Christian Trade
ASSOCIATION INTERNATIONAL

Copyright and Copyleft:Copyright Violations and Violators

By Ian Darke

Throughout Latin America, publisher's copyrights are violated every day, using a range of technology from the rudimentary to the sophisticated.

Some years ago Ediciones PUMA in Peru were surprised that their printer did not return the artwork when he delivered their recently published desk diaries. They soon discovered he had taken PUMA's artwork and inserted it into his own publication, to be made available at a lower price.

Throughout La Paz, the high-altitude capital of Bolivia, as well as its even higher neighbouring city of El Alto, you will find an extraordinary network of book kiosks. Most are operated by astute Aymara businesswomen. A brief survey of many stalls showed that Rick Warren's books are widely sold, in very economical pocket editions. All are pirated, from "over the border."

Another publisher discovered several of his books offered free in electronic format from a Web site. Most titles were serious theological and reference works with high production costs. The site, operated by a conservative Christian group, purports to offer all sorts of Reformed materials to pastors and leaders. After contacting the service provider, the publisher learned the site was in Mexico. That country does have a very active copyright protection body called CeMPro (www.cempro.com.mx). The publisher is now investigating what can be done.

However, the biggest challenge to publishers by far is illegal photocopying.

In Costa Rica there is even a distinction is between photocopying and "cloning." The latter costs a little more, but the result is a photocopied "book," trimmed to the size of the original and with some sort of cover. Walk into a copy shop near the universities and you will hear clients being asked "Copied or cloned?"

Illegal photocopying: what to do about it

Federico Ibáñez Soler, a representative of the Ministry of Culture and a major figure in publishing in Spain, suggests that many think copyright violations affect just a few people, but that is not the case. The entire chain of production is affected, from writers, publishers, and printers, to book stores, schools, and the general public. The result is a dampening of local initiative and creativity; a decline in ethics, as ordinary citizens commit what is essentially fraud on a small scale; and a trivialization of culture.

In San José, Costa Rica, at the 2001 Congress of the Grupo Interamericano de Editores, an international publishers group, Ibáñez proposed several measures to combat piracy. He argued more investigation of piracy is needed, to learn how it works, who is behind it, when it is a consequence of the unavailability of books or their overpricing, and when it is for sheer gain. He encouraged publishers to work together to educate the public and raise a debate of the issues. There is strength in

unity. Ibáñez also called for pressure to be put on governments to lower taxes on paper and books, to support the book industry, and to promote respect for authors and intellectual copyright.

Photocopiers have only been common since the 1970s; e-books are even more recent. The World Copyright Treaty (see www.wipo.int) now includes the Internet and electronic publishing. The opportunities for piracy are greater, and at the same time the concepts involved are more complex. Education is essential.

Of course, book publishers are not alone: music publishers suffer worse. Recently a group pirating and selling Christian music CDs described they felt "blessed... that their work was making Christian music more widely available!" The same moral ambivalence is present with some who copy Christian books. Sunday School materials are copied without a second thought. Some copy them due to laziness, without even checking to see if materials can be bought, because "That is what everyone does."

How should we respond? First of all, Christian publishers should be actively involved with the initiatives of the general book industry. A sad feature of the cases mentioned earlier is that they involve Christian "pirates." As far as I know Ibáñez is not an evangelical Christian. Surely we should be even more passionately concerned than he is!

Second, we can be more proactive and creative. Several curriculum publishers in Latin America are producing student materials at extremely low prices, making copies worthless, or giving permission to copy specific materials. In this continent we face huge distribution challenges from one country to another. Bible colleges, with their need for selected texts, are sometimes culprits of copyright infringement. Some negotiate with foreign publishers for permission to reproduce a limited number of texts, for a set fee per copy. Another publisher had such a miserable experience selling Bible study guides that they now offer them for free in PDF format from the Web.

Third, we must recognize that policing copyright is beyond the scope of small publishers. It is costly in time, money, and energy. Miguel Collie, from Certeza Argentina (www.certezaargentina.com.ar), comments: "People and institutions can sometimes be shamed into doing the right thing. Contemplating theft knowing that no one will even react is one thing; contemplating theft when you risk confronting an angry copyright holder is another." We publishers can and should work together to protect intellectual property.

Finally, we must publish more about the issue. Many Christian books are unrelated to the daily issues of those who live in the Majority World. We need to link the Bible with practical concerns, including ethics and corruption.

When the boot is on the other foot: infringements by publishers

Publishers are under threat from illegal copying. But, are Christian publishers innocent as far as copyright is concerned?

Some have been guilty of image theft. The issue is far more challenging for magazine, newspaper, and webzine publishers, as their need for graphics is greater than that of book publishers. Some have even scanned images from the National Geographic Society! In some cases, it is a simple matter of ignorance of the law, or of alternatives, such as image banks that offer photographs at a reasonable cost. In this era of digital photography, experienced Christian photographers seem to be an endangered species and may need special cultivation.

However, the big challenge for Christian publishers in Latin America is the use of pirated software. Some use of illegal software is unintentional. Many computers sold in Latin America (and in other continents) include software. What the buyer does not realize is that this software, which makes the complete package more attractive, may be unregistered.

Added to this may be a degree of innocence and inexperience. Some publishers have access to good advice about which programs to use, but that is not always the case. The Internet is an excellent resource, but there is so much information there, and in English, that beginner computer users of other language groups can feel lost.

It is not surprising, then, that if a salesperson says that Microsoft Office is essential to any business, this carries great weight. Now Microsoft Office is indeed a most excellent suite of programs, but there are alternatives. OpenOffice (www.openoffice.org), for example, is available for Windows or Linux platforms in many (human) language interfaces, and is totally free, an open source product (www.opensource.org). Earlier versions had their glitches, but the present version (2.0) is as versatile and robust as any expensive office suite.

Several Majority World countries are switching to open source platforms, like Linux, instead of Windows. Brazil, China and India are just three giants moving in that direction. However, for individual publishers lacking a technical support structure, the move might be too daunting. It is for me!

The real rub comes with specialized publishing and graphics software. Scribus (www.scribus.net) runs on Linux and is supposed to be like Adobe InDesign or Quark XPress. RagTime for Windows (www.ragtime-online.com) is free for personal use, and economical for non-profits, which may apply to some. Most publishers, however, will need to use core professional programs the world over.

"There is also the issue of price compared to income," adds Collie. "Adobe software is typically more expensive outside the US, and prices increase in inverse proportion to the ability to pay. Software is more expensive in Bolivia than in Argentina, where prices are higher than in Britain, where prices are higher than in North America. Music and film prices offered by multinational media are adjusted to local incomes, but not software."

There is a particular pressure here for Christian publishers. Think of a young publisher, María, running a tiny Andean publishing house. She wants to be correct in all she does. She and her two staff each earn $200 a month.

In her city all the other publishers use pirated versions of PageMaker or InDesign. Despite the high cost, María and her team decide to spend $1000, or five months' salary, on professional software. Now, when María, who has attended a CCMI financial planning event, creates her budget, she needs to include the software cost in the equation.

Her public earn as little or less than she does, margins on book publishing are tiny, cheap photocopying is the norm, and so she prices herself out of the market. What does she do? As someone has said: "Pirate or perish!"

There are cultural issues as well. Some Christians adopt a David-and-Goliath approach to justify software abuse. Anti-Americanism is strong in many countries, and folk talk of "resisting the empire" while exploiting its know-how. Few would call it stealing. Some feel that not paying for software produced by U.S. companies places them on higher moral ground.

What can be done? First of all, realize that these are complex interwoven issues. Many living in the West never have to face the complex ethical issues that are the daily diet of the Majority World. Let us be thoughtful, gentle and wise as we talk together.

Second, share advice and training. One publisher wanted to generate bar codes for book covers and did not realize their present software could generate them. An hour-long visit from a friend walking through the details was all that was required.

Third, seek bona fide software at just prices. Maybe Christian publishers can join together to apply pressure to software manufacturers, or simply buy in bulk. We need to respond with some urgency. Some countries, like Peru, operate new and ruthless initiatives to stamp out illegal software, targeting

formal businesses, under the assumption they have money. Christian publishers are therefore under strict vigilance—though little is done to curb illegal activities that harm them!

In Virtual Morality: Christian ethics in the computer age, Graham Houston comments that, apart from the sort of issues we have touched on in this article, other subtle forces are at work in our communities through technology. The tendency to solitary activity and privatization, to living a parallel reality (through computer games and simulations) and to technicism (the belief that all problems can be resolved with the right technology), are major factors molding all of our societies. As Christians we are called to be salt and light in our world (Matthew 5:13-14). We are not to be conformed by the world but to be transformed by the renewal of our minds (Romans 12:1-2). Let us pray that Christian publishers—in Latin America and other countries—will shine, not only through their actions, but also in their commitment to truth.