which is ideal to gain additional information (Wimmer & Dominick 2011:444-445). This means that both qualitative and quantitative data was used to cross-validate results and to reveal aspects of empirical reality (Wagner et al 2012:121). It was considered not only logical but also necessary to make use of a mix of these research methods, which is called triangulation, as it enhances the confidence of the results and confirms the consistency of the data (Wagner, Kawulich & Garner 2012:166). The purpose of this approach is to obtain different but complementary data on the same topic and data found to be inconsistent would prompt new inquiries into the area (Bryman 2008:392).

Characteristics of qualitative research include that the study’s size is often big, the researcher’s personal involvement is neutral and objective, the reasoning is deductive as it seeks to generate results and generalise from a sample to the entire population, the sample is representative of the population, and the type of data collected are measurements and scores and can be counted. In contrast, quantitative research tests theories. First, an extensive literature study is done at the beginning of the research, it then tests if a statement of relationships between variables can be confirmed, the data gathered is analysed according to statistics

by making use of numbers, and then it seeks to find relationships between independent and dependant variables (Bless et al 2013:17-18).

This study consisted of 115 quantitative questions and one qualitative question. In order to explain relationships, degrees, and quantities, quantitative data was collected (Bless et al 2013:17), while the open-ended, qualitative question allowed respondents to provide attentional information on important aspects of the research. The qualitative question also provided respondents with the opportunity to describe complex phenomena from their point of view (Leedy 2005:94).

In order to get a deeper understanding of the issue under investigation, multiple methods of triangulation were used. This also added to the validity and consistency of the results, provided the most insight, and explained complementary aspects of results. Triangulating sources aided in comparing different viewpoints and allowed the examination of the consistency of various data sources at different points in time (Leedy 2005:94).

3.3 RESEARCH METHODS

This section discusses the research area, selection of respondents, the data collection instruments, and data analysis.

3.3.1 Research area

The study was conducted online by posting a link to the self-administered questionnaire on online chat rooms and forums as well as social media platforms such as Facebook, Instagram, and Twitter. These posts were also promoted to all South Africans between the age of 18 and 64.

3.3.2 Target population

The target population, which is defined as everything and everyone related to the research, or in other words, is the actual population from which findings were generalised (Unisa 2015d:72). Since the study was conducted online, the target population for this study consisted of adult South African residents who have access to the internet.

3.3.3 Accessible population

The accessible population can be defined as those individuals to whom the researcher has access (Unisa 2015d:72). Since the study was conducted online, the accessible population was all South African residents between the ages of 18 and 64 who make use of online chat rooms and forums, email, and social media platforms such as Facebook, Instagram, and Twitter.

3.3.4 Units of analysis

The units of analysis were individual respondents as they were the entity analysed, and this was considered appropriate to the study (Wagner et al 2012:167).

3.3.5 Sampling

The sampling frame for the main study was 100 valid responses and aimed to collect empirical data about people's attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology in South African context. This is considered adequate since an individual's subjective experience is considered to be of greater value than the general attitudes of the larger population, especially because the study investigates in greater depth the attitudes that people have towards the phenomenon (Wagner et al 2012:87).

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The main study that took place between 25 October and 23 November 2017, and made use of convenience sampling as well as snowball sampling (Wagner et al 2012:92). The researcher asked personal contacts via digital media to participate in the study and to share the hyperlink to the survey with their friends. The researcher posted the link in online chat rooms and forums, and made use of organic paid Facebook, Instagram, and Twitter posts to distribute the hyperlink to the questionnaire to the general public.

Making use of digital media platforms to promote the study is beneficial because it provides access to a demographically diverse group of respondents, is cost effective, respondents can answer the questionnaire in their own time, and anonymity can be guaranteed. The researcher acknowledged that there might be some unforeseen challenges to the sampling because the study took place in South African context, especially because South Africa has a wide range of diverse cultures and a fragmented history of unequal distribution (Wagner et al 2012:95).

3.3.6 Sample size

A sample size refers to the number of subjects included in the sample. The sample size of the main study was 117 respondents who answered the self-administered questionnaire, 100 of which were considered valid responses. In order to achieve this, a hyperlink to the self-administered questionnaire was distributed via digital media platforms, including social media platforms, email, and forums and chat rooms.

This non-probability method allowed respondents to self-select into the sample and cannot therefore be generalised to the wider population (Wimmer & Dominick 2014:92). The population's characteristics, the nature of the problem, and the cross-sectional time dimension was appropriate to the objectives of the study, while the sampling method and technique was appropriate to the time dimension. The sample also fulfilled scientific requirements and was accurate (Unisa 2015d:75).

3.3.7 Data collection instrument

The instrument used to collect the data for this study is an online self-administered questionnaire. The term 'questionnaire' can be defined as 'a collection of questions administered' that is administered to respondents, while the term 'self-administered' indicates that the respondents completed it by themselves (Bryman 2008:715).

The questionnaire was hosted online at goo.gl/d1rjxX, and started by providing respondents with additional information to the study in order to ensure eligibility to participate in the study; it then requested respondents to acknowledge that they reside in the Republic of South Africa. The information section also explained the purpose of the study, addressed frequently asked questions, and informed respondents of their right to refuse to participate.

Respondents were then asked to acknowledge informed consent. This was followed by further questions to ensure that respondents were eligible to participate in the study. Vulnerable groups, such as children, the elderly, and pregnant women, were excluded from the study in order to ensure that the results are valid and reliable. In order to establish each respondents' suitability, the eligibility of respondents was examined by asking potential respondents a series of questions at the beginning of the questionnaire. If they met the eligibility criteria, they were allowed to answer the rest of the questions and submit; if not, they were thanked and the survey was discontinued. The questionnaire, which was logically structured, contained specific questions that explored factors relevant to the research question (Leedy 2005:131).

Making use of Google Forms had the benefit of ensuring respondents' anonymity, and making use of online platforms, such as social media, to distribute the questionnaire was beneficial because it provided access to a demographically diverse group of respondents and was cost effective. Responses were automatically stored online, which means data could be accessed in real time and was safe from accidental loss or capturing errors. Respondents could answer

the questionnaire in their own time, did not need to see questions that were not relevant to them, and data could easily be transferred from one computer programme to another (10 advantages of... [sa]).

The questionnaire contained questions with a variety of measurements, used randomly wherever most applicable. The first question, for instance, asked respondents if they reside in the Republic of South Africa and makes use of nominal measures. Ordinal measures were also used, mostly in the form of Likert Scale questions, such as in the seventh question that asked respondents to choose the degree with which they agree with a statement. The study also made use of interval measurements. For instance, the eighth question required respondents to select the category with their highest level of education. Lastly, the questionnaire also made use of ratio measures, such as the 13th question, which required respondents to identify how many people live in their household (Babbie 2007:66).

3.4 PILOT STUDY

A pilot study is defined as a trial run or small-scale test of a study that is conducted on a smaller scale in order to find out if the methodology and design of the research is effective and appropriate (Wimmer & Dominick 2014:460).

The results of the pilot study, which took place between 6 and 11 October 2017, indicated that the questions in the questionnaire were clear because none of the respondents criticised them or could not understand it. However, feedback from respondents was that the questionnaire was too long, which means that it was tedious and time consuming to complete, especially considering that respondents were volunteers.

To adjust for this, the questionnaire for the main study was reduced to 47 questions. This was achieved by asking only one qualitative question at the end of the questionnaire. This involved the elimination of Likert Scale-type questions,

which were replaced with tick box-type questions / lists where respondents had to tick the statements with which they agreed. Condensing the questionnaire in this way meant the same amount of data collected but in an abbreviated format.

3.4.1 Target population

Since the link to the self-administered online questionnaire was emailed to 10 of the researcher's personal contacts, the target population for the pilot study consisted of 10 adult South African residents who have access to the internet. A response rate of 100% was realised as all the respondents were well-known to the researcher (Bless et al 2013:109).

3.4.2 Accessible population

The accessible population can be defined as those individuals to whom the researcher has access (Unisa 2015d:72). Since the study was conducted online, the accessible population for the pilot study was all South African residents between the ages of 18 and 64 who have access to an internet connection and are personally known to the researcher.

The study was only open to 18 to 64 year olds in order to exclude vulnerable groups. This was determined by asking respondents in what year they were born; if they entered a year that was outside the parameters of the study, they were thanked for their willingness to participate, and the survey automatically closed. One of the first questions in the questionnaire was for respondents to identify if they are South Africa residents in order to ensure only South Africans took part in the study.

3.4.3 Sampling

The pilot study made use of convenience sampling. During the study, which took place between 6 and 11 October 2017, 10 respondents were asked via email to complete the online survey. Interestingly, 11 surveys were returned before the

closing date. The survey made use of convenience sampling as the hyperlink to the self-administered questionnaire was emailed to the researcher's personal contacts. A response rate of 100% was anticipated as all the respondents were well known to the researcher (Bless et al 2013:109). The data returned during this phase indicated that the sampling method was adequate, and it was therefore used for the main study as well (Bless et al 2013:109).

3.4.4 Sample size

The sample size of the pilot study was 10 respondents for the pilot study, and 11 surveys were returned before the closing date. This is adequate since the aim of the pilot study was to test the research instrument.

3.4.5 Data collection instrument

The questionnaire for the pilot study consisted of over 137 questions, most of which were quantitative. However, the questionnaire also had a large focus on collecting qualitative data as each subsection asked respondents to add any additional comments they had about the relevant topic of that section.

3.5 DATA ANALYSIS

Once the study was concluded, the researcher consolidated all completed questionnaires. Since all questionnaires were submitted anonymously, each answer sheet was numbered in the order in which it was submitted (from 1 to 117), and it is referred to by this number in the interpretation of results (chapter 4). The data was then coded according to content categories, the raw data was tabled, the information was assessed, and results were then discussed in a report.

Cross-sectional research conducted over a two-week period was considered sufficient, and the information collected from completed questionnaires was adequate in solving the initial research problem. All data was checked for

correctness, and attention was given to inconsistencies, missing data and incorrect values to ensure validity of results (Wagner et al 2012:176). The researcher did all the coding personally, so no outside coder was used.

3.5.1 Quantitative data

When the main study closed on 23 November 2017, the 117 completed questionnaires were extracted from Google Forms into a spreadsheet (tally sheet). Post-coding for all quantitative data was done by means of univariate analysis. Bivariate analysis was also used in instances where the data required it in order to establish relationships between variables (Bryman 2008:337).

Quantitative data was post-coded by the researcher by numbering each possible option in a question, starting from the number one (1). For instance, the first question asked of respondents was to identify their nationality. Missing data and questions that were not relevant because they had been filtered out by previous questions were coded as 'x' for both qualitative and quantitative questions. In instances where a zero (0) was coded, it indicates a true figure (Bryman 2008:333). During coding, all the 'Yes' responses was coded with a number one (1) and the 'No' responses with a number two (2). All codes were then entered into a tally sheet to allow for analysis of results (Bryman 2008:333).

3.5.2 Qualitative data

The self-administered questionnaire contained only one qualitative question, namely: question 47. The answers to this question were coded by means of thematic categorisation, which involved examining the data and pinpointing relevant themes. The units of analysis were the words or phrases used in the answers and were matched to the themes (the reasons people participate in digital copyright infringement) as identified by the literature review in Chapter 2 (Wagner, Kawulich and Garner 2012:231).

3.6 RELIABILITY AND VALIDITY OF THE STUDY

Since the research has the potential to produce facts and reproducible observations, it used a sound protocol design and methodology that adequately answered the study's research questions; it is thus scientifically valid (TRREE 2014c:19). Since the measuring instrument measured what it was intended to do, internal validity was established by means of face validity. This was done by having an expert in the field review it, and by ensuring that all technical terms are clearly described and making use of mixed methods research. External validity of the study is limited since the accessible population was not a true representation of the target population, and since the study made use of voluntary participation, results cannot be generalised (Bless et al 2013:109).

Reliability was ensured by means of internal consistency, standardisation in the use of the measuring instrument, and ensuring that it was administered in the same way to all respondents (Leedy & Omrod 2005:82). The measuring instrument was assessed to ensure measurement reliability, and its internal consistency was examined before it was distributed (Wimmer & Dominick 2011:58). The reliability and validity of the measuring instrument used during the pilot study was also ensured.

Since a single method cannot be used to explore all aspects of a particular phenomenon, the credibility and authenticity of the study was ensured by making use of triangulation. Using triangulation also added to the logic and rigor and provided ways to verify the stability and accuracy of the data (Wagner et al 2012:163). In order to ensure transferability, thick description was used, all versions of the original data were stored, and a detailed report was compiled so that the study can be replicated in another setting with different respondents. Dependability was established by the researcher's audit trail, and the results are based on data collected. To establish conformability, the degree of biases was presented to affirm that the research event did take place (Wagner et al 2012:243).

Possible threats to the internal validity included the differential selection of respondents since the study made use of voluntary participation, which means that respondents were not randomly selected. Attrition was another possible threat since respondents were able to opt-out of participation due to a variety of reasons, such as unwillingness to participate (Wagner et al 2012:121).

The differential selection of respondents also limited the external validity of the study (Wagner et al 2012:121). However, the researcher enhanced the reliability of the study by making sure that questionnaire was administered in the same way to all respondents and standardised (Leedy 2005:82).

3.7 ETHICAL CONSIDERATIONS

In order to ensure that the study is ethically sound, some factors have to be considered, including the choice of research problem and the rigor, credibility, trustworthiness, believability, and dependability of the study. The sampling methods, treatment of respondents, informed consent, and treatment of data, the development and application of measuring instrument, and issues of confidentiality, as well the interpretation of data also must be considered. Furthermore, ethical considerations regarding the reporting of results, formulation of conclusions as well as personal, political, and/or constitutional constraints are necessary.

3.7.1 Choice of research problem

The research was conducted in, and contributes to, the field of communication science. The research problem was new and realistic, the data was accessible, and ethically acceptable in terms of the extent, time, and cost of the study (Unisa 2015d:74).

The pursuit of truth was the motivation of the study, and the research was important because it endeavoured to fill a gap in knowledge by examining the phenomenon from the end user's perspective, which adds to the understanding

of communication as a subject. The research was also realistic and conducted in a reasonable timeframe (Unisa 2015d:74).

The potential risk-benefit ratio was considered and informed by the researcher's conscience. The informed consent form clearly stated the potential risks and benefits of study; however, potential risks, such as social stigmatisation, were highly improbable since respondents remained completely anonymous, even to the researcher, at all times. The benefits of the study include that it has social value because it promotes advancement of knowledge in the field of communication science and media studies in particular. It also advances the interest of society as a whole since data collected could be used in future research to help find more comprehensive and contemporary solutions that benefit all the relevant stakeholders (TRREE 2014c:22).

The study complied with the three basic principles of ethics when conducting research on humans, namely respect for persons, beneficence, and justice (TRREE 2014b:4). It did not ask any direct questions relating to criminal behaviour as it only targeted respondents' opinions about using peer-to-peer file sharing technology to infringe on copyrighted content. At no point did the study require any respondent to admit to criminal activities and/or their knowledge of such behaviour.

3.7.2 Rigor

The researcher remained as objective as possible throughout the research, and precise, thorough, and rigorous, methods were used to analyse, collect, and record data (Leedy 2005:154).

3.7.3 Credibility

Since a single method can never completely explore a particular phenomenon, and to account for credibility of the study, triangulation was used to ensure results were trustworthy and authentic (Wagner et al 2012:138). This also added to the

logic and rigor of the design, and provided ways of verifying the stability and accuracy of the data (Wagner et al 2012:163).

3.7.4 Trustworthiness

In order to ensure that the study was credible, triangulation was used, an audit trail was provided to establish dependability, and the degree of biases were presented to confirm that the research did take place. Furthermore, all versions of original data were stored for transferability, and the results of the research were grounded in data (Wagner et al 2012:243).

3.7.5 Believability / dependability

External auditing was used to ensure that the research is accurate, believable, and dependable, and whether or not interpretations, conclusions, and results, were supported by the data. This allowed for important feedback that lead to better articulated results as well as additional data collection (Cohen & Crabtree 2006).

To ensure that other researchers have an understanding of the methods used in this study, and its effectiveness so that it can be repeated with similar results, as well as to give the study credibility, a detailed report comprising of all aspects of the research was written (see Chapter 4) (Credibility of research... 2011).

3.7.6 Reflexivity

The researcher acknowledged that, in terms of reflexivity, personal biases, assumptions, and values may have unintentionally affected the collection of data. To circumvent this, the researcher approached the study with total objectivity, and only factual and essential information, free of interpretation was communicated to respondents (Leedy 2005:285). Furthermore, respondents did not have direct contact with the researcher as the study was conducted via the

internet and could therefore not have been unduly influenced (Wimmer & Dominick 2011:29).

3.7.7 Transferability

In order to ensure transferability of the study so that the study could be conducted in another situation, setting, and with different respondents, thick description was used (Cohen & Crabtree 2006).

The study made use of random respondents who voluntarily participated in the study. The questionnaire was distributed by promoting the hyperlink to the survey to a convenience sample. The study also made use of a snowball sample as respondents were asked to share the hyperlink to the questionnaire with their contacts. Furthermore, the hyperlink was advertised and posted on digital media platforms to the public.

3.7.8 Treatment of respondents and informed consent

The primary purpose of the informed consent form, which was the first page that respondents saw when entering the study, was to invite potential respondents to consider becoming research subjects. It is important to note that it is only the opinions of each respondent that was to be under investigation, and at no point were respondents required to admit to committing any illegal activity.

Since the study encouraged all respondents to be fully informed regarding all aspects that relate to their participation in the study, including the benefits and risks, their rights, the nature of the study, issues concerning confidentiality, privacy and anonymity was discussed in the informed consent form (TRREE 2014a:11). The form had a tick-box structure that required respondents to tick each of the appropriate boxes to give consent. The researcher's contact details were made available in case any respondent had any questions or concerns with regards to the study.

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Each respondent was required to confirm that they met the necessary eligibility criteria to participate in the research, including that they have the required intellectual and emotional capacity to do so, and that they fell within the population characteristics of the study (TRREE 2014a:2). To avoid any confusion, the informed consent form was written in understandable language and any technical terms were explained next to each relevant question (TRREE 2014a:24). To this end, the questionnaire made use of the colloquial term 'piracy' to refer to copyright infringement.

Since voluntary participation is a requirement and honesty is valued, no respondent was unduly influenced or induced, coerced or intimidated, nor did any respondent receive any kind of compensation, monetary or otherwise, in exchange for their participation (TRREE 2014a:12). The researcher took care to ensure the autonomy of respondents would remain intact and completed questionnaires could not be linked to any respondent.

The study also required all respondents to have adequate cognitive ability and to give informed consent to participate in the study. Moreover, the study did not practise maleficence; it practised beneficence, and considered and respected the privacy, human rights, and confidentiality of all respondents at all (Unisa 2015d:76).

3.7.9 Treatment of data

Scientific requirements and standards were upheld when interpreting and coding the data, and the accuracy and objectivity of collection was ensured. Content categories were operationally constructed, manually exclusive, discreet, and exhaustive (Unisa 2015d:77). All data will be kept on an external hard drive where it will be kept for at least five years (until December 2022). Hard copies of all documents were filed and stored in a safe location (Bryman 2008:337).

3.7.10 Development and application of measuring instrument, and issues of confidentiality

The measuring instrument was an online self-administered questionnaire. To promote the study, a hyperlink to the survey was posted on digital media platforms, which was considered appropriate to the main problem. Information about cognitive ability, voluntary participation, confidentiality, and anonymity was provided in the informed consent letter at the beginning of the study (Unisa 2015d:80).

Anonymity of respondents plays a large role in ensuring confidentiality in this study. Google Forms was chosen as the appropriate platform for the study as it allowed the researcher to keep all responses completely anonymous. The questionnaire had a logical sequence to questions and only specific questions were asked. Importantly, only the opinions of respondents were examined which means that the research would not have to bear the burden of dealing with information related to illegal activities. Beyond this, there were no other foreseen risks.

Since the study promotes human dignity and encourages all respondents to be fully informed before they decide to participate, issues of confidentiality, privacy, and anonymity were addressed in the informed consent form (TRREE 2014b:4). For the purposes of recording, analysing, interpreting, and reporting on data, each answer sheet was numbered in the order it was submitted and is referred to by this number in the interpretation of results (Chapter 4).

3.7.11 Interpretation of data

Important ethical criteria was used to interpret the data in order to ensure that the study produced comparable results over a period of time. Reliability and validity was established, and using individual consumers as the units of analysis was considered appropriate to the nature of the data (Unisa 2015d:79). Random errors were taken into consideration and acknowledged since respondents were

asked to confirm similar characteristics such as current geographical location (Bless et al 2013:372)

3.7.12 Reporting of results

All results and recorded data were reported without misrepresentation and with honesty. All sources of data met the requirements of generalisability, were acknowledged, and did not contain any plagiarism. Furthermore, researcher's biases were also taken into consideration and issues concerning limitations, statistics, propriety, feasibility, and utility were addressed (Unisa 2015d:79).

3.7.13 Formulation of conclusions

Relevant recommendations were made by the researcher during the formulation of conclusions and research questions, sub-problems, and assumptions, and were addressed as per Chapter 4. Furthermore, all conclusions were substantiated by the results of the study (Unisa 2015d:79).

3.7.14 Personal constraints

The researcher's gender, language, and/or age did not, at any point in time, negatively influence the research. It is acknowledged that personal relationships with respondents, gender, language used, and/or age might have influenced the truthfulness and cooperation of respondents during the study (Unisa 2015d:80). This is however mitigated by the fact that the researcher did not have personal contact with respondents while they were completing the questionnaire since the study was conducted online.

3.7.15 Political and/or constitutional constraints

The researcher kept ethical values, ideas, and norms in mind during the study at all times, and choices and behaviour of respondents were not influenced when the questionnaire was administered. While collecting data and reporting on

results, a humane manner that met legal requirements was used by the researcher consistently (Unisa 2015d:80).

3.7.16 Additional information

The study is scientifically valid as it resulted in facts and is reproducible (TRREE 2014c:19). To ensure this, transparency was upheld at all times and results could be made available to respondents, other researchers in the academic community, and members of the public as requested. The methodology was clearly explained, all versions of the original data was stored, and a detailed report was compiled so that the study can be replicated in another setting and with different respondents (Wagner et al 2012:243).

The study followed ethical and research protocols in accordance with South African law as well as the University of South Africa's policies and protocols at all times. There were no serious events that influenced the study or any amendments that had to be made to the research plan. The researcher is adequately qualified and experienced in the field of Communication Science to conduct this study (TRREE 2014c:20). Lastly, there is no conflict of interest, either actual or perceived, and the researcher had no interest other than the attainment of reliable, accurate, valid, transparent academic knowledge with scientific integrity (TRREE 2014c:32).

3.8 SUMMARY

An online self-administered questionnaire with a mixed methods approach was used to conduct the research. The sampling frame for the main study was 100 valid responses, and collected empirical data about people's attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology in South African context. The target audience consisted of adult South African residents who have access to the internet. Issues around reflexivity were acknowledged, validity and reliability of the measuring instrument was established, and triangulation was used in order to facilitate a deeper

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understanding of the research issue. Data was properly documented, and issues of transferability were established to ensure that the study could be conducted in another situation, setting, and with different respondents. Furthermore, the ethical values and concepts relevant to conducting research-involving humans were considered during this study. The study therefore promotes the highest standards of behaviour when conducting research by acknowledging the relevant rules, principles, and values of ethics.

In Chapter 4, the method of analysing the data collected from the self-administered questionnaire is discussed, including data coding, and data analysis procedures. The results of the study are also discussed.

CHAPTER FOUR

DATA ANALYSIS AND INTERPRETATION OF RESULTS

4.1 INTRODUCTION

While the previous chapter discussed the research methodology that was adopted to the study, this chapter discusses data analysis and interprets the results of the study. The first half of this chapter focuses on quantitative data and section half on qualitative data.

4.2 QUANTITATIVE DATA ANALYSIS

In order to analyse the data, it was extracted from Google Forms into a spreadsheet (tally sheet). Post-coding for all quantitative data was done by means of univariate analysis. Bivariate analysis was also used in instances where the data required it in order to establish relationships between variables (Bryman 2008:337).

4.2.1 Response rate

The research required a realised sample of 100 valid completed questionnaires for the study. The study received 117 responses, 100 of which were valid. This number could not be guaranteed as the study made use of convenience sampling as well as snowball sampling. The first part of the questionnaire was designed to address aspects of eligibility to ensure that only eligible respondents could complete it, either because they were not South African citizens or they were from vulnerable groups. Of the 117 questionnaires that were submitted, 17 were invalidated based on this criterion. In such instances, all answers for these questionnaires were marked with 'x' and will not be discussed with the rest of the results.

100 valid responses is considered adequate since an individual's subjective experience is considered to be of greater value than the general attitudes of the larger population, especially because the study investigates in greater depth the attitudes that people have towards the phenomenon (Wagner et al 2012:87).

4.2.2 Demographic profile of respondents

Respondents were asked to disclose their demographic characteristics, not only to provide an idea of who completed the questionnaire, but also to investigate the relevant demographic factors that influence opinions towards copyright infringement through peer-to-peer file sharing technology as identified in Chapter 2.

4.2.2.1 Gender

40% of respondents were male and 59% of respondents were female. 1% of responses are classified as 'unknown' because respondents had the option of identifying as something other than the aforementioned categories.

4.2.2.2 Age

44 respondents were between the ages of 18 and 34, 36 respondents were between the ages of 35 and 49, and 18 respondents were between the ages of 50 and 64.

4.2.2.3 Socio-economic status

5% of respondents have a household income of between R1 and R10 000, 8% between R10 001 and R20 000, and 6% between R20 001 and R30 000.

7% have an income between R30 001 and R40 000, 7% between R40 001 and R50 000, and 7% between R50 001 and R60 000.

Chapter 4: Data analysis and interpretation of findings

4% households earn between R60 001 and R70 000, 6% between R70 001 and R80 000, and 2% between R80 001 and R90 000.

3% households earn between R90 001 and R100 000, 1% between R100 001 and R110 000, and 3% between R130 001 and R140 000.

1% between R140 001 and R150 000, 2% between R150 001 and R160 000, and 2% between R170 001 and R180 000.

Lastly, 2% of these households earn between R190 001 and R200 000, and 2% between R240 001 and R250 000.

4.2.2.4 Education

75% of the respondents who finished Grade 8 to 10 have a positive attitude towards digital copyright infringement, while 35% of those who finished Grade 11 to 12, 35% with an informal tertiary education, 58% with a NQF level 7 qualification, 53% with a NQF level 8 qualification, 38% with a NQF level 9 qualification, and 100% of those with a NQF level 10 qualification have a positive attitude towards digital copyright infringement.

4.2.2.5 Religion

63% of respondents identify with having strong religious beliefs, while 37% do not. This indicates that the majority of respondents are religious.

4.2.2.6 Culture

43% of respondents identify with a collectivist culture, while 57% identify with an individualist culture.

4.2.3 Analysis of quantitative data

The online self-administered questionnaire was hosted on Google Forms, and the hyperlink to the questionnaire was distributed to the public researcher by making use of paid advertising on Facebook, Instagram, and Twitter. The researcher also emailed the link to personal contacts, and posted the link on online chat rooms and forums. Once a potential respondent clicked on the link, they were taken to the questionnaire online, asked to complete it and once submitted, the researcher could access the results, in real time, online.

4.3 INTERPRETATION OF RESULTS

Relevant results of identified factors, as identified in Chapter two, will be analysed and interpreted in this sections, while Chapter five will discuss each result and how it relates to the study in turn.

A major challenge of the study was to determine how to measure if a particular factor influences the respondents' attitudes towards digital copyright infringement through peer-to-peer file sharing technology. Therefore, question 20 was included as this question asked respondents to identify their attitudes towards digital copyright infringement at the beginning of the study and then match it against each factor. That way it becomes clear which factors influence respondents' attitudes. Therefore, question 20 is included in all results discussed below.

4.3.1 Gender

In order to establish if gender plays a part in attitudes towards digital copyright infringement, the results of question 6 and question 20 are taken into account. Question 6 asked respondents to identify their gender.

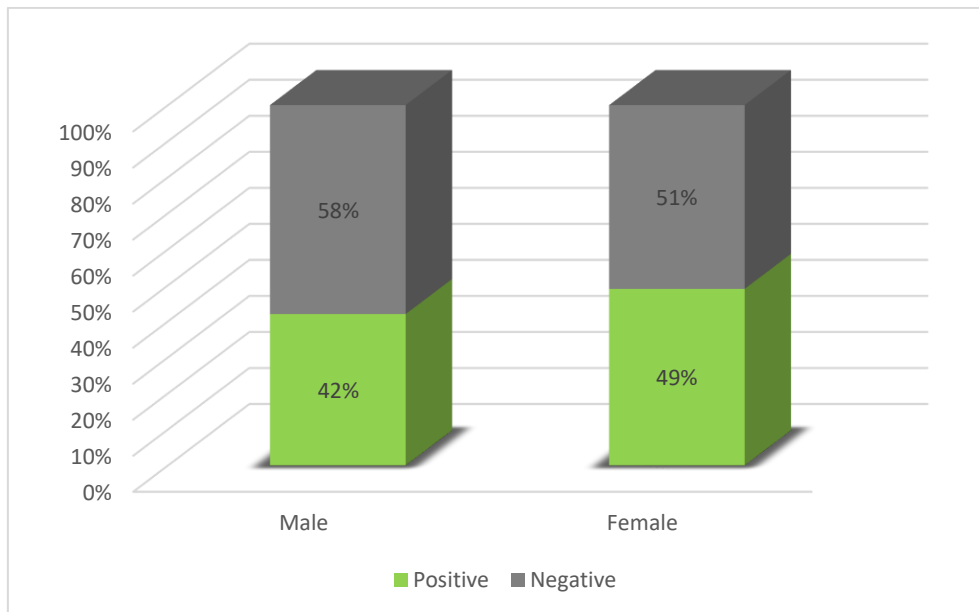


Figure 1: Responses to questions 6 and 20

Results show that 42% of male respondents and 49% of female respondents have a positive attitude towards digital copyright infringement.

4.3.2 Age

In order to establish if age plays a role in attitudes towards digital copyright infringement, the results of question 7 and question 20 are taken into account. Question 7 asked respondents in what year they were born.

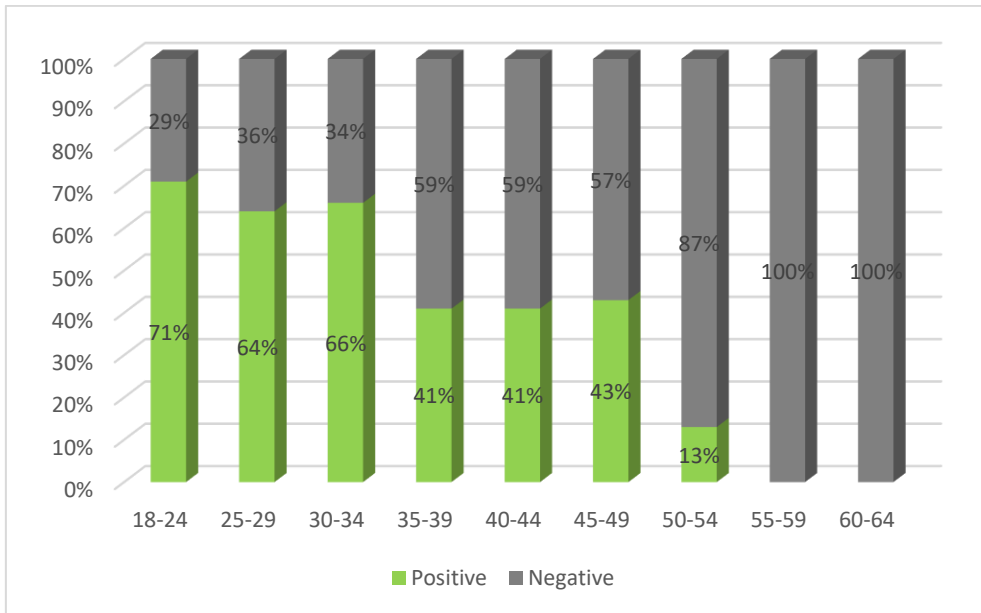


Figure 2: Responses to questions 7 and 20

Results show that the younger respondents are, the likelier it is that they would have a positive attitude towards digital copyright infringement. Results are as follows:

- 71% of 18- to 24-year-olds;
- 64% of 25- to 29-year-olds;
- 66% of 30- to 34-year-olds;
- 41% of 35- to 39-year-olds;
- 41% of 40- to 44-year-olds;
- 43% of 45- to 49-year-olds;
- 13% of 50- to 54-year-olds; and
- 0% of 55- to 64-year-olds have a positive attitude towards digital copyright infringement.

4.3.3 Income

In order to establish if those with a lower income are more likely to have a positive attitude towards copyright infringement, the results of responses to question 10, 12, 17, and 20 are taken into account.

Chapter 4: Data analysis and interpretation of findings

Question 10 was asked to determine respondents' personal gross income per month. Question 12 was asked to determine how many people live in the household, and Question 17 asked those who are not sole earners about their monthly household income.

It makes sense to discuss the findings of these questions together by amalgamating the financial information of those who live alone and are sole earners by default, and those who have others who contribute to the overall household income.

These findings were then matched against question 20 to determine if level of income influences attitudes towards digital piracy.

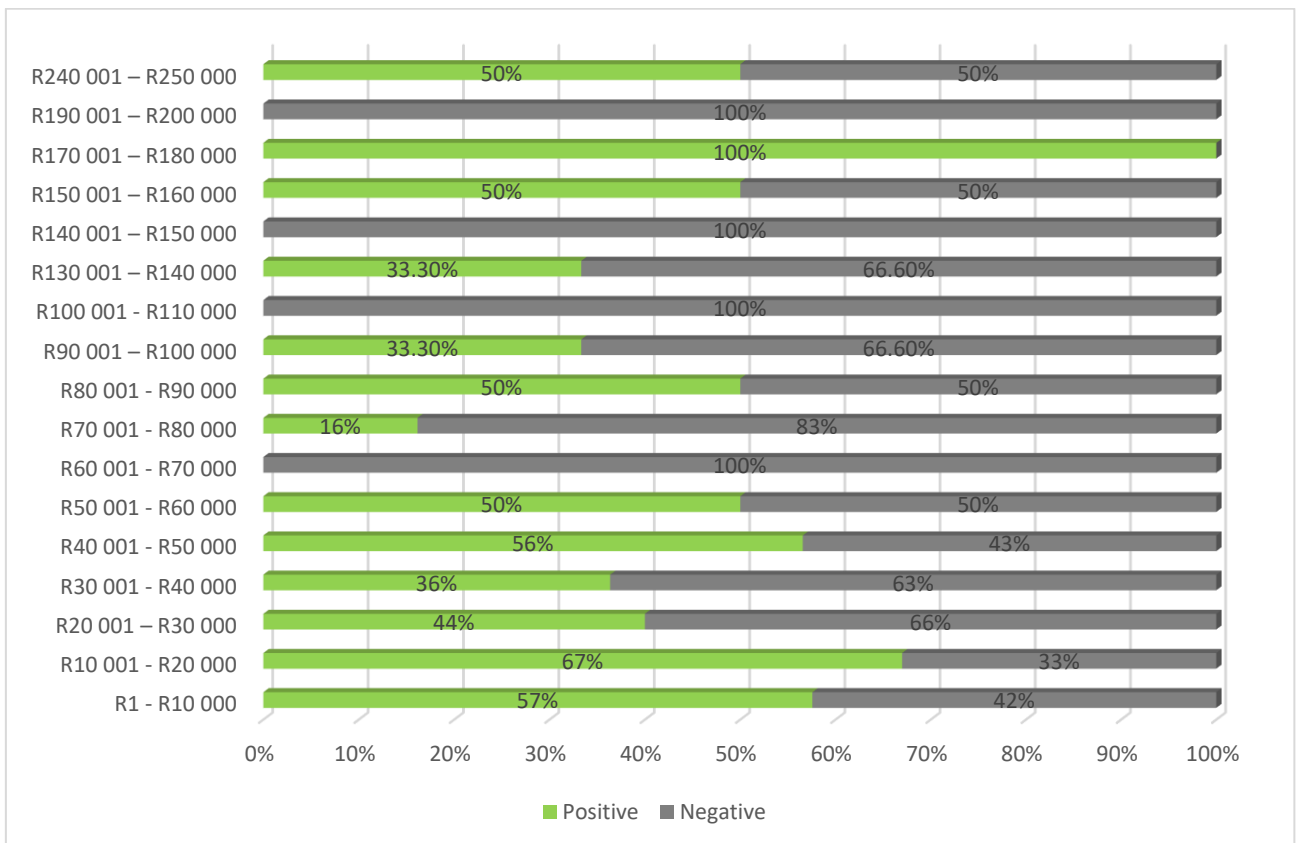


Figure 3: Responses to questions 10, 12, 17, and 20

The great variety in results shows that household income does not have a clear impact on attitudes towards copyright infringement.

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57% of respondents with a household income of between R1 and R10 000, 67% between R10 001 and R20 000, and 44% between R20 001 and R30 000 have a positive attitude.

36% of respondents with a household income between R30 001 and R40 000, 56% between R40 001 and R50 000, and 50% between R50 001 and R60 000 have a positive attitude.

0% of respondents with a household income between R60 001 and R70 000, 16% between R70 001 and R80 000, and 50% between R80 001 and R90 000 have a positive attitude.

33.3% of respondents with a household income of between R90 001 and R100 000, 0% between R100 001 and R110 000, and 33.3% between R130 001 and R140 000 have a positive attitude.

0% of respondents with a household income of between R140 001 and R150 000, 50% between R150 001 and R160 000, and 100% between R170 001 and R180 000 have a positive attitude.

Lastly, 0% of respondents with a household income of between R190 001 and R200 000 and 50% between R240 001 and R250 000 have a positive attitude.

4.3.4 Level of education

In order to establish if level of education plays a role in attitudes towards digital copyright infringement, the results of questions 9 and 20 are taken into account. Question 9 asked respondents to identify their level of education.

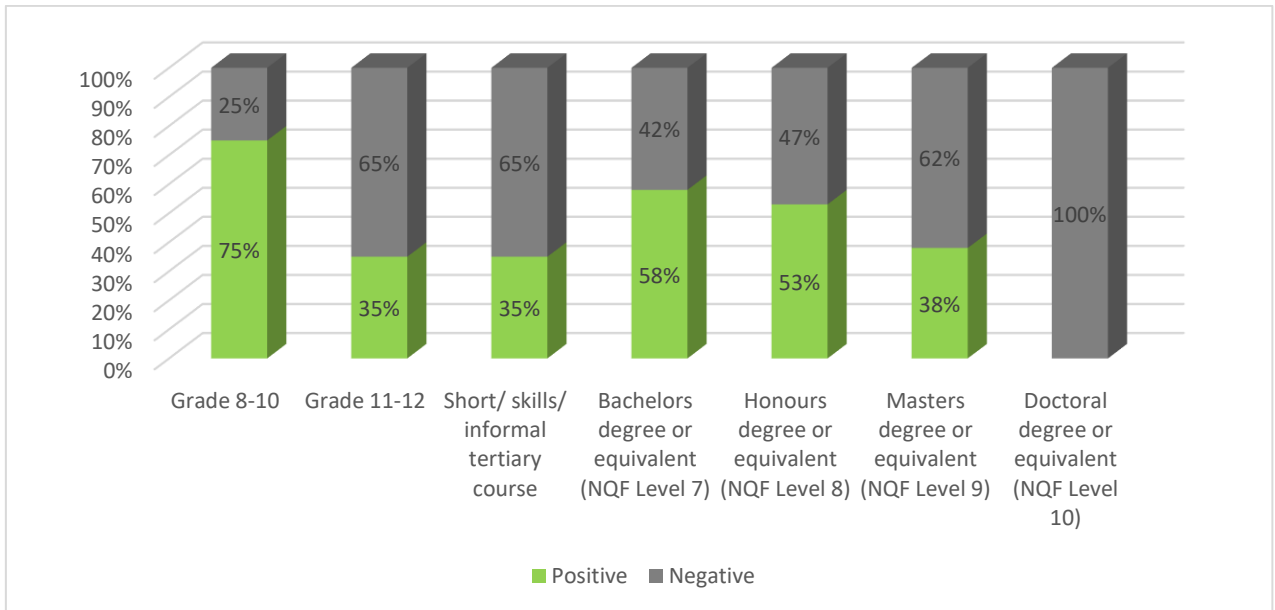


Figure 4: Responses to questions 9 and 20

Results show that 75% of respondents who only finished Grade 8 to 10 have a positive attitude towards digital copyright infringement, while 35% of those who finished Grade 11 to 12, 35% with an informal tertiary education, 58% with a NQF level 7 qualification, 53% with a NQF level 8 qualification, 38% with a NQF level 9 qualification, and 100% of those with a NQF level 10 qualification have a positive attitude towards digital copyright infringement. The results of the latter are, however, inconclusive as the sample size is not large enough to be able to generalise. Only one respondent in this study has an NQF level 10 qualification, and only four respondents have only a Grade 8 to 10 education.

4.3.5 Religion

In order to establish if religion plays a role in attitude towards digital copyright infringement, the results of questions 8 and 20 are taken into account. Question 8 asked respondent to identify if they are religious.

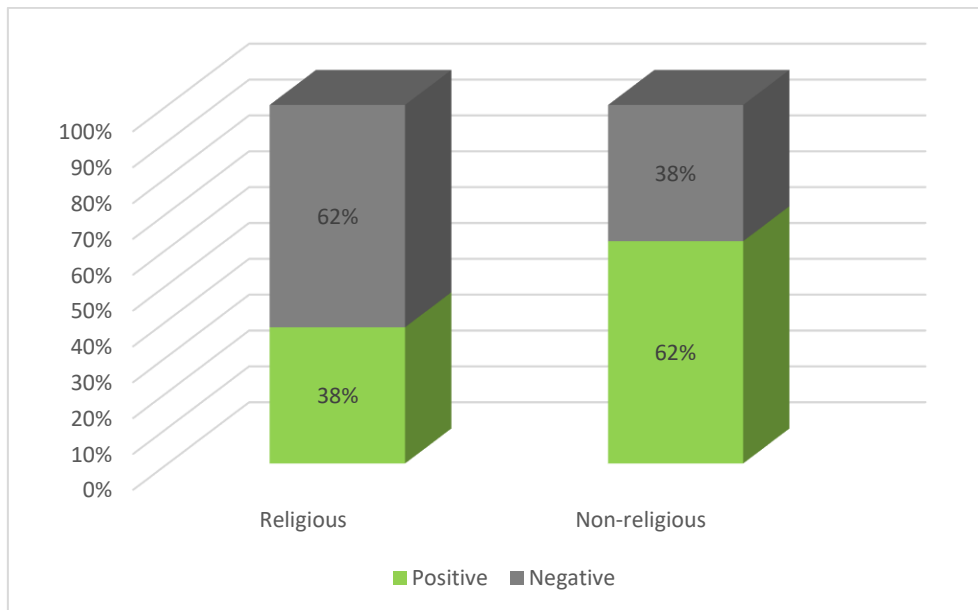


Figure 5: Responses to questions 8 and 20

Results show that 38% of religious respondent have a positive attitude compared to 62% of those who identified as non-religious.

4.3.6 Culture

In order to establish if culture plays a role in attitudes towards digital copyright infringement, the results of questions 20 and 112 are taken into account. Question 112 asked respondents if they identify with a collectivist or individualist culture.

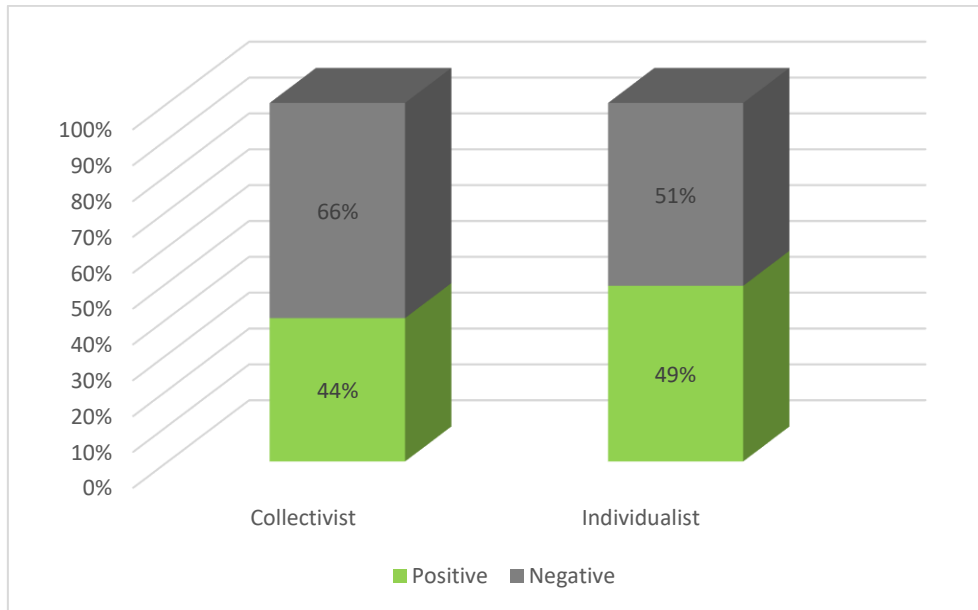


Figure 6: Responses to questions 20 and 112

Results show that 44% of people who identify with a collectivist culture, and 49% of people who identify with an individualist culture, have a positive attitude towards digital copyright infringement.

4.3.7 Price

In order to establish if price plays a role in attitudes towards digital copyright infringement, the results of questions 20, 31, and 32 are taken into account. Question 31 asked respondents if they think legitimate copies of films are affordable, and question 32 asked the same with regards to television series.

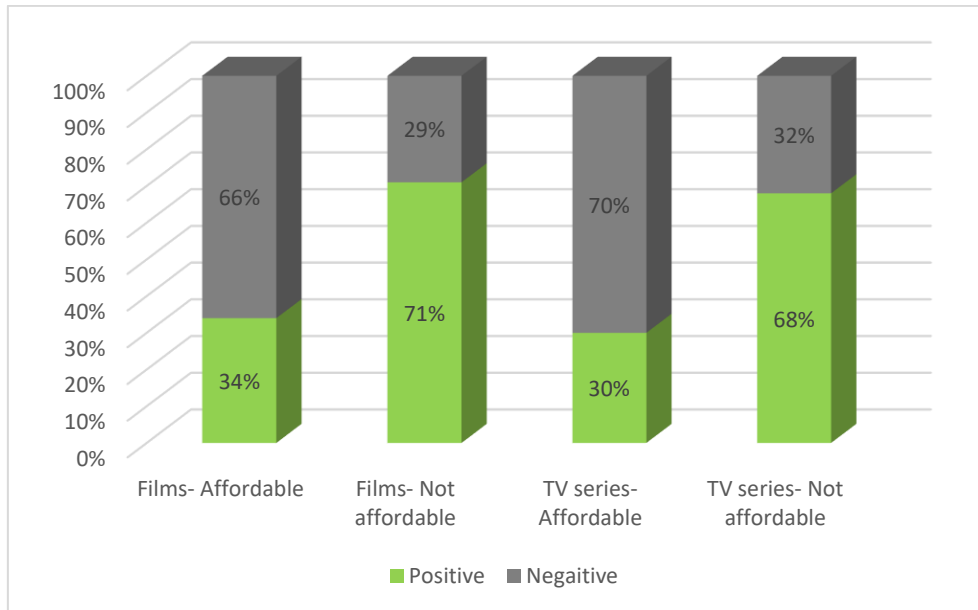


Figure 7: Responses to questions 20, 31, and 32

Results show that 71% of respondents who said that legitimate copies of films are not affordable, and 68% who said the same about television series, have a positive attitude towards digital copyright infringement.

Of those who think films are affordable, 34% have a positive attitude, and 30% for television series.

4.3.8 Historical inequality in South Africa

In order to establish if historical inequality plays a role in attitudes towards digital copyright infringement, the results of questions 20 and 34 are taken into account.

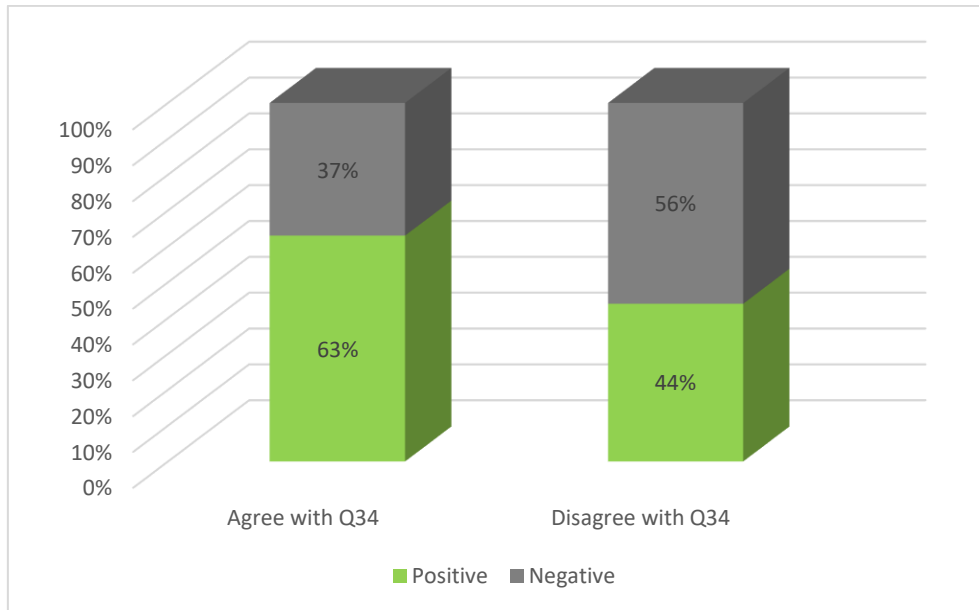


Figure 8: Responses to questions 20 and 34

Results show that 63% of those who think that Apartheid created a culture of obtaining content illegally that is still practised today, and 44% of those who do not, have a positive attitude towards copyright infringement.

4.3.9 Access and availability of legal sources

In order to establish if access to enough legitimate sources influences attitudes towards digital copyright infringement, the results of questions 20, 76, and 77 are taken into account. Question 76 asked respondents if they think that South Africans have access to enough legitimate sources of films, while question 77 enquired the same about television series.

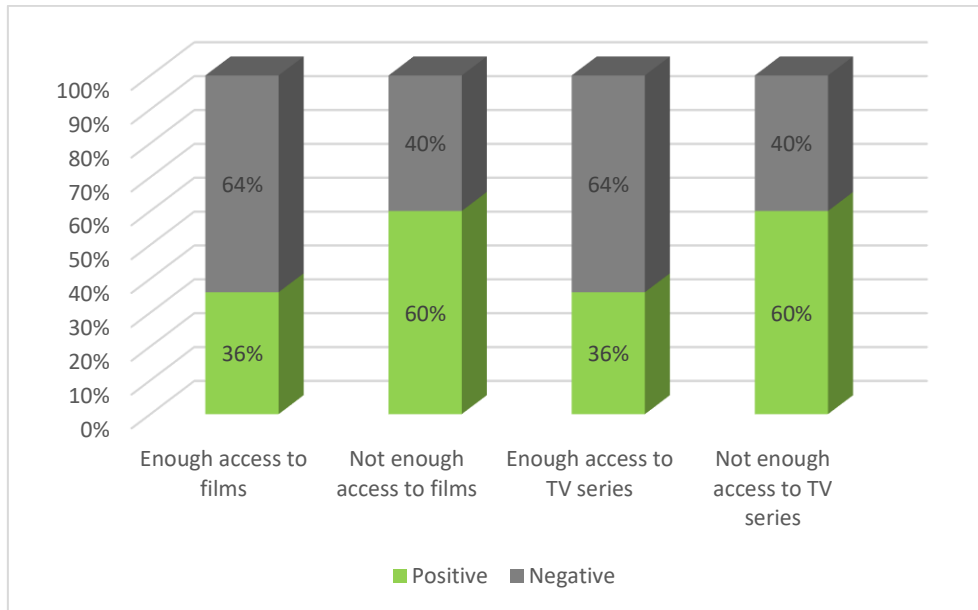


Figure 9: Responses to question 20, 76, and 77

Results show that 36% of the respondents who think South Africans have access to enough legitimate sources of films and television series, and 60% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.10 Convenience

In order to establish if thinking that accessing / obtaining television series and films in a legal way is convenient in South Africa influences attitudes towards digital copyright infringement, the results of questions 20, 86, and 87 are taken into account. Question 86 asked respondents if they think accessing / obtaining television series in South Africa in a legal way is convenient, while question 87 enquired the same about films.

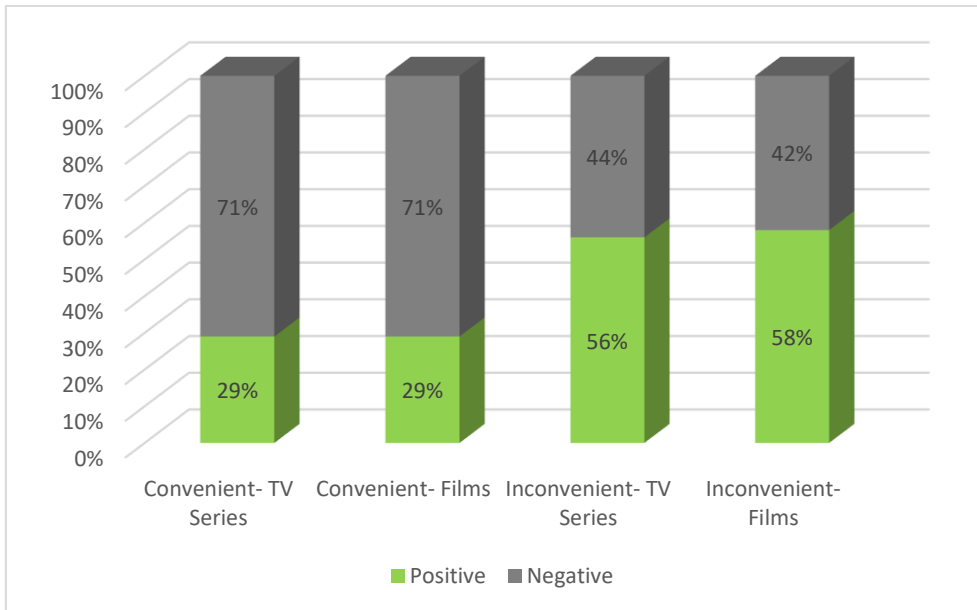


Figure 10: Responses to questions 20, 86, and 87

Results show that 29% of those who think accessing / obtaining television series and films in South Africa in a legal way is convenient have a positive attitude towards digital copyright infringement. Of those who disagree, 56% (for television series) and 58% (for films) have a positive attitude.

4.3.11 Subtitles

In order to establish if requiring subtitles influences attitudes towards digital copyright infringement, the results of questions 20, 90, and 91 are taken into account. Question 90 was asked to determine if respondents who often watch television series require subtitles and question 91 enquired the same about films.

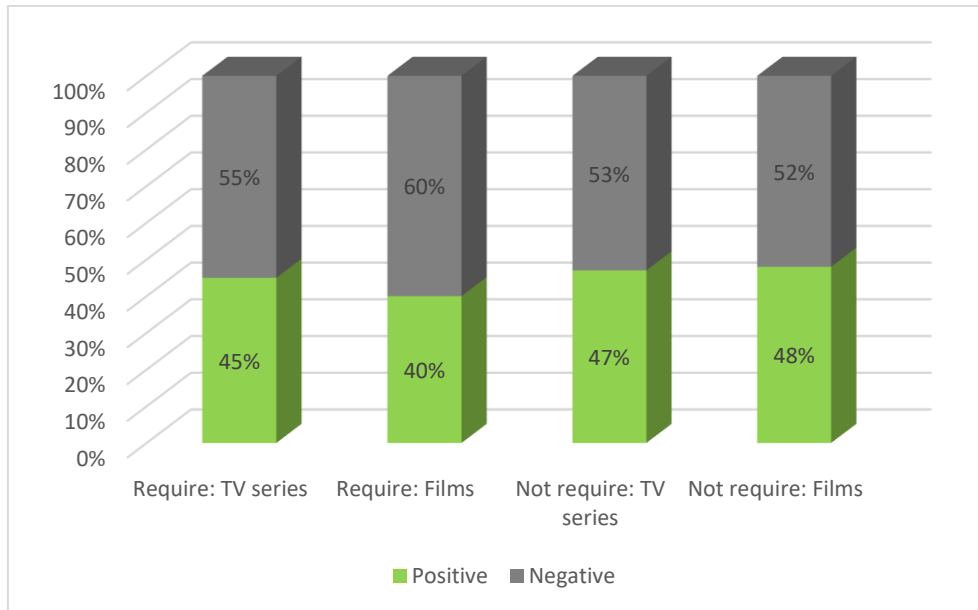


Figure 11: Responses to questions 20, 90, and 91

Results show that of those who require subtitles for television series, 45% have a positive attitude towards digital copyright infringement compared to 47% (for television series) and 48% (for films) of those who do not.

4.3.12 Technological developments and access to technology

In order to establish if access to a fast and reliable internet connection influences attitudes towards digital copyright infringement, the results of questions 20 and 26 are taken into account. Question 26 asked respondents if they think that South Africans have access to a fast and reliable internet connection.

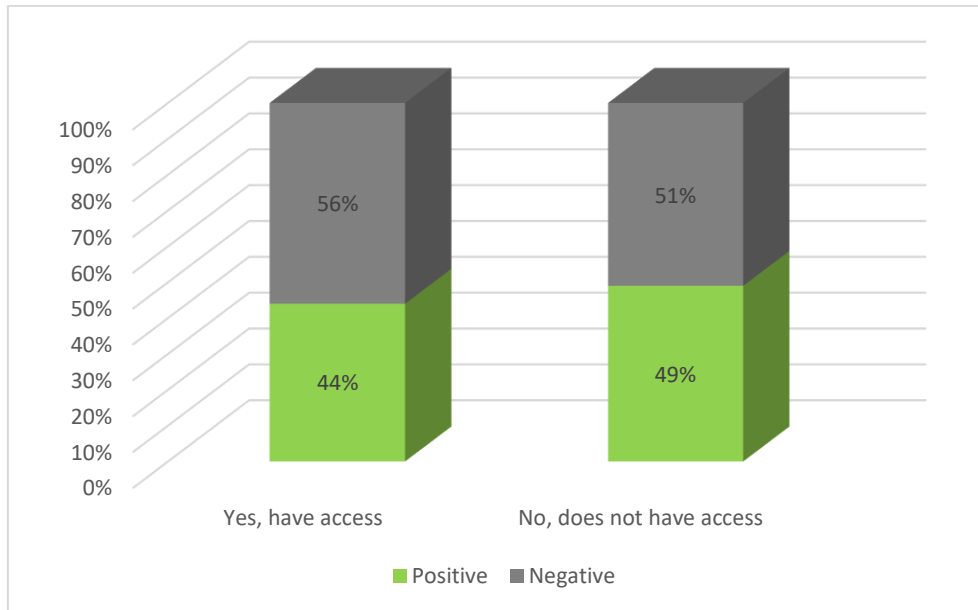


Figure 12: Responses to question 20 and 26

Results show that 44% of those who think South Africans have access to a fast and reliable internet connection, and 49% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.13 Technical ability

In order to establish if technical ability plays a role in attitudes towards digital copyright infringement, the results of questions 20 and 24 are taken into account. Question 24 asked respondents if they think that they are good with technology.

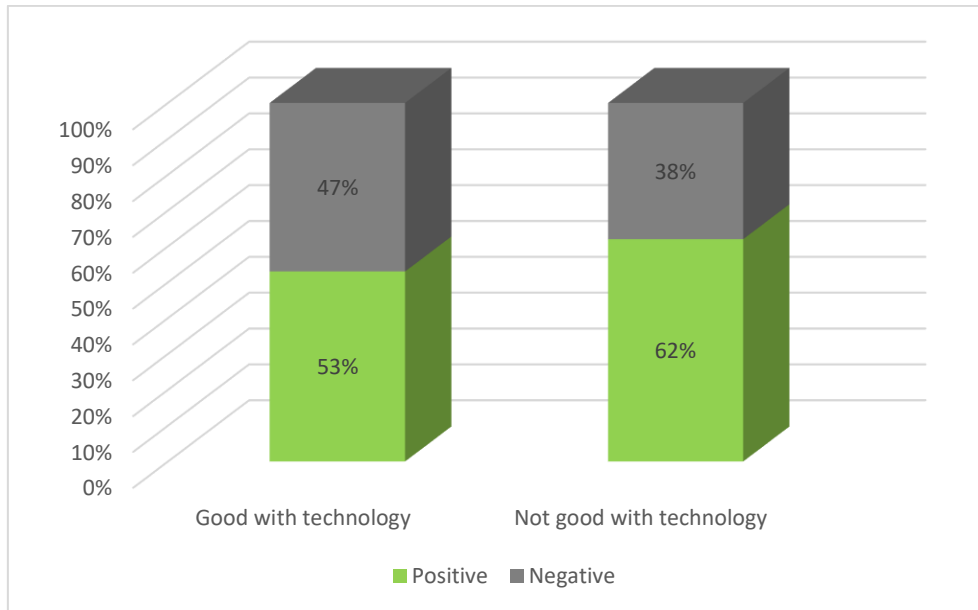


Figure 13: Responses to questions 20 and 24

Results show that 53% of respondents who think they are good with technology and 62% of those who think they do not, have a positive attitude towards digital copyright infringement.

4.3.14 No quality loss

In order to establish if price plays a role in attitudes towards digital copyright infringement, the results of questions 20 and 28 are taken into account. Question 28 asked respondents if they think people infringe on copyrighted content because there is little quality loss when copying files digitally.



Figure 14: Responses to questions 20 and 28

Results show that 58% of the respondents who think people infringe on copyrighted content because there is little to no quality loss when copying files digitally, and 38% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.15 Lack of knowledge concerning laws

In order to establish if understanding or lack of knowledge concerning copyright laws plays a role in attitudes towards digital copyright infringement, the results of questions 20 and 39 are taken into account. Question 39 asked respondents if they think that copyright laws are hard to understand.

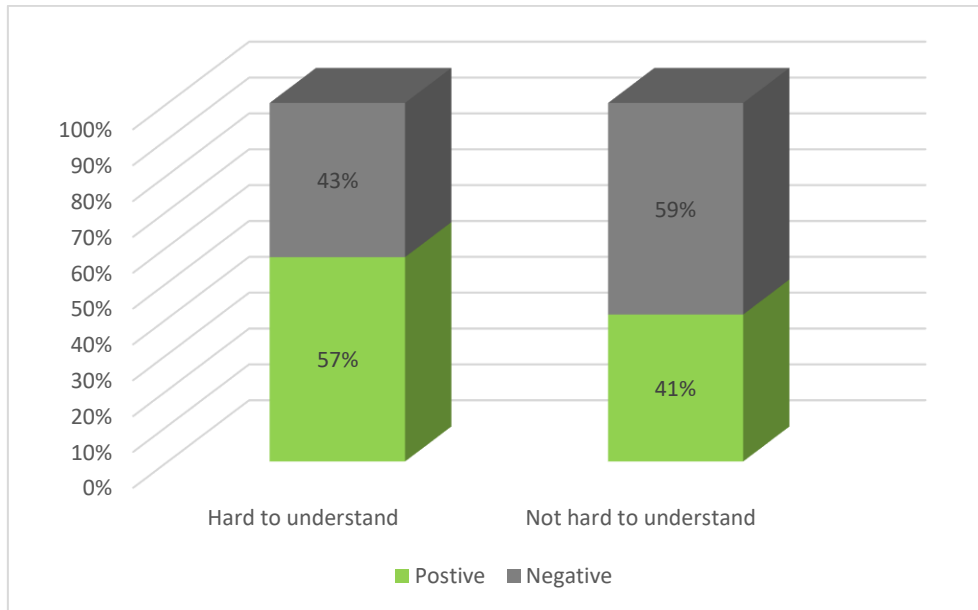


Figure 15: Responses to questions 20 and 39

Results show that 57% of respondents who find copyright laws hard to understand, and 41% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.16 Overzealous content producers

In order to establish if thinking content producers are overzealous influences attitudes towards digital copyright infringement, the results of questions 20 and 107 are taken into account. Question 107 asked respondents if they think that digital copyright infringement is acceptable because media companies are hypocritical and deserve it.

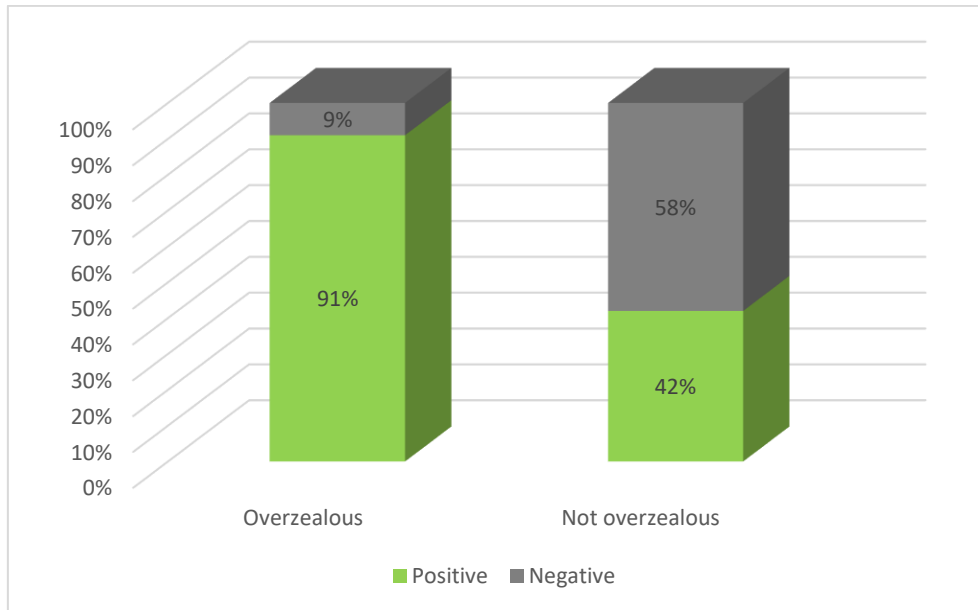


Figure 16: Responses to questions 20 and 107

Results show that 91% of respondents who think content producers are overzealous, and 42% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.17 Lack of physical presence

In order to establish if thinking that digital copyright infringement is not theft because it does not have a physical presence influences attitudes towards digital copyright infringement, the results of questions 20 and 46 are taken into account. Question 46 asked respondents if they think that illegally downloading a film is more acceptable than stealing a DVD from a store.

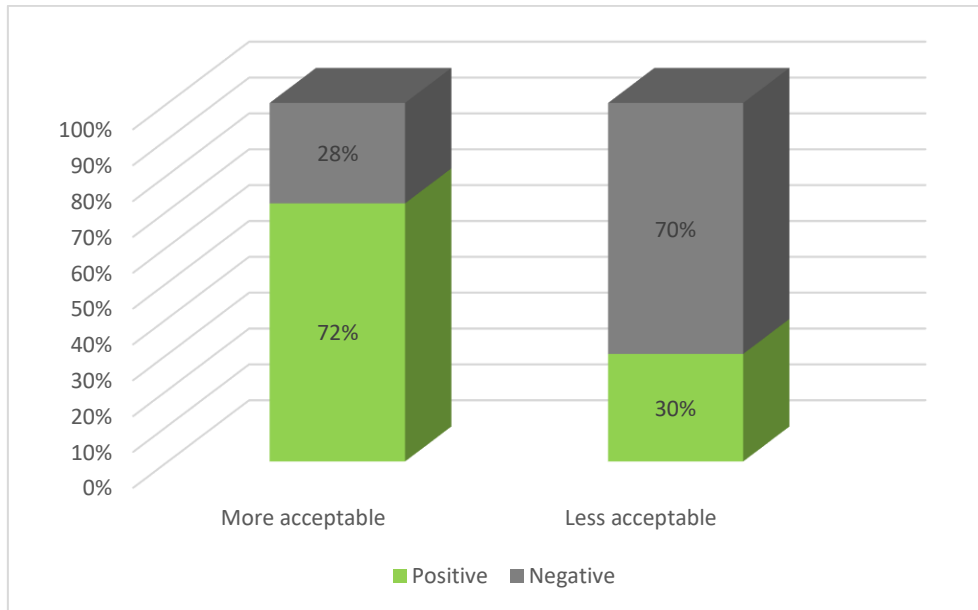


Figure 17: Responses to questions 20 and 46

Results show that 72% of the respondents who think that illegally downloading a film is more acceptable than stealing a DVD from a store, and 30% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.18 Sampling

In order to establish if being open to the idea of sampling influences attitudes towards digital copyright infringement, the results of questions 20 and 50 are taken into account. Question 50 asked respondents if they think that people should be able to download a few episodes of a television series and/or part of a film to see if they like the product before buying legitimate copies.

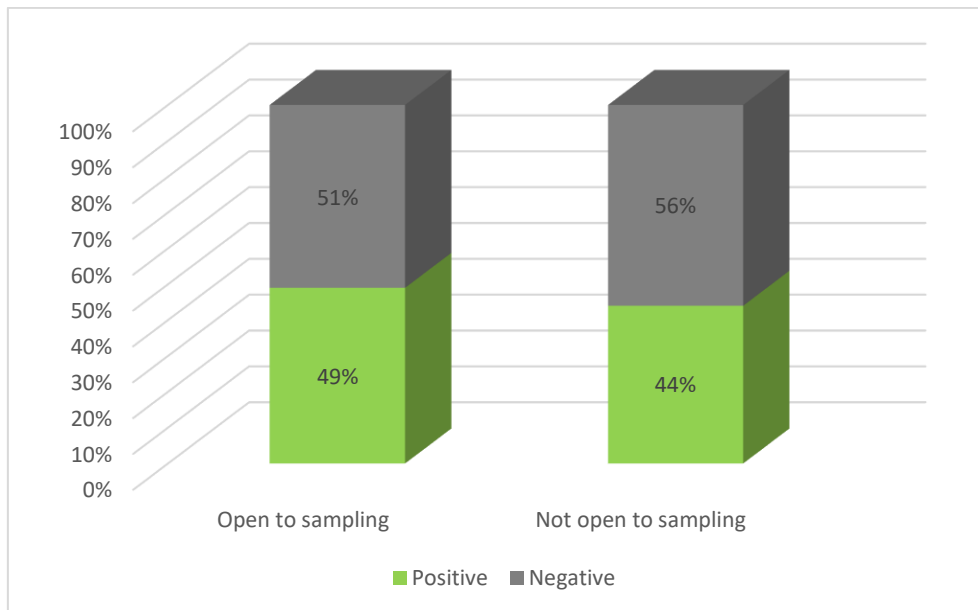


Figure 18: Responses to questions 20 and 50

Results show that 49% of those who are open to sampling, and 44% of those who are not, have a positive attitude towards digital copyright infringement.

4.3.19 Free culture

In order to establish if being open to free culture influences attitudes towards digital copyright infringement, the results of questions 20 and 48 are taken into account.

Question 48 asked respondents if they think that everything on the internet, including films and/or television series, should legally be available for free.

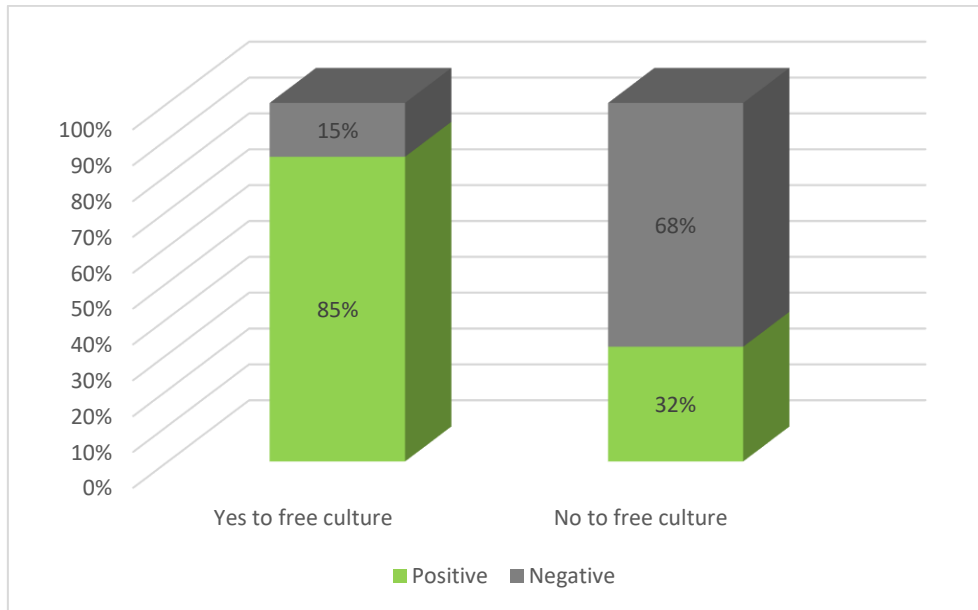


Figure 19: Responses to questions 20 and 48

Results show that 85% of those who are open to free culture, and 32% who are not, have a positive attitude towards digital copyright infringement

4.3.20 Need or desire for entertainment

In order to establish if thinking that having a need or desire for entertainment is a legitimate reason to infringe on copyrighted content influences attitudes towards digital copyright infringement, the results of questions 20 and 36 are taken into account. Question 36 asked respondents if they think that having a need or desire to download films and/or television series for free is a legitimate reason to download it illegally.

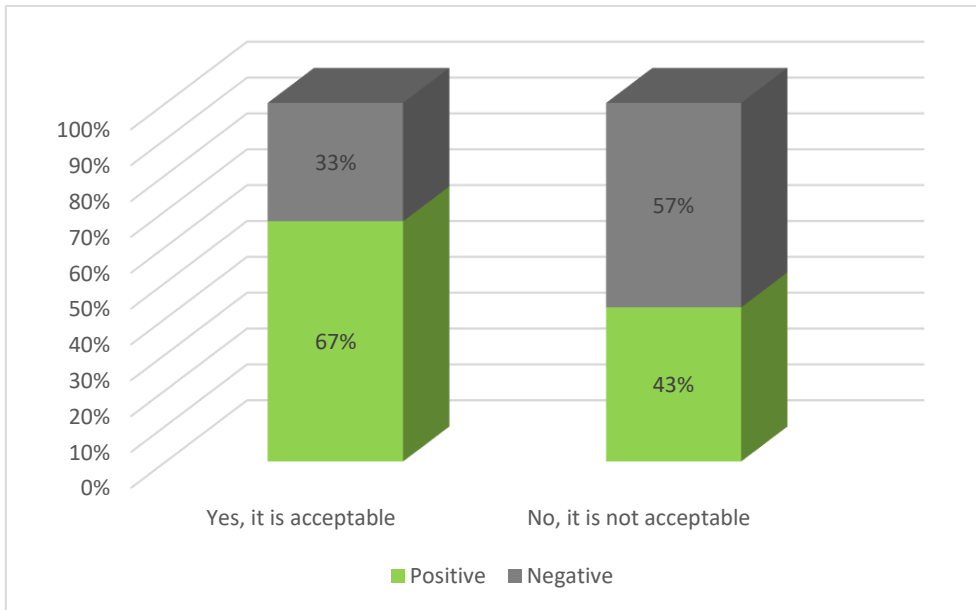


Figure 20: Responses to questions 20 and 36

Results show that 67% of those who think having a need or desire for entertainment is a legitimate reason to infringe on copyrighted content, and 43% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.21 Perceived importance of the issue

In order to establish if perceived importance of the issue influences attitudes towards digital copyright infringement, the results of questions 20 and 74 are taken into account. Question 74 asked respondents if they think that digital copyright infringement is a very serious concern in our society.

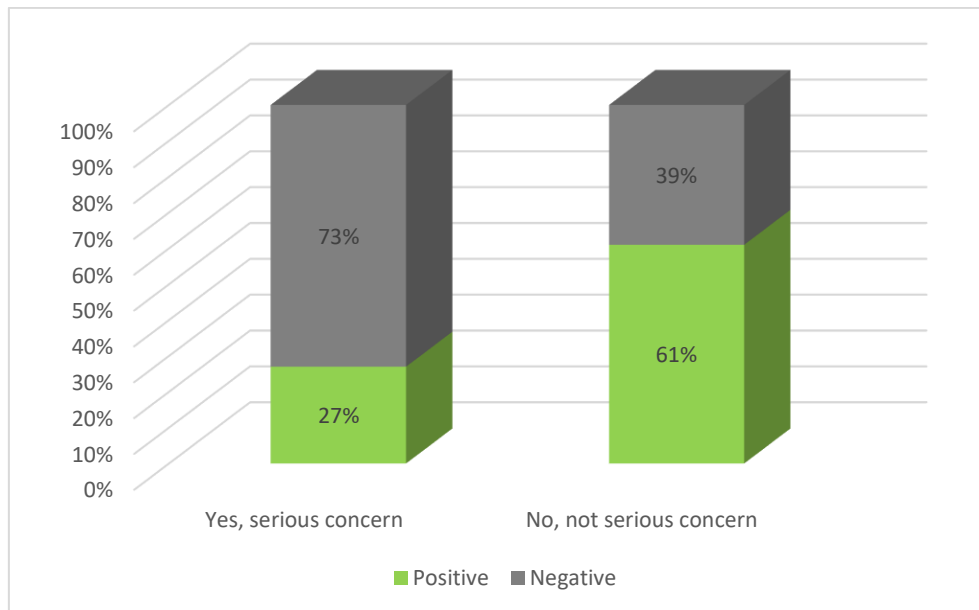


Figure 21: Responses to questions 20 and 74

Results show that 27% of respondents think that digital copyright infringement is a very serious concern in our society, and 61% of those who do not, have a positive attitude towards it.

4.3.22 Morality and ethics

In order to establish if thinking digital copyright infringement is ethically acceptable influences attitudes towards digital copyright infringement, the results of questions 20 and 69 are taken into account. Question 69 asked respondents if they think that digital copyright infringement is ethically acceptable.

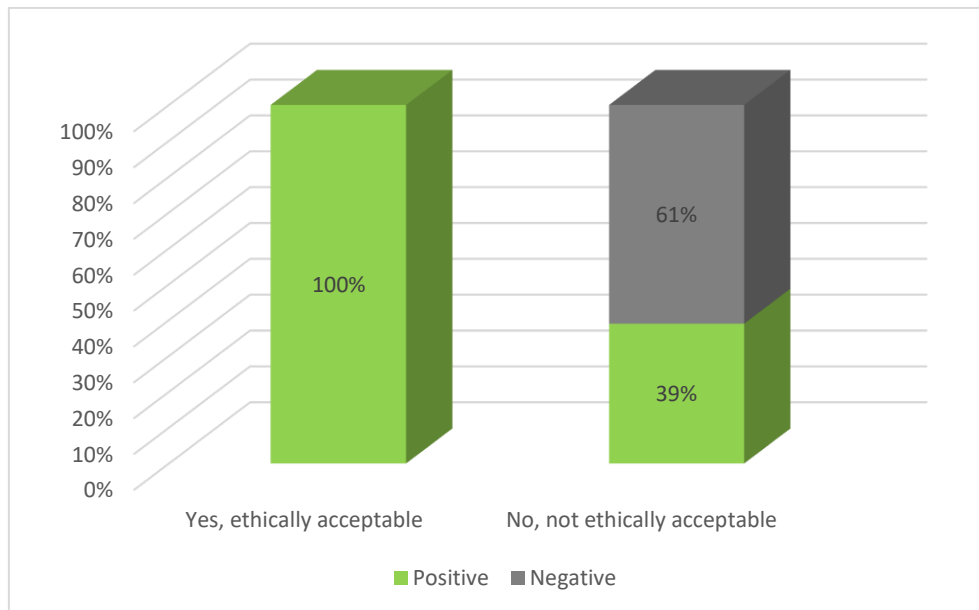


Figure 22: Responses to questions 20 and 69

Results show that 100% of people who think digital copyright infringement is ethically acceptable, and 39% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.23 Perceived risk of being caught and punished

In order to establish if believing that the risk of being caught for illegally downloading is high influences attitudes towards digital copyright infringement, the results of question 20 and 92 are taken into account. Question 69 asked respondents if they think that the risk of being caught for illegally downloading is high.

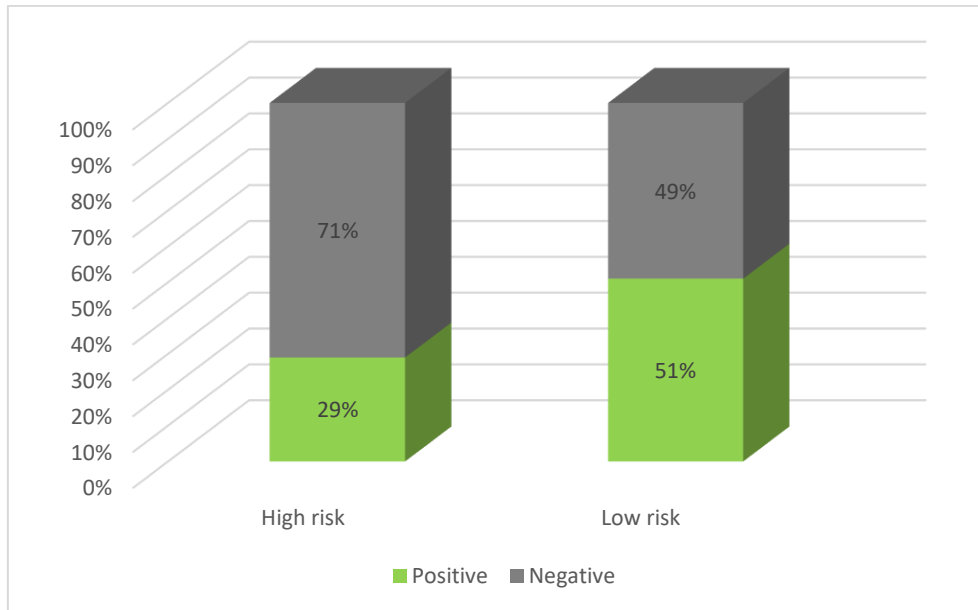


Figure 23: Responses to questions 20 and 92

Results show that 29% those who believe the risk of being caught for illegally downloading is high, and 51% of those who do not, have a positive attitude towards digital copyright infringement.

4.3.24 Neutralisation

In order to establish if neutralisation of the issue influences attitudes towards digital copyright infringement, the results of questions 20 and 109 are taken into account. Question 109 asked respondents if they think that digital copyright infringement is acceptable because 'everyone is doing it'.

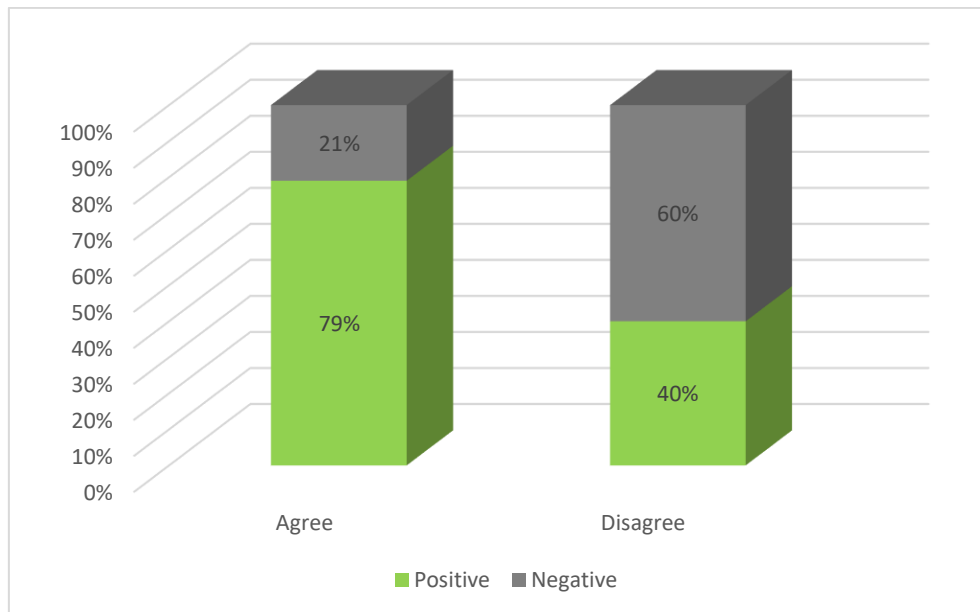


Figure 24: Responses to questions 20 and 109

Results show that 79% of the respondents who believe that digital copyright infringement is acceptable because ‘everyone is doing it’, and 40% of those who disagree, have a positive attitude towards digital copyright infringement.

4.3.25 Subjective and social norms

In order to establish if subjective and social influences attitudes towards digital copyright infringement, the results of questions 20 and 98 are taken into account. Question 98 asked respondents if they would consider illegally downloading copyrighted content if someone close to them, such as a friend or relative does it too.

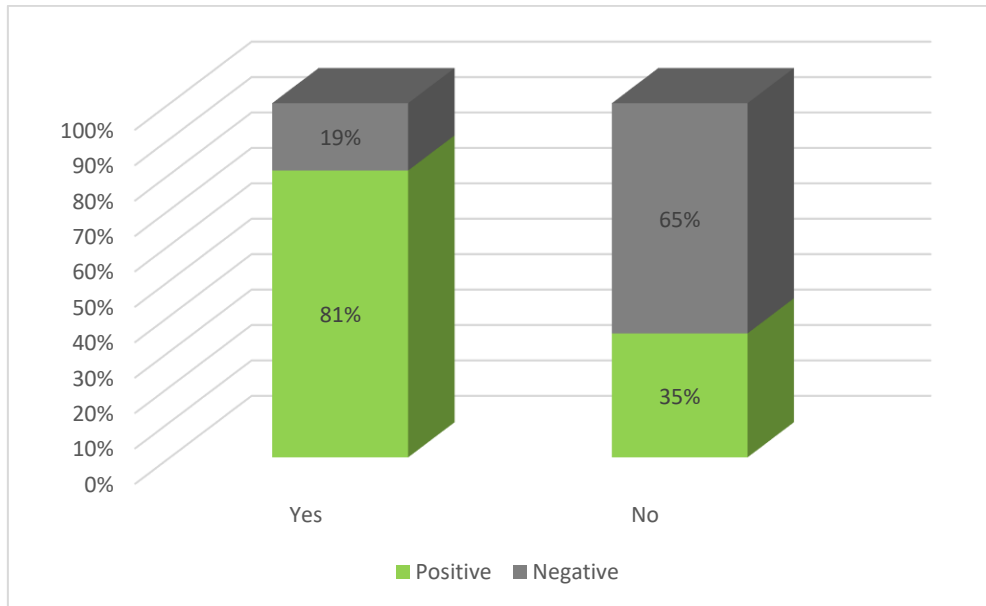


Figure 25: Responses to questions 20 and 98

Results show that 81% of those who say they would also infringe on copyrighted content because a significant other is an infringer, and 35% of those who say they would not, have a positive attitude towards digital copyright infringement.

4.3.26 Social benefits

In order to establish if thinking that obtaining social benefits from illegal downloading are acceptable influences respondents' attitudes, the results of questions 20 and 53 to 60 are taken into account.

- Question 53 asked if copyright infringement is acceptable as long as it makes the infringer feel good or happy.
- Question 54 asked if copyright infringement is acceptable if spending less on entertainment allows people to repay their debt more quickly. Question 55 asked if copyright infringement is acceptable if it is used as an act of kindness. For instance, when a copy of a film is given to someone as a gift.
- Question 56 asked if copyright infringement is acceptable if it is used to gain cultural knowledge in order to make friends or to fit in.

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- Question 57 asked if copyright infringement is acceptable if the downloaded content brings family, friends, and/or communities together.
- Question 58 asked if copyright infringement is acceptable if is used to build a personal collection of media content.
- Question 59 asked if copyright infringement is acceptable if it is used in exchange for favours.
- Question 60 asked if copyright infringement is acceptable if it is used to make money (i.e. sold).

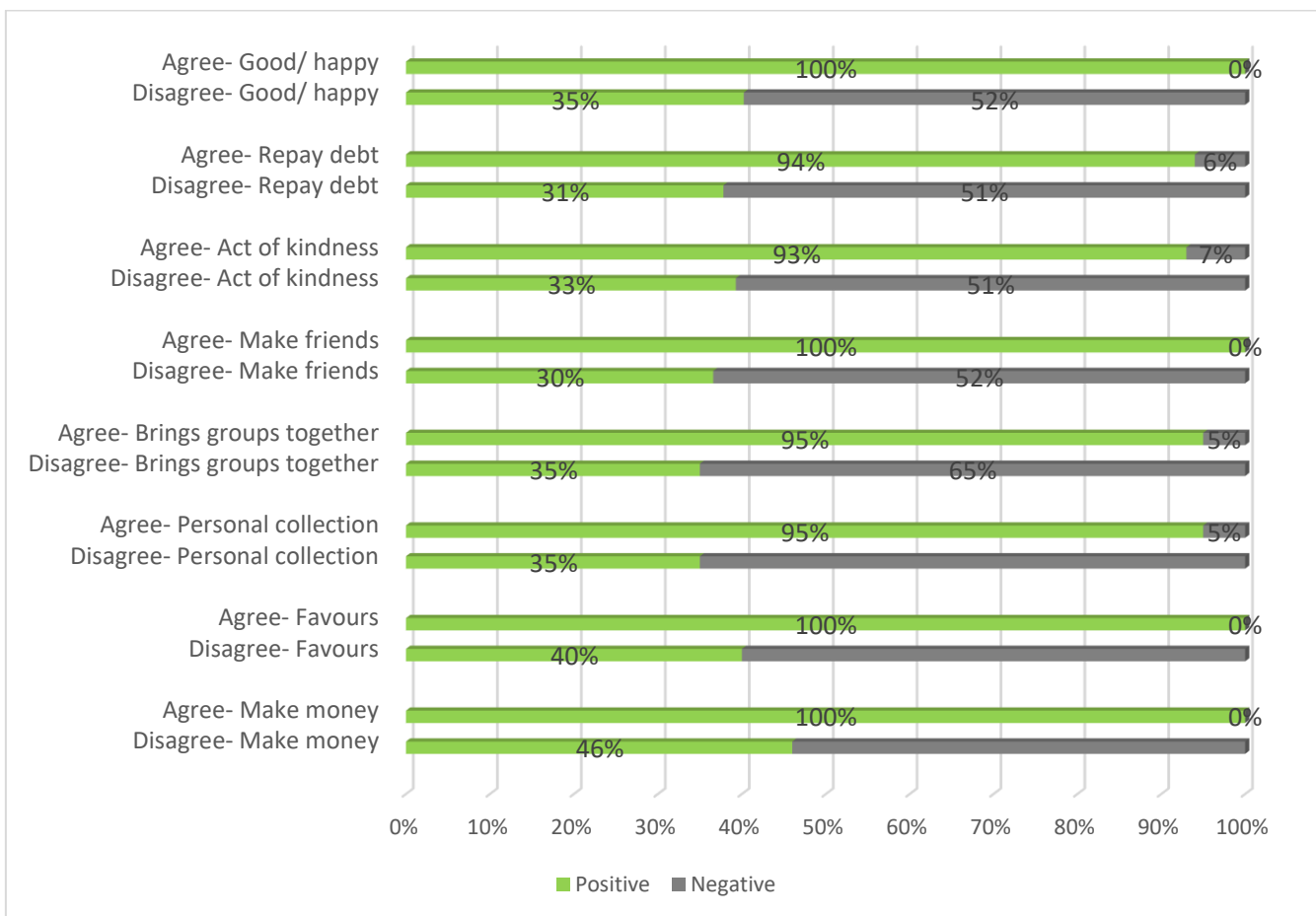


Figure 26: Responses to questions 20, and 53 – 60

The percentage of respondents who agree with these factors and have positive attitudes towards digital copyright infringement are as follows:

- As long as it makes the infringer feel good or happy: 100% of those who agree, 35% of those who disagree

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- If it allows people to repay their debt more quickly: 94% of those who agree, 31% of those who disagree
- If it is used as an act of kindness: 93% of those who agree, 33% of those who disagree
- If it is used to gain cultural knowledge in order to make friends or to fit in: 100% of those who agree, 30% of those who disagree
- If it brings family, friends, and/or communities together: 95% of those who agree, 35% of those who disagree
- If it is used to build a personal collection of media content: 95% of those who agree, 35% of those who disagree
- If it is used in exchange for favours: 100% of those who agree, 40% of those who disagree
- If used to make money (i.e. sold): 100% of those who agree, 46% of those who disagree

4.3.27 Eliminated results

Although the self-administered questionnaire asked questions about positive affective beliefs, habits or routine, perceived behavioural control, hoarding, and Machiavellianism, it was realised that in order to establish if these factors influence attitudes towards copyright infringement, infringers themselves have to be researchers. For instance, it makes no sense to ask respondents in this study if they think that infringers download content illegally because of how it makes them feel and then measuring whether the respondent has a positive or negative attitude towards infringement. The study, therefore, is not equipped to draw conclusions on these factors.

4.4 QUALITATIVE DATA ANALYSIS

The self-administered questionnaire contained only one qualitative question, namely question 47. The answers to this question were analysed according to thematic analysis, which involved examining the data and pinpointing relevant

themes. The units of analysis were the words or phrases used in the answers, which were matched to the themes (31 reasons people participate in digital copyright infringement) as identified by the literature review in Chapter 2 (Wagner, Kawulich and Garner 2012:231).

All data was checked for correctness; attention was given to inconsistencies, missing data and incorrect values to ensure validity of results (Wagner et al 2012:176). The researcher did the data analysis personally, and therefore, no outside analyser was used. For the purposes of recording, analysing, interpreting, and reporting on data, each answer sheet was numbered in the order it was submitted and is referred to by this number in the interpretation of results.

4.4.1 Response rate

Unlike the quantitative questions, the qualitative question was optional and only 39 respondents answered it. The qualitative section was included in the questionnaire because it provided respondents with a way of adding their thoughts, providing additional information, and making comments on the study.

4.4.2 Analysis of qualitative data

14 of the factors under investigation were mentioned in this section.

4.4.2.1 Age

In the qualitative section of the questionnaire, age was a popular topic, with four respondents mentioning it in their response.

Respondent 4 commented: "I think [digital copyright infringement] is age and culture related".

Respondent 36 commented: "[Digital copyright infringement] is [...] too easy and is seen as a general thing especially through younger groups of people [*sic*]".

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Respondent 101 commented: “Young people today think that they are entitled to everything”.

4.4.2.2 Price

In the qualitative section of the questionnaire, price was the most popular topic of discussion.

Respondent 19 commented: “If for example you can pay an X amount [*sic*] for a subscription, like Netflix, and that gives you access to all the shows and movies you want to see, people would consider doing that because they get the things they want to see[:]

a) [instantly] (and on par with the rest of the world, so they can all partake [*sic*] in the online discussions surrounding the film/ [television]),

b) easier (as long as someone can offer something easier than p2p [copyright infringement], even if it is at a price, people might be more inclined to pay for the subscription).

However someone with less funds might still accept that they cannot afford a subscription, so they will take the more difficult route and download it via p2p instead of a view on demand [*sic*] subscription like Netflix because it saves them the money”.

Respondent 27 commented: “Some digital content have [*sic*] gone up in price so [much that] people who were using it legally can no longer afford to but still want to[,] so the need to [infringe on] this content will grow”.

Respondent 42 commented: “The price of purchasing DVD's, CD's [*sic*] and games have gotten [*sic*] so extreme that it's easier to [infringe]”.

Respondent 70 commented: “Sometimes there is no money to buy it”.

Respondent 81 said: “Imported TV series are sometimes ridiculously expensive in South Africa, I'm talking a few grand for a few seasons. I think people end up [illegally downloading] things that aren't readily available or because they're simply too expensive”.

Respondent 92 commented: “Maybe people would [infringe] less if [movies] and [television] series were cheaper”.

Respondent 99 asked: “[Why] buy the cow if you can get the milk for free?”, meaning why pay for something can you can get for free?

4.4.2.3 Access and availability of legal sources

Respondent 5 commented: “[In] most cases, beyond the economic merits, [digital copyright infringement] is promoted because it offers the only true discovery platform that aggregates all rights holders/providers into a single ‘marketplace’. The current disaggregation in choice forces consumers to choose between paying multiple providers and accessing multiple platforms or finding a single source that may not be legal but offers a high degree of choice”.

Respondent 19 commented: “As soon as the ease of getting the content legally far outweighs the cost of getting it easier, then legally consumed content will be more viable.

Also ensuring that all the content people want to watch is available on that service [*sic*]. If the legal option does not offer the content, people will try to get it elsewhere. The next easiest step is to get it from [P2P]”.

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Respondent 64 commented: “[People] want instant and very convenient entertainment. With Netflix and [ShowMax, the] issue is addressed[,] so I would think that digital copyright infringement should reduce [sic]...”.

Respondent 48 commented: “South Africa's television landscape, with poor digital offering, and a poor range of series that are shown long after they premiere overseas[,] are a large contributing factor to [digital copyright infringement]. Many great series and films never reach South Africa”.

Respondent 97 commented: “In the Indian community[,] we do not have access to many Bollywood films[,] so we have to make other arrangements”.

4.4.2.4 Convenience

Respondent 7 commented: “It's the easiest way to get entertainment on your [computer;] simple as that”.

Respondent 64 said: “In the past[,] there was not a way of conveniently and instantly getting the movies and series you felt like watching, except through [digital copyright infringement]. In my opinion[,] that is why people infringe on copyrighted content.”

4.4.2.5 Subtitles

Respondent 10 makes a very good point: “People with disabilities might want subtitles”.

Likewise, Respondent 11 commented: “Subtitles are good for deaf people”.

4.4.2.6 Technical ability

In the qualitative section of the questionnaire, Respondent 9 commented: “People [infringe on copyrighted content] because [...] it is [quite] an easy thing to do”.

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4.4.2.7 Lack of knowledge concerning laws

In the qualitative section of the questionnaire, Respondent 21 commented: "When I was a university student[,] my classmates shared [television series] with me. I [did not] know then it was illegal. I now have a legal [ShowMax and Netflix] account".

4.4.2.8 Overzealous content producers

Respondent 34 commented: "Copyright laws are necessary, but too strict. If they remained for a few year [sic] (enough for the creator to make a profit), I would consider it "just". However, indefinite (or long lasting) [copyright] is a way of creating artificial [scarcity], and taking away [sic] people's liberties. All media should be considered "public-domain" after about 15 years".

4.4.2.9 Free culture

Respondent 91 commented: "[Media content] must be [available] for free".

4.4.2.10 Perceived importance of the issue

Respondent 4 commented: "I think people see [digital copyright infringement] as a 'soft' criminal offence, compared with the most serious criminal activity nowadays in South Africa[,] which is in any case out of control".

Respondent 21 commented: "In South Africa, [digital copyright infringement] remains one big problem".

Respondent 112 commented: "[It is] not like it is murder or a violent crime or something".

4.4.2.11 Morality and ethics

Respondent 69 commented: “I don't think [digital copyright infringement] is wrong”.

Respondent 89 commented: “[Digital copyright infringement] [is not] really wrong, [sic] I [do not] know why people have issues with it”.

4.4.2.12 Perceived risk of being caught and punished

In the qualitative section of the questionnaire, Respondent 8 commented: “People [infringe on copyrighted content] because [there are] no consequences...”.

Respondent 64 commented: “If people were persecuted for [illegally downloading], people will [sic] be more scared to do so”.

Respondent 93 commented: “I think it is mostly safe to [download copyrighted content illegally,] but if they catch [you,] you will have big problems”.

4.4.2.13 Neutralisation

In the qualitative section of the questionnaire, Respondent 36 commented: “[Illegally downloading content] is [...] seen as a general thing...”.

Respondent 39 commented: “I think that if the government wanted people to stop [illegally downloading], they would have found a way. They are allowing it to happen for a reason”.

4.4.2.14 Subjective and social norms

Respondent 88 commented: “I think people [infringe on copyrighted content] because of peer pressure”.

4.5 SUMMARY

This chapter explored the ways that data from the self-administered questionnaire was coded, interpreted, presented, and discussed in order to answer sub-problems and confirm or dismiss assumptions. First, data was extracted from the online self-administered questionnaire and placed in a tally sheet. Once the data had been tabulated, quantitative data was analysed by descriptive statistics and qualitative data by means of thematic analysis, and results were represented graphically. Where appropriate, the answers to question 20 were used in conjunction with other questions to determine if the latter influences attitudes towards digital copyright infringement. In Chapter 5, the results of the study are discussed and presented in more detail, and the research questions are answered.

CHAPTER FIVE DISCUSSION OF RESULTS

5.1 INTRODUCTION

This chapter discusses the results as presented in the previous chapter and answers the research questions.

5.2 DISCUSSION OF RESULTS

Results for each of the identified factors will be discussed in turn.

5.2.1 Gender

This study also investigates claims that gender influences attitudes towards copyright infringement. The study found that South African women are slightly more likely to have a positive attitude towards digital copyright infringement than 42% male respondents, and 49% of female respondents have a positive attitude towards digital copyright infringement.

It can therefore be confirmed that gender influences attitudes towards copyright infringement. This result is surprising as it contradicts what other researchers have found. Halttunen (2010:68); Makkonen et al (2011); Sinha and Mandel (2008:7); Cronan and Al-Rafee (2007:537); Chiang and Assane (2009:519); Navarro et al (2014:103); Bhattacharjee, Gopal and Sanders (2003:108); Sherman (2008:100); Higgins (2007a:523); Van der Merwe (2006); Hinduja (2003:54); Rochelandet and Le Guel (2005:77); and Hardy et al (2015:7) found that men are more likely than women to download illicit media file, while Hope (2014:85); Al-Rafee and Cronan (2006:246); Van der Byl & Van Belle (2008:202); Lorde et al (2010:24); and Robertson et al (2012:221) found that gender does not play a particular role at all. These results are also in line with the Uses and Gratifications Theory, which states that people's choices over media consumption are informed by their identity (McQuail 2012:423).

5.2.2 Age

This study also investigated claims that age influences attitudes towards copyright infringement. Results show that the younger respondents are, the likelier it is that they would have a positive attitude towards digital copyright infringement. 71% of 18- to 24-year-olds, 64% of 25- to 29-year-olds, 66% of 30- to 34-year-olds have a favourable attitude towards digital copyright infringement compared to only 13% of 50- to 54-year-olds and 0% of 55- to 64-year-olds.

It can therefore be concluded that age does influence attitudes towards copyright infringement. In support of this result, Al-Rafee and Cronan (2006:246) and Al-Rafee and Rouibah (2010:286) argue that people who act unethically are younger, while their older counterparts usually act more ethically and are therefore less likely to download digital content illegally. Based on this, it is clear that the results of Al-Rafee and Cronan (2006:240), Gopal et al (2004:7), Yoon (2010:415), and Halttunen et al (2010:66) can be confirmed: age does influence attitude towards copyright infringement.

5.2.3 Income

This study also investigated claims that level of income influences attitudes towards copyright infringement. The great variety in results shows that household income does not have a clear impact on attitudes towards copyright infringement. This is in contrast to clear results by Sherman (2008:101), Halttunen et al (2010:68), Sinha and Mandel (2008:1), Makkonen et al (2011), Chen et al (2008:412), Dejean (2009:334), and Hart-Davis (2001:103) who found that young people with a smaller disposable income are more likely to engage in such activities compared to their older, higher-earning counterparts.

It can therefore be confirmed that income does not influence attitudes towards copyright infringement. Respondent 19 did, however, agree with Sinha and Mandel (2008:12) and Makkonen, Halttunen and Frank's (2011:110) study, which found that respondents with a higher income are less likely to infringe on digital

copyrighted content, by commenting, “Someone with less funds might still accept that they cannot afford a subscription, so they will take the more difficult route and download it via [P2P...] because it saves them the money”.

5.2.4 Level of education

This study also investigated claims that level of education influences attitudes towards copyright infringement. The study found that people with lower education levels are more likely to have a positive attitude towards digital copyright infringement, confirming Rochelandet and Le Guel’s (2005:77) results. 75% of respondents who have only finished Grade 8 to 10 have a positive attitude towards digital copyright infringement—a high number, especially when compared to the 38% for those with a NQF level 9 qualification.

It can therefore be confirmed that level of education does influence attitudes towards copyright infringement. In support of this result, Balestrino (2008:459) suggests that people who are more educated generally have a higher income and prefer better quality products; they are also less likely to be willing to deal with the hassle of searching for an illicit product of high quality. These results disprove Hinduja (2003:54), who believes that higher educated people are more curious about the world and are therefore more likely to explore (illegal) downloading.

5.2.5 Religion

This study also investigated claims that religion influences attitudes towards copyright infringement. It found that religion does have an effect on attitudes towards digital copyright infringement as 62% of people with strong religious beliefs have a negative attitude towards digital copyright infringement. In contrast, 62% of respondents who say they do not have strong religious beliefs have a positive attitude towards it.

It can therefore be confirmed that religion influences attitudes towards copyright infringement. In support of this result, Al-Rafee and Rouibah (2010:284) and Sherman (2008:102) argue that religious people deem downloading of this kind to be unethical or a sin of sorts. It also confirms Al-Rafee and Rouibah's (2010:289) results that religion has a large deterrent effect.

5.2.6 Culture

This study also investigated claims that culture influences attitudes towards copyright infringement. It found that people who identify with a collectivist culture are more likely to have a positive attitude towards illegal downloading as 77% of collectivists have a positive attitude towards it compared to 43% of individualists. Based on this, Kini (2004:96) and Yang and Sonmez's (2007:739) claims that those with a collectivist culture are more likely to have a positive attitude towards illegal downloading.

It can therefore be confirmed that culture influences attitudes towards copyright infringement. In support of this result, Shin et al (2004:104) argue that while people in collectivist cultures care a lot about their peers, they are relatively indifferent to the needs of outsiders. So, while they would share between themselves, they do not care much for the needs and welfare of outsiders.

5.2.7 Price

This study also investigated claims that price influences attitudes towards copyright infringement. The study found that a person's attitude towards price is a significant contributing factor as 71% and 68% of people who think prices for films and television series are too high have a positive attitude towards digital copyright infringement compared to 34% and 30% of those who do not.

It can therefore be confirmed that price influences attitudes towards copyright infringement. Chen, Shang and Lin (2008:411) suggest low income and the low price of illegally obtained goods as well as cost savings and the high price of

legitimately obtained goods is the reason people continue to download content illegally. The results of this study confirm Hope's (2014:76) statement that the high price of legitimate goods is the prevailing reason people continue to infringe on content.

5.2.8 Historical inequality in South Africa

This study also investigated claims that views on historical inequality in South Africa influence attitudes towards copyright infringement. The study found that people who believe historical inequality is a valid reason to justify digital copyright infringement are more likely to have a positive attitude towards it. Of the respondents for whom historical inequality is a factor, 63% have a positive attitude towards it. Of the people who do not, 44% have a positive attitude. This indicates that those who have this view are more likely to download content illegally.

It can therefore be confirmed that views of historical inequality do influence attitudes towards copyright infringement. In support of this result, Karaganis (2011:99) and Brown, Haupt, Bosch, Jonker and Kariithi (2011:99) argue that the sanctions imposed against South Africa during Apartheid created a culture where cultural goods were copied because it was simply too expensive or otherwise unavailable; this still exists today.

5.2.9 Access and availability of legal sources

This study also investigated claims that access and availability of legal sources influence attitude towards copyright infringement. It found that 60% of the respondents who do not think South Africans have access to enough legitimate resources have a positive attitude towards it compared to 36% of those who think they do. This indicates that those who believe in this statement are more likely to download content illegally.

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It can therefore be confirmed that access and availability of legal sources influence attitudes towards copyright infringement. In support of this result, Moreira de Sa (2011:3), Da Rimini (2013:311), and Karaganis (2009:113) argue that it might take months for the legitimate DVD release and years for public broadcasters to broadcast popular television series and/or films in South Africa after its initial release date. This result is also in line with the Theory of Reasoned Action, which indicates that if intentions, which are influenced by a variety of factors such as resources and opportunities, are resolute; the behaviour is more likely to occur.

5.2.10 Convenience

This study also investigated claims that accessing / obtaining television series and films in a legal way is convenient in South Africa, and this influences attitudes towards digital copyright infringement. It found that 56% (for television series) and 58% (for films) of respondents who think that it is inconvenient to obtain content legally have a positive attitude towards it compared to 29% for those who disagree. This indicates that those who find it inconvenient are more likely to download content illegally.

It can therefore be confirmed that convenience does influence attitudes towards copyright infringement. This confirms Arnab and Hutchison (2006:3) and Van Belle et al's (2007:58) results, which also found that convenience is an influencing factor. This finding is in line with the Uses and Gratifications Theory that states that audiences are aware of their own media-related needs and would not hesitate to satisfy those needs, especially if the means were convenient.

5.2.11 Subtitles

This study also investigates claims that the need for subtitles influences attitudes towards copyright infringement. The study found that 45% and 40% of people who require subtitles for television series and films respectively have a positive attitude towards digital copyright infringement compared to 47% and 48% of

those who do not. Interestingly, it indicates that people who do not require subtitles are slightly more likely to download content illegally.

This result is also in line with the Uses and Gratification Theory's assumption that audiences are aware of their own media-related needs and they can voice and motivate these needs. It can therefore be confirmed that the need for subtitles does not positively influence attitudes towards copyright infringement. This result is in contrast to the results of Castells and Cardoso (2012:830), De Sa (2011:3), and Jacobs, Heuvelman, Tan and Peters's (2012:959) studies from across the world.

5.2.12 Technological developments and access to technology

This study also investigated claims that technological developments and access to technology influence attitudes towards copyright infringement. The study found that 44% of people who think South Africans have access to a fast and reliable internet connection have a positive attitude towards it compared to 49% of those who do not. This indicates that those who are disagree are more likely to have a positive attitude towards illegal downloading of content.

It can therefore be confirmed that technological developments and access to technology do influence attitudes towards copyright infringement. These results are supported by Van Belle, Macdonald and Wilson's (2007:54) study, which found the same. It is also supported by the Theory of Planned Behaviour as well as the Uses and Gratification Theory, which states that access to and availability of resources influences attitudes towards the issue.

5.2.13 Technical ability

This study also investigated claims that technical ability influences attitudes towards copyright infringement. In this instance, the term 'technical ability' refers to having the necessary skills to download content illegally. The study found that 53% of respondents who think they are good with technology and 62% of those

who think they are not good with technology have a positive attitude towards it. This indicates that those who do not think that they are good with technology are more likely to have a positive attitude towards illegal downloading of content.

It can therefore be confirmed that technical ability, or in this instance, the lack thereof, does influence attitudes towards copyright infringement. Hope (2014:92) notes that technical ability is often associated with age, as young individuals who grew up with digital products generally have a better understanding than their older counterparts of how software applications work; therefore, they are more likely to download illicit digital content.

5.2.14 No quality loss

This study also investigated claims that believe that there is little to no quality loss when downloading influences attitudes towards copyright infringement. The study found 58% of those who agree were likely to have a positive attitude towards it, as were 38% of those who disagree. This indicates that if the quality illegal copies are good enough, people will have a favourable attitude towards it.

This confirms that if believing that there is little to no quality loss when downloading does influence attitudes towards copyright infringement. Chiang and Assane (2009:512) and Sinha and Mandel (2008:4) argue that media products obtained from legitimate sources are nearly always of a very high quality, whereas content obtained from peer-to-peer torrent indexing websites vary in quality and often have bad quality content. However, when the quality of the content is high, Sudler (2013:156) argues that it has become impossible to differentiate between legal and high quality illegal copies of digital media.

5.2.15 Lack of knowledge and confusion concerning copyright laws

This study also investigated claims that a lack of knowledge and confusion concerning copyright laws influence attitudes towards copyright infringement. It found that 57% of respondents who find copyright laws hard to understand and

41% of those who do not have a positive attitude towards it. This indicates that those who find these laws hard to understand are more likely to have a positive attitude towards illegal downloading.

It can therefore be confirmed that lack of knowledge and confusion concerning copyright laws does influence attitudes towards copyright infringement. Bilstein (2010:28) found the same and states that it seems lucky then that South African law dictates that a person cannot be held accountable if they were not aware and had no reasonable way of knowing (actual knowledge) that they were infringing on copyrighted content (Groenewald 2011:25).

5.2.16 Overzealous content producers

This study also investigated claims that thinking content producers are overzealous influences attitudes towards copyright infringement. It found that 91% of respondents agree and 42% of those who disagree with this statement have a positive attitude towards it. This indicates that those who think content producers are overzealous are more likely to have a positive attitude towards illegal downloading.

It can therefore be confirmed that thinking content producers are overzealous does influence attitudes towards copyright infringement. In support of this result, Phau et al (2009:4) found that an anti-establishment attitude is a definite determinant of illegal downloading behaviour.

5.2.17 Lack of physical presence

This study also investigates claims that the lack of a physical presence of copied digital goods influences attitudes towards copyright infringement. It found that 72% of the respondents who think that illegally downloading a film is more acceptable than stealing a DVD from a store have a positive attitude towards it compared to 30% of those who disagree. This indicates that those who agree

with this statement are more likely to have a positive attitude towards illegal downloading.

It can therefore be confirmed that the lack of a physical presence of copied digital goods does influence attitudes towards copyright infringement. This result confirms Hardy, Krawczyk and Trowicz's (2013:14) result that the fact that the lack of a physical presence made it more ethically and socially acceptable for people to download content illegally than traditional theft such as stealing a DVD from a store.

5.2.18 Sampling

This study also investigated claims that the need for sampling—in other words illegally downloading something in order to try it out—influences attitudes towards copyright infringement. It found that 49% of those who are open to sampling and 44% who are not have a positive attitude towards it. This indicates that those who agree with this statement are slightly more likely to have a positive attitude towards illegal downloading.

Therefore, it can be confirmed that the need for sampling does influence attitudes towards copyright infringement. Dejean (2009:327) argues that this is a good thing as people who sample content have a higher willingness to pay for legitimate goods because many of them only wish to ensure that they get good value for money and products that they enjoy.

5.2.19 Free culture

This study also investigates claims that believing in free culture has a positive attitude towards copyright infringement. It found that 85% of those who are open to free culture have a positive attitude towards it compared to 32% of those who are not. This indicates that those who have a positive attitude towards free culture are more likely to have a positive attitude towards illegal downloading.

It can therefore be confirmed that a positive attitude towards free culture does influence attitudes towards copyright infringement. In free culture communities, uploaders and sharers are seen as rebels, modern day Robin Hoods, and champions of the people fighting against the oppression of copyright laws, rather than criminals (Halttunen et al 2010:68; Gray 2012:289; Holsapple, Iyengar, Jin & Rao 2008:200). Gray (2012:288) calls this “stealing from the rich to entertain the poor”.

5.2.20 Need or desire for entertainment

This study also investigated claims that the need for entertainment influences attitude towards copyright infringement. It found that of those who think having a need or desire for entertainment is a legitimate reason to infringe on copyrighted content, 67% have a positive attitude towards it compared to 43% of those who do not. This indicates that those who agree with this statement are more likely to have a positive attitude towards illegal downloading of content.

It can therefore be confirmed that the need for entertainment does influence attitudes towards copyright infringement. In support of this result, Van der Byl and Van Belle (2008:203) found the same in their studies, which were also conducted in the South African context. Furthermore, Veitch and Constantiou (2011) and the Uses and Gratifications Theory state that desire is a primary motivator since desires drive intention and intention drives action.

5.2.21 Perceived importance of the issue

This study also investigated claims that perceived importance of the issue influences attitudes towards digital copyright infringement. The study found that 27% of those who think it is a very serious concern in our society and 61% of those who disagree have a positive attitude towards it. This indicates that people who do not believe that digital copyright infringement is an important and serious issue are more likely to have a positive attitude towards illegal downloading of content.

It can therefore be confirmed that perceived importance of the issue, or lack thereof, does influence attitudes towards copyright infringement. In support of this, Cronan et al (2005:221) argue that if a person perceives the issue of copyright infringement as less important, they are more likely to behave unethically and vice versa. A study conducted by Van der Byl and Van Belle (2008:204) confirmed that South Africans who infringe on digital copyrighted items through peer-to-peer technology do not consider it an important issue, and therefore have a lenient attitude and continue with the behaviour.

5.2.22 Morality and ethics

This study also investigated claims that morality and ethics influence attitudes towards copyright infringement. The study found that 100% of people who think digital copyright infringement is morally and ethically acceptable have a positive attitude towards it compared to 39% who said it is not. This indicates that those who find it morally and ethically acceptable are more likely to have a positive attitude towards illegal downloading of content.

It can therefore be confirmed that morality and ethics do influence attitudes towards copyright infringement. Liang and Phau (2012) argue that this is an important factor since moral judgement affects people's perspectives and attitudes. Both of these results are interesting: the former because it has a clear outcome—all respondents have a positive attitude—and the latter because 39% who think digital copyright infringement is ethically unacceptable have a positive attitude towards it. Hardy et al (2013:1) explain this by saying that moral and ethical issues concerning digital copyright infringement are controversial. They contend that either millions of people are morally rotten or people simply do not think of digital copyright infringement in the same way they think of traditional theft. These results are also in line with the Uses and Gratifications Theory, which states that people's choices over media consumption are informed by their morals (McQuail 2012:423).

5.2.23 Perceived risk of being caught and punished

This study also investigated claims that low risk of being caught and punished influences attitudes towards copyright infringement. Results show that 51% of respondents in this study who believe the risk of being caught for illegally downloading is low, and 29% of those who believe the risk is high, have a positive attitude toward it. This indicates that those who believe the risk of being caught is low are more likely to have a positive attitude towards illegal downloading.

It can therefore be confirmed that the perceived risk of being caught and punished does influence attitudes towards copyright infringement. Belleflame and Peitz (2010:4) believe that this culture of low risk and high reward has motivated many to infringe on copyrighted content. This confirms Yoon's (2010:406) results that perceived risk is a deterrent to copyright infringement. Likewise, Hsu and Shiue (2008:722) found that perceived risk of prosecution did not have a positive influence on willingness to pay for authentic goods, particularly because respondents felt that, in reality, the risk of getting caught is minimal (Hsu & Shiue 2008:729). Respondent 64 also agreed by saying that "if people were persecuted for [illegally downloading], people will [*sic*] be more scared to do so". This result is in line with Triandis's (1979) Theory of Interpersonal Behaviour, which suggests that a person's attitude is influenced by their evaluation of the possible outcomes of a specific action.

5.2.24 Neutralisation

This study also investigated claims that neutralisation influences attitudes towards copyright infringement. The study found that 79% of respondents who believe that digital copyright infringement is acceptable because 'everyone is doing it', have a positive attitude compared to 40% for those who disagree. This indicates that those who believe illegal downloading is okay because it is a social norm are more likely to have a positive attitude towards it.

It can therefore be confirmed that neutralisation does influence attitudes towards copyright infringement. This also confirms Bryan (2014:229) and Van Belle et al's (2007:61) results, whose studies had a similar result. For Siponen et al (2012:334), neutralisation is a very effective way of explaining illegal file sharing.

5.2.25 Subjective or social norms

This study also investigated claims that subjective or social norms influence attitude towards copyright infringement. The results show, in all instances, that respondents who agree with these factors are more likely to have positive attitudes towards copyright infringement compared to those who disagree.

It can therefore be confirmed that subjective or social norms influence attitudes towards copyright infringement. In support of this, Chen et al (2008:412), Da Rimini (2013:323), Moreira de Sa (2011:4), and Van der Byl & Van Belle's (2008:202) studies had the same result; copyright infringement is a social process, and people infringe on content because of the social benefits that satisfy interpersonal needs. The results also confirm Triandis's (1979) Theory of Interpersonal Behaviour that social factors affect and subjective norms effect intention to commit an act. It also confirms Fishbein and Ajzen's (1975) Theory of Reasoned Action, which posits that behavioural intention is influenced by subjective norms and attitudes.

5.2.26 Social benefits

This study also investigated claims that social benefits influence attitudes towards copyright infringement. Results show that, in all instances, people are more likely to have a positive attitude if they agree that receiving a social benefit is an acceptable reason to infringe.

It can therefore be concluded that social benefits do influence attitudes towards copyright infringement. In support of this, Chen et al (2008:412), Da Rimini (2013:323), Moreira de Sa (2011:4), and Van der Byl and Van Belle (2008:202)

found the same in their respective studies. In line with this result, the Uses and Gratification Approach assumes various personal and social needs for content pay a large role in attracting audiences (McQuail 2012:424).

5.3 RESOLUTION OF THE RESEARCH ISSUE

The research problem was: A cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

The solution to the research issue is best provided by means of answering each of the research questions.

5.3.1 Sub-problem one

What attitude do respondents have towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

Findings show that 47% of respondents have a predominantly positive attitude and 53% have a predominantly negative attitude towards digital copyright infringement.

Assumption one is therefore incorrect: the majority of respondents have a predominantly negative attitude towards copyright infringement.

5.3.2 Sub-problem two

What are the identifiable characteristics of respondents who have a predominantly positive attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

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Findings show that respondents who have a predominantly positive attitude towards digital copyright infringement are more likely to have the following demographic characteristics:

- Gender: Female
- Age: 18 – 34 years old
- Education: Grade 8 – 10, Bachelor's degree, Honours degree
- Religious beliefs: Non-religious
- Culture: Individualist culture

Assumption two is therefore incorrect.

5.3.3 Sub-problem three

What are the identifiable characteristics of respondents who have a predominantly negative attitude towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

Findings show that respondents who have a predominantly negative attitude towards digital copyright infringement are more likely to have the following demographic characteristics:

- Gender: Male
- Age: 35 – 64 years old
- Education: Grade 11 – 12, skills course, Master's degree
- Religious beliefs: Religious
- Culture: Collectivist culture

Assumption three is therefore incorrect.

5.3.4 Sub-problem four

What are the factors that influence respondents' attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology?

Results show that the following factors favourably influence attitudes towards infringement:

- Gender
- Age
- Level of education
- Religion
- Culture
- Price
- Historical inequality in South Africa
- Access and availability of legal sources
- Convenience
- Technological development and access to technology
- Technical ability
- No quality loss
- Lack of knowledge and confusion concerning copyright laws
- Overzealous content producers
- Lack of physical presence
- Sampling
- Free culture
- Need or desire for entertainment
- Perceived importance of the issue
- Morality and ethics
- Perceived risk of being caught and punished
- Neutralisation
- Subjective or social norms
- Social benefits

Assumption four is therefore correct.

5.4 SUMMARY

The purpose of this chapter was to resolve the research problem by answering the research questions. This was done by summarising the results and drawing conclusions. Each research question, clearly and in detail, denotes the aspects that influence attitudes towards digital copyright infringement. However, it is important to remember that although some factors might be more prevalent than others, it is usually a complex blend of factors that influence (Giletti 2012:26) the attitudes that people have towards copyright infringement. Those with a more lenient attitude will be more inclined to infringe (Van der Byl & Van Belle 2008:203). The chapter then concluded with notes on the current study and recommendations for future research. In Chapter 6, the results of the study are summarised, a conclusion is drawn, and recommendations are made.

CHAPTER SIX SUMMARY, CONCLUSION, AND RECOMMENDATIONS

6.1 INTRODUCTION

In this concluding chapter, the results of the study are summarised, a conclusion is drawn, recommendations are made, the limitations of the study are discussed, and recommendations for further research are made.

6.2 SUMMARY

The results of this study show that there are specific factors that influence people's attitudes towards copyright infringement.

6.2.1 Respondents' attitudes

One of the objectives of the study was to establish what South African internet users' attitudes are towards the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

Findings show that 47% of respondents have a predominantly positive attitude, and 53% have a predominantly negative attitude towards digital copyright infringement.

6.2.2 Factors that influence positive attitudes

One of the objectives of the study was to determine the factors that contribute to people infringing on copyrighted film and/or television series content.

Results show that the following factors favourably influence attitudes towards infringement:

- Gender: being female

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- Age: people aged 18 – 34
- Level of education: Grade 8 – 10, Bachelor's degree, Honours degree
- Religion: those who are not religious
- Culture: those who identify with an individualist culture
- Price: those who believe content is too expensive
- Thinking people infringe due to historical inequality in South Africa
- Not having enough access to and availability of legal sources
- Thinking that infringement is the most convenient way to obtain content
- Having access to the required technology to infringe
- Having the technical ability to infringe
- Thinking illegal copies are of the same quality as legal copies
- A lack of knowledge and confusion concerning copyright laws
- Thinking content producers are greedy and overzealous
- Digital content's lack of physical presence
- Infringing in order to sample content
- Thinking that all content should be available for free
- Thinking infringement is okay as long as there is a need or desire for entertainment
- Not perceiving infringement as a serious offence
- Not having moral or ethical objections to infringing
- Perceiving the risk of getting caught and being punished for infringement as low
- Neutralisation of objections by arguing that everyone is doing it
- Thinking that social rules (subjective or social norms) are not against it
- Obtaining social benefits from infringement

6.2.3 Factors that influence negative attitudes

One of the objectives of the study was to identify strategies that can be adopted to curb the infringement of copyrighted film and/or television series content.

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Results show that the following factors negatively influence attitudes towards infringement:

- Gender: being male
- Age: people aged 35 – 64
- Level of education: Grade 11 to 12, skills course, Master's degree
- Religion: those who are religious
- Culture: those who identify with a collectivist culture
- Price: those who believe content is not expensive but priced right
- Disagreeing that historical inequality in South Africa created an infringing culture
- Having enough access to and availability of legal sources
- Thinking that there are more convenient ways than infringement to obtain content
- Not having access to the required technology to infringe
- Not having the technical ability to infringe
- Disagreeing that illegal copies are of the same quality as legal copies
- Having enough knowledge about and understanding copyright laws
- Disagreeing with the idea that content producers are greedy and overzealous
- Thinking that digital content's lack of a physical presence does not make infringement less of a crime than stealing a physical product such as a DVD
- Not infringing in order to sample content
- Disagreeing that all content should be available for free
- Disagreeing that infringement is okay as long as there is a need or desire for entertainment
- Perceiving infringement as a serious offence
- Having moral or ethical objections to infringing
- Perceiving the risk of getting caught and punished for infringement as high
- Disagreeing that infringement is okay because others are doing it
- Thinking that social rules (subjective or social norms) are against it
- Not seeing social benefits to infringement

6.3 CONCLUSION

This study focused on South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content. Investigating this issue is important because copyright infringement is a serious issue that costs the global entertainment and software industries millions of rands each year.

It is a phenomenon that occurs in almost every country around the world, as peer-to-peer file sharing technology allows users to consume and distribute digital media, which they do not legally own and have not paid for, on a global scale. These losses come from a loss of media sales, which leads to a loss of jobs in creative, manufacturing, and retail industries as the profit margins of companies are far below what they would be if people paid for the media they consume. Understanding and exploring these factors from the end-user's perspective in the contemporary media is of significance to policy makers such as government officials, boards of directors, managers, committees, and executives, the government, broadcasters, ISPs, other researchers and academics, as the results can be used to make decisions and determine policies.

This investigation is twofold since it also recognises that there are many individuals who do not infringe on copyrighted content even though they have access to peer-to-peer file sharing technology. This information could prove valuable since it can then be used to find comprehensive market-led solutions to the problem that targets the end-user.

The study was conducted through applied communication research with the ambition of solving a specific problem by collecting, analysing, and interpreting data with the intention of understanding the phenomenon from the respondent's point of view, as well as describing the relationship between measurable variables. This study is of significance to policy makers, the government, broadcasters, ISPs, other researchers and academics as well as the general public. Policy makers such as government officials, boards of directors,

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managers, committees, and executives will benefit from the study because results can be used to make decisions and determine policies. This holds true for all policy makers, especially in the South African context. Not only does this study sum up relevant theories and factors that influence copyright infringement through peer-to-peer file sharing, it also provides and explores these factors from the end-user's perspective in the contemporary media environment.

Over the years, many researchers have theorised why people make use of peer-to-peer technology to infringe on various types of copyrighted content, such as films, music, television series, and computer software, and have collectively come up with a wide variety of factors that play a role in influencing infringers' intentions. Since these factors are exactly what this study wishes to determine, it becomes useful to identify and explore existing literature on the topic.

After the relevant factors, key theories, models, and studies were identified, the research methodology of the study was developed and the research design and research methods explored. This study adopted a mixed methods approach. This means that the study is a quantitative and qualitative study that overlaps the strengths of both. This study consisted of 117 quantitative questions, and one qualitative question. In order to explain relationships, degrees, and quantities, quantitative data was collected, while the open-ended, qualitative question allowed respondents to provide attentional information on important aspects of the research. The qualitative question also provided respondents with the opportunity to describe complex phenomena from their point of view (Leedy 2005:94).

Since the study was conducted online, the target population for this study consisted of adult South African residents who have access to the internet, and the accessible population was all South African residents between the ages of 18 and 64 who make use of online chat rooms and forums, email, and social media platforms such as Facebook, Instagram, and Twitter. The units of analysis were individual respondents as they were the entity that were analysed, and this was considered appropriate to the study (Wagner et al 2012:167). The instrument

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used to collect the data for this study was an online, self-administered questionnaire. The sampling frame for the main study was 100 valid responses and aimed to collect empirical data about people's attitudes towards copyright infringement of films and/or television series through peer-to-peer file sharing technology in South African context. The sample size of the main study was 117 respondents, who answered the self-administered questionnaire, 100 of which were considered valid responses.

In order to analyse the data, it was extracted from Google Forms into a spreadsheet (tally sheet). Post-coding for all quantitative data was done by means of univariate analysis. Bivariate analysis was also used in instances where the data required it in order to establish relationships between variables. After relevant theories were identified, the self-administered questionnaire was distributed online. Key findings were that the majority of respondents had a negative attitude towards copyright infringement. The study also revealed that there is a large variety of factors that influence opinions and attitudes in complex ways.

Gender is a factor that many authors have theorised has an influence on intention to commit digital copyright infringement. Some studies found that men are more likely than women to download illicit media file, while others found that gender does not play a particular role at all. This study found that the younger respondents are, the likelier it is that they would have a positive attitude towards digital copyright infringement. This study also investigated claims that level of income influences attitudes towards copyright infringement. The great variety in results shows that household income does not have a clear impact on attitudes towards copyright infringement. It also investigated claims that level of education influences attitudes towards copyright infringement, and found that people with lower education levels are more likely to have a positive attitude towards it. It also investigated and confirmed claims that religion influences attitudes towards copyright infringement. It also confirmed that people with people who identify with a collectivist culture are more likely to have a positive attitude towards it.

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Furthermore, the study found that a person's attitude towards price is a significant contributing factor as the majority of people who think prices for films and television series are too high have a positive attitude towards digital copyright. The study also found that people who believe historical inequality is a valid reason to justify digital copyright infringement are more likely to have a positive attitude towards it. This study also investigated claims that access and availability of legal sources influence attitudes towards copyright infringement. It found that most respondents who do not think South Africans have access to enough legitimate resources in a legal and convenient way have a positive attitude towards it, and the need for subtitles is not a motivating factor. Technological developments and access, having the ability to infringe, and no quality loss when downloading influence attitudes positively.

When people believe that content producers are overzealous, they are more likely to have a positive attitude towards infringement and the lack of a physical presence of illegal copied digital goods makes it more ethically and socially acceptable. The study also found that the need for sampling does not influence attitudes towards copyright infringement positively, but believing in free culture and illegally downloading to satisfy a need or desire does. All respondents who think digital copyright infringement is morally and ethically acceptable and those who do not believe the issue is important have a positive attitude towards it. The study found that the majority of respondents who think that it is inconvenient to obtain content legally, and those who believe that it is acceptable because 'everyone is doing it', have a positive attitude towards it. Likewise, the study found that subjective or social norms, as well as thinking that receiving a social benefit is an acceptable reason to infringe, influences attitudes towards copyright infringement.

However, it is important to remember that although some factors might be more prevalent than others, it is usually a complex blend of factors that influence the attitudes people have towards copyright infringement, and those with a more lenient attitude will be more inclined to infringe.

6.4 RECOMMENDATIONS

Based on the results of this study, it is recommended that females, aged 18 – 34 years, with a Grade 8 – 10, Bachelor's degree, or Honours degree, who are non-religious and identify with an individualist culture should be targeted during anti-infringement campaigns and when educating the public about copyright infringement and laws concerning it. It is also recommended that other demographic groups should not be excluded; the findings of this study provides a guideline for the most relevant target audience for awareness campaigns.

It is also recommended that policy makers and content producers consider the price of television series and films before they are released into the market. The results of this study show that if consumers think that prices are too high, they will find ways to obtain content for free, or at a cheaper rate, most likely by way of copyright infringement.

Furthermore, it is recommended that policy makers put countermeasures in place to ensure that South Africans do not have access to websites where they can illegally download copyright content. This would immediately curb a lot of illegal downloading, and obtaining illegal content would also no longer be considered easy and convenient to obtain.

Another recommendation is to ensure that there are enough legal sources available that make it affordable and easy to access content. Platforms such as Netflix and Showmax already provide such a service. However, the number of platforms in the marketplace should also be restricted, and too many would mean that a consumer would have to pay several subscriptions in order to have access to enough content. This is because platforms restrict all other platforms' from broadcasting content as each platform obtains the right to broadcast a series or film in South Africa. Dispersing the availability of content too thinly would result in frustration amongst consumers, which would in turn lead to more infringement.

Policy makers and media corporations should also create public awareness by way of advertising and news articles about copyright laws, and explain it in ways that consumers can understand. When new laws are passed, they should also be promptly and clearly communicated to the general public. The study also recommends that consumers are educated about the consequences of copyright infringement in South Africa by providing facts as well as statistics where necessary. Furthermore, it should be explained to consumers why content costs what it does and how the earnings and royalties from legitimate purchases are dispersed.

The study also recommends that public opinion concerning infringement is guided by highlighting that such actions are immoral and unethical. When doing this, it is important to explain why and provide case study examples of artists who have been affected by it. This would also help to guide subjective or social norms against infringement.

It is also recommended that content producers and content creators provide a sample of the work in order to generate an interest in it and to curb those infringers who download content illegally in order to sample it. A sample could be the first few minutes of a film or the pilot episode of a television series.

6.5 LIMITATIONS OF THE STUDY

The study acknowledges the following limitations:

- This study was not equipped to explore if certain factors, such as hoarding, habit or routine, and perceived behavioural control, influence attitudes towards digital copyright infringement, as it only investigated the opinions of people. In order to establish if such factors do indeed influence people's attitudes, the infringers themselves would have to be researched. Otherwise, the study would be investigating what people think infringers think about something.

- External validity of the study is limited since the accessible population was not a true representation of the target population, and because the study made use of voluntary participation, results cannot be generalised.
- The limitations of a snowball and convenience sample for a study of this kind is acknowledged. Since demographic and socio-economic factors were purposely explored, the impact of these dimensions on attitudes could have been studied in more depth and across a wider sample. The study is therefore exploratory.

6.6 RECOMMENDATIONS FOR FURTHER RESEARCH

The study makes the following recommendations for future research:

- It is recommended that this study be replicated with only known copyright infringers as subjects. This would provide a greater understanding of what their motivations are.
- This research has brought areas where more research is required to light, especially where findings vary from other studies. For instance, this study, in contradiction to international studies, found that gender influences attitudes toward copyright infringement in the South African context. It is therefore recommended that further, in-depth research is undertaken to explore the influencing factors that make the South African context unique.
- The information gathered in this study could be used in other studies to identify strategies that can be adopted to curb the infringement of copyrighted film and/or television series content.
- It is important to standardise terminology when dealing with this topic as there are several terms that can mean the same thing. For instance, 'piracy', 'digital copyright infringement', and 'illegal downloading' could all refer to digital copyright infringement through peer-to-peer file sharing technology.
- Understanding how people with physical disabilities see the topic would also be of value as they might have needs that are not being tended to, as with people in the deaf community who require subtitles.

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- Further research on ethical and moral issues concerning this topic is also required. For instance, why do people with strong religious beliefs illegally download copyrighted content? This stems from the idea that films with religious themes, such as *Passion of the Christ* and *Noah* are being illegally downloaded by religious people.

6.7 SUMMARY

The purpose of this chapter was to provide a summary of the study. It summarised the results, and identified how each factor influences attitudes either positively or negatively. Recommendations were made based on the results, and the limitations of the study were discussed. Lastly, this chapter concluded with recommendations for future research.

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ADDENDUM A: COVER LETTER

Piracy survey

A cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

* Required

Additional information

Dear Prospective Participant

My name is Isabé Botes and I am doing this research study as part of my Master of Arts in Communication Science at the University of South Africa's Department of Communication Science, under the supervision of Professor Blessing Mbatha. Your assistance and participation in this study will be greatly appreciated. It will only take a few minutes of your time, and all that is required of you is to answer each question truthfully.

Before we begin, let's review some questions you might have.

WHAT IS THE PURPOSE OF THE STUDY?

I am conducting this research to determine what South African internet users think about film and/or television series piracy (also referred to as 'using peer-to-peer file sharing technology to infringe on copyrighted content').

WHY AM I BEING INVITED TO PARTICIPATE?

In order to ensure that the results of the study is valid and reliable, I need at least 100 people to complete this questionnaire.

WHAT IS THE NATURE OF MY PARTICIPATION IN THIS STUDY?

The study involves completing this online survey in which you will have to answer yes or no questions, questions where you will have to select the most appropriate answer, as well as questions that you will have to write answers to. The questionnaire consists of 137 easy to answer questions, and it will take about 15 minutes to complete.

CAN I WITHDRAW FROM THIS STUDY EVEN AFTER HAVING AGREED TO PARTICIPATE?

Yes, participating in this study is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be asked to provide informed consent. You are free to withdraw from the study at any time without giving a reason, provided that you have not completed, and submitted the questionnaire. Should you wish to withdraw your participation, you can simply close your browser.

WHAT ARE THE POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY?

Many people in South Africa and around the world make use of peer-to-peer file sharing technology to download television series, films, music, video games and so forth; this matter has serious consequences for the entertainment industry, including broadcasters. In South Africa, digital piracy cost media organisations billions of Rands each year, and the issue has a negative effect on broadcasters' nation-building role to inform, education and entertain citizens. Participating in this study will allow the researcher(s) to better understand the extent of this problem in the contemporary media environment so that future studies can be conducted to further explore the issue.

WILL THE INFORMATION THAT I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?

Yes, this survey is completely anonymous. Google Forms will not record your name, even if logged into your Google account, and it does not log the IP address of your computer either. This means that no one will be able to connect you to the answers you give. Your questionnaire will be given a code number after it is submitted to the researcher, and you will be referred to in this way in the data, any publications, or other research reporting methods such as conference proceedings. It is essential to this study that you do not provide personal information when completing the survey, if you do, your responses will be discarded immediately.

Addendum A: Cover letter

ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?

No, the answers received by participants are viewed as strictly confidential.

HOW WILL THE RESEARCHER(S) PROTECT THE SECURITY OF DATA?

Digital copies of your answers will be stored by the researcher for at least a period of three years on an encrypted hard drive for future research or academic purposes. Future use of the stored data will be subject to further Research Ethics Review, and approval if applicable.

WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS STUDY?

No, participation is voluntary, and no payment or reward will be offered for completing the questionnaire. The study will however, not require you to incur any expenses either.

HAS THE STUDY RECEIVED ETHICS APPROVAL

Yes, this study has received ethics approval from the Research Ethics Review Committee of the Department of Communication Science at the University of South Africa. A copy of the approval letter can be obtained from the researcher if you so wish.

HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?

If you would like to be informed of the final research findings, or should you require any further information, or want to contact the researcher about any aspect of this study, please contact Isabé Botes at 46351000@mylife.unisa.ac.za.

Should you have concerns about the way in which the research has been conducted, you may contact Professor Blessing Mbatha at mbathab@unisa.ac.za. Alternatively, contact the Chair of the Ethics Committee of the Department of Communication Science, at the University of South Africa, Mr Gibson Chauke at chauko1@unisa.ac.za or 012 429 6843.

Thank you for taking time to read this information sheet and for participating in this study.

ADDENDUM B: INFORMED CONSENT FORM AND SURVEY INSTRUMENT OF THE PILOT STUDY

1. Are you a South African citizen? *

Mark only one oval.

Yes

No *Stop filling out this form.*

Informed consent and eligibility

2. Informed consent *

Check all that apply.

The person asking my consent to take part in this research has provided me with information about the nature, procedure, potential benefits, and anticipated inconvenience of participation

I have read (or had explained to me) and understood the study as explained in the information sheet

I have had sufficient opportunity to ask questions and am prepared to participate in the study

I understand that my participation is voluntary and that I am free to withdraw at any time without penalty, without giving a reason

I am aware that the findings of this study will be processed into a research report, journal publications, and/or conference proceedings, but that my participation will be kept confidential

I agree to the recording of the self-administered questionnaire

3. I understand that *

Check all that apply.

I must not, at any point, provide any identifiable information about myself such as my name or contact details

This study only records the OPINIONS of people

This study is only about pirating digital films and/or television series online, and not about CD/DVD sales, or any other kind of piracy

I must not admit to participating in criminal activities; including illegal downloading. If I do, my answers will be discarded

I can feel free to answer the questions honestly

Addendum B: Informed consent and survey instrument of the pilot study

4. Before we begin, let's ensure that any vulnerable groups are excluded from this study. Please tick which of these apply *

Mark only one oval.

- I am under the age of 18 *Stop filling out this form.*
- I am 65 years or older *Stop filling out this form.*
- I am pregnant *Stop filling out this form.*
- I have a cognitive disability or mental impairment *Stop filling out this form.*
- I am a prisoner/ I am on parole *Stop filling out this form.*
- I am highly dependent on medical care *Stop filling out this form.*
- I work in the military *Stop filling out this form.*
- I do not speak English *Stop filling out this form.*
- I currently reside in a very poor and severely under resourced community *Stop filling out this form.*
- I have little or no education *Stop filling out this form.*
- None of the above

More about you

The following questions will ensure that you fulfill the eligibility criteria for this study, and the data will be used for statistical purposes

5. What is your gender? *

Mark only one oval.

- Male
- Female
- Other: _____

6. In what year were you born? *

Addendum B: Informed consent and survey instrument of the pilot study

7. I have strong religious beliefs *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

8. My highest level of education is *

Mark only one oval.

- Grade 1-7
- Grade 8-10
- Grade 11-12
- Short/ skills/ informal tertiary course
- Bachelors degree or equivalent (NQF Level 7)
- Honours degree or equivalent (NQF Level 8)
- Masters degree or equivalent (NQF Level 9)
- Doctoral degree or equivalent (NQF Level 10)
- Other: _____

9. What is your personal gross income (before deductions) per month? *

10. What is your personal net income (after deductions) per month? *

11. Excluding you, how many people live in your household? *

Mark only one oval.

- It's just me *Skip to question 20.*
- 2
- 3
- 4
- 5
- Other: _____

Definition of "piracy" in terms of this study

12. In this study the term "piracy" will be used to refer to using peer-to-peer file sharing technology to infringe on copyrighted films and/or television series *

Mark only one oval.

- Okay, got it

Addendum B: Informed consent and survey instrument of the pilot study

12. In this study the term "piracy" will be used to refer to using peer-to-peer file sharing technology to infringe on copyrighted films and/or television series *

Mark only one oval.

Okay, got it

Others in your household

13. Excluding you, how many children (people under the age of 18) reside in your household? *

Mark only one oval.

None

1

2

3

4

Other: _____

14. Excluding you, how many adults (people over the age of 18) reside in your household? *

Mark only one oval.

None

1

2

3

4

Other: _____

15. Does anyone in your household, other than you, have an income? *

Mark only one oval.

Yes

No *Skip to question 20.*

Household income

16. How many other people have an income? *

Mark only one oval.

1

2

3

4

Other: _____

Addendum B: Informed consent and survey instrument of the pilot study

17. What is your total gross household income (before deductions) per month? *

18. What is your total net household income (after deductions) per month? *

My opinion

19. My attitude toward piracy is *

Mark only one oval.

- Positive (It is acceptable)
- Negative (It is not acceptable)
- Other: _____

Technological influences

Now that we have the demographic questions out of the way, let's focus on aspects of technology

20. I usually access the internet (tick all that apply) *

Check all that apply.

- At home
- At work
- At public places
- On my mobile phone
- Other: _____

21. I have access to a computer *

Check all that apply.

- Yes, my personal computer
- Yes, at work
- No
- Other: _____

22. In general, I am good with technology *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

23. I know what peer-to-peer (BitTorrent/uTorrent) software is *

Mark only one oval.

- Yes
- No

24. South Africans have access to a fast, reliable internet connection *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

25. People pirate because they have access to the technology *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

26. Please add any additional comments you have about how technology and technological developments influences piracy here

Quality

Let's discuss how the quality of copied digital content influences piracy

27. People pirate because there is little to no quality loss when copying files digitally *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

28. If only poor quality copies of digital content were available, people wouldn't pirate *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

29. There is little to no difference between the quality of legal and illegal copies *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

30. When it comes to the quality of films and/or television series I think that people *

Mark only one oval.

- Prefer watching high quality (HD) copies
- Do not mind watching low quality (Cam/SD) copies
- Other: _____

31. Please add any additional comments you have about how quality of content influences piracy here

Price

Let's discuss how price influences piracy

32. I think the prices for buying legitimate copies of films are reasonable *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

33. I think the prices for buying legitimate copies of television series are reasonable *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

34. How much are you willing to pay for a legitimate copy of a local film? *

35. How much are you willing to pay for a legitimate copy of an international film? *

36. How much are you willing to pay for a legitimate copy of one season of a local television series? *

37. How much are you willing to pay for a legitimate copy of one season of an international television series? *

38. Large media companies are greedy and inflate the prices of films and/or television series on purpose *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

39. Please add any additional comments you have about how price influences piracy here

Addendum B: Informed consent and survey instrument of the pilot study

40. Previously disadvantaged and under-resourced people in poor communities should access to films and/or television series for free *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

41. Apartheid created a culture of obtaining content illegally that is still practiced today *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

42. Please add any additional comments you have about how historical inequality in South Africa have influenced piracy here

Need or desire

Let's discuss how need or desire influences piracy

43. People pirate because they have a need or desire for entertainment *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

44. Having a need or desire to download films and/or television series for free is a legitimate reason to download it illegally *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

45. Having free access to the latest films and/or television series should be a basic human right *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

46. Please add any additional comments you have about how need or desire influences piracy here

Copyright law and the consequences of piracy

Let's discuss aspects of copyright law and consequences influences piracy

47. People pirate because they do not understand the laws that govern copyright *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

48. Copyright laws are hard to understand *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

49. Copyright laws pertaining to films and/or television series are too strict *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

50. I am understand why digital piracy is illegal *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

51. I think digital piracy is illegal because (tick all that apply) *

Check all that apply.

- It is illegal to download content that you did not pay the copyright holder for
- It is illegal to download content that you do not own the copyright for
- It is illegal to upload content that you did not pay the copyright holder for
- It is illegal to upload content that you do not own the copyright for
- I don't know

52. Purchasing a digital product gives you the right to do anything with it you please *

Mark only one oval.

- True
- False

Addendum B: Informed consent and survey instrument of the pilot study

53. The maximum penalty under South African law for first time infringes is (tick all that apply) *

Check all that apply.

- To my knowledge there is no penalty
- A fine that amounts to the retail value of the content that was pirated
- A three year prison sentence per item
- A R5 000 fine per item
- I don't know

54. I think digital copyright laws are strictly enforced in South Africa *

Mark only one oval.

- True
- False

55. It is very likely that pirates will face negative consequences *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

56. What kind of negative consequences do you think pirates might face? *

57. What does 'fair use/ fair dealing' in terms of copyright mean? *

58. What does 'public domain' in terms of copyright mean? *

59. It is legal watch a film and/or television series that a friend pirated *

Mark only one oval.

- True
- False

60. Please add any additional comments you have about copyright law and/or the consequences of piracy here

Physical presence

Let's discuss how the lack of a physical presence influences piracy

61. Pirating is the same as stealing *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

62. Pirating a film is more acceptable than stealing a DVD from a store *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

63. Please add any additional comments you have about how a lack of a physical presence influences piracy here

Free culture

Let's discuss how free culture influences piracy

64. Everything on the internet, including films and/or television series should legally be available for free *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

65. All content on the internet should be considered 'open source' (copyright free), and people should feel free to reproduce, consume, and change it in any way they see fit *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

66. Pirating is a way to rebel against elite power and government control *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

67. People should be free to experiment with, and remix copyrighted digital products in a creative and innovative way, that still protects the interests of the copyright holder *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

68. I have an opinion that I'd like to add about how free culture piracy here

Sampling

Let's discuss how free sampling influences piracy

69. People should be able to download a few episodes of a television series and/or part of a film to see if they like the product before buying legitimate copies *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

70. A lot of piracy is in the spirit of "try-it-before-you-buy-it" *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

71. Please add any additional comments you have about how sampling influences piracy here

Social benefits of piracy

Let's discuss how social benefits influences piracy

72. Piracy is acceptable if spending less on entertainment allows people to pay their debt off quicker *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

73. Piracy is acceptable if it is used as an act of kindness, for instance when a copy of a film is given to someone as a gift *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

74. Piracy is acceptable if it is used gain cultural knowledge in order to make friends/ fit in *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

75. Piracy is acceptable if the content downloaded brings family, friends, and/or communities together *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

76. Piracy is acceptable if it is used to build a personal collection *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

77. Piracy is acceptable if it is used in exchange for favours *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

78. Piracy is acceptable if it is used to make money (sold) *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

79. Please add any additional comments you have about the social benefits of piracy here

Hoarding through piracy

Let's discuss how hoarding influences piracy

80. Hoarding of digital content (in this case through piracy) is the act of collecting mass amounts of digital content without necessarily consuming it. Hoarders collect as much content as possible with out necessarily consuming every file. *

Mark only one oval.

- Okay, got it

Addendum B: Informed consent and survey instrument of the pilot study

81. People pirate because they want to have an extensive collection of films and/or television series *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

82. Digital hoarders have an internet addiction *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

83. Please add any additional comments you have about digital hoarding influences piracy here

Positive emotions experienced when pirating

Let's discuss how positive emotions influences piracy

84. People pirate because it makes them happy *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

85. It is acceptable for people to pirate because it makes them happy *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

86. What emotions do you think pirates experience when downloading? (Tick all that apply) *

Check all that apply.

- Excitement
- Happiness
- Shame
- Guilt
- Other: _____

87. Please add any additional comments you have about how the emotions that pirates experience when downloading here

Habits and routines

Let's discuss how habits and routines influences piracy

88. People pirate because it has becomes habit/ routine *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

89. Habitually/ routinely pirating makes it seem unimportant/ inconsequential *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

90. Please add any additional comments you have about how habits and routines influences piracy here

Moral and ethical judgement

Let's discuss how moral and ethical judgement influences piracy

91. Piracy is ethically acceptable *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

92. Pirates think piracy is ethically acceptable *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

93. It is immoral to steal a DVD of a film, but it is not immoral to pirate a digital version of a film *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

94. I think people behave less ethically online than in face-to-face situations *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

95. It is not unethical or immoral for poor and/or under-resourced people to pirate *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

96. Piracy is a very serious moral and ethical concern in our society *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

97. Piracy is against the moral and ethical codes of my religion *

Mark only one oval.

- I am not religious
- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

98. Please add any additional comments you have about how moral and ethical judgement influences piracy here

Availability and accessibility

Let's discuss how availability and accessibility influences piracy

99. **Films and/or television series are freely available and easily accessible through legitimate platforms in South Africa ***

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

100. **Free-to-air channels (SABC and e-tv) broadcast enough international television series ***

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

101. **Free-to-air channels (SABC and e-tv) broadcast enough local television series ***

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

102. **Free-to-air channels (SABC and e-tv) broadcast enough international films ***

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

103. **Free-to-air channels (SABC and e-tv) broadcast enough local films ***

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

104. Free-to-air channels (SABC and e-tv) broadcast local films in a timely manner *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

105. Free-to-air channels (SABC and e-tv) broadcast international films in a timely manner *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

106. South Africans have access to enough legitimate sources of films *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

107. South Africans have access to enough legitimate sources of television series *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

108. In your opinion, what is the best legitimate source of television series? *

Mark only one oval.

- Free-to-air television
- DVD rental stores
- Other: _____

109. In your opinion, what is the best legitimate source of films? *

Mark only one oval.

- Free-to-air television
- DVD rental stores
- Cinemas
- Other: _____

110. Please add any additional comments you have about how availability and accessibility influences piracy here

Convenience

Let's discuss how convenience influences piracy

111. In South Africa, accessing/ obtaining television series in a legal way convenient *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

112. In South Africa, accessing/ obtaining films in a legal way convenient *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

113. People pirate because it is convenient *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

114. Please add any additional comments you have about how convenience influences piracy here

Subtitles

Let's discuss how subtitles influences piracy

115. People pirate because they require subtitles *

Mark only one oval.

- Strongly agree
 Agree
 Neutral
 Disagree
 Strongly disagree

116. I often watch television series that I require subtitles for *

Mark only one oval.

- True
 False

117. I often watch films that I require subtitles for *

Mark only one oval.

- True
 False

118. Please add any additional comments you have about how the need for subtitles influences piracy here

Almost done!

Risk and control

Let's discuss how perceived risk and behavioural control influences piracy

Addendum B: Informed consent and survey instrument of the pilot study

119. The risk of getting caught for pirating is high *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

120. The risk of getting punished for pirating is high *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

121. It is too financially risky to pirate *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

122. The benefits of pirating outweigh the risks *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

123. The more people there are that pirate, the lower the risk to the individual *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

124. Pirates feel in control over the outcome of their actions *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

125. Please add any additional comments you have about how risk and control influences piracy here

Social rules and norms, normative beliefs, fashion, and neutralisation

Let's discuss how social rules and norms, normative beliefs, fashion, and neutralisation influences piracy

126. If someone close to me (friend/ relative) pirates, I'll consider pirating too *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

127. If someone close to me (friend/ relative) pirates, I'll try to convince them to stop *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

Addendum B: Informed consent and survey instrument of the pilot study

128. Piracy is illegal but not immoral *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

129. Society considers piracy to be immoral *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

130. Pirating is fashionable/ the "in" thing to do *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

131. I think piracy is acceptable because *

Check all that apply.

- If piracy is actually wrong, people wouldn't be allowed access to it
- It doesn't hurt anyone
- There is no victim
- There is a victim but they can afford it
- Media companies are hypocritical and deserve it
- People have the right to be entertained
- Everyone is doing it
- The law is unfair/ unjust
- It is a way to make up for the injustices in life
- Piracy is never acceptable
- Other: _____

Addendum B: Informed consent and survey instrument of the pilot study

132. Please add any additional comments you have about the elements discussed in this section influences piracy here

Culture and Machiavellianism

Let's discuss how culture and Machiavellianism influences piracy

133. With which cultural group do you identify the most? *

Mark only one oval.

- Collectivist- we believe that the needs of the community outweigh the needs of the individual
- Individualist- we believe in taking care of yourself first, before anyone else
- Other: _____

134. I think that people pirate and share content because it is a sign of respect to the creators *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

135. Pirates are just bad people that don't care about the consequences of their actions, and would continue with their behaviour no matter what *

Mark only one oval.

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

136. Please add any additional comments you have about the elements discussed in this section influences piracy here

Additional comments

137. Before you submit, are there any last thoughts or comments related to piracy that you'd like to add?

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ADDENDUM C: INFORMED CONSENT FORM AND SURVEY INSTRUMENT OF THE MAIN STUDY

Piracy survey

A cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

* Required

Additional information

Dear Prospective Participant,

My name is Isabé Botes and I am doing this research study as part of my Master of Arts in Communication Science at the University of South Africa's Department of Communication Science, under the supervision of Professor Blessing Mbatha. Your assistance and participation in this study will be greatly appreciated. It will only take a few minutes of your time, and all that is required of you is to answer each question truthfully.

Before we begin, let's review some questions you might have.

WHAT IS THE PURPOSE OF THE STUDY?

I am conducting this research to determine what South African internet users think about film and/or television series piracy ('piracy' in the context of this study means 'to use peer-to-peer file sharing technology to infringe on copyrighted content').

WHY AM I BEING INVITED TO PARTICIPATE?

In order to ensure that the results of the study are valid and reliable I need at least 100 people to complete this questionnaire.

WHAT IS THE NATURE OF MY PARTICIPATION IN THIS STUDY?

The study involves completing this online survey in which you will have to answer yes or no questions, questions where you will have to select the most appropriate answer, as well as questions that you will have to write answers to. The questionnaire consists of a few answer questions, (or less, depending on your answers) and it will take about 10 minutes to complete.

CAN I WITHDRAW FROM THIS STUDY EVEN AFTER HAVING AGREED TO PARTICIPATE?

Yes, participating in this study is voluntary and you are under no obligation to consent to participation. If you do decide to take part, you will be asked to provide informed consent. You are free to withdraw from the study at any time without giving a reason, provided that you have not completed and submitted the questionnaire. Should you wish to withdraw your participation, you can simply close the current window of your browser.

WHAT ARE THE POTENTIAL BENEFITS OF TAKING PART IN THIS STUDY?

Many people in South Africa and around the world make use of peer-to-peer file sharing technology to download television series, films, music, video games, and so forth; this matter has serious consequences for the entertainment industry, including broadcasters. In South Africa, digital piracy cost media organisations billions of Rands in revenue each year, and the issue has a negative effect on broadcasters' nation-building role to inform, education and entertain citizens. Participating in this study will allow the researcher to better understand the extent of this problem in the contemporary media environment so that future studies can be conducted to further explore the issue.

WILL THE INFORMATION THAT I CONVEY TO THE RESEARCHER AND MY IDENTITY BE KEPT CONFIDENTIAL?

Yes, this survey is completely anonymous. Google Forms will not record your name, even if you are logged into your Google account, and it does not log the IP address of your computer either. This means that no one will be able to connect you to the answers you give. Your questionnaire will be given a code number after it is submitted to the researcher, and you will be referred to in this way in the data, any publications, or in other research reporting methods such as conference proceedings. It is essential to this study that you do not provide personal information when completing the survey, if you do, your responses

Addendum C: Informed consent form and survey instrument of the main study

will be discarded immediately.

ARE THERE ANY NEGATIVE CONSEQUENCES FOR ME IF I PARTICIPATE IN THE RESEARCH PROJECT?

No, the answers received by participants are viewed as strictly confidential.

HOW WILL THE RESEARCHER PROTECT THE SECURITY OF DATA?

Digital copies of your answers will be stored by the researcher for at least a period of five years on an encrypted hard drive for future research or academic purposes. Future use of the stored data will be subject to further research ethics review, and approval if applicable.

WILL I RECEIVE PAYMENT OR ANY INCENTIVES FOR PARTICIPATING IN THIS STUDY?

No, participation is voluntary, and no payment or reward will be offered for completing the questionnaire. The study will not require you to incur any expenses either.

HAS THE STUDY RECEIVED ETHICS APPROVAL

Yes, this study has received ethics approval from the Research Ethics Review Committee of the Department of Communication Science at the University of South Africa. A copy of the approval letter can be obtained from the researcher if you so wish.

HOW WILL I BE INFORMED OF THE FINDINGS/RESULTS OF THE RESEARCH?

If you would like to be informed of the final research findings, or should you require any further information, or want to contact the researcher about any aspect of this study, please contact Isabé Botes at 46351000@mylife.unisa.ac.za.

Should you have concerns about the way in which the research has been conducted, you may contact Professor Blessing Mbatha at mbathab@unisa.ac.za or on 012 429 8264. Alternatively, contact the Chair of the Ethics Committee of the Department of Communication Science at the University of South Africa, Mr Gibson Chauke, at chaukg1@unisa.ac.za or on 012 429 6843.

Thank you for taking time to read this information sheet and for participating in this study.

1. Are you a South African citizen? *

Mark only one oval.

Yes

No *Stop filling out this form.*

Informed consent and eligibility

2. Informed consent *

Check all that apply.

- The person asking my consent to take part in this research has provided me with information about the nature, procedure, potential benefits, and anticipated inconvenience of participation
- I have read (or had explained to me) and understood the study as explained in the information sheet
- I have had sufficient opportunity to ask questions and am prepared to participate in the study
- I understand that my participation is voluntary and that I am free to withdraw at any time without penalty, without giving a reason
- I am aware that the findings of this study will be processed into a research report, journal publications, and/or conference proceedings, but that my participation will be kept confidential
- I agree to the recording of the self-administered questionnaire

Addendum C: Informed consent form and survey instrument of the main study

3. I understand that *

Check all that apply.

- I must not, at any point, provide any identifiable information about myself such as my name or contact details
- This study only records the OPINIONS of people
- This study is only about pirating digital films and/or television series online, and not about CD/DVD sales, or any other kind of piracy
- I can feel free to answer the questions honestly

4. I understand that I must not admit to participating in criminal activities, including illegal downloading. If I do, my answers will be discarded *

Check all that apply.

- Yes

5. Before we begin, let's ensure that any vulnerable groups are excluded from this study. Please tick which of these apply *

Mark only one oval.

- I am under the age of 18 *Stop filling out this form.*
- I am 65 years old, or older *Stop filling out this form.*
- I am pregnant *Stop filling out this form.*
- I have a cognitive disability or mental impairment *Stop filling out this form.*
- I am a prisoner/ I am on parole *Stop filling out this form.*
- I am highly dependent on medical care *Stop filling out this form.*
- I work in the military *Stop filling out this form.*
- I do not speak English *Stop filling out this form.*
- I currently reside in a very poor and severely under resourced community *Stop filling out this form.*
- I have little or no education *Stop filling out this form.*
- None of the above

More about you

The following questions will ensure that you fulfill the eligibility criteria for this study, and the data will be used for statistical purposes

6. What is your gender? *

Mark only one oval.

- Male
- Female

7. In what year were you born? *

Addendum C: Informed consent form and survey instrument of the main study

8. I have strong religious beliefs *

Mark only one oval.

- True
 False

9. My highest level of education is *

Mark only one oval.

- Grade 1-7
 Grade 8-10
 Grade 11-12
 Short/ skills/ informal tertiary course
 Bachelors degree or equivalent (NQF Level 7)
 Honours degree or equivalent (NQF Level 8)
 Masters degree or equivalent (NQF Level 9)
 Doctoral degree or equivalent (NQF Level 10)

10. What is your personal gross income (before deductions) per month? *

11. How much money do you have left over for extras, such as entertainment, per month? *

12. How many people live in your household? *

Mark only one oval.

- 1- It's just me *Skip to question 19.*
 2
 3
 4
 5
 Other: _____

Others in your household

13. How many children (i.e. people under the age of 18) reside in your household? *

Mark only one oval.

- None
- 1
- 2
- 3
- 4
- Other: _____

14. Excluding you, how many adults (i.e. people 18 years-old and older) reside in your household? *

Mark only one oval.

- None
- 1
- 2
- 3
- 4
- Other: _____

15. Does anyone in your household, other than you, have an income? *

Mark only one oval.

- Yes
- No *Skip to question 19.*

Household income

16. How many other people in your household have an income? *

Mark only one oval.

- 1
- 2
- 3
- 4
- Other: _____

17. What is your total gross household income (before deductions) per month? *

18. How much money does your household have left over for extras, such as entertainment, per month? *

Definition of 'piracy'

19. In this study the term 'piracy' will be used to refer to using peer-to-peer file sharing technology to infringe on copyrighted films and/or television series *

Mark only one oval.

Okay, got it

My opinion

20. In general my attitude toward piracy is *

Mark only one oval.

Mostly positive (it is acceptable)

Mostly negative (it is not acceptable)

Technological influences

21. Please tick the statements that you agree with *

Check all that apply.

I regularly surf the internet at home

I regularly surf the internet at work

I regularly surf the internet using a public internet connection

In general, I am good with technology

I know what peer-to-peer (BitTorrent/uTorrent) software is

South Africans have access to a fast and reliable internet connection

I think people pirate because they have access to technology

None of the above

Quality

22. Please tick the statements that you agree with *

Check all that apply.

People pirate because there is little to no quality loss when copying files digitally

If only poor quality copies of digital content were available, people wouldn't pirate

There is little to no difference between the quality of legal and illegal copies

None of the above

Price

23. I think buying legitimate copies of films is *

Mark only one oval.

Affordable

Not affordable

24. I think buying legitimate copies of television series is *

Mark only one oval.

- Affordable
- Not affordable

Historical inequality (Apartheid) in South Africa

25. Please tick the statements that you agree with *

Check all that apply.

- Previously disadvantaged and under-resourced people in poor communities should have access to films and/or television series for free
- Apartheid created a culture of obtaining content illegally that is still practiced today
- None of the above

Need or desire

26. Please tick the statements that you agree with *

Check all that apply.

- People pirate because they have a need or desire for entertainment
- Having a need or desire to download films and/or television series for free is a legitimate reason to download it illegally
- Having free access to the latest films and/or television series should be a basic human right
- None of the above

Copyright law and the consequences of piracy

27. Please tick the statements that you agree with *

Check all that apply.

- People pirate because they do not understand the laws that govern copyright
- Copyright laws are hard to understand
- Copyright laws pertaining to films and/or television series are too strict
- Purchasing a digital product gives you the right to do anything with it you please
- Digital copyright laws are strictly enforced in South Africa
- It is very likely that pirates will face negative consequences
- None of the above

28. What is the maximum penalty under South African law for first time infringes? (tick all that apply) *

Check all that apply.

- To my knowledge there is no penalty
- A fine that amounts to the retail value of the content that was pirated
- A three year prison sentence per item
- A R5 000 fine per item
- I don't know

29. I think digital piracy is illegal because (tick all that apply) *

Check all that apply.

- It is illegal to download content that you did not pay the copyright holder for
- It is illegal to download content that you do not own the copyright of
- It is illegal to upload content that you did not pay the copyright holder for
- It is illegal to upload content that you do not own the copyright of
- I don't know

Physical presence and free culture

30. Please tick the statements that you agree with *

Check all that apply.

- Pirating a film is more acceptable than stealing a DVD from a store
- Pirating is a way to rebel against elite power and government control
- Everything on the internet, including films and/or television series should legally be available for free
- People should be free to experiment with, and remix copyrighted digital products in a creative and innovative way, that still protects the interests of the copyright holder
- None of the above

Sampling

31. Please tick the statements that you agree with *

Check all that apply.

- People should be able to download a few episodes of a television series and/or part of a film to see if they like the product before buying legitimate copies
- A lot of piracy is in the spirit of "try-it-before-you-buy-it"
- None of the above

Social benefits and emotions of piracy

32. Please tick the statements that you agree with *

Check all that apply.

- Piracy is never acceptable
- Piracy is acceptable if it makes the pirate feel good/ happy
- Piracy is acceptable if spending less on entertainment allows people to repay their debt quicker
- Piracy is acceptable if it is used as an act of kindness, for instance when a copy of a film is given to someone as a gift
- Piracy is acceptable if it is used to gain cultural knowledge in order to make friends or to fit in
- Piracy is acceptable if the downloaded content brings family, friends, and/or communities together
- Piracy is acceptable if it is used to build a personal collection of media content
- Piracy is acceptable if it is used in exchange for favours
- Piracy is acceptable if it is used to make money (i.e. sold)

33. Please tick the statements that you agree with *

Check all that apply.

- Pirates feel happy when downloading
- Pirates feel excited when downloading
- Pirates feel ashamed when downloading
- Pirates feel guilty when downloading
- None of the above

Hoarding through piracy

Hoarding of digital content (in this case through piracy) is the act of collecting mass amounts of digital content without necessarily consuming it. Hoarders collect as much content as possible without necessarily consuming every file.

34. Please tick the statements that you agree with *

Check all that apply.

- People pirate because they want to have an extensive collection of films and/or television series
- Digital hoarders have an internet addiction
- None of the above

Habits and routines

35. Please tick the statements that you agree with *

Check all that apply.

- People pirate because it has become habit/ routine
- Habitually/ routinely pirating makes it seem unimportant/ inconsequential
- None of the above

Moral and ethical judgement

36. Please tick the statements that you agree with *

Check all that apply.

- I think piracy is ethically acceptable
- Pirates think piracy is ethically acceptable
- It is immoral to steal a DVD of a film, but it is not immoral to pirate a digital version of a film
- People behave less ethically online than in face-to-face situations
- It is not unethical or immoral for poor and/or under-resourced people to pirate
- Piracy is a very serious moral and ethical concern in our society
- Piracy is against the moral and ethical codes of my religion
- None of the above

Availability and accessibility

37. Please tick the statements that you agree with *

Check all that apply.

- South Africans have access to enough legitimate sources of films
- South Africans have access to enough legitimate sources of television series
- None of the above

38. Please tick the statements that you agree with: 'I think free-to-air channels (SABC and e-tv) broadcast...' *

Check all that apply.

- enough international television series
- enough local television series
- enough international films
- enough local films
- None of the above

39. Please tick the statements that you agree with: 'I think free-to-air channels (SABC and e-tv) broadcast...' *

Check all that apply.

- local films in a timely manner
- international films in a timely manner
- local television series in a timely manner
- international television series in a timely manner
- None of the above

Convenience

40. Please tick the statements that you agree with *

Check all that apply.

- In South Africa, accessing/ obtaining television series in a legal way is convenient
- In South Africa, accessing/ obtaining films in a legal way is convenient
- People pirate because it is convenient
- None of the above

Subtitles

41. Please tick the statements that you agree with *

Check all that apply.

- People pirate because they require subtitles
- I often watch television series that I require subtitles for
- I often watch films that I require subtitles for
- None of the above

Risk and control

42. Please tick the statements that you agree with *

Check all that apply.

- The risk of getting caught for pirating is high
- The risk of getting punished for pirating is high
- It is too financially risky to pirate
- The benefits of pirating outweigh the risks
- The more people there are that pirate, the lower the risk to the individual
- Pirates feel in control over the outcome of their actions
- None of the above

Social rules and norms, normative beliefs, fashion, and neutralisation

43. Please tick the statements that you agree with *

Check all that apply.

- If someone close to me (friend/ relative) pirates, I'll consider pirating too
- If someone close to me (friend/ relative) pirates, I'll try to convince them to stop
- Piracy is illegal but not immoral
- Society considers piracy to be immoral
- Pirating is fashionable/ the "in" thing to do
- None of the above

Addendum C: Informed consent form and survey instrument of the main study

44. I think piracy is acceptable because *

Check all that apply.

- If piracy is actually wrong, people wouldn't be allowed access to it
- It doesn't hurt anyone
- There is no victim
- There is a victim but they can afford it
- Media companies are hypocritical and deserve it
- People have the right to be entertained
- Everyone is doing it
- Copyright laws are unfair/ unjust
- It is a way to make up for the injustices in life
- None of the above

Culture and Machiavellianism

45. With which cultural group do you identify the most? *

Mark only one oval.

- Collectivist- we believe that the needs of the community outweigh the needs of the individual
- Individualist- we believe in taking care of yourself first, before anyone else

46. Please tick the statements that you agree with *

Check all that apply.

- People pirate and share content because it is a sign of respect to the creator(s)
- Pirates are just bad people that don't care about the consequences of their actions, and would continue with their behaviour no matter what
- None of the above

Additional comments

47. Before you submit, are there any thoughts or comments related to piracy that you'd like to add?

ADDENDUM D: ETHICAL CLEARANCE CERTIFICATE



College of Human Sciences
Department of Communication Science
2 October 2017

Reference number: 2017_CHS_Staff_CommSt_017

Proposed title: A cross-sectional mixed methods examination of South African internet users' opinions about the use of peer-to-peer file sharing technology to infringe on copyrighted films and/or television series content.

Principle investigator: Isabé Botes, Department of Communication Science

Approval status recommended by reviewers: Approved

The Ethics Review Committee of the Department of Communication Sciences at the University of South Africa has reviewed the research proposal and considers the methodological, technical and ethical aspects of the study to be appropriate.

Ms Isabé Botes is requested to maintain the confidentiality of all data collected from or about research participants, and maintain security procedures for the protection of privacy. The committee needs to be informed should any part of the research methodology as outlined in the Ethics application (Ref. Nr.2017_CHS_Staff_CommSt_017) change in any way.

It is the responsibility of the principal investigator to ensure that the research project adheres to the values and principles expressed in the UNISA Research Ethics Policy, which can be found at the following website:

http://staffcmsys.unisa.ac.za/cmsys/staff/contents/departments/res_policies/docs/Policy%20on%20Research%20Ethics%20-%20rev%20appr%20-%20Council%20-%202015.09.2016.pdf

This certificate is valid for two years.

Sincerely

A handwritten signature in blue ink that reads 'G Chauke'.

Mr Gibson Chauke
Chair: Departmental Research Committee
Department of Communication Science



ADDENDUM E: TURNITIN REPORT

46351000 Dissertation_final			
ORIGINALITY REPORT			
% 17	% 15	% 10	% 9
SIMILARITY INDEX	INTERNET SOURCES	PUBLICATIONS	STUDENT PAPERS
PRIMARY SOURCES			
1	uir.unisa.ac.za Internet Source		%2
2	open.uct.ac.za Internet Source		%1
3	Submitted to University of Warwick Student Paper		%1
4	link.springer.com Internet Source		<%1
5	Submitted to Eiffel Corporation Student Paper		<%1
6	espace.curtin.edu.au Internet Source		<%1
7	www.springerprofessional.de Internet Source		<%1
8	cdn.dejanseo.com.au Internet Source		<%1
9	www.tandfonline.com Internet Source		<%1