

**THE LEGAL, ECONOMIC, SOCIAL, CRIMINAL, AND POLITICAL
CHALLENGES OF VIDEO PIRACY: THE NIGERIAN EXPERIENCE**

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Abstrak

Dalam keadaan berlakunya masalah pragmatik tentang video cetak rompak yang berleluasa dan kajian empirik yang terhad, penelitian ini cuba mengisi lompong ilmu dalam wacana video cetak rompak global dari perspektif perundangan, moral, ekonomi, jenayah, dan politik di Nigeria. Kajian ini menyiasat cabaran video cetak rompak di Nigeria dari pelbagai perspektif. Dengan menggunakan reka bentuk kualitatif dan pendekatan kajian kes, triangulasi yang melibatkan temu duga, perbincangan kumpulan tumpuan, dan kaedah analisis dokumen digunakan untuk mengutip data. Kaedah persampelan pertimbangan digunakan untuk mendapatkan maklumat daripada responden manakala kaedah interpretif dan analitikal kritikal digunakan untuk menganalisis data. Kerangka teori kajian ini ialah teori penyebaran inovasi. Satu set yang mengandungi lapan dapatan kajian ini menyumbang secara unik pada bidang ilmu tentang video cetak rompak di Nigeria dan secara global yang termasuk: dimensi etnik tentang tren video cetak rompak yang berbahaya di Lagos; tahap kesedaran yang rendah tentang video cetak rompak dalam kalangan masyarakat awam di Nigeria; tahap pemantauan yang rendah terhadap proses pasca penerbitan dan proses penerbitan semula oleh penerbit dan pemilik sah; sabotaj dalaman di dalam kilang pengeluaran dan dalam kalangan pemasar video; kapasiti kewangan dan operasi pihak berkepentingan yang lemah; ketiadaan penggunaan alat teknologi yang canggih untuk melindungi kerja-kerja pembuatan video; pengalaman trauma psikologi yang buruk oleh pengeluar video dan pemasar; keengganan pengeluar video untuk menerbitkan kualiti video yang rendah demi mengurangkan kos dan risiko; dan akhirnya, empat faktor utama yang menyangkal dakwaan bahawa video cetak rompak menyumbang pada kemunculan dan populariti industri video di Nigeria. Kepentingan dapatan ini termasuk: kefahaman strategik tentang dinamika video cetak rompak yang dapat membantu ke arah perancangan strategik; kawalan, penghapusan video cetak rompak; pencegahan konflik strategik, pengetahuan terkini tentang video cetak rompak dan pembangunan strategik, ekonomi dan budaya.

Kata kunci: Video cetak rompak , Cabaran, Teori enyebaran inovasi, Triangulasi

Abstract

In the circumstance of existing pragmatic problem of an endangering high prevalence of video piracy and dearth of empirical enquiries, this study attempted to fill the knowledge gap in the global video piracy discourse from the legal, ethical, moral, economic, criminal and political perspectives in Nigeria. The study investigated the challenges of video piracy in Nigeria from multiple perspectives. Adopting the qualitative design and the case study approach, a triangulation of the in-depth interview, focus group discussion and document analysis methods were used for data collection. While the judgment sampling method was adopted for information gathering from respondents, the interpretive and critical analytical methods were used for the data analysis. The study's theoretical framework was the diffusion of innovation theory. A set of eight findings of this study which uniquely contribute to the body of knowledge on video piracy in Nigeria and globally include: the dangerous ethnic dimension of the video piracy trend in Lagos; the low level of awareness on video piracy amongst the Nigerian public; the poor level of monitoring of post production and reproduction processes by producers and right owners; the internal sabotage within production plants and among video marketers; poor financial and operational capacity of stakeholders, non usage of highly sophisticated technological devices to protect video works; the experience of devastating psychological trauma by video producers and marketers; unwilling resort of video producers to low quality production to reduce cost and risk; and finally, the four fundamental factors refuting the claim of video piracy's contribution to the emergence and popularity of the Nigerian video industry. The significance of these findings includes: strategic insight and understanding of the video piracy dynamics capable of facilitating strategic planning; control; eradication of video piracy; strategic conflict prevention; knowledge update on video piracy and strategic economic and cultural development.

Keywords: Video piracy, Challenges, Diffusion of innovation theory, Triangulation

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List of Abbreviations

1. ALPA: Association Against Audio-visual Piracy.
2. APM: Anti Piracy Movement.
3. BBC: British Broadcasting Corporation.
4. CNN: Cable Network News.
5. DRM: Digital Rights Management.
6. DPI: Deep Packet Inspection gear.
7. ESA: Entertainment Software Association.
8. FMM: Free Media Movement.
9. IIPA: International Intellectual Property Alliance.
10. IPI: Institute for Policy Innovation.
11. ISP: Internet Service Providers.
12. MPAA: Motion Pictures Association of America.
13. NCC: Nigeria Copyrights Commission.
14. NFVCB: National Film and Video Censors Board.
15. RCA: Radio Corporation of America.
16. RIAA: Recording Industry Association of America,
17. WIPO: World Intellectual Property Organization.

CHAPTER ONE

INTRODUCTION

1.1 Introduction

This chapter as a gateway to this study commences with an overview of the global trend of video piracy which serves as an introduction and background to this study. The discussion of the video piracy trend in Nigeria logically follows, with a brief overview of the development plight of Nigeria as a developing nation highlighting her developmental challenges. The chapter also covers a reflexive narration of how the pains of a Nigerian patriot connects with this research, followed by the problem statement for the research, the research questions, the research objectives, significance of the study, scope and limitations of the study as well as the conceptual definitions of terms and concepts relating to video piracy. It concludes with the study plan or research framework for this study to its completion stage.

1.2 Overview of the Global Trend of Video Piracy Phenomenon

Today, the video piracy question or phenomenon is gaining more and serious attention in many countries of the world, particularly in those countries with advanced video industries, because piracy is being alleged to constitute a serious threat to the stability and survival of not only the video and film industries, but also the economies of those countries (Cheng, 2008). Some notable countries caught in the web of the serious threat of video piracy include: the United States of America (USA); the United Kingdom (UK); France; India; China, and Nigeria among others (Glickman, 2009; CNN, 2009; Bryant, 2012; BBC News, 2012).

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