

Copyright:

an Inspirational View

by Radha Sahar

"I'll just make a copy of that..." we say in a moment of inspiration. Somewhere in the back of our minds we suspect we shouldn't, but nonetheless its tape deck or photocopier here we come...

Copyright (legal rights to control the reproduction of an artistic or written work), is a complex issue. Copying tapes, CD's and videos, and photocopying books, in whole or in part, without permission is against the law, but the real problem is we don't actually *want* to know: it's expedient - "everyone does it".

Copyright is a system the world has put in place to protect creative people and their works. It operates slightly differently in different countries, and is based on the idea of intellectual property.

The term "intellectual property" does come across as a bit of an oxymoron! But to apply the same judgmental criteria, so do the ideas of "owning land" or "water rights". One finds oneself wondering when we will be paying for fresh air! This is because we *recognize* the spiritual truth that we don't really *own* these things.

Inspired music and writings, works of art and brilliant scientific ideas certainly seem to "come down" through us, and hence really "belong to Spirit". The more we align the mind to spirit, the less attractive "material" concerns appear. However, this does not solve the problem of how to *live* in the material world!

For thousands of years, people have labored in the fields or crafted physical items of trade in order to survive. They were forced to create systems of "ownership" in relation to their labor in order to have justice in society.

Nowadays an increasing number of people are "laboring" solely in the intellectual field. When their work is justly attributed to them, they can claim their share of profit when the work is sold. Otherwise they would have little or no income.

Recognizing firstly that everything is Spirit, one then has to adjust in the material realm as best one can according to the times. Buying and selling music and books is essentially no different from buying and selling baked beans. Any product we use - be it nourishing the physical body or the mind and spirit, has a monetary value in relation to the human labor put into it.

Everyone has material needs. Meeting these needs costs in money or labor. Even great religious teachers who give all their time to society and receive no personal income are nonetheless supported in the material world by their followers.

If artists, writers and publishers were supported thus, there would be no need for copyright law. However we are not "up there" - we are workers in society like everybody else. Copying our work is similar to stealing something off the supermarket shelf - that's probably why people don't want to know...

Great spiritual teachers' discourses are also copyright protected, obviously not for financial reasons. The other very important roles copyright law plays, are to protect the sanctity of the ideas so they do not get distorted, and to keep an accurate "lineage" as to the source of the teachings as they spread. An excellent example of how quickly original words become distorted is to play the "whisper-a-message-around-a-circle" game... No one taking the responsibility of teaching another wants his or her words even slightly distorted, as great harm could come of this!

The Good News!

Having had to explore the maze of copyright law in my work as a composer, I made a surprising discovery: the personal *benefits* of following it outweigh the hassles! I find the effort *is* worth it on an individual, spiritual level. I'll now share with you some of the spiritual gains as I experience them:

Clear Conscience

That "somewhere in the back of our minds" is conscience. Listening to the conscience more and following it brings clarity of mind. It is as though a burden is lifted, and the amazing thing is that the light, airy mind-space created seems far bigger than one would imagine such an obscure "burden" would take up. Having a clear conscience is a very enjoyable feeling.

Peace of Mind

When an old fridge clicks off we suddenly realize it was on. The immediate peace feels disproportionate to the "un - noticeable" noise. In our minds so much goes on we are unaware of. The surprisingly complex mental activity required to maintain a mental habit of avoidance could be thought of as a motor hum.

When we embrace the issue, the complex becomes the simple. The hum turns off and peace of mind is the result. That army of threatening-looking warnings printed on tapes, CDs, books and software *can* be thought of as a "peace-keeping" force. This concept is similar to, but subtly different from gaining a clear conscience.

Simply Living

Copying is done on impulse. It reflects immediate desire. Fulfilling immediate desire without restraint complicates life in ways we may not realize. We clutter up our lives - and our shelves. We consume and accumulate devalued items.

In consciously choosing to refrain from copying, I find myself thinking "How much do I *really* want this? - Enough to pay full price? How often am I *actually* going to listen to or look at this?" These helpful, evaluative thoughts keep life simple. The result is a smaller, more meaningful collection reflecting commitment and deeper values, less tatty clutter in the room and, in environmental terms, less of a waste burden for Mother Earth!

Strengthening of Community

When I don't want an item enough to purchase it, I either go to the library or video store, or borrow it from a friend. In the current profit based world, libraries and similar social institutions are precious commodities. It could come down to "use them or lose them"...

It is my opinion that if ordinary people in religious and community groups started following copyright law, public libraries would be used more and the unfair practice of making home copies of library books or recordings would be significantly reduced. Also small libraries, video and music libraries run by special interest groups, could well mushroom up all over the place! Friendships would be strengthened and intellects stimulated through sharing valued resources - especially if we make a note of who has what so it doesn't get lost!

Growing in Integrity

Practicing restraint and patience when I first feel the rush of inspiration to spread ideas, is quite a discipline. But what I then develop has more integrity, and my spirit in it.

The "workshop buzz" is sourced thus: the people who present inspiring ideas or methods are able to do so because the material they present has been *processed* through their inner experience - usually over many months or years. This gives what they present a convincing aura.

Using a bulk of someone else's content, passing out photocopies of their workshop sheets, using large passages of their writings etc is not working in integrity - unless you have permission or are certified in the method concerned.

Drawing, to a modest degree, from a variety of sources, which you *acknowledge*, shows you have respect. Nurturing the growths of one's own integrity is a rewarding process.

Freeing Oneself from Envy

Because most people experience music, art and literature as entertainment, they perceive people *working* in those fields as "getting big money for enjoying themselves". This leads to envy and resentment - sad, as this attitude causes suffering.

We make sweeping judgments regarding areas we know very little about. For instance office workers may think - "Teachers have a good salary considering they get ten weeks holiday and finish at half past three!" Factory workers may look at management and think "What a wicket - flying round the country, bossing people around and having business lunches".

Each only knows how hard we work in our own occupation. A vast majority of artists and writers struggle to survive financially. The few rich artists who "make it" stand out because they're in the glamour industry - we *could* choose to celebrate their success! Freeing oneself from envy is a revered goal in all spiritual paths.

Raising Artistic Standards

Through buying the product of an artist's mental labor, we endorse and strengthen the kind of art we find inspiring - we contribute indirectly to standards being raised.

The mass market may always respond to the "lowest common denominator". In other areas, through selecting and paying for what we value, works of poorer quality will not survive. Avant-garde music will continue be funded by grants etc, protecting progressive trends.

Caring for Others

Artists at any level who can earn a living from their work are able to refine their skills. When I pay for a book, poager, tape, CD or video, I support them to survive and grow.

Full time artists rarely have salaries. Despite this, many musicians now have to fund their own productions to the tune of thousands of dollars per project. Because monetary returns on albums are low, many are forced to earn their bread and butter by doing advertisements.

By not copying, we are caring - not endangering the livelihood of those who channel the very food for our own inspiration!

Lowering the Crime-Rate

It is a humbling thought, but just as peace begins within, so does crime. Copying music, literature, software etc is, to put it bluntly, stealing. When hearing some neat music, what rapidly runs through the mind is something like this: "What is that? How can I have it without paying \$...?"

Justifying thoughts get added, like "Those record companies and artists are rich enough anyway, and besides I am going to use this music for... (sometimes the merit of the cause *does* seem to outweigh apparent dues to the writer - it's hard)

The "higher-than-thou" self might add: "Anyway, music is spiritual - a gift from God - it should be free. What right have people to make money out of it"?

Despite my own music work, I can even convince myself that making money from the arts is immoral, so turning the tables as to who's the thief! Whether I agree with the law-of-the-land or not, is not the issue. Following or not following it is. Because copyright law is hard to enforce, the conscience needs to be appealed to.

Strengthening Will

Going along with what others do is usually deemed an adolescent trait, and, in my own life, I am surprised at the extent to which I still find others' behavior affects me - (eg, around food!)

In developing my will in small ways such as "not copying", I find it helps me to strengthen my resolve in those other areas I find particularly challenging. This gives hope I can overcome bigger issues.

Developing Trust

It is surprising how many apparently unfair laws or practices make sense in terms of the health of a whole society once all factors are taken into account. People who feel any given law is unjust are free to work for change. do you see society as a "half empty cup" or a "half full cup?" It is important not to ignore injustice, but having a positive outlook of trust in the majority of people's intentions makes one's world a happier place.

Common Questions

When do I Have to Consider Copyright Law?

If you are not photocopying from books or other published items, copying tapes, videos, CDs and software, or publicly performing or broadcasting other's works, then you don't have to consider it at all!

If you want to photocopy hymns to use in your church or temple, songs for children to sing in EHV class, or handouts for your workshops etc, you need to know that laws apply. Some systems cover individual teachers and preachers so that they may safely use certain material, so you need to enquire.

When is it OK to Copy?

1) For reference - as in libraries. As I understand it, even for reference purposes it is illegal to copy more than a very small percentage of the content of any given work.

2) When a recording or book is permanently out of print, you are not likely to be prosecuted for making one copy. It may or may not be OK! Before you decide, make efforts to track the publisher down, as quite often the book or recording has simply changed publishers - it may be on another label.

3) Of course you may make as many copies as you like of your own writing or home recordings.

4) When you have written permission from the author, composer or publisher.

5) When your organization legally covers you - eg schools paying site fees.

When is it Not OK?

There are so many areas where copying is against the law that you may feel despondent and very frustrated in some situations. The intention of this article is to address the most common issue: the average person "home copying" without thinking. I hope, by sharing the positive side, to help people feel inspired to change their habits rather than feel burdened and guilty!

It is not legal to make single or multiple copies of others' work without permission, and if you're involved in bringing anything to the public, you must look into the legal implications of your specific situation.

What About My Own Writing or Recording?

By today's law copyright automatically occurs when work is put in a material form. It is your intellectual property, and if challenged, you will have to prove that it is your work. The word "control" beside the copyright symbol is often used to indicate that the writer him or herself, owns the copyright.

Your own arrangements, or versions of traditional material also become copyright to you. Generally, works are protected by copyright law for 50 years after the writer's death, or after the initial publishing date. The length of time varies in some countries.

What if we want to sing Popular Songs in our Group?

Any public performance of music other than a religious *service*, or the performance of your own or traditional music, requires a license. If you wish to project the words or hand out photocopies, strictly speaking you need permission from the copyright holders. Should you be broadcasting recordings, fees are also due. When compiling Sai songbooks, it is best to get permission from writers if you can (it is highly unlikely that you will be turned down, and equally unlikely you'd be asked to pay, unless it is a profit-making songbook). If you do not have official permission, at least print credits - the writers' names or the words "*traditional*" or "*source unknown*" (*do try to find out first!*). This crediting process is not to boost the egos of the writers, but rather to be of service to anyone who may wish to use those songs in any other way - having come across them in your songbook.

Do Publishers & Record Companies Rip People Off?

Mostly no. The music and publishing industries are multi-million dollar ones, but no more than the food industry, the motor and retail industries etc. Each unfortunately harbors a few exploitative people who taint the reputation of the honest majority. Artists may complain about the small amount we receive in royalties, but our field has to be structured to support the many people it takes to sell our creations.

What is Free from Copyright?

Obviously any *original* work you have written yourself! - but be careful as to how you incorporate references from others' writing, and other people's ideas. A small passage from a book or paper may be deemed a reference but it should be acknowledged. If it is significant, it still may need to be cleared. If you want to use any more than a reference you are legally required to get written permission or to license.

What About Our Heritage?

Copyright law does *not* apply to traditional material - eg folk songs, bhajans, but any person's given *arrangement* or *recording* or *published* or *illustrated version* of traditional material is copyright protected.

Some literature and songs of unknown origin have become popularized. These are sometimes treated in the same way as traditional material. It is wise to indicate you do not know the source - but pleading ignorant won't free you from legal obligations. Make thorough attempts to trace it!

What about the Internet?

Endless material can be downloaded from the Internet. Much of this is illegal, but in this exploding area, the law cannot keep pace with technological development. We can still use our conscience. Check on the site if copyright is cleared. *All songs downloadable from this site are copyright-cleared. Please read and observe the conditions of use.*

Making this Work for You!

After reading this paper, decide what passages speak to you - caring for others? peace of mind? strengthening will?

Then resolve to keep this in your awareness next time you want to copy something. Most of us need to change our habits gradually, so just take one small step at a time, enjoying the feeling. Talk about these ideas positively with others, remembering that making people feel guilty is not very attractive! Sharing the benefits, in a non-threatening way, will help them and support you.

Copying this Essay

I have copyright control of this essay and give permission for it to be downloaded and photocopied - on one condition: that there is no financial profit involved. Where my words are used outside of this essay I require that the source be acknowledged - to prevent others making money from these words where I am not. This is an example of one of various non-standard approaches to copyright. This, and some other systems - eg shareware, depend on the users' integrity.

Where Do I Find Out Details?

Each country or territory has organizations, which deal specifically with the copyright of music.

New Zealand - contact APRA and AMCOS - < <http://www.apra.com.au> >.

USA - contact ASCAP or BMI **France** - contact SASEM **Germany** - contact GEMA, **England** - contact PRS.

Other organizations, which specialize in clearing music for Christian worship:

CCLI (Christian Copyright Licensing International) < <http://www.ccli.com/> >

"**LiscenSing**", < www.mediacom.org.au >.

Bookshops and Public Libraries are usually happy to help with publishing details of written work.

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