



EFFECT OF PIRACY ON THE SUSTAINABLE DEVELOPMENT OF THE BOOK PUBLISHING INDUSTRY IN NIGERIA

ADEJOH, Monday

Department of Mass Communication
Achievers University, Owo, Ondo State/Ahmadu Bello University, Zaria, Kaduna State

Corresponding Author: ADEJOH, Monday; adejoh.m@achievers.edu.ng.

Abstract

This study critically examined the effect of piracy on the sustainable development of the book publishing industry and Nigeria's creative sector. Drawing on a qualitative survey method using census study, key informant interviews (KII), were conducted with respondents who are publishers and members of the Association of Nigerian Authors (ANA) across Nigeria. The interviews were transcribed and analysed using Nvivo statistical tool. Data was presented using thematic and narrative method. Findings revealed that digitalisation has significantly increased the ease and scale of book piracy, weakened legal protections thereby complicating the enforcement of intellectual property rights. The study also established a strong correlation between copyright violations and lack of sustainable development in the publishing sector and Nigeria in general, thereby escalating social disruption, and institutional decline within the industry. Furthermore, it identified gaps in the domestication and enforcement of international copyright Treaties, highlighting how these institutional deficiencies exacerbate piracy and discourage investment in the book publishing sector in Nigeria.

Keywords: Effects, piracy, sustainable development, book publishing, industry.

Introduction

Books are the vital instruments available to man in his battle against intellectual bankruptcy and education will remain an illusion in any environment devoid of books (Anyaeibu et al., 2016). Technological advancement and the consequential emergence of artificial intelligence (AI) have changed the security associated with how books were written, published, accessed and managed. This may not only lead to poor fiduciary responsibilities on publishing firms, but liquidation (Adejoh, et al 2025; Ojieson, 2022).

The provision of qualitative education in any country is a function of the robustness of its knowledge economy, this is why, no nation can grow and make progress above innovations, research and development (R&D) and the professionalism of its teachers. The contribution of intellectual property (books and journals etc.) to teaching, learning and research are indispensable. They remain the unassailable fulcrums 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 (Nkiko, 2014).

Nigeria and other developing countries' status as favourable destinations for Foreign Direct Investment (FDI) as well as a place where local creative talents can flourish is in jeopardy due to the

activities of pirates, that place no value on intellectual property. Experts; (WIPO, 2021; OECD 2015, The World Bank Group 2016), have highlighted that one major snag to the development of intellectual property in Nigeria and other emerging economies, is piracy and counterfeiting. It has ripped off many producers, manufacturers, artists, marketers and stakeholders of the benefits of their creativities and also prevented the industry from rapid financial growth and development.

Nigeria has a high rate of digital piracy incidences. Scholars like IIPA (2019); OECD (2015); Dataprot (2021) have also found that universities are conducive environments for digital piracy since they host a collection of youths who are usually technologically skilled (Tjiptono et al, 2016). Though much is said about combating piracy in Nigeria, it appears to be encouraged indirectly. This contradiction can be argued that while piracy is highly feared as the killer of the Nigerian creative industry, many of the people complaining also privately or professionally consume pirate media. There is also the tendency for upcoming artistes to depend on existing networks used by pirates to promote their new music, just to turn against the same after achieving fame.

Statement of Problem

The incidence of book piracy and its consequential loss in revenue has forced many book publishing industries to shut down operations or completely wind-up. This has caused serious unemployment, insecurity, non-repayment of bank loans, poor economic performance, zero FDI, depression and other psycho-social problems that have led to deaths of many industry owners.

Artificial intelligence (AI) has revolutionised various industries, including media, education and technology etc. However, its impact on copyright law and intellectual property rights economies in Nigeria has been detrimental. AI powered algorithms facilitate easy access to copyrighted materials and enabling widespread piracy (Adenuga, 2019). AI-generated deep fakes compromise authorship and ownership, making it challenging to identify original creators. Nigeria's copyright laws lag behind AI's rapid evolution, creating enforcement challenges with its attendant revenue losses to the content owners, and unchecked AI piracy discourages investment in the creative sector with adverse effects to the livelihoods of investors, artists, authors and musicians (International Federation of Reproduction Rights Organisation [IFRRO] 2020, World Intellectual Property Organisation [WIPO, 2020]).

Objectives of the Study

The aim of this study is to evaluate the effect of book piracy on the publishing industry's economy in Nigeria. To achieve this, the following were set;

- i. To study the effect of book piracy on the publishing industry in Nigeria,
- ii. To analyse the economic implications of book piracy on the publishing industry's economy in Nigeria.
- iii. To encourage responsible scientific programming or algorithms that respect intellectual property rights of author and other neighbouring rights.

Scope of the Study

The study evaluates the effect of book piracy on the book publishing industry's sustainable development in Nigeria. It is further situated within the scholarship of media law, media economics, media management and new media, with specific focus on the impact of artificial intelligence on book piracy and the publishing industry growth and development.

Conceptual Reviews

Concept of Piracy

The sharing of a work protected by copyright on social media networks or duplication books without the authorisation of the copyright owner infringes the owner's right of communicating the work to the public granted by Section 36 (a-g) of the Act, in the case of a literary or musical work. In the case of a cinematograph film, the act of sharing the work on a social network implicates the copyright owner's right of causing the film, in so far as it consists of visual images, to be seen in public and in so far as it consists of sounds to be heard in public within the meaning of Section 6 (1) (c) Copyright Act, 2022.

When the work shared, is retrieved or downloaded, it constitutes a reproduction of the work in any material form and as such, a contravention of Section 6 (a-c) in the case of a literary or musical work; and in the case of an artistic work. In the case of a cinematograph film, it constitutes making a copy of the film pursuant to Section 6 (1) (c) (i). Both the reproduction of the work in any material form and making a copy are essentially the same from a practical perspective, as the Black's Law Dictionary defines the word "copy" as "*an imitation or reproduction of an original*". This right of reproduction has further been articulated under the Berne Convention for the Protection of Literary and Artistic Works 1886 to which Nigeria became a signatory to on the 19th of September, 1993 as thus;

The reproduction right, as set out in Article 9 of the Berne Convention, and the exceptions permitted thereunder, fully apply in the digital environment, in particular to the use of works in digital form. It is understood that the storage of a protected work in digital form in an electronic medium constitutes a reproduction within the meaning of Article 9 of the Berne Convention (Okoh et al., n.d:p3).

Thus, downloading a copy of an original work of copyright into a computer or a computer storage media fall within the meaning of reproduction and copying under the Act (The Copyright Act 2004).

Concept of Fair Use

Fair use is a statutory exception or limitation to a copyright holder's exclusive rights (Sections 20 & 26 of the Copyright Act, 2022). It is an equitable rule of reason to promote education and free access to information, which permits the Court to avoid a rigid application of a holder's exclusive rights. This undermines the purpose of the Copyright Act in assessing whether the use of a copyrighted work is a fair use, the Courts would consider four statutory factors – 1) the purpose and character of the use, 2) the nature of the copyrighted work, 3) the amount and sustainability of the portion used in relation to the copyrighted work as a whole, and 4) the effect of the use upon the potential market for the copyrighted work. Thus, with the free flow of information and the protection of intellectual property rights, the application of the fair use doctrine is one-way Courts endeavour to strike the proper balance.

A major snag in this context is that, end-users rely on this exception to excessively and unreasonably exploit and destroy the investments of media proprietors. For example, the Nigerian film industry has lamented a business loss due to end-users piracy immediately a new video or album is released into the market. The producer of "*Okafor's Wife*" disclosed that the movie had saturated the market few days after it was launched without the producer recouping the investment or making profit.

Economic and Moral Bases for Copyright Protection in Nigeria

As contained in Section 30 of the copyright Act, intellectual property is a kind of right that can be dealt with, just like any other right. It is a right that can be assigned, mortgaged, transferred, rented, leased, hired, loaned, licensed or by similar arrangement. It is a property in legal sense. It can be owned and dealt with. Statutorily it is a property right (section 30, sub. 1-11 of the Copyright Act 2022, otherwise called [The Act]).

This is a right that grants the author paternity of the intellectual creation and protects the personal and reputational value of a work as opposed to its purely monetary value. Moral right is especially important under intellectual property law since the author has the right to decide whether he wants to disclose the work to the public. He can set the conditions of its commercial exploitation and defend its integrity. As the author is deemed to have the moral right to control its creation, moral right relates to the connection between an author and his creation (Section 14, The Act).

Sections 9-13, relate to economic rights, where a creation's commercial value is granted to the author or owner, a monopoly to exclusively exploit the creation for a certain period. This fosters industrial and commercial relations as well as creativity. Under this monopoly, right holders can prevent third parties from using, manufacturing and selling the creation without authorization. If rights are infringed the author can take legal action against unlawful use of his literary, artistic or industrial creations (section, 17, The Act, 2022; David, 2007).

Nwachukwu et al. (2020) studied the "*impact of piracy on economic prosperity in Niger Delta region of Nigeria*". The study examined the relationship between piracy and economic prosperity in Niger-Delta area of Nigeria. A structured questionnaire was utilized to obtain data from 186 residents of Niger Delta region. Statistical package for social science (SPSS) version 26.0 was deployed for data analysis. The study applied a descriptive approach to analyse the demographic characteristics of the respondents while regression was used to analyse the hypothesis of the study. The result of the study indicated that piracy has significant effect on economic prosperity of Niger Delta region. The current study focused on the impact of artificial intelligence on the book publishing industry and its development. There are methodological differences between the two studies, while the earlier study adopted regression analysis; the current study used inferential and descriptive statistical analysis. However, Survey method was adopted in both studies. Another significant difference is that questionnaire was used in the previous study while mixed method; questionnaire and in-depth interview will be used in the present study.

Anyaegbu et al. (2016) studied piracy and its effect on the book piracy in Delta state. The study examined the causes of book piracy to; people's quest for quick money, high rate of unemployment, poverty and availability of modern means of reproduction among others. Six research questions guided the study; questionnaire was used as the instrument of data collection, administered on 50 respondents selected from 20 book publishing companies in Delta state. Survey method was used and data collected was analysed using the weighted mean and the Likert rating scale. The study further advised the copyright commission to wipe out the incidence of piracy in Delta State and Nigeria. However, the study was on Delta State and a sample of 50 respondents. Meanwhile, the present study will analyse the entire country- Nigeria. A population of 1500 and sample size of 306 will be studied using the Kregcie and Morgan sample size formula with the adoption of survey method. Three theories will be examined and applied to the study and data generated through questionnaire and interview will be analysed using SPSS 26.0 version.

Nwogu, (2015) studied the menace of piracy in Nigeria. The study discovered that the greatest resources for civilisation are creativity, innovation and invention which boost the economy of a nation and generate employment. These creativities like literary, artistic, musical, cinematograph film sound recording and broadcast are exclusive rights granted the owners through the copyright-laws, which are being violated

on a large or commercial scale and consequently affects the economic, social and political wellbeing of the country and the copyright owners. The study utilised secondary data and deductions were made based on the available literature reviewed. However, this study relies on primary data. Questionnaires will be administered and data generated will be computed and analysed using SPSS 26.0 version. Survey method using probability and non-probability sampling (mixed) techniques will be adopted, the theories of; hegemony, mediaorphosis and reasoned action will provide framework for the study. A population of one thousand, five hundred crisis-crossing Nigeria with sample size of 306 respondents will be studied.

Theoretical Framework

Fiduciary Capitalism Theory of Corporate Social Responsibility

Corporations have a fiduciary duty to maximise profit and wealth of its stakeholders. Thus, it is also called shareholders value theory, shareholders value maximisation or profit motive theory. Fiduciary capitalism theory proposes that the only one responsibility of business toward the society is the maximisation of profit to the shareholders within the legal framework and ethical custom of the country (Asemah, et al, 2017).

The assumptions of this theory are birthed in the argument that corporate officials are the agents and bear fiduciary duties to the principals, who are the owners of the corporations. Fiduciary capitalism theory argues that the only social responsibility of businesses is to make a profit and in the supreme goal, to increase the company's economic value for its shareholders. This implies that organisations should not be concerned with taking care of the environment where they operate; thus, according to the theory, organisations are not "Father Christmas" and it is not their duty to provide social amenities to the society as it is the duty of the government to see to the welfare of the society (Friedman, 1970).

The foregoing implies that any social goals that companies could engage would be acceptable only if they will contribute to the maximisation of shareholder value; meaning that the ultimate measure of a company's success is the extent to which it enriches shareholders. Milton Friedman is the paramount representative of this stream. Asemah et al, 2017, chronicle the assertion of Friedman, 1962 thus;

"In such an economy, there is one and only one social responsibility of business, which is to use resources and engage in activities designed to increase its profits so long as it stays within the rules of the game, which is to say, engage in open and free competitions, without deception and fraud."

Methods

The study adopted interview method of research. Interview is a qualitative method of research used to describe or explain a situation, since data generated were not meant for generalization.

Research Design

The researcher adopted qualitative method for data collection. Adejoh&Umachi, 2025, Allen et al. (2016), Falaye&Okwilagwe (2016), Anyaegbu et al. (2016), adopted this design and generated the desired data.

Population of the Study

The study adopted census(infinite)population for this study which comprised of all the book publishing industries and members of the Association of Nigerian Authors (ANA). To ensure that those, who are directly affected or have experienced piracy were selected for this study

Sampling Techniques

Available and purposive sampling techniques were adopted to ensure that those really affected by piracy, who qualified as victims of infringement, members of ANA and were willing to be interviewed were studied.

Research Instruments

This study adopted interview guide as instrument used to gather the qualitative data from four participants. Two in-depth and two key informant interviews were conducted.

Validity of the Instrument

The instrument was validated based on content, by senior academics (content validity). A language expert also validated the instruments to ascertain face (construct validity) in ensuring the ‘fit-for-use’, so that, what is meant is what is communicated, what is communicated is what is understood and what is understood generates the desired response or data.

Administration of Research Instrument/Data Gathering

After the instrument was validated, it was administered by the researcher through telephone and onsite interviews in Abuja, Lagos, Ondo State, Kaduna State and Plateau State.

Procedure of Data Presentation and Analyses

The qualitative data collected through the interview guides were transcribed and analysed using statistical software like Nvivo. Thematic analysis was used for data presentation, cross-case categories were developed and analysed accordingly.

Results

Table 13: Thematic Analysis of the qualitative data

Theme	Sub-theme	Supporting Quotes	Interpretation
Technological Advancement and Its Challenges	Benefits and Risks	“As much as technology is very beneficial to every one of us, yet we still have some challenges that are being posed by it. That is why, in every invention, there is always a risk.”	Technology provides benefits but also introduces risks, including copyright infringement.
	Copyright Infringement	“The problem of infringement is a result of the advent of internet, peer 2 peer sharing of resources and because we have cloud computing all around now.”	Digital platforms have enabled unauthorized copying and sharing of content.
Weak Policy Implementation and Enforcement	Policies not Enforced	“There are policies, but the policies are not being enforced... enforcement is not there.”	Policies exist but are weak and ineffective due to poor enforcement.

Theme	Sub-theme	Supporting Quotes	Interpretation
	Corruption/Bribery	“There are several instances of being bribed so that they can go on with the act because money is there.”	Corruption undermines enforcement agencies’ effectiveness.
Detection Against Infringement	Tools Existing Tools	“One of the tools is Digital Right Management (DRMS)... Copyright Print Detection Systems (CFDS)... Web Crawling Boats.”	Systems Tools exist to detect piracy but are limited in Nigeria.
Strategies for Curbing Infringement	Strengthening Laws	“We have policies on ground, but the major thing is that let us implement them.”	Stronger implementation of existing laws is needed.
	Affordable Alternatives	“We can also do a kind of short streaming services... and let people pay, which is affordable.”	Providing low-cost legal alternatives can reduce piracy.
	Funding Tools	“If we still... make use of these developers to have an anti-pirate or anti-piracy tools, I think this will also help a lot.”	Investment in local anti-piracy software is required.
Common Platforms for Piracy	Torrent, Cyberlockers	“The most popular is Torrent... we also have Cyber Lockers.”	Torrent and cyber lockers are the most frequently used piracy platforms.
Collaboration and Stakeholder Roles	Empowering Agencies	“The first thing is to ensure that they empower the agencies.”	Stronger institutional support is needed.
	Collaboration with Developers & Researchers	“There is also need for collaborations, especially with the educators; researchers... so that we can raise funds for them to develop anti-piracy software.”	Multi-stakeholder collaboration is key to reducing piracy.
	Indigenous Efforts	“Iroko TV is a local... company... YouTube already implementing some of these things... Mount Zion recently announced their own personalised channel.”	Indigenous initiatives are emerging but still limited.
Challenges Facing Tech Sector	High Cost of Legalization	“Few agencies... end up increasing cost of making the content legalised.”	Content creators face financial barriers in legalizing content.
	Weak Enforcement & Duplication	“Instead of the agency to enforce the law... we end up having several duplicates of these contents online.”	Weak law enforcement fuels duplication and piracy.
Recommendations	Government Responsibility	“The nation should stand up for their duty... back up these laws that are already put in place, put people there and empower them.”	Government must enforce laws and empower agencies.

Theme	Sub-theme	Supporting Quotes	Interpretation
	Collaboration	“They should encourage collaborations between the tech-world and the governments and even the researchers...”	Stronger collaboration will drive effective solutions.
	Support for Companies	“Government should... support Tech these tech companies, so that, some of these tools... can be many in this nation.”	Supporting indigenous tech companies can strengthen anti-piracy efforts.

Discussion of Findings

The thematic analysis underscores the dual nature of technological advancement in book publishing. While participants acknowledged the many benefits technology provides, they also highlighted the risks it introduces, particularly in relation to copyright infringement. Respondents linked piracy directly to the rise of the internet, peer-to-peer sharing, and cloud computing, noting that digital platforms have enabled unauthorized reproduction and distribution of creative works.

A central theme that emerged is the issue of weak policy implementation and enforcement. Although Nigeria has copyright laws and policies in place, respondents consistently stressed that enforcement is either weak or absent. The problem is further compounded by corruption and bribery, with stakeholders admitting that enforcement agencies are often compromised, allowing piracy to persist unchecked.

Participants also discussed the availability of detection tools against infringement such as Digital Rights Management Systems (DRMS), Copyright Fingerprint Detection Systems (CFDS), and web crawlers. However, they observed that such tools remain limited in Nigeria, with little investment in their deployment or development, leaving the book publishing industry vulnerable to online piracy.

The findings from the study revealed a significant consensus among stakeholders that digitalisation, while transformative, has deepened the copyright infringement crisis in the Nollywood movie industry. The overwhelming agreement that digital technologies have made infringement easier aligns with extant scholarship that highlights the disruptive role of digital infrastructures in cultural economies. Yudong (2017) earlier argued that the informal circulation of pirated media in Nigeria thrives because digitalization collapses traditional distribution boundaries, enabling unauthorized duplication at minimal cost. This resonates with Adejoh, et al (2025), who notes that the low barriers to entry created by digital technologies fuel the proliferation of “shadow economies” of media circulation.

Conclusion

This study concludes that copyright infringement poses a profound and multi-layered threat to the growth, sustainability, and global standing of the book publishing industry in Nigeria. The evidence gathered from stakeholders, supported by the statistical analysis; clearly indicates that infringement is not only an economic challenge but also social, institutional, and technological crises. Digitalisation, while offering new opportunities for content creation and distribution, has simultaneously made it easier for unauthorised access, duplication, and dissemination of intellectual property.

Recommendation

1. The Nigerian government should urgently domesticate outstanding international intellectual property agreements to strengthen the legal foundation for copyright protection and enforcement.
2. Relevant agencies such as the Nigerian Copyright Commission (NCC) should be adequately funded, equipped, and empowered to detect, prosecute, and penalise copyright violations effectively.
3. Digital tools, including blockchain, watermarking, and artificial intelligence, should be deployed to monitor content usage, trace infringement, and protect creators' intellectual property online.

References

- Aboki, Y. (2002). "Economic and cultural bases for copyright protection in Nigeria" in Asein, J. O. & Nwauche, E. S. (ed.) *A decade of copyright in Nigeria*. Abuja, Nigeria Copyright Commission.
- Adejoh, M., Ibrahim, J., Muktar, E. & Nasidi, Q. Y. (2025). "Artificial Intelligence (AI), Incidence of Copyright Infringement and Revenue Loss in the Nollywood Movie Industry in Nigeria: Issues for Ethical Usage". *Advance Journal of Linguistics and Mass Communication*. Vol.9:Iss:01. ISSN:5314-6414 p.5344-3692(e).
- Adejoh, M. & Ibrahim J. (2024). "Copyright Infringement, Media Economy and Returns on Investment." In Adama, A., Cosmos E. & Ibrahim, J. (ed.), *Communication, Media, Insecurity and Development: Issues, Challenges and Way Forward*. Zaria, Ahmadu Bello University Press Limited. P. 169-183
- Allen, N. A., Ekwenchi, O., Emeka, O. & Umeh, K. (2016). Awareness of Copyrights Law Among Select Nigerian University student. Retrieved from *Journal of Law, Policy and Globalization* Vol. 86. Doi.10.7176/JLPa
- Anyaeibu, M. I., Umejiaku, N.O. & Masigwe, R.A. (2016). Piracy and its effect on the book industry in Delta State. Retrieved from www.iosrjournals.org.
- Asemah, E. S., Nwammuo, A. N. & Nkwam-Uwaoma, A. O. A. (2017). *Theories and Models of Communication*. Jos, Jos University Press.
- OECD. (2015). *Copyright in the Digital Era: Country studies*. Retrieved from [https://www.eeffect.org/digitalization on piracy](https://www.eeffect.org/digitalization-on-piracy)
- David, I. B. (2007). *Intellectual Property* (6th ed.). Pearson education ltd.
- Dataprot, (2021). Piracy is back: Piracy statistics for 2021. Retrieved on the 9th September, 2021, from <https://dataprot.net/statistics/piracy-statistics>.
- He, L. & He, J. (2015). The Revolution of Communication Media and its impact on Education. Retrieved from: <http://www.scirp.org/journal/jss>
- Marx, K. & Engels, F. (1958). *The German Ideology*. (R. Pascal, Trans.). London: Lawrence and Wishart.
- Nwachukwu, P. I., Obasi, E. I., Akpuh, D. C. & Olaiya. S. B. (2020). The Impact of Piracy on Economic Prosperity in Niger Delta region of Nigeria. *International journal of Research and Innovation in Social sciences (IJRISS)* Vol. (iv) issue (ii).
- Nwogu, M. I.O. (2015). Copyright law and the menace of piracy in Nigeria. *Journal of law, policy and globalization*. Vol. 34, pp 113-129.
- Nworie, J. C., Nworie H. O. & Nwaigbo G. I. (2019). Assessment of the practice of copyright Infringement Among University Library Personnel in South-West, Nigeria. Retrieved from: <https://www.Gredenceprestltd.com>
- Ojieson, S. A. (2022). Interrogating Nollywood and its Sources of Funding: The Case of Invasion 1897. Retrieved on the 15th June 2024 from; [www.http:// dx.doi.org/10.4314/ejotmas.v6i1-2.14](http://dx.doi.org/10.4314/ejotmas.v6i1-2.14)

- Okoh, E. M., Izuogu, C. E. & Adeleye, O. F. (n.d). Social Media Use and Liability for Copyright Infringement: Experience from Nigeria. Retrieved from <https://www.socialmediauseandliability>.
- Olubiyi, I. A. (2014). A Comparative Analysis of Copyright Enforcement Provisions in Nigeria: Maximizing the Current Legal Regime. Retrieved from, <https://www.NAUJIL>
- Sean, A. P. (2017). The Role of Copyright in Creative Industry Development. Retrieved from <https://spanger@law.msu.edu>
- Smith, A. (1937). An inquiry into the nature and causes of the wealth of the nations. (E.Canna, Ed.). New York: modern library
- The Copyright Act, (The Act) 2022
- World Bank Group (2016). “Policy Research Work Paper” in Fink, Maskus&Qiu (ed.) The Economic Effect of Counterfeiting & Piracy: A Review and Implications for Developing Countries. Retrieved from <https://www>. The world bank group.
- WIPO, (2021). What is intellectual property. Retrieved on august 1st from, <https://www.wipo.int/about-ip/en/.WNO>, (2020). Recent improvement in Nigeria-2020. file:///C:/Users/USER/Downloads/2020_%20Nigeria%E2%80%99s%20progress%20on %