



EDITORIAL

Theft in Full View of the Law

Copyright laws in the occupied territories have been in limbo for several decades. The establishment of the Palestinian Authority in 1994 improved only in theory the anarchic situation that has prevailed since 1967. The prevailing laws concerning the protection of publications remain today those adopted during the early years of the British Mandate over Palestine, on 21 January, 1924. This law penalizes copyright violations pertaining to printing, authorship, and circulation by imposing fines and, in certain cases, by imprisonment.

In practice, however, the laws have been systematically violated without serious repercussions. As of this writing, leading publications by Arab writers, such as Abdul Rahman Munif, and Hanna Mina, as well as international authors such as Paulo Coelho, are freely available in pirated editions that are considerably cheaper than the original imprints. Pirate companies openly distribute their forgeries under the pretext of making the books available to a wider readership at a reasonable cost.

Increasingly, local imprints of Palestinian authors and publishers appear in the bookshops, despite clear copyright protection warnings on the inner jacket of these books. Most recently, our own IPS bestsellers such as *Before their Diaspora* by Walid Khalidi, and *Geographic Sites in Palestine* by Shukri Arraf, have been reprinted and distributed by pirates, who have the audacity of adding the copyright warning on the forged version. Even more serious is the tendency by several 'authors' to plagiarize sections and sometimes entire chapters from well-known writers, making minor modifications and attributing them to the plagiarizing author. These open thefts are distributed by a mafia of publishers, who carry out business without fear of retribution. Plagiarized books are not only cheaper in price, but are badly-produced and tend to fall apart after limited use.

Even the Palestinian Authority itself has been implicated in cases of violating the freedom of publication and dissemination, against its own by-laws. This happened under a previous government, when the Arabic translations of two collections of essays by Edward Said were banned from distribution (only to be restored after a public outcry). More recently the Hamas-led government seized and destroyed copies of Sharif Kanaana and Ibrahim Muhawi's *Qul ya Tair* (*Speak Bird, Speak Again* in the English) from public school libraries. Again, public pressure forced the government to rescind its action. Thus both Fateh and Hamas regimes are guilty of violating Palestinian laws guaranteeing the freedom of press and publications.

Clearly, the responsibility for this sorry state of affairs is shared. The Legislative Council should take up this cause and draft clear laws penalizing violations of press freedom, and protecting the rights of authors and publishers, including the electronic dissemination of publications. The executive branch, including the office of the public prosecutor and the police, should give teeth to the existing laws. No less, political parties and civil society organizations must add their voices to those of legitimate publishers to put an end to these practices. The toleration of pirated publications, within full view of the law and under the excuse of making books available to a wider public is a charade. These acts are blatant cases of theft, and their perpetrators should be brought to justice in order to guarantee freedom of the press, and the protection of authors.