



**AN APPRAISAL OF THE RELATIONSHIP BETWEEN TRADITIONAL AFRO-NIGERIAN MUSIC AND  
COPYRIGHT LAW**

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**ABSTRACT**

*There is much scholarship in recent years on how traditional music helps in preserving the Nigeria's cultural identity. However, the protection of these musical expressions under copyright law faces challenges. These include inadequate legal frameworks that do not fully align with international standard, weak institutional capacity, limited awareness and education on intellectual property rights, pervasive counterfeiting and piracy, an efficient judicial system, challenges in cross-border enforcement, the impact of emerging technologies, corruption, and administrative and regulatory inefficiencies. Against this background, this paper aims to evaluate the existing copyright protection mechanisms for traditional Nigerian music, identify the key challenges impeding effective protection, and propose actionable recommendations to enhance the legal and institutional frameworks to safeguard these cultural assets. This paper employs a doctrinal research approach focusing on library-based information gathered from both primary and secondary sources including relevant laws, international conventions and legal statutes and internet sources pertaining to copyright protection. The paper finds that the legal framework for copyright protection in Nigeria, while improved by recent legislative reforms, remains inadequate. To address these challenges, the paper recommends continuous review and amendments to existing copyright laws in Nigeria and aligning with international best practices*

**Key Words:** Appraisal, Relationship, Traditional Nigerian Music, Copyright Law, Copyright Protection

## Introduction

Traditional Nigerian music, with its rich sounds, rhythms, and melodies, is not just a form of entertainment, but a vital part of Nigeria's cultural heritage. It is a reflection of the country's history, its diverse ethnic groups, and their shared experiences. As such, it holds immense socio-cultural value. However, in the current era of digital technology and globalization, this valuable cultural asset faces new challenges (Adedeji, 2016). The ease of copying and distributing music through digital means has made it increasingly difficult to control who uses the music and how.<sup>1</sup> This has also led to widespread unauthorized use and infringement of the rights of the creators of traditional Nigerian music (Agawu, 2011). Furthermore, the global reach of the internet means that traditional Nigerian music can now be accessed and used by people around the world. While this has helped in promoting Nigerian music and culture globally, it has also increased the risk of exploitation and misuse. Therefore, there is a pressing need for effective copyright protection mechanisms that can safeguard the interests of the creators and contribute to the preservation and promotion of traditional Nigerian music.

This paper aims to analyze the copyright law as it applies to traditional Nigerian music. It will also examine the effectiveness of the existing legal frameworks, and explore potential strategies for improvement of the existing legal framework in order to surmount the main challenges faced in protecting the copyright of traditional Nigerian music, and the strategies that can be implemented to enhance copyright protection for traditional Nigerian music.

Sherman (2011) described copyright as a legal right that grants the creator of an original work exclusive rights to its use and distribution. This right is typically for a limited time and is aimed at protecting works of authorship that are fixed in a tangible form of expression. The scope of such works is broad because it includes literary, musical, dramatic, choreographic, pictorial, graphic, cultural, architectural, and sound recording works. Unlike patents, which protect the application of an idea, or trademarks, which safeguard a device that signifies the provider of specific goods or services, copyright protects the expression of an idea (Goldstein et al., 1989). The fundamental concept behind copyright is originality, meaning that a copyright represents something that originates from a specific author and not from another. In contrast, the protective principle in patents is novelty, signifying that a patent represents an invention that is new and has never been made before.

Atkinson & Fitzgerald (2014) explained that technology has evolved the scope of copyright protection. It has expanded from the printing of text to include a variety of other mediums for recording original expressions. These include, but are not limited to, books, stories, periodicals, poems, computer programs, musical compositions, dramas, dramatic-musical compositions, pictorial, graphic, and sculptural works, architectural works, written directions for pantomimes and choreographic works, motion pictures, other audiovisual works, and sound recordings.

According to Edosomwan (2019), copyright is a legal concept enacted by most governments, giving the creator of an original work exclusive rights to it, usually for a limited time. It is generally referred to as "the right to copy", but it also grants the copyright holder the right to be credited for the work, to determine who may adapt the work to other forms, who may perform the work, who may financially benefit from it, and other

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related rights. It is a form of intellectual property, similar to patents, trademarks, and trade secrets, applicable to any expressible form of an idea or information that is substantive and discrete.

Initially, copyright was conceived as a means for governments to restrict printing. However, its contemporary intent is to promote the creation of new works by granting authors control over and profit from them. Copyrights are territorial, meaning they do not extend beyond the territory of a specific state unless that state is a party to an international agreement. Today, this is less relevant since most countries are parties to at least one such agreement.

Typically, the duration of copyright is the whole life of the creator plus 50-100 years from the creator's death, or a finite period for anonymous or corporate creations. Some jurisdictions have required formalities to establish copyright, but most recognize copyright in any completed work, without formal registration. Generally, copyright is enforced as a civil matter, though some jurisdictions do apply criminal sanctions. Most jurisdictions, like the U.S.A, UK, and France, recognized copyright limitations, allowing "fair" exceptions to the creator's exclusivity of copyright, and granting users certain rights (Olatunji, 2013). The advent of digital media and computer network technologies have prompted reinterpretation of these exceptions, introduced new difficulties in enforcing copyright, and inspired additional challenges to the philosophical basis of copyright law. Simultaneously, businesses with significant economic dependence on copyright have advocated for the extension and expansion of their intellectual property rights, and sought additional legal and technological enforcement.

The Nigerian Copyright Act does not explicitly define copyright, but it does outline the types of works that are eligible for copyright protection. These include: Literary works; Musical works; Artistic works; Cinematograph films; and Broadcasts.

### **The Need for Copyright Protection**

A renowned legal scholar has attempted to define copyright as the exclusive right granted by law to the owner of a copyright to control the reproduction of the copyrighted work.<sup>2</sup> Therefore, copyright is an exclusive right conferred upon the author of literary, artistic, musical works, cinematograph films, sound recordings, and broadcasts, which is subject to the operation of the law. The necessity for copyright protection arises for several reasons. Firstly, effective copyright protection is a crucial incentive for the creation of works and is essential for encouraging indigenous talent to devote its energy to advancing national intellectual creativity (Joyce et al., 2016). Without *copyright* protection, authors would lack the incentive to create intellectual works. Protecting authors encourages them to produce more work, enriching the country's reserve of literature, drama, music, etc. Furthermore, the investment sometimes required for the creation of works, such as in film making, book making, or architectural work, will be more readily obtained if more protection exists, and such protection is vital for encouraging such investment.

Copyright protection has a significant economic aspect. The economic aspect of copyright varies depending on the stages of development and on a number of special national factors. For instance, in Sweden, the 2024 gross national product showed that material to which copyright contributed constituted 10.4 percent of the

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GNP(O'Hare, 1982) . Additionally, the international copyright system has played a significant role in facilitating the urgent needs of newly developing countries to have less expensive access to the work of some developed countries while also assisting the needs for the protection of the authors' rights in their relevant legislation. Lastly, national and international protection provided by national and international conventions have encouraged teaching materials, including literary, artistic, and scientific works. As any creative person will readily attest, an author usually expends much energy to ensure that the product of his creative efforts meets the required aesthetic and functional standards. The author often practices his chosen trade as a professional, with the natural and legitimate expectation that the financial gains from his business will be available to him and, after his death, to his spouse and children. Invariably, his position in life and the comfort of his family depend on what he earns from the practice of his trade. He should, therefore, be given the benefit of surviving on his hard-earned remuneration. In all these, society also benefits immensely. There is empirical statistical evidence that effective copyright protection is an incentive for more creativity (Ku et al., 2009) Potential authors are encouraged to explore their talents and produce more works. This would invariably enrich the nation's purse and enhance social, economic, and cultural development. More than ever before, copyright-related industries are vital sources of revenue.

### **Growth and development of traditional Nigerian music**

Nigeria is home to over 250 ethnic groups, each with its unique musical traditions and styles. The interactions between these ethnic groups have led to the blending of different musical styles. Traditional music in Nigeria are regarded as reflections of the country's rich cultural diversity and history. This music, deeply rooted in the customs and traditions of Nigeria's numerous ethnic groups, has evolved over time to incorporate various influences and adapt to changing societal demands and trends. Traditional Nigerian music traces its origins to the indigenous cultures of Nigeria's ethnic groups, each with its unique musical styles, instruments, and performance practices (Adedeji, 2010). For instance, the Yoruba people are known for their drumming traditions, the Igbo people for their vibrant highlife music, and the Hausa people for their soulful praise singing.

Fadipe & Salawu (2022) narrated that the advent of Islam and Christianity in Nigeria introduced new musical elements into the traditional music repertoire.<sup>3</sup> The influence of these religions can be seen in the incorporation of hymn-like songs and the use of certain musical instruments. For instance, the Yoruba people of South West Nigeria have indigenized such as hip hop, Afrobeat, religious music, medley R & B and jazz. Edet (1964) in his contribution said that contact with Western music, particularly during the colonial era, led to the incorporation of Western instruments and harmonies into Nigerian music. The introduction of Western musical elements had a profound impact on the country's music scene. Traditional Nigerian music began to blend with Western influences, creating a unique and rich musical tradition. For example, the early recorded music was sung in the style of a hymn in a Yoruba church, accompanied by plucked string instruments like the *banjo* (a stringed instrument with a thin membrane stretched over a frame or cavity to form a resonator).

The growth of traditional Nigerian music is also marked by the development of new genres that blend

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traditional elements with modern influences. Genres such as Afrobeat, Juju, and Fuji music emerged in the post-independence era, reflecting a fusion of traditional Nigerian music with elements of jazz, highlife, and funk (Blench, 1983). These genres, although traditional, have the notable characteristics of innovative use of instruments, rhythms, and topical lyrics, which reflect contemporary Nigerian experiences. Instruments have also played a significant role in the evolution of traditional Nigerian music. Traditional instruments such as the talking drum, the kora (a cowhide-covered calabash gourd resonator which are played by plucking with the fingers), and the mbira (a wooden board with attached staggered metal keys played plucking the keys with the thumbs and forefingers) have been staples of Nigerian music. However, with the advent of modernity, new instruments such as the guitar, the keyboard, and the saxophone have been incorporated.

### **Overview of influence of traditional Nigerian music on society**

Traditional Nigerian music with its rhythms, and melodies, has had a profound impact on various aspects of Nigerian society. This influence is evident in social gatherings, religious ceremonies, cultural festivals, and even the broader popular culture. At social gatherings, traditional Nigerian music serves as a unifying force, bringing people together and fostering a sense of community.<sup>4</sup> The vibrant rhythms and infectious melodies create an atmosphere of joy and celebration, making these gatherings lively and memorable. Whether it's a wedding, a naming ceremony, or a community festival, traditional Nigerian music is often at the heart of the celebration, setting the mood and providing the soundtrack for the festivities.

In the realm of religion, traditional Nigerian music plays a crucial role in religious ceremonies and rituals. For instance, in Yoruba religious practices, music is used to invoke the deities and communicate with the spiritual realm. The intricate rhythms of the talking drum, the melodic lines of the *shekere*, (a traditional West African percussion instrument made from a dried, hollowed gourd covered in a woven net of beads, seeds, or cowrie shells) and the resonant tones of the *agogo* (a idiophone bell percussion instrument) are integral parts of these religious ceremonies, facilitating spiritual communion and expression of devotion (Idamoyibo, 2016).

Traditional Nigerian music also has a significant influence on cultural festivals. These festivals, which celebrate various aspects of Nigerian culture, often feature performances of traditional music and dance. The music not only entertains but also tells stories, passes on cultural knowledge, and reinforces societal values. For example, the *Eyo* festival in Lagos and the *Argungu* fishing festival in Kebbi state are renowned for their display of traditional music and dance.

Beyond these contexts, traditional Nigerian music has also permeated popular culture and influenced contemporary music genres and artists. Genres like Afrobeat, Highlife, and Fuji have their roots in traditional Nigerian music, and artists in these genres often draw on traditional rhythms, melodies, and instruments in their works.<sup>5</sup> This influence extends beyond Nigeria's borders, with Nigerian music making waves on the global stage and contributing to the global soundscape.

### **Growth and development of copyright protection in Nigeria**

According to Ola (2014), the genesis of copyright protection in Nigeria can be traced to the colonial era, when

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Nigeria was under British rule. During this time, Nigeria adopted many of the legal systems and structures of its colonial master, including copyright laws. The first copyright law in Nigeria was the Copyright Ordinance of 1916, which was essentially a replica of the British Copyright Act of 1911. However, the Copyright Ordinance of 1916 was not comprehensive enough to adequately protect the rights of Nigerian creators, particularly in the realm of traditional music. This led to the enactment of the Copyright Act of 1970, which provided more robust protection for intellectual property rights. The Act covered a wide range of works, including literary, musical, and artistic works, and it established the Nigerian Copyright Council to supervise the implementation of copyright laws.

Despite these advancements, the Copyright Act of 1970 still had its limitations. For instance, it did not provide adequate protection for traditional Nigerian music, which often does not fit neatly into Western legal categories. Recognizing these limitations, the Nigerian government enacted the Copyright Act of 1988. This Act expanded the scope of copyright protection to include folkloric works, thereby providing better protection for traditional Nigerian music. The Copyright Act of 1988 also introduced several important provisions, such as the concept of fair use, which allows for the use of copyrighted works for purposes such as criticism, news reporting, teaching, and research without the need for permission from the copyright owner (Adetunji & Okuonghae, 2022). This provision has been crucial in facilitating the use and dissemination of traditional Nigerian music for educational and cultural purposes.

In addition to these legislative milestones, Nigeria has also been a signatory to several international copyright treaties, such as the Berne Convention for the Protection of Literary and Artistic Works and the World Intellectual Property Organization Copyright Treaty. These treaties have further strengthened Nigeria's copyright regime and have helped to harmonize its laws with international standards. The most recent milestone in the evolution of copyright protection in Nigeria is the enactment of the Copyright Act of 2022. This new legislation represents a significant step forward in the country's efforts to protect the rights of creators and promote creativity and innovation (Jonah, 2022).

The Copyright Act of 2022 builds on the foundations laid by previous legislation, but introduces several important updates and enhancements. One of the key features of the new Act is its expanded scope of protection, which now includes digital and online content. This reflects the increasing importance of the digital economy and the need to protect creators in the digital age. In addition to expanding the scope of protection, the Copyright Act of 2023 also strengthens enforcement mechanisms. It introduces stricter penalties for copyright infringement and provides more resources for the Nigerian Copyright Council to enforce copyright laws. These measures are designed to deter potential infringers and ensure that creators can reap the full benefits of their work. The Copyright Act of 2023 also recognizes the importance of balancing the rights of creators with the public interest. It includes provisions for fair use and exceptions for educational and non-profit purposes, ensuring that copyrighted works can be used and accessed in ways that benefit society as a whole.

### **Overview of copyright law in Nigeria**

To ensure copyright subsistence under the Nigerian Copyright Act 2022, a work must fall into one of six

eligible categories specified. For literary, musical, or artistic works, originality and fixation in a tangible medium are necessary. This means that significant effort must have been invested to give the work its unique character, and it must be recorded in a manner that allows it to be perceived, reproduced, or communicated directly or with the help of a machine. For audiovisual works, sound recordings, and broadcasts, copyright protection is automatically granted upon creation or fixation. Additionally, the author must be a Nigerian citizen, a habitual resident, or a company incorporated in Nigeria, and the work must be first published in Nigeria. Foreign works from countries with international treaties with Nigeria are also protected, provided certain conditions are met regarding the author's nationality or residency.

Nigeria employs a closed list system for copyright protection, meaning only specific categories of works are eligible (Okechukwu, 2021). According to Ekong (2022), these categories include literary works, musical works, artistic works, audiovisual works, sound recordings, and broadcasts. This exclusivity means that works outside these categories, such as certain industrial models or patterns, procedural methods, and official texts or symbols, are not eligible for copyright protection under Nigerian law.<sup>6</sup> Certain works are explicitly excluded from copyright protection in Nigeria. These include industrial models, patterns intended for mass production, and procedural methods. Additionally, official texts, symbols, and data are excluded. This exclusion extends to ideas, principles, and discoveries, which cannot be copyrighted. Thus, while the Act protects creative expressions, it does not extend to factual data or government symbols.

Although copyright is automatically granted upon creation for eligible works, Nigeria offers a notification system called the Nigerian Copyright e-Registration System (NCeRS). Administered by the Nigerian Copyright Commission, this system allows creators to register their works to provide evidence of creation dates and other pertinent information, which can be useful in disputes. However, registration is not mandatory for copyright protection to be conferred.

The duration of copyright protection in Nigeria varies by work category. Literary, musical, and artistic works (excluding photographs) are protected for 70 years posthumously or 70 years after first publication for works owned by corporations or the government. Cinematograph films and photographs are protected for 50 years after first publication, while broadcasts and sound recordings also enjoy 50 years of protection from their first publication date. This extensive protection ensures that creators and their estates can benefit from their works for significant periods.

Nigeria does not recognize overlap between copyright and other intellectual property rights like design or database rights (Ofili, 2014). While the World Intellectual Property Organization (WIPO) Copyright Treaty, to which Nigeria is a signatory, does afford copyright protection to databases, such protection is contingent upon the database constituting an intellectual creation due to its selection or arrangement. Thus, databases are not explicitly protected unless they fit within the Act's eligible categories, though future amendments may address this. There are no general restrictions on copyright protection for works produced through industrial processes, provided they are otherwise eligible.<sup>7</sup> However, artistic works intended for industrial reproduction

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are excluded from copyright protection, emphasizing the Act's focus on protecting creative expressions over mass-produced items. Copyright ownership initially belongs to the author, except when works are created under government direction, in which case the government holds the copyright.<sup>8</sup> Gwani (2020) reiterated that for commissioned works, ownership defaults to the author unless otherwise specified in a contract. Similarly, for works created by employees, ownership generally vests in the employee unless the work is specifically commissioned for publication by a periodical, in which case the employer may hold certain publication rights. Joint ownership is recognized for collaborative works, allowing multiple individuals to share copyright interests.

Nigeria has several collective licensing bodies, including the Audio-Visual Rights Society of Nigeria (AVRS) for audiovisual works, Reproduction Rights Organizations of Nigeria (REPRONIG) for literary works, and the Musical Copyright Society of Nigeria (MCSN) for musical works. These bodies are regulated by the Nigerian Copyright Commission (NCC) under specific regulations, ensuring they operate transparently and fairly. Licensing terms from these bodies can be challenged if they are discriminatory or violate statutory provisions. Copyright holders can restrict various acts involving their works, including reproduction, public performance, broadcasting, and adaptation. These rights ensure that creators' control how their works are used and commercialized. Additionally, moral rights protect authors' personal interests in their works, ensuring they receive appropriate attribution and preventing unauthorized alterations that could harm their reputation. These rights are inalienable during the author's lifetime but can be transferred posthumously.

The Nigerian Copyright Commission (NCC) is responsible for enforcing copyright laws and offers an alternative to civil litigation for rights holders. Copyright infringement claims can also be brought by assignees, exclusive licensees, and collective management organizations. Nigeria recognizes secondary infringement, allowing actions against those indirectly involved in infringing activities. The Act lists several criminal offences related to copyright infringement, including the unauthorized reproduction, distribution, and sale of copyrighted works. Offenders may face fines ranging from ₦GN 1,000 to ₦GN 10,000 per infringing copy, imprisonment for terms ranging from one to five years, or both. These sanctions underscore the seriousness of copyright infringement and the Nigerian government's commitment to protecting intellectual property rights.

### **The Copyright Act of 2022**

March 17, 2023, ushered in a new regime for the copyright space in Nigeria. The President of the Federal Republic of Nigeria signed the Copyright Bill 2022 into law, which officially repealed the Copyright Act<sup>9</sup> and re-enacted the Copyright Act 2022 (the "Act"). The Act introduces significant changes which will impact creatives and further strengthen the exercise of their rights, particularly in a digital world. Some of these changes include the recognition of digital copies of work, empowerment of the Nigerian Copyright Commission ("NCC" or "the Commission") to effectively administer and enforce compliance of persons and entities with the provisions of the Act, recognition of audiovisual work as eligible for copyright protection, tenure of moral rights, licensing of photography and arts, among others.

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With regard to eligibility of works, the Act maintains provisions for works eligible for copyright protection. Notably, it replaces cinematograph films with audiovisual works, expanding the scope to include various digital media forms such as films, television programs, live theater productions, and web streaming.<sup>10</sup> The Act revises the conferral of copyright by referencing the country of origin, emphasizing habitual residency rather than domicile, making it more practical. Moral rights, previously perpetual, are now tied to the duration of copyright in a work. They are also transmissible upon the author's death by testamentary disposition or operation of law. Commissioned works now allow non-exclusive licensees to restrain the use of such works, subject to written agreements.

The Act introduces detailed provisions for takedown notices for online content, providing a structured approach to dealing with copyright infringement on digital platforms.<sup>11</sup> Performers gain exclusive rights over the fixation, reproduction, distribution, and accessibility of their live performances. The Act clarifies consent for broadcasting and rebroadcasting, ensuring performers' rights are upheld in digital contexts. The Act grants quasi-judicial powers to the Nigerian Copyrights Commission (NCC) to investigate and redress copyright infringement cases, regulate collective management of rights, and implement measures for copyright protection. Formerly Collecting Societies, Collective Management Organizations (CMOs) have an expanded scope to issue licenses for works not represented by other CMOs, ensuring fair treatment and non-discrimination in royalties.

### **International Copyright Agreements**

Oladokun et al. (2024) asserted that Nigerian copyright has been significantly shaped by various international agreements. These agreements not only influence domestic legislation but also ensure that Nigeria's legal framework aligns with global standards, promoting international trade and cultural exchange. Notable among these agreements is the Berne Convention for the Protection of Literary and Artistic Works of 1886. The Berne Convention stands as a cornerstone treaty shaping Nigeria's copyright laws. It ensures international recognition and protection for various creative works and the rights of their authors. One of its key features is the establishment of a "minimum standard" of rights, which means that authors automatically receive protection for their works without the need for registration (Story et al., 2006). This provision is crucial as it simplifies the process for creators to safeguard their intellectual property both domestically and internationally. By adhering to the Berne Convention, Nigeria demonstrates its commitment to enabling creativity and innovation while respecting the rights of creators on a global scale.

Another key international agreement is the World Intellectual Property Organization (WIPO) Copyright Treaty. The WIPO Copyright Treaty (WCT) relates to Nigeria's approach to digital copyright protection. In an era dominated by digital technologies, the WCT addresses the challenges and opportunities presented by the digital environment. It specifically focuses on protecting authors' rights in digital works such as computer programs, databases, and digital publications. Ibekwe & Okoro (2020) said that by ratifying this

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treaty, Nigeria acknowledges the importance of adapting copyright laws to keep pace with technological advancements because the WCT encourages the development of robust digital rights management strategies and promotes fair compensation for creators in the digital sphere.

Another agreement is the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The TRIPS Agreement, overseen by the World Trade Organization (WTO), has an impact on Nigeria's copyright law. It establishes minimum standards for intellectual property protection, enforcement, and dispute resolution among WTO member countries (Sundaram, 2017). TRIPS ensures that copyright holders, including authors and creators, have effective mechanisms to enforce their rights and seek redress for infringements. By aligning its copyright laws with TRIPS requirements, Nigeria strengthens its position in international trade and investment, fostering a conducive environment for creativity, innovation, and economic growth.

These international agreements collectively influence Nigerian copyright law by setting standards, providing guidelines for protection, and addressing emerging challenges in the digital era. The Copyright Act of 2022 reflects the influence of these agreements by incorporating provisions that uphold authors' rights, promote fair use policies, and establish robust enforcement mechanisms. Nigeria's participation in these agreements demonstrates its commitment to international cooperation, intellectual property rights protection, and fostering a vibrant creative economy that benefits creators, consumers, and the broader society alike.

### **Eligibility for copyright protection in Nigeria**

The preconditions for legal protection are the requirement of originality and fixation. They are explained as follows:

#### **Originality**

The Act provides that for a literary, artistic or musical work to be eligible for protection such work must pass the originality test. It provides that such work shall not be eligible for copyright unless, sufficient effort has been expended on making the work to give it an original character. *Pearce L.J in Ladroke (Football) Ltd v. Williams Hill (Football Ltd)* explained that the question as to whether the plaintiffs are entitled to copyright in their coupon depends on whether it is an original literary work. The word 'original' does not demand original or inventive thought, but only that the work should not be copied and should originate from the author. Originality means the work must be the author's intellectual creation (Oyewunmi, 2015).

In *Express Newspapers Plc. v News (UK) Ltd* a work comprising selections of quotations from an interview was held to be an original copyright work involving the exercise of judgment and discretion in the selection and arrangement of the quotations.

#### **Fixation**

The second criteria for protection is in section 2(b) of the Act which states that;

The work has been fixed in any definite medium of expression now known or later to be developed from which it can be perceived, reproduced or otherwise communicated either directly or with the aid of machine or device.

The court in *Donoghue v. Allied Newspaper Ltd* further reiterates the principle that a work must be fixed in a

material form if it is to enjoy copyright, and stated:

There is no copyright in an idea or ideas. A person may have a brilliant idea for a story or for a picture or for a play and one which appears to him original, but he if he communicates that idea to an author or an artist or playwright, the production which is the result of the communication of the idea....

Nigeria is also a signatory to some International Conventions and Treaties that provide protection for works of copyright owners. The main purpose of copyright protection is to ensure due fairness to authors and owners of work. Article 27 of Universal Declaration of Human Rights states that:

everyone has the right to the protection of the moral and material interests resulting from scientific, literary or artistic production of which he is an author.

Therefore, copyright owners have a right to the protection of their interest in their work.

### **The relationship between traditional Nigerian music and copyright law**

The Nigerian traditional culture is rich and diverse, with music playing a pivotal role in its expression (Ojukwu & Esimone, 2016). Traditional Nigerian music, with its deep roots in the history and identity of its people, serves not only as entertainment but also as a means of preserving and communicating cultural values, norms, and histories (Onyeji, 2016). It is an art form that encapsulates the essence of Nigeria's intangible heritage. Copyright law, at its core, is designed to protect the rights of creators over their original works. However, traditional Nigerian music often defies the conventional definitions of "originality" and "creation" as understood by copyright statutes. (Lawal-Arowolo, 2011). The communal nature of this music, its oral transmission across generations, and its embodiment of collective cultural identity pose significant challenges to the application of standard copyright principles.

Copyright protection in Nigeria used to be governed by the Copyright Act of 1988, which has undergone amendments to adapt to the evolving nature of intellectual property rights. However, the peculiar nature of traditional Nigerian music presents unique challenges that are not fully addressed by this Act. Traditional Nigerian music, often created and maintained by communities rather than individuals, falls into a gray area of copyright law. The Copyright Act 2022 protects literary, musical, and artistic works if they are original and fixed in a tangible form. However, traditional music is frequently passed down orally and does not have a clear, singular authorship, making it difficult to fit within these criteria (Lawal-Arowolo, 2022). Moreover, the Act does not explicitly recognize communal ownership or the rights of indigenous communities over their cultural expressions. This oversight can lead to exploitation, as external parties may appropriate traditional melodies without proper acknowledgment or compensation to the originating communities. An example of such a situation could be when a music producer or artist uses traditional songs or rhythms from an indigenous community in their commercial music tracks without obtaining permission or providing compensation to the community. This can lead to legal disputes and calls for better recognition and protection of communal and indigenous rights within copyright laws. Recently, some news outlets reported a case involving an Afrobeat rising star Shalipop, who was sued for ₦200 million for sampling Monday Edo's "Ogbaisi" in his popular track

“Obapluto”(Osazuwa, et al., 2023). This case has brought attention to the legal challenges of music sampling in Nigeria and the importance of copyright law in the creative space.

Despite these shortcomings, there have been efforts to protect traditional Nigerian music through copyright law. For instance, some contemporary artists who incorporate traditional elements into their works have successfully registered their compositions under the Copyright Act (Aromolaran, 2022). Awomolo-Enujiugha, (2020) added that this approach provides a layer of protection but also raises questions about the ownership and control of cultural heritage that is inherently collective. The Nigerian Copyright Society (NCS) has also played a role in advocating for better protection of traditional music. They have pushed for reforms that would recognize the unique nature of these works and provide a framework for collective management. However, progress has been slow, and many traditional compositions remain vulnerable to misappropriation.

In practice, the enforcement of copyright for traditional Nigerian music is hindered by several factors (Ouma, 2010). There is a lack of awareness among communities about their rights and how to exercise them. Additionally, the judicial system is not well- equipped to handle cases involving communal ownership and oral traditions and it is also beclouded with a lot of cases which often delay the administration of justice. While there are mechanisms in place to protect copyright in Nigeria, they are not entirely effective when it comes to traditional Nigerian music, according to Adedeji. The existing legal framework needs significant adaptation to accommodate the unique characteristics of this genre and ensure that the creators and custodians of Nigeria’s rich musical heritage are rightfully recognized and rewarded.

### **Challenges of enforcement of intellectual property rights in Nigeria**

Olubiyi et al. (2022) in their work explained that enforcement of intellectual property rights in Nigeria faces a myriad of challenges that stem from legal, institutional, technological, and societal factors. These challenges significantly impact the ability of rights holders to protect their creations and deter infringement effectively. These challenges are not only pervasive but also deeply entrenched in the systems that govern IP rights within the country. Traditional Nigerian music, with its unique characteristics and cultural significance, is particularly susceptible to these enforcement issues. These are:

#### *Inadequate legal framework*

Despite improvements through legislative reforms like the Copyright Act of 2022, Nigeria's legal framework for intellectual property enforcement still faces gaps and ambiguities (Okunade, et al., 2023). This lack of clarity can lead to challenges in interpretation and application, weakening enforcement efforts. One of the primary obstacles to effective IP rights enforcement in Nigeria is the inadequacy of the legal framework. The Nigerian Copyright Act has been critiqued for not being fully harmonized with international standards, particularly those set by the World Intellectual Property Organization (WIPO). This misalignment creates loopholes that can be exploited and leads to difficulties in prosecuting cases of infringement both domestically and internationally. Moreover, there is a lack of specialized courts or tribunals dedicated to IP matters, which results in delayed justice due to the backlog of cases in general courts. The absence of a fast-track system

for IP disputes further exacerbates the problem, leading to prolonged litigation that often discourages rights holders from pursuing their cases.

The solution is that there is need for a comprehensive review and amendment of existing IP laws to align with international standards, the establishment of specialized IP courts, and the implementation of fast-track systems for IP disputes which can significantly strengthen the legal framework. Providing continuous training for judges and law enforcement on IP issues will also ensure more informed and efficient adjudication. The solution to inefficiency in the judiciary is to establish dedicated IP courts or tribunals with trained judges and streamlined procedures in order to reduce delays. Implementing case management systems to track and prioritize IP cases can also help clear the backlog and ensure timely justice

#### *Weak institutional capacity*

The institutions responsible for intellectual property rights enforcement, such as the Nigerian Copyright Commission (NCC) and the Nigerian Trademark Registry, often lack sufficient resources, expertise, and capacity to effectively address infringement cases (Ibekwe, et al., 2020). This hampers their ability to conduct investigations, prosecute offenders, and provide timely redress to rights holders.

The solution is enhancing the capacity of these institutions through increased funding, specialized training, and the recruitment of skilled personnel. Additionally, equipping these agencies with modern technology and tools to monitor, detect, and respond to IP infringements will improve their operational efficiency. Partnerships with international IP bodies can provide technical assistance and capacity-building support.

#### *Limited awareness and education*

There is a general lack of awareness and understanding of intellectual property rights among the public, including rights holders, businesses, and law enforcement agencies. This lack of awareness can contribute to a culture of indifference or tolerance towards infringement, making enforcement efforts more challenging. To address this, comprehensive public awareness campaigns and educational programs should be implemented to inform stakeholders about the importance of IP rights. Collaborations with educational institutions, industry associations, and media can help disseminate information widely. Training programs for law enforcement officers and judicial personnel on IP laws and their enforcement will also enhance understanding and commitment to IP protection.

#### *Counterfeiting and piracy*

Counterfeiting and piracy remain pervasive in Nigeria across various sectors, including music, film, literature, pharmaceuticals, and consumer goods (Rutschman, 2015). The availability of counterfeit products and pirated content not only undermines the market for legitimate products but also erodes the value of intellectual property rights.

The solution involves strengthening border controls and customs enforcement to prevent the importation and distribution of counterfeit goods. Implementing harsher penalties for counterfeiters and increasing the frequency of raids and inspections in markets known for piracy can deter illegal activities. Promoting the use

of technology, such as digital rights management and blockchain, to protect IP and track counterfeit goods can also be effective.

#### *Inefficient judicial system*

The judicial process in Nigeria is often slow, complex, and prone to delays, which can deter rights holders from pursuing legal action against infringers (Itanyi, 2020). Lengthy legal proceedings, backlog of cases, and limited expertise in intellectual property matters contribute to the challenges of enforcement. Judicial reforms aimed at expediting the resolution of IP cases are necessary.

The solution is to establish dedicated IP courts or tribunals with trained judges and streamlined procedures in order to reduce delays. Implementing case management systems to track and prioritize IP cases can also help clear the backlog and ensure timely justice.

#### *Cross-border enforcement*

With the growth of digital technologies and online platforms, cross-border infringement has become a significant challenge (Oloko, 2021). Enforcing intellectual property rights across borders requires international cooperation, harmonization of laws, and mechanisms for addressing transnational infringements.

Nigeria should strengthen its collaboration with international IP organizations and neighboring countries to tackle cross-border IP crimes. Participating in regional and international IP agreements and adopting best practices can enhance enforcement capabilities. Developing bilateral and multilateral treaties that facilitate information sharing and coordinated actions against cross-border infringements is also crucial.

#### *Emerging technologies*

Rapid advancements in technology, such as digital piracy, file sharing, and online streaming, present new challenges for intellectual property enforcement (Okechukwu, 2021). Traditional enforcement methods may struggle to keep pace with evolving technological trends, necessitating innovative approaches and strategies.

To solve this, embracing technology-driven solutions such as artificial intelligence and blockchain for tracking and protecting IP assets can offer robust enforcement mechanisms. Investing in research and development to understand emerging threats and adapting legal frameworks to address new technologies will also be important. Establishing dedicated units within IP enforcement agencies to focus on digital piracy and cybercrimes can enhance responsiveness.

#### *Corruption and illicit trade*

Corruption within law enforcement agencies, customs, and regulatory bodies can undermine enforcement efforts by facilitating illicit trade, smuggling of counterfeit goods, and corruption-related activities that benefit infringers (Byron, 2018).

Therefore, strengthening anti-corruption measures within IP enforcement bodies is critical. Implementing strict oversight, transparent processes, and accountability mechanisms can reduce corruption. Encouraging whistleblowing and providing protection for whistleblowers can also help expose corrupt practices. International cooperation to trace and dismantle networks involved in the illicit trade of counterfeit goods is essential for comprehensive enforcement.

### *Administrative and regulatory challenges*

The administrative machinery responsible for enforcing IP rights in Nigeria is often criticized for its inefficiency and lack of coordination (Adejogbe & Adejogbe, 2016). Multiple agencies are involved in the enforcement process, including the Nigerian Copyright Commission (NCC), the National Office for Technology Acquisition and Promotion (NOTAP), and customs authorities. However, these agencies sometimes operate in silos, leading to fragmented efforts and inconsistent application of laws (Blakeney & Mengistie, 2011). There is also a significant resource constraint faced by these agencies. They are often understaffed and underfunded, which hampers their ability to conduct investigations, raids, and prosecutions effectively. The lack of modern technology and training among personnel further limits their capacity to tackle sophisticated forms of copyright infringement.

To address these challenges, enhancing inter-agency coordination through the establishment of a central IP enforcement body can streamline efforts and ensure consistent application of laws. Allocating adequate resources, staff, and training to these agencies will improve their operational capabilities. Leveraging technology for efficient case management and inter-agency communication can also enhance enforcement effectiveness.

### *Cultural factors and public perception*

According to Nwogu (2014), cultural attitudes towards copyright and IP rights in Nigeria also pose a significant challenge. There is a widespread perception that music and other forms of creative expression are communal resources that should be freely accessible rather than proprietary works protected by law. This mindset undermines the value of copyright and leads to high levels of piracy. Public awareness about the importance of IP rights and their enforcement is relatively low. Many creators themselves are not fully aware of their rights or how to protect them. This lack of knowledge contributes to the vulnerability of traditional Nigerian music to unauthorized use and exploitation. A notable example that illustrates the enforcement challenges is the Alaba International Market in Lagos, known for being a hub for pirated CDs and DVDs (Adedeji, 2023). Despite numerous raids and efforts by the NCC, piracy persists at Alaba Market due to a complex network of pirates, complicit law enforcement officers, and a consumer base largely indifferent to copyright issues (Tade & Mmahi, 2018).

Addressing these cultural challenges requires comprehensive public education campaigns to shift perceptions and increase respect for IP rights. Engaging with community leaders, artists, and educators to promote the benefits of IP protection can help change attitudes. Strengthening enforcement actions in piracy hotspots like Alaba Market through consistent raids and prosecuting complicit officials can deter piracy. Providing support and resources for creators to understand and enforce their rights will also enhance the protection of traditional Nigerian music and other creative works.

### **Challenges facing the copyrighting of traditional Nigerian music**

Copyrighting traditional Nigerian music faces several challenges that stem from the unique nature of these cultural expressions and the evolving landscape of intellectual property rights. These challenges are unique

to the genre and require careful consideration and innovative solutions.

#### *Lack of documentation*

Copyrighting traditional Nigerian music faces several challenges that stem from the unique nature of these cultural expressions and the evolving landscape of intellectual property rights (Ayepada, 2022). These challenges are unique to the genre and require careful consideration and innovative solutions. Traditional Nigerian music often has deep cultural roots passed down orally or through informal means. This poses a challenge in documenting and establishing ownership or authorship, as many traditional songs and compositions may not have clear records or documentation of their origins.

To address the lack of documentation, there is need for an initiative to record and archive traditional music comprehensively. Collaborating with cultural custodians and ethnomusicologists to create a database of traditional music can help preserve and authenticate these works. Legal frameworks should be adapted to recognise oral histories and communal testimonies as valid forms of documentation.

#### *Collective authorship*

Traditional Nigerian music is often a product of collective authorship, involving contributions from multiple musicians, composers, and communities over generations. Determining individual rights and ownership within these collective works can be complex and may require consensus among stakeholders (Ouma, 2017).<sup>12</sup> One of the most significant challenges is the concept of communal ownership that pervades traditional Nigerian music.<sup>13</sup> Unlike Western notions of individual creativity and ownership, many Nigerian communities view their musical works as collective cultural heritage, passed down through generations and owned by the community as a whole.<sup>14</sup> This collective ownership model conflicts with the copyright law's emphasis on individual rights and makes it difficult to identify a single rights holder for any given piece of music.

To address this, copyright laws must evolve to include provisions for collective ownership and communal rights. Establishing frameworks for community-based management of copyrights and developing protocols for shared revenue can ensure that all contributors and their descendants benefit from the use of traditional music.

#### *Recognition and protection*

Traditional Nigerian music may not always fit neatly into the traditional copyright framework, which tends to prioritize individual authorship and originality. The recognition and protection of communal and collective cultural expressions within copyright law present challenges in balancing cultural heritage preservation with intellectual property rights.

Solutions include creating *sui generis* laws tailored to protect traditional cultural expressions. This could involve forming a special registry for traditional music and crafting legal instruments that protect the unique

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<sup>12</sup> Ouma, M. (2017). Copyright and the music industry in Africa. *Journal of World Intellectual Property*, 4 (1), 919.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

aspects of communal creations.

#### *Cultural appropriation*

The globalization of music and cultural exchange raises concerns about cultural appropriation, where traditional Nigerian music may be commercialized or adapted without proper acknowledgment or compensation to the originating communities. This raises questions about the ethical use and representation of traditional music within the copyright framework.

To combat cultural appropriation, it is essential to establish international agreements and partnerships that mandate proper attribution and compensation for the use of traditional music. Promoting ethical guidelines and practices within the global music industry can also help respect and preserve cultural heritage.

#### *Digital challenges*

The digital era presents both opportunities and challenges for the copyrighting of traditional Nigerian music. While digital platforms offer broader reach and distribution, they also increase the risk of unauthorized reproduction, distribution, and remixing of traditional music without proper licensing or attribution. (Onyeagbako, 2020)

To protect traditional music in the digital age, digital rights management (DRM) technologies and blockchain can be utilized to track and enforce copyrights. Establishing partnerships with digital platforms to ensure compliance with copyright laws and providing education on digital rights can enhance protection efforts.

#### *Enforcement issues*

Enforcing copyright protection for traditional Nigerian music can be challenging, especially in cases where infringement occurs outside national borders or within informal settings such as traditional performances or community gatherings. Limited enforcement mechanisms and cross-border challenges further complicate efforts to protect these cultural assets.

Strengthening international cooperation and harmonizing laws with other countries can facilitate better enforcement. Creating local enforcement bodies specializing in IP rights for traditional music and empowering them with adequate resources and training is also necessary.

#### *Education and awareness*

There is a need for increased education and awareness among traditional musicians, communities, and stakeholders about the importance of copyright protection, licensing, and the value of preserving cultural heritage. Many traditional musicians are not fully aware of their rights or how to navigate the copyright landscape (Gani, 2020).

Therefore, developing outreach programs and workshops that educate communities on IP rights and the benefits of copyright protection can empower musicians. Collaboration with local governments and cultural organizations to disseminate information and provide legal assistance will also be beneficial.

#### *Oral transmission*

The oral transmission of traditional music poses another challenge for copyrighting (Wong et al., 2011). Since

many traditional songs and compositions are not written down but passed orally from one generation to the next, it becomes challenging to establish a fixed form of the work as required by copyright law. This lack of documentation often leads to disputes over authorship and originality, making it hard to enforce copyright claims (Shisha, 2020).

To address this, initiatives to transcribe and record oral traditions into tangible forms should be supported. Recognizing oral traditions as valid expressions of cultural heritage in copyright law can also help bridge this gap.

#### *Adaptation in contemporary works*

The adaptation of traditional motifs and melodies in contemporary works further complicates copyright issues. Modern Nigerian artists often draw inspiration from traditional music, incorporating elements into their compositions without clear guidelines on attribution or compensation (Okujeni et al., 2024). This practice raises questions about where to draw the line between permissible cultural exchange and copyright infringement. A case study that highlights these challenges is Highlife music, which originated in Ghana but became popular in Nigeria. Highlife is a fusion of traditional African rhythms with Western instruments and techniques. As Highlife evolved, it incorporated elements from various ethnic groups, making it difficult to pinpoint specific ownership or authorship for certain songs or styles within the genre.

To address this, creating clear guidelines for the use of traditional music in contemporary works is crucial. This includes establishing attribution norms and compensation mechanisms for traditional communities. Encouraging collaborations and licensing agreements between contemporary artists and traditional communities can ensure fair use and respect for cultural heritage.

#### *Issues arising in traditional Nigerian music*

Traditional Nigerian music, with its rich history and cultural significance, faces several contemporary issues that threaten its preservation and continued relevance. Globalization has led to a significant cultural exchange, which, while beneficial in many ways, also poses a threat to the purity of traditional Nigerian music (Shiple, 2017). The influx of Western musical styles has led to a dilution of traditional sounds as local musicians attempt to appeal to a global audience. This often results in a hybrid form of music that may lose some of the unique characteristics of the traditional styles.

Modernization and advances in technology have transformed how music is produced, distributed, and consumed. While this has made Nigerian music more accessible to a broader audience, it has also led to challenges in preserving the original form and intent of traditional music (Barrowclough & Kozul-Wright, 2008). The use of electronic instruments and digital production techniques can significantly alter the sound and feel of traditional music.

Traditional Nigerian music often faces a delicate balance between preserving cultural heritage and commercial exploitation (Ekpa, 2012). As these musical forms gain global recognition and commercial value, there's a risk of cultural dilution or misrepresentation in the pursuit of commercial success. Determining ownership and authorship of traditional Nigerian music can be challenging due to the communal and collective

nature of these cultural expressions. Clear documentation and recognition of contributors, especially across generations, are essential for establishing rights and ensuring fair compensation (Ibe & Obianyo, 2021). The lack of standardized licensing frameworks and royalty collection mechanisms for traditional music poses challenges in ensuring that creators and rights holders receive fair compensation for the use of their works, both domestically and internationally (Oguamanam, 2018). The digital revolution has transformed the music industry, offering new opportunities for distribution, promotion, and access to traditional Nigerian music. However, it also raises issues of digital piracy, unauthorized sampling, and the need for robust digital rights management solutions.

As Nigeria continues to develop and integrate into the global community, there is an increasing concern about preserving cultural identity, especially among younger generations who may be more drawn to contemporary music. Traditional Nigerian music is not only an art form but also a means of passing down history, morals, and values. Ensuring that this cultural heritage is not lost in the face of rapidly changing musical landscapes is a significant challenge. Balogun & Oladipo (2024) emphasized that a relevant case study is the evolution of Afrobeat, a genre that combines traditional Nigerian music with jazz, funk, and highlife. Pioneered by Fela Kuti in the late 1960s, Afrobeat has seen a resurgence in popularity in recent years. While this has brought attention to Nigerian music on the world stage, it has also raised questions about maintaining the genre's roots and authenticity as it adapts and evolves. Traditional Nigerian music's exposure to global audiences brings both opportunities and challenges. While globalization can facilitate cultural exchange and collaboration, it also raises concerns about cultural appropriation, misappropriation, and the ethical use of cultural elements in commercial contexts. Adequate infrastructure for recording, preserving, and archiving traditional Nigerian music is often lacking, particularly in rural or underserved areas. This hampers efforts to document and safeguard these musical traditions for future generations (Jegede, 2022).

There is a need for increased education, awareness, and capacity building among musicians, rights holders, policymakers, and the public regarding the importance of preserving traditional Nigerian music, respecting intellectual property rights, and navigating the evolving music industry landscape. Collaboration between traditional Nigerian musicians and artists from other cultures can lead to creative synergies and new opportunities. However, it also requires careful negotiation of rights, cultural sensitivities, and equitable partnerships to avoid exploitation or cultural misrepresentation. Addressing these concerns requires a cooperated effort from musicians, cultural institutions, and policymakers to find a balance between embracing modernity and globalization while preserving Nigeria's rich musical heritage. Ensuring effective regulatory frameworks, copyright protection, and enforcement mechanisms for traditional Nigerian music is crucial for safeguarding cultural heritage, promoting innovation, and fostering a sustainable ecosystem for creators and rights holders.

## **Conclusion**

This paper has discussed the issues facing the copyright protection of traditional Nigerian music. The discussion has revealed a landscape filled with both promise and peril. The current legal framework provides a basic structure for protection, but it is clear that there are significant gaps that need to be addressed to ensure

the longevity and integrity of this cultural treasure. While copyright laws in Nigeria recognize traditional music as a protectable work, enforcement remains weak due to systemic challenges such as lack of awareness, inadequate legal provisions, and difficulties in proving ownership. Additionally, the unique nature of traditional Nigerian music, which often involves communal creation and oral transmission, poses distinct challenges for copyright application. Looking forward, it is imperative that Nigeria strengthens its legal mechanisms to better accommodate the peculiarities of traditional music. This could involve creating specific provisions for communal and orally transmitted works, improving enforcement strategies, and increasing public awareness about the importance of protecting intangible cultural heritage.

## **Recommendations**

### *Amendments to copyright laws*

Continuous review and amendments to existing copyright laws in Nigeria are crucial to addressing emerging challenges and aligning with international best practices. Specific provisions tailored to protect traditional Nigerian music should be included, considering its unique cultural and communal aspects. These amendments should reflect the evolving nature of music creation, distribution, and consumption in the digital age, ensuring that creators' rights are adequately safeguarded.

### *Awareness and education*

Stakeholders, including musicians, rights holders, policymakers, and the general public, should be educated and sensitized about the importance of copyright protection for traditional Nigerian music. Training programs, workshops, and campaigns can be organized to promote awareness and compliance with copyright laws. This educational outreach is essential for fostering a culture of respect for intellectual property rights and encouraging responsible consumption of music content.

### *Cross-cultural collaboration guidelines*

Guidelines and protocols should be developed for cross-cultural collaborations involving traditional Nigerian music. These guidelines should address issues of consent, attribution, fair use, and equitable sharing of benefits to protect the integrity and rights of traditional music creators. Clear guidelines promote ethical collaborations, prevent disputes, and ensure that creators are appropriately credited and compensated for their contributions.

### *Enforcement and monitoring*

Strengthening enforcement mechanisms and monitoring systems is crucial for deterring copyright infringement. Collaboration between law enforcement agencies, regulatory bodies, and industry stakeholders is essential to detect, investigate, and prosecute cases of copyright infringement effectively. Implementing robust enforcement measures sends a strong message that copyright violations will not be tolerated, thereby protecting the rights and livelihoods of traditional music creators.

### *Documentation and archiving*

Comprehensive efforts should be made to document and archive traditional Nigerian music. This includes

recording performances, cataloging compositions, and establishing repositories or databases dedicated to preserving this cultural heritage. Digital technologies can be leveraged for efficient archiving and accessibility, ensuring that these musical treasures are preserved for future generations and remain accessible for research and artistic inspiration.

#### *Collective management organizations (CMOs)*

The establishment and empowerment of Collective Management Organizations (CMOs) specializing in traditional Nigerian music can significantly enhance copyright protection. These organizations can facilitate collective rights management, licensing, and royalty collection on behalf of rights holders. By negotiating fair agreements, monitoring usage, and ensuring proper compensation for creators, CMOs play a vital role in protecting and promoting the interests of traditional music creators.

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