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Book Piracy and the Challenge of Saving Nigeria's Publishing Industry

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ABSTRACT

Book piracy has been an issue trending in the Nigerian publishing space recently. This is because of the ripple effects of the action on both publishers and authors alike. This action has over the years been a bottle neck for publishers and authors in achieving their aim of reaching out to the public and making sales from their respective publications.

In the light of this, this study seeks to explain certain reasons why this action has not been effectively nipped in the bud as well as the pandemic effects of this situation.

Conclusively, the study would suggest some of the ways in which this challenge could be surmounted, thus further encouraging authors and publishers, and boosting their quest and desire to publish the more.

Keywords: Book Piracy, Publishing, Copyright, Intellectual Property and Nigeria.

INTRODUCTION

Publishing as a concept entails bringing into being both printed and unprinted works for distribution and sale to people. It involves a lot of processes ranging from conceptualization of the subject matter to be written about, submission of manuscript, proofreading and editing and finally typesetting and printing. The reason for publishing especially in the Nigerian context is not farfetched. On the path of authors, publishing is done ultimately to inform, and on the path of the publishers, it is done mainly for profit.

Sadly enough, this is not easily achieved most times due to the fact that there are certain individuals who stand as barriers to the vision of the author been brought to reality. Consequently, many book titles do not see the light of the day because of the activities of people known as pirates who are out there to frustrate the efforts of the author, mainly through illegal and unauthorized duplication.

METHODOLOGY

This study is based on the review of primary and secondary literature. As such journal papers, conference proceedings and internet articles were used mainly.

CONCEPTUAL FRAMEWORK

The term piracy is not an entirely new concept. Its etymology can be traced to the Latin word "Pirata" meaning sailor or sea robber which itself comes from another Greek word "peirates". In the early times, the term was used to describe those who use the sea for activities in one way or the other related to robbery.

In the academic domain, piracy is basically an attempt by a person or group of persons to infringe on the intellectual property rights of another by making duplicate copies of intellectual publications. Intellectual property can be defined as

any form of printed work, patents, works of arts, media etc. that can be attributed to the efforts of an individual or group of individual. The uslegal.com (2016), defines intellectual property as a property right that can be protected under federal law, including copyrightable works ideas, discoveries and invention. By this, the author has the sole right to claim the property as his or hers. Examples of intellectual properties are logo designs representing the brand of a company and its products, patents, softwares, books and articles etc. In this regard, every intellectual property must have a copyright for it to be published and distributed for public consumption. 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).

In a nut shell, Piracy is an illegal and illegitimate reproduction of other people's works without their consent and those that engage in this business eat from the sweat of other people who must have invested their intellect, time and resources (Adelekan, 2011).

A Book on the other hand can generally be defined as a collection of sheets bound together and meant to be published. This definition includes novels, prose and textbooks. The University of Southern California glossary of library terms (2018) has defined a book as a relatively lengthy work, often on a single topic, and could be either in the printed or electronic format. Within the context of publishing and librarianship, for any material to be regarded as book, such a material must contain a minimum of 50 pages.

OVERVIEW OF THE NIGERIAN PUBLISHING INDUSTRY

What is now known as the Nigerian Publishing Industry came to being many years before the country gained its independence from the British colonial masters. Iwu (2011) in her study traced the history to the establishment of the very first printing press in Nigeria which was located in Calabar, in the year 1846 by Rev. Hope Waddell, a clergyman of the Presbyterian Church of Scotland Mission. The press was used mainly for the production of Bible lessons, and later instructional materials for schools.

Furthermore, 1854, another clergyman, Rev. Henry Townsend of the Christian Missionary Society (1854) set up a press. The press was used for the production of the first newspaper in Nigeria. This newspaper was known as “IweIrohin”.

These little efforts developed into what is known as publishing in the country. As a result of this, both the private and public sectors are into the business of publishing.

TYPES OF PIRACY

Although, there are several forms of piracy, and this have been enumerated by Nwogu (2015) to include book piracy, music piracy broadcast piracy, cinematographic piracy, film piracy, software piracy and internet piracy. Notwithstanding, book piracy is by far the most common type of piracy and that will be the focus of this study.

According to Nwogu (2015) book piracy is the reproduction and distribution of copyrightable book on a commercial scale without the consent of the copy owner or copy right owner. In other words, book piracy is simply the illegal production of a book with a copyright.

In his contribution Nkiko (2014) listed the following as some forms of book piracy:

1. Local reproduction of fast moving titles using newsprint or poor textured paper
2. Circumventing the e-book version
3. Illegal reprography
4. Unauthorized excessive production by printers, translation without permission etc.

In a nut shell, book piracy is unauthorised duplication or reproduction of a copyright work in multiples for commercial gain. From the above definition, it is observable that in every country, there is an authority in place to put a clamp down on piracy and possibly arrest pirates. In the Nigerian Context, this authority is known as the Nigerian Copyright Commission.

NIGERIAN COPYRIGHT COMMISSION: POWERS AND FUNCTIONS

The Nigerian Copyright Commission (NCC) was established by virtue of Nigerian Copyright Council Decree No.47 of 1988 and in 1996, the government approved that its name be changed to the Nigerian Copyright Commission. The commission was saddled with the responsibility of enforcing copyright laws, enlighten the populace on issues relating to copyright as well as mediating in issues between authors. In order to achieve this, the commission maintains a databank of authors and their works.

CAUSES OF BOOK PIRACY

No one can actually ascertain the causes of book piracy especially in the Nigerian context. The general belief is that many people engage in this illegitimate act for monetary gain, this is due to the fact that pirated materials are usually sold at reduced prices to attract the attention of many individuals. By that, there would be

an increase in patronage. In the long run, reducing the profit of the original authors/publishers. The general causes and rationale why people produce pirated copies include the following:

1. Poverty. Like many other African countries, piracy in Nigeria is shaped by poverty and social as well as income inequality. More than 50 percent of the Nigerian population live on less than a US dollar per day. Young graduates who are unable to secure employment take to piracy as their source of livelihood.
2. Ignorance and Lack of adequate information about copyright processes and laws. Many individuals are not fully informed on what piracy and copyright is. Worse still, many people don't even know it is a criminal offence. The United Nations Educational Scientific and Cultural Organization (UNESCO) in 2015 said that "Piracy lacks the negative social stigma that would make the public realize that it is a criminal activity". This statement cannot be said to be far from the truth especially in the Nigerian situation.
3. High cost of publishing in Nigeria which leads to an increase in the cost of books has allowed many people to patronise pirated works because of the relatively cheap price. What many people are after is the content and not the artistic work and design.
4. Inability to gain access to original products. Many book titles are scarce in the book market and because they are in high demand, pirates use this situation at times as an opportunity to carry out their nefarious activities.

5. Poor funding of regulatory agencies, such as the Nigeria Copyright Commission, etc. This ugly situation renders them inactive to carry out their legitimate duties.

Other causes of copyright piracy as enumerated by Nwogu (2015) include laziness; poor distribution network of needed creative products as well as slow judicial system.

EFFECTS OF BOOK PIRACY

It is no gainsaying that piracy is a cankerworm that has eaten deep into the Nigerian publishing fabric. Corroborating this, Nwogu (2015) submitted that Piracy is a menace that has negatively impacted on the Nigerian economic, social and political wellbeing. This is to say that piracy affects everybody alike not only the library as a social institution, hence cinemas and other media industries are caught in the same web. Its negative tentacles have spread to other forms of publications not only books. That is, we now have pirated movies, designs, softwares etc. been sold to the public at a reduced price. In a report published by the Nigerian Publishers Association (2011) cited by Nkiko (2014), shows that the illegal reproduction of copyright protected books in Nigeria has reached an unprecedented level in recent years. As a result of this, pirates now travel abroad to produce and ultimately ship consignments of pirated titles into the country. This problem as observed by them has created and is presently creating a lot of headache for most publishers in the country, because the existence of pirates is posing a great threat to the growth of their business.

It is rather unfortunate that the efforts of the government at establishing institutions such as the Nigerian Copyright Commission (NCC), and other relevant security agencies who are expected to curb the menace, has not yielded any

successful result. Consequently, the menace is on the rise. Substantiating this fact Ahmadu (2014) observes that Copyright violation has become a global concern in contemporary Nigeria and the world at large. As a result, copyright violation has put the Nigerian publishing industry in bad perspective. It is an undisputable fact that book piracy serves as clog in the wheel of progress of publishers, authors and book readers alike. Many authors have been ultimately discouraged due to the fact that even before original copies are published, pirated copies are available in town. By this, many book titles have died in the background as a result of the activities of pirates. 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 their continued actions.

Another effect of piracy is the inability to differentiate and make a distinction between the original and pirated copy. A typical example is in the case of Former President Goodluck Jonathan's book entitled "My Transition Hours". Many people including the authors couldn't distinguish between the real and pirated copy.

SOLUTIONS TO THE PROBLEM OF PIRACY IN NIGERIA

In order to solve the challenge of book piracy and clamp down on book pirates, the following must be taken into cognizance:

1. Relevant government and professional bodies such as The National Orientation Agency (NOA), the Nigerian Library Association (NLA) and media houses should carry out campaigns at strategic locations and enlighten people on the dangers of patronizing pirated titles.

2. Authors should be encouraged on the need to have their publications registered with relevant bodies and authorities such as the National Library of Nigeria, Nigerian Copyright Commission (NCC) as well as the association of Nigerian Authors (ANA). Also, printers should be encouraged not to print for pirates no matter how attractive profit on the job might be.
3. Restructuring of the Nigerian Copyright Legislation Framework .In his opinion, Karaganis (2011), submitted that little evidence have been able to back up the claim that enforcement efforts have to date been able to reduce the scourge of piracy and pirated goods. Instead, piracy has grown dramatically. This is occasioned by high media prices, technological diffusion as well as consumer/cultural practices.

The Nigerian Parliament should make laws that will enforce stricter and severer punishments to piracy. In the same vein, authors should be given protective covers and safety nets that will enable them challenge any of their works that is pirated. This will to a large extent curb the excesses and unwholesome activities of pirates and reduce the circulation of pirated works in the book market.

4. Provision of empowerment and employment opportunities to reduce and alleviate poverty. Many pirates who have been charged before the jury are mainly into business as a result of joblessness and unemployment. In the light of this, the government at all levels should provide qualitative employment for Nigeria's teeming population. By this, piracy and the activities of pirates would be nipped in the bud effectively.

5. Discouragement of street selling of books. The public should be discouraged from patronizing unregistered and book stores that are not approved by the government whenever they want to purchase books. This is because many of the books sold by roadside hawkers are pirated and lack value when compared with the original ones.
6. Other recommendations include the use of high profile information technology components and softwares to track activities of book pirates on the internet, use of security devices that can detect whether a book is original or pirated, resuscitation of the paper mills located in some parts of the country to reduce the cost of publishing,

CONCLUSION

In conclusion, piracy and specifically book piracy has been identified as an enemy of progress in the publishing industry and a barrier to promoting national development. However, with the recommendations the study has provided, it is believed that the menace of book piracy and the activities of piracy in the general perspective would be effectively tackled, thus the Nigerian publishing industry would be able to stand and compete effectively with its counterparts around the globe.

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