

Public Perception and Attitude towards Copyright Legislation and Book Piracy in Nigeria

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Abstract

This study was conducted in Cross River State, Nigeria. Members of the public constituted the population of the study. Accidental and purposive sampling techniques were used to identify 800 members of the public who participated in the study. Questionnaire and interview methods were the instruments used for data collection. The data collected were analysed using simple percentages. The study found, among other things that, most members of the public perceived book piracy as a source for cheap books and a means of livelihood. This is influencing their attitude towards patronage of pirated books. Besides, there is lack of public awareness of copyright legislation as large number of respondents does not know of its existence while others perceived it as a legislation that cannot be enforced. The study recommended that the fight against book piracy in Nigeria should involve synergy with the public as some members of the public do not see anything wrong with book piracy, arguing that original books are too expensive.

Keywords: perception, attitude, copyright, legislation, book, piracy

Introduction

Perception is a relative term used to express the view, opinion, mindset, thinking or understanding of a concept, idea or theme, as the case may be. Perception generally is a reflection of the understanding of a concept or idea by an individual or group. Such perception could shape an individual's attitude towards the idea or concept under consideration. Thus, where an individual holds a positive perception of a concept, it conveys a feeling of acceptance and belief in such concept; while the opposite will be the case where there is a negative perception. An individual's perception of any idea or

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concept could be right or wrong, leading to a right or wrong belief of the issue or concept in question by such individual.

On the other hand, legislations are laws meant to guard against acts, actions, behaviours or tendencies which are considered to be morally, ethically, socially or economically unacceptable and such acts are seen as a deviation from acceptable norms which, if unchecked, will continue to persist. It is imperative that such legislation should emanate from a constituted authority with legislative backing for it to be enforceable. "Copyright legislations therefore, are a set of laws designed to protect originality and creativity by preventing unauthorized reproduction of the creative work of others. Where such legislations do not exist or where there are violations or infringement of copyright, the originators of the reproduced work(s) suffer economic losses while the copyright offender (pirate) enjoys unearned dividends" (Odu & Bassey, 2015).

Book Piracy is a wilful and unauthorized reproduction of other peoples' books for economic gain, leading to theft of intellectual and creative efforts of authors. It is a social and economic menace that has continued to be a nightmare for authors. In other words, book piracy is the unwholesome, unauthorized or illegal reproduction of the creative work of an author for distribution or sale without payment of royalty to government or compensation to the owner of the intellectual property that is being exploited. This, indeed, is an aberration that amounts to infringement of the copyright of others. It does not only reduce the standard and quality of the original work, it also denies creators the desired earnings, which should deservedly accrue to them. Pirated books share some basic features that distinguish them from the original books. These include blurred prints, poor picture quality, poor quality paper and weak binding. Despite the apparent poor physical characteristics of pirated books, it appears they are the most sought after and the most common in the markets in Nigeria.

Public perception of copyright legislation therefore is the view, opinion or thought people have about copyright legislation: while public perception of book piracy is a reflection of what the public think, feel or understand it to be. Such understanding shapes people's attitudes towards pirated book. It provides the basis for acceptance of pirated books or otherwise. Public perception of copyright legislation and book piracy is a critical factor in understanding the underlying factors supporting the persistence of book piracy in Nigeria as well as offering a leeway to the security agencies on where to focus their target in the fight against book piracy. It is interesting to note that pirated copies are sold and bought by members of the public. In other words, the public sustain the illicit trade by distributing, selling and patronizing the pirated copies. The persistent and appreciable increase in book piracy in Nigeria points to one fact: the steady demand and supply of pirated copies, with the key actors in this chain of distribution being members of the public. If there is no ready market for pirated books, sellers, distributors and producers of these substandard products would be starved of funds and the trade in pirated books will become less economical, unattractive and unprofitable. This is why understanding public perception of copyright legislation and book piracy is needed in the fight against book

piracy in Nigeria. It could offer a redirection on how to tackle the unwholesome act by building collaboration or synergy with the public, authors, publishers and copyright owners, by providing the security agencies with basic information or intelligence report on the activities of pirates.

Attitude is the behaviour, actions, tendencies or approach shown towards an idea, concept or phenomenon. Such action, most often, is in response to an idea, concept and opinion as the case may be. Such behaviour will obviously be a direct reflection of the person's or peoples' perception of the idea, concept or issue under consideration. Where one holds a positive perception of something, the person's attitude towards that thing will convey a positive connotation and the reverse will be the case where there is a negative perception. Therefore, the attitudes of members of the public towards copyright legislation and book piracy will stem from their perception of copyright and book piracy. In other words, if copyright legislation is perceived to be a good legal instrument, given what it is intended for, members of the public will appreciate the law and do well to follow it. In the same way, if they perceive book piracy as an illegal, unwholesome practice, an aberration and theft of the intellectual property of others, they will do well to condemn it by avoiding pirated books which are the product of illegality. However, seeing members of the public going all out to buy pirated books is worrisome and threatening. It will be interesting therefore to find out what members of the public think about copyright legislation and book piracy. Their thought will reflect their attitude and provide lead in the fight against book piracy in Nigeria.

Books are versatile sources of information whose value derives not only from their currency, contents, scope, mode of expression and treatment, but also from their relevance to educational curriculum and national development. They are essential learning resources that support research, teaching, learning and recreation needs of humanity. "In developing countries like Nigeria, books are commodities for children of the rich, as a large number of parents cannot afford the books needed in schools by their children" (Odu & Bassey, 2015).

In a study on book piracy and the challenge of saving Nigeria's Publishing Industry, Omeiza and Lanre (2019) found that the legal framework meant to combat book piracy and its implementation did not adequately block the economic exploitation of authors' literary works. In a study on the effect of book piracy in Nigeria, Amadu (2017) found that high cost of original books, get-rich-quick syndrome, and scarcity of original books are reasons for the growing piracy network in Nigeria. Olubiyi (2014) noted that it is common knowledge that Nigeria has a very weak copyright enforcement regime, and piracy remains a mammoth challenge. While so many factors have been adduced for piracy in Nigeria, the inadequacy or lack of effective enforcement of copyright laws is of significance. In a study on the effect of book piracy, Enang and Umoh (2013) noted that books have suffered from piracy for centuries; it is nothing new rather the question is how this biting problem can be curbed. Cohen (2009) reported that piracy has remained a massive problem in the developing world and it is thriving very high, as even wealthy and

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financially capable citizens still buy pirated books. With this, one can aptly infer that book piracy is not an issue of poverty but an option to spend more on other commodities (Anctil, 2002).

Njoku (2020) noted that pirates import the pirated copies through various ports and borders into the Nigerian markets because it is cheaper for them since the production cost in those countries is very low. The study further noted that although local piracy had not ended, the situation was compounded by international piracy of books, following cheap and affordable papers in the countries where the books were being pirated. Criminals now go to places like China and Indonesia to print and flood Onitsha, Aba, Lagos, and other markets with pirated copies of books.

According to Nwogu (2014), the dawn of information age and the advancement in technology in the reproduction of information and intellectual goods created a favourable tool for piracy; copying and selling of another's intellectual works have become easy and less expensive; copyright theft, production of fake, sub-standard and unlicensed products are on the increase. The study noted that effective enforcement of intellectual property laws is a key to curbing piracy; but poor enforcement mechanism, in the event of infringement, remains a major reason why the illegal act has continued to thrive. Book piracy is a global problem, although more prevalent in developing countries like Nigeria. Similarly, Nwogu (2015) found that ignorance and lack of adequate information about copyright processes and laws is responsible for book piracy in Nigeria. Many individuals are not fully informed on what piracy and copyright is. Worse still, many people do not even know that it is a criminal offence.

The Nigerian Publishers Association (2011) reveals 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. In a study on the Nigerian Copyright Commission, Adeyemi (2020) concludes that the commission has been paying credible attention to issues that surround software infringement while little attention was paid to book piracy. The poor attention given to book piracy could entrench the publication of pirated copies and would consequently lead to the poor library service provision in the long run.

Olatunji (2013) appraised the enforcement activities of the Nigerian Copyright Commission using the regulation that guide the commission. It was found that achieving the task of the commission has been encumbered by factors such as inadequate funds and manpower for effective enforcement of copyright breaches. In a study on book piracy in Nigeria, Nkiko (2014) found that ignorance of the copyright laws by the public and the uncooperative attitude of some countries in endorsing international treaties on intellectual property rights are the cause of book piracy in Nigeria. 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.

Anyaegbu, Obiamaka, and Adafor (2016) examined the effort of Nigerian Copyright Commission to curb book piracy and found that the populace does not know of the existence of the Nigerian Copyright Commission.

Ahmadu (2014) assessed the contributions of the Nigerian Copyright Commission towards controlling book piracy in Nigeria. The findings showed that high cost of original books, get-rich-quick syndrome, and scarcity of original books are reasons for piracy in Nigeria. In a study on a legal appraisal of Nigeria Copyright Law and the author, Bielu (2021) found that piracy in Nigeria is shaped by poverty, social as well as income inequality; ignorance and lack of adequate information about copyright processes and laws; high cost of publishing in Nigeria which leads to an increase in the cost of books has made many people to patronize pirated works because of the relatively cheap price; inability to gain access to original copies; and poor funding of regulatory agencies such as the Nigerian Copyright Commission.

Statement of the problem

The Nigeria Copyright Act is a legal instrument meant to guide against any form of infringement or violation of copyright on any or all of the items protected by the Act. There is also the Nigerian Copyright Commission saddled with the responsibility of implementing the provisions of the Nigeria Copyright Act. With these legal framework put in place, one would expect to see an end to book piracy in Nigeria. However, the reverse appears to be the case as pirated books are openly sold in the markets all over Nigeria while the illegal trade has remained persistent. It is against this backdrop that this study was embarked upon to ascertain public perception and attitude towards copyright legislation and book piracy in Nigeria. It is also intended to find out why book piracy has continued to persist in Nigeria despite the legal frameworks put in place to curb it.

Objectives of the study

This study was conceived with a view to ascertaining the perception and attitude of members of the public on the issue of copyright legislation and book piracy in Nigeria and why the illegal practice has continued unabated. The specific objectives of the study were as follows:

1. To ascertain the extent and sources of awareness of copyright legislation by members of the public.
2. To determine public perception of copyright legislation in Nigeria.
3. To determine public perception of book piracy in Nigeria.
4. To ascertain why the public patronize pirated book as against original books.

Research questions

1. What is the extent and sources of awareness of copyright legislation by members of the public?
2. What is public perception on copyright legislation in Nigeria?
3. What is public perception on book piracy in Nigeria?
4. Why do the public patronize pirated book as against original books?

Methodology

This study was conducted in Cross River State, Nigeria. Members of the public constituted the population of the study. The researcher approached parents at the premises of their children’s schools, in bookshops and other public places to participate in the study. Heads of some selected nursery/primary and secondary schools were part of the study, considering the fact that they were subscribing to original copies of books directly from the approved publishers for sale to their pupils and students. Thus, patronising pirated copies is equally affecting these headteachers and Headmasters as well. Only those who willingly agreed to be part of the study were considered. Questionnaire and interview methods were the instruments used for data collection. The Public Perception and Attitude Towards Copyright Legislation and Book Piracy Questionnaire (PPATCLBP) was divided into two sections. Section A captured the demographic characteristics of the respondents while section B contained items the participants responded to. Accidental and purposive sampling techniques were used to identify 800 members of the public who participated in the study. The data collected were analysed using simple percentages.

Presentation of results

Research question one: What is the extent and sources of awareness of copyright legislation by members of the public?

The findings on the extent and level of awareness of the copyright legislation by members of the public are presented in table 1.

Table1: The extent and level of awareness of copyright legislation by members of the public

s/n	Level of awareness of copyright legislation			Sources of awareness of copyright Legislation		
	Items	Freq	%	Items	Freq	%
1	Those who have no knowledge of copyright legislation at all	172	21.5	No knowledge of such legislation	172	21.5
2	Those who have heard about copyright legislation but do not understand it.	202	25.3	Through electronic media	184	23
3	Those who have no idea of the effects of copyright infringement	180	22.5	Through the print media	102	12.8

4	Those who do not know that copyright infringement is an offence	142	17.7	Formal studies	130	16.2
5	Those who understand copyright law and the consequence of copyright violation	96	12	Through law enforcement agencies	144	18
6	Those who were indifferent	8	1	Through P.T.A meeting	68	8.5
	Total	800	100	Total	800	100

Table 1 shows that 172 respondents (21.5%) have no knowledge of copyright legislation, 202 respondents (25.3%) have heard about copyright legislation but do not understand it, 180 respondents (22.5%) do not know the effects of copyright infringement, 142 respondents (17.7 %) do not know that copyright infringement is an offence, 96 respondents (12%) understand copyright law and the consequences of copyright violation while 8 respondents (1%) were indifferent. Similarly, 172 respondents (21.5%) have no knowledge of copyright legislation, 184 respondents (23%) heard about it from the electronic media, 102 respondents (12.8%) learnt about it from the print media, 130 respondents (16.2%) learnt about it through formal studies, 144 respondents (18%) through law enforcement agencies while 68 respondents knew about it from the Parent Teachers' Association (P.T.A) meetings.

Research question two: What is public perception on copyright legislation in Nigeria?

The results on public perception of copyright legislation in Nigeria are presented in table 2.

Table 2: Public perception of copyright legislation in Nigeria

S/N	Items	Freq	Percentage
1	A legislation that cannot be enforced	69	8.6
2	A legislation with so much loop holes	106	13.2
3	A legislation that is enforced against the weak	111	13.9
4	A good law without the necessary enforcement mechanism	98	12.3
5	A legislation that has been compromised by enforcement agents	221	27.6
6	Those who are indifferent about the legislation	195	24.4
	Total	800	100

As shown in table 2, the public perceive copyright legislation differently: a legislation that cannot be enforced, 69 representing 8.6% of the respondents; a legislation with so many

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loop holes, 106 representing 13.2% of the respondents; a legislation that is enforced against the weak, 111 representing 13.9% of the respondents; a good law without the necessary enforcement mechanism, 98 representing 12.3% of the respondents; a legislation that has been compromised by enforcement agencies, 221 representing 27.6% of the respondents; while those who were indifferent were 195, representing 24.45% of the respondents.

Research question three: What is public perception on book piracy in Nigeria?

The results on public perception of book piracy in Nigeria are presented in table 3.

Table 3: Public perception of book piracy in Nigeria

S/N	Items	Freq	Percentage
1	Book piracy is an illegal practice	88	11
2	Book piracy is a source of cheap books for the common man	203	25.4
3	Book piracy is a means of survival	168	21
4	Book piracy is economic sabotage	136	17
5	Those who are indifferent about book piracy	205	25.6
	Total	800	100

As shown in table 3, public perception of book piracy has a negative connotation which convey acceptance of the practice by members of the public. Thus, 203 respondents (25.4%) see it as a source of cheap books for the common man; 168 respondents (21%) see it as a means of survival; 205 respondents (25.6%) were indifferent. Those who perceived book piracy as an illegal practice were only 88 respondents (11%) while those who perceived it to be economic sabotage were 136 respondents (17%).

Research question four: Why do the public patronize pirated books as against original books?

The findings on the reasons why pirated books are patronized over original copies are presented in table 4.

Table 4: Reasons why the public patronized pirated book as against original books

S/N	Items	Freq	Percentage
1	Pirated books are cheaper than original copies	262	32.7
2	Pirated books are readily available in the market	183	22.9
3	Buying pirated books help to save money for other items	87	10.9
4	Pirated books are the only available books in the markets	176	22
5	I cannot differentiate between pirated copies and original books	92	11.5
	Total	800	100

Table 4 shows the attitude of members of the public towards pirated books. Those who buy pirated copies because they are cheaper were 262 respondents (32.7%); those who prefer pirated books because they are readily available were 183 respondents (22.9%); those who feel buying pirated copies help to save money for other items were 87 respondents (10.9%); those who feel they are the only available books in the markets were 176 respondents (22%); while those who could not differentiate between pirated copies and original books were 92 respondents (11.5%).

Discussion of the findings

Part of the findings from research question one indicates that the number of those who have no knowledge of copyright legislation is very high, (172 representing 21.5% of the respondents) compared to the number of those who understand copyright law and the consequence of copyright violation, (96 representing 12% of the respondents). Also, the number of those who have heard about copyright legislation but do not understand it is very high, (202 representing 25.3% of the respondents). The lack of awareness of copyright legislation in Nigeria is corroborated by Nkiko (2014) whose study found that ignorance of the copyright laws by the public and the uncooperative attitude of some countries in endorsing international treaties on intellectual property rights are some causes of book piracy in Nigeria. Similarly, Nwogu (2015) found that ignorance and lack of adequate information about copyright processes and laws is responsible for book piracy in Nigeria. Many individuals are not fully informed on what piracy and copyright is. Worse still, many people do not even know that it is a criminal offence.

The findings from research question two show that public perception of copyright legislation is not encouraging, neither is it positive. Some see it as a legislation that has been compromised, (221 respondents); legislation with so many loop holes, (106 respondents); legislation enforced against the weak ones in the society, (111 respondents). Apart from those who remained indifferent, (195 respondents) only 98 respondents have a positive perception of copyright legislation in Nigeria. This finding agrees with that of Omeiza and Lanre (2019) which found that the legal framework meant to combat book piracy and its implementation did not adequately block the economic exploitation of author s' literary works. There is therefore an urgent need for the law to be amended to block the lacuna in the extant laws. Similarly, Olatunji (2013) found that achieving the task of the commission has been encumbered by factors such as inadequate funds and manpower for effective enforcement of copyright breaches.

Findings from research question three indicate a seemingly tolerating attitude towards book piracy by the public. This negative perception can be seen as the public appears to justify the thriving business called book piracy by blaming it on scarcity and high cost of original copies. This agrees with Amadu (2017) whose study found that: high cost of original books, get- rich-quick syndrome, and scarcity of original books are the reasons for the growing book piracy network in Nigeria.

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Findings from research question four indicate the reasons why the public patronized pirated books. This finding is in concert with that of Egbunefu (2011) which found that many people go for these pirated books because they cannot afford the scarce, original but expensive copies. However, the finding is at variance with the study by Cohen (2009), who reported that even wealthy and financially capable citizens still buy pirated books. With this, one can aptly infer that book piracy, according to Anctil (2002), is not an issue of poverty but an option to spend more on other commodities.

Conclusion

Book piracy has remained a topical issue in global discuss. Several conventions and treaties have been signed by different countries with the hope of curtailing piracy. The menace is more noticeable in the developing countries like Nigeria, where pirated books are sold freely in the open markets without any form of challenge. This calls for synergy between Nigerian Copyright Commission, the Law Enforcement Agencies and members of the public. This has become imperative given the fact that members of the public are major drivers in the production and distribution of pirated books. They create the demand for pirated books and they are suppliers of the same products. Therefore, engaging the public through advocacy and orientation on the ills of book piracy will go a long way in combating book piracy. If members of the public begin to see or understand the negative effects of book piracy on the authors, the publishing industry and on the nation generally, the demand for such books will reduce and the entire business of book piracy will become uneconomical and unattractive.

Recommendations

Arising from the findings of this study, the following recommendations were made:

1. It is necessary to review the laws guiding the enforcement of copyright violations in Nigeria. This will help to block loopholes, if any, in the existing laws.
2. Besides, the fight against book piracy in Nigeria should involve the public. Some members of the public do not see anything wrong with book piracy. Some believe that piracy is a source of cheap books; a means of livelihood; pirated books are the only ones available in the markets; and that original books are too expensive. There is need for synergy and orientation to help the public understand the danger posed by book piracy.
3. There is need to provide subsidy for educational and printing materials in Nigeria. This will reduce the cost of printing original books, thus help the Nigerian publishing industry to thrive and make pirated copies less appealing to the public.
4. There should be proper security in the borders. The pirated copies shipped from overseas come into Nigeria through the borders.
5. The security agencies involved in the fight against book piracy should be adequately provided for in terms of logistics, personnel, mobility, communication gadgets, intelligence gathering and moral support.

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