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PERSPECTIVES ON...

Book Piracy in Nigeria: Issues and Strategies

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ABSTRACT

Book piracy is an illegal and illegitimate reproduction of other people's intellectual property for economic reasons without prior consent or authorization. This paper examines the intricate dimension of book piracy in the Nigerian Publishing Industry. It notes the dangers the trend portends to qualitative education and scholarship in general. The paper identifies the different forms of book piracy as: local reproduction of fast moving titles using newsprint or poor textured paper, abuse of publication rights, hi-tech reproduction overseas, circumventing the e-book version, illegal reprography, unauthorized excessive production by printers, and translation without permission. Some of the causes of book piracy are poverty, book scarcity, ignorance of the copyright laws by the public and the uncooperative attitude of some countries in endorsing international treaties on intellectual property rights. The paper recommends the following as panacea to stemming the tide of the menace: cost reduction strategies, national book policy and commissioning of local authorship, awareness and enforcement of copyright laws, revitalization of libraries, sanctions on countries showing complacency towards piracy, special algorithms to detect illegal downloads, security printing devices and moral suasion.

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INTRODUCTION

The provision of qualitative education in any country is a function of the robustness of its book publishing industry. The contribution of books and journals to teaching, learning and research is indispensable. They remain the unassailable fulcrum upon which the gamut of scholarship revolves. Availability and accessibility of good books and journals guarantee valid channels for communication and transmission of knowledge. Other pivotal roles of academic publishing include intellectual social re-engineering, deconstruction of historical epochs and the preservation of culture, values and ethos. Journals are procured based on subscription and print on demand basis unlike books that are sold on the open market hence the latter is chiefly prone to piracy. This informs the rationale for special emphasis on book publishing in this paper.

Okwilagwe (2001) noted that education is the backbone of national development and the book, a principal element in the educational process deserves a place of honour in our national priorities. The book is a passport to the world, an indispensable vehicle of science, a storehouse and conveyor of culture and information, and a vital ingredient for development. The importance of books in the development of man and in the fulfillment of his potential can never be overemphasized (Ekwueme, 1983).

Book publishing is a rigorous intellectual and physical activity. The processes involve the conceptualization of ideas; the realization of the ideas in a somewhat temporary or semi-permanent form called manuscript; the perfection of the manuscript in order to enhance its

communication potential—editing; the determination and standardization of all elements that make up the book and the text—designing; the composition of the manuscript into a somewhat permanent page—typesetting; the reading of the composed pages to ensure that they are free of errors—proof-reading; the buying of the materials for printing and determining the nature and quality of the physical attributes of the product in production; and finally, the distribution and marketing of the printed materials—promotion and sales (Okwilagwe, 2001). In recognition of the herculean and assiduous tasks that characterize the production of a book, the international community over the years has developed appropriate legal frameworks to protect the intellectual property of authors and publishers, the codification of this is regarded as copyright.

Copyright is therefore the exclusive right given by law for a certain term of years to the creator of a literary work, composer or artist with regard to the use, reproduction, and exploitation of his created works for economic or moral purposes (Nkiko, 2012). Copyright encourages creative activity and provides society economically and speedily with the results of such creativity. Copyright is part of what is generally regarded as intellectual property law. Intellectual property refers broadly to such areas as copyright, trademarks, patent, and industrial designs, while copyright is specifically concerned with the expression of ideals in literary, artistic, musical, cinematography files, sound recordings, other works of arts and the legal protection accorded the expression against unauthorized exploitation and use (REPRONIG, 2004). In Nigeria, the applicable law is the Copyright Act 68, 1988 amended 1999.

Under this Act, there is no form of registration required. Copyright exists from the moment a work is fixed in a legible medium of expression, such as paper, a computer disc or a videotape/audiotape. It is advisable

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although not mandatory, to place a copyright notice usually a “c” in a circle—with the date of first publication and the name of the copyright holder (Sodipo, 2008). Copyrighted books enjoy extra-territorial protection provided the country of origin is signatory to international treaties such as the Berne Convention and the Universal Copyright Convention.

There is growing clamour for open access which is rooted on the need to protect the public interest to be supplied with information and knowledge thereby encouraging both learning and progress of science. This need must be carefully balanced with the need to reward creators of intellectual properties and to stimulate them to continue producing new creative materials (Nkiko, 2012). Once authors and publishers are discouraged from literary production, there would be an obvious dearth of published materials hence open access would then be a mere slogan as content must precede access.

The Nigerian book industry has myriads of problems ranging from the absence of a national book policy to provide a legal regulatory framework for the industry; low returns on capital, investors' (banks) unwillingness to commit their funds to such an enterprise when areas of higher returns exist in the economy; government's inadequate funding of education; professional incompetence within the industry; poor reading culture in the country; absence of good libraries; general poverty and the prevalence of piracy in spite of copyright laws (Olukoju, 2002).

The biggest challenge to the publishing industry in Nigeria is book piracy. It is an illegal and illegitimate reproduction of other people's intellectual property for economic reasons without prior consent or authorization. Those who engage in this type of activity eat from the sweat of other people who must have invested their intellect, time and resources. To publish a book a publishing company will spend between 15 and 24 months to study the curriculum, the author will work assiduously to convert ideas into manuscript, and a publisher will commit a lot of human, material and financial resources to complete the several stages of book production (Adelekan, 2010).

Having completed these rigorous processes, China, Taiwan or Dubai for mass reproduction with little overhead cost, Taiwan or Dubai to mass reproduce with little overhead cost. The price of the pirated copy is bound to be cheaper compared to the legitimate one. Piracy is therefore robbery, criminal, immoral, cheating, destructive and seeks to destroy the moral fabric of society,

LITERATURE REVIEW

A major cause of book scarcity in Nigeria is the frustration of authors. There are many seasoned writers at all levels of education in the country. However, the prevalent social conditions are discouraging. Book pirates constitute a serious menace to the author. Pirated books which are very cheap reduce the sale of the original copies and the author's royalties (Ifidon, 1994). Due to the biting effect of book scarcity, library users now resort to illegal photocopying. Whole books can be photocopied in complete defiance of copyright laws. All these frustrating experiences make writing unproductive and unattractive.

Book piracy has been identified as an international battle that should go beyond the frontiers of national boundaries. Countries that have been labeled the bastion of the illegal trade should do something to stop it in their respective domain. Kolawole (2005) observed that pirates have turned Asian countries to a place where books are duplicated without inhibition, because of their permissive copyright laws. He further described the menace as a serious contravention of the Copyright Act that has become a major disincentive to original writers, who go through mental and physical rigours to produce creative thoughts and expressions.

Obidiegwu (2011) noted that the magnitude of the economic, social and intellectual calamity that this act of criminality inflicts on the nation is unfathomable, considering the fact that no single printing material is produced in Nigeria. Since pirates pay no taxes on their illegal earnings or pay royalties to the authors, they constitute a major threat to creativity with

dire repercussions for the educational system in the country and the survival of the publishing industry.

Book piracy has been rendered easy by new technologies. To reprint a book illegally, all that a culprit requires is a copy of the original, a scanner, a computer with an optical recognition programme and a small rotary press. With these common facilities, a pirated book can be produced in a few days in multiple copies (The Hindu, 2003). Ironically, pirated books also have the warning, “reproduction is forbidden”. The deployment of modern technologies in piracy makes it difficult for anyone to identify the pirated book from the real one, even by the authors and publishers; not only is the text copied but also the design, the cover, the colour and the barcode.

Egbunefu (2011) stated explicitly that book piracy is part of the hallmarks of a corrupt society, where personal interest overrides commitment to the values of the nation. He posits that many people go for these pirated books because they cannot afford the scarce, original but expensive copies. However, it should be noted that poverty is not a justification for low moral rectitude. A standard must be maintained irrespective of economic recession.

The Nigerian Publishers' Association (2011) opines that the illegal reproduction of copyright protected books in Nigeria has reached an unprecedented level in recent years. It observed that pirates now go abroad mainly to the far East to print and import into the country pirated versions of fast moving titles. The problem is creating a lot of headache for most publishers in Nigeria, because it is threatening their existence as business enterprises. The Association in its bid to fight piracy posted on its website the following inscriptions:

- Do not patronize book pirates
- Pirates produce and sell books illegally
- Book pirates are economic saboteurs
- Book pirates deprive the nation of creative talents.
- Book piracy is theft
- Buy genuine books and insist on invoice from publishers.

The Nigerian copyright Decree No. 47 of 1988 gives protection to copyright owners with stiff penalties in the event of violations and piracy (Ajidahun, 1988). The Nigeria Copyright Commission has been in the vanguard of stemming the tide of piracy, through incessant raids on the perpetrators of the act.

Ezekude (2011) reported that consignments of illegally imported and suspected pirated books of various titles estimated at millions of naira were confiscated by the operatives of the Nigerian Copyright Commission at Abubakar Rimi Market, Kano. The Commission has consistently shown its commitment to actualizing its zero-tolerance stance against any form of piracy across the country.

STYLES AND DIMENSIONS OF BOOK PIRACY

Piracy takes multifarious forms and styles ranging from books sometimes pirated with laxity reflecting the ephemeral nature in its poor binding and the inferior materials used for their production to the hitech reproduction overseas and subsequently imported and distributed for sales in the country. The different dimensions or forms of book piracy are discussed hereunder.

LOCAL REPRODUCTION OF FAST MOVING TITLES USING NEWSPRINT OR POOR TEXTURED PAPER

Pirates engage in environmental scanning to determine core textbooks in various fields and schools. Scarce, expensive and highly demanded materials are usually favoured. Single copies are purchased and given to local printers for reproduction. In order to gain competitive advantage against the original copy, inferior papers are used to reduce cost drastically.

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