

# INTRODUCTION

## **The Purpose of the Copyright System**

1. The subject matter of copyright is culture. No society can live without culture - without books, music and paintings.

2. Books are needed for recording the history of a country so that each generation may be aware of its heritage and may build for the future on the foundations of the past. Books are needed to record knowledge and ideas in all spheres of human endeavour, in the natural sciences, in medicine, in the political and social sciences, in the art of applying knowledge. Books are needed to describe the human condition, the problems of human relationships, the comedies and the tragedies of human life. Music is an integral part of life, speaking in a universal language which needs no interpretation. It provides solace when we are weary. It invigorates our spirits, fills our hearts with emotion, and uplifts our souls. Paintings depict the world we live in. They capture the beauty of the human person. They reveal through the artist's eye facets of nature which we may not have observed, teaching us to appreciate the relationship between shapes and colours.

3. The literature, the music and the artistic output of a country - and their interpretation by actors, singers and dancers - make up the culture of that country and form perhaps the most important part of its national identity.

4. In every country there are persons who have these wonderful creative and interpretative talents - persons who can write books, compose inspiring music, paint beautiful pictures, act, sing and dance. These gifted people are the country's cultural workers. In earlier centuries culture was supported by a system of patronage. Members of the royal court and the aristocracy would, by commission or appointment to some office, support writers, musicians and artists. There is still room today for patronage of the arts by government, industry and the individual. But since the last century the copyright system as we know it today has been evolved to provide creative people with legal rights by the exercise of which they may earn a living. This commitment to creativity has been universally recognised and given official expression in Article 27 of the Universal Declaration of Human Rights:

Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

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

Production and dissemination of cultural works

5. The purpose of the copyright system is twofold: first to encourage creative people to produce works of culture; and second, to provide incentives for the dissemination of those works. Both parts are equally important. Without a continuing flow of literature, music and art, there would be nothing to communicate, and nothing with which to satisfy the intellectual needs of the people. Equally, if the books that are written, the melodies that are composed and the pictures that are drawn remain hidden in a cupboard, the public is denied the benefit of them. They might just as well never have been created at all. The copyright system helps to prevent this happening. By enabling creative people and their business partners

(i.e. those with entrepreneurial, managerial and administrative skills) to earn their living out of their joint efforts, copyright makes an inestimable contribution to artistic creativity and to its enjoyment by the public.

Created by  
statute

6. The copyright system has its roots in the common law but today is created by statute. In each country there is a copyright law which establishes the rights which creative people shall enjoy in that country and defines the conditions under which the rights may be enjoyed and exercised.