



Online Ethics Center
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Software Piracy A Serious Crime

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Description

An editorial about the serious nature of software piracy and effects the eventual ruling will have on the internet and file-sharing.

Body

If nothing else, last week's indictment of David M. LaMacchia '95 on charges of conspiracy to commit wire fraud makes it obvious that the government takes software piracy seriously. Gone are the days when copying software was ignored; it appears as though the FBI now has as much compassion for those who steal software as for those who steal cars or rob banks.

The indictment indicates that LaMacchia knew what sorts of software were being traded on his archive site though LaMacchia's attorneys deny this point. While it is tempting to say that LaMacchia is guilty or innocent based on what limited information has emerged so far, a number of questions will remain unanswered until LaMacchia goes to court. Until then, it is foolish for students to condemn LaMacchia as a criminal or to hold him up as a symbol of injustice. At the very least, those soliciting funds for his defense should carefully consider whether LaMacchia broke any laws before rallying to his defense.

Institute officials have remained relatively forthcoming on this case, but their actions speak louder than words ever could. It is apparent from the indictment and from news articles that MIT is quite serious about stopping software piracy from taking place on computers owned or operated by the Institute, or connected to MITnet. Perhaps this attitude exists not only for moral reasons, but also because MIT is afraid of being prosecuted or sued for illegal software duplication. Whatever the reason, it is good for MIT to adopt such an attitude. After the publicity from the indictment has died down somewhat, Information Systems would be wise to disseminate information regarding what constitutes wire fraud and software piracy, and the possible legal consequences of these actions.

Some have criticized LaMacchia's indictment as overly harsh. Indeed, it does seem as though the government is trying to make an example of him in order to dissuade others from attempting to abuse network systems. But at the same time, LaMacchia stands accused of a serious crime.

LaMacchia's case hits home because he is one of us. But appearances can be deceiving, and if he is found guilty of the charges presented in the indictment, LaMacchia should be punished accordingly.

Notes

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