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**THE ROLE OF ACADEMIC LIBRARIES IN SOUTH AFRICA IN THE
PROMOTION OF COPYRIGHT AMONGST USERS: A CASE STUDY OF
THE UNIVERSITY OF FORT HARE LIBRARY (ALICE CAMPUS)**

By



MZAYIYA ZINTLE (200704284)

University of Fort Hare

**A dissertation submitted in fulfilment of the requirements for the
degree Master in Library and Information Science (MLIS)**

Faculty of social sciences and Humanities

**Department of Library and Information Science at the University of
Fort Hare.**

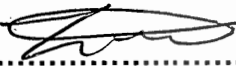
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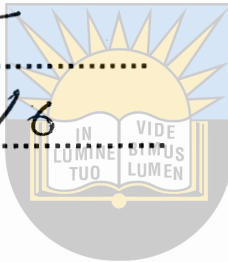
Mr. F. E. Khayundi

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DECLARATION

I, Zintle Mzayiya (200704284), the undersigned, do hereby declare that this dissertation is my own original work and has not been previously submitted to any other University for awarding of a degree, either in part or in its entirety.

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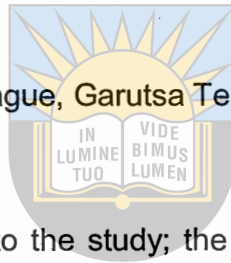
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Finally, my deep appreciation goes to my fiancé, Vuyani Booi, for his support, inspiration, and guidance; and to my three boys Liyema; Khwezi and Iminathi for giving me a reason to pursue my studies.

ABSTRACT

The study aims to investigate the role of academic libraries in South Africa in the promotion of copyrights among users at the University of Fort Hare library (Alice campus). The objectives of the study were to determine possible factors that may lead to copyright infringement in academic libraries; to determine users' awareness of copyright infringement to ascertain which efforts are made to promote copyright at the University of Fort Hare library; and to identify the challenges faced by users in abiding by copyright requirements. The study was undertaken at the University of Fort Hare library, Alice campus. It used purposive and random sampling. Data were collected using questionnaires and face-to-face interviews. Data were analysed using content analysis for qualitative data and the Statistical Package for Social Sciences for quantitative data. The findings of the study have shown that the University of Fort Hare library abides by the Copyright Policy Act 68 of 1978 and available literature on issues related to copyright, as made apparent by library officials who indicated that they monitor their printing and photocopying services. It is therefore recommended that the University of Fort Hare library offer information literacy programmes and subscribe to a blanket license regulated by the Dramatic Artistic and Literacy Rights Organization in order to control copyright. Further, the Information Literacy Programme offered to users is not effective enough to assist them to understand and be able to control copyright. This study recommends that the University of Fort Hare library strengthen its current information literacy programme with a view to control copyright. It also recommends that academic libraries integrate copyright into their academic writing framework, in which clear instructions about issues related to copyright will be provided.

DEDICATION

This thesis is dedicated to my child, Iminathi Mzayiya, and the Silere family.



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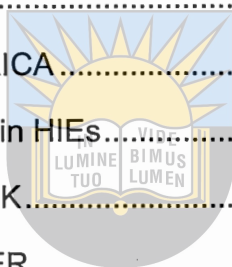
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LIST OF ABBREVIATIONS

CAR	–	Copyright Act and Regulations
CC	–	Copyright Commission
CEOD	–	Compact Oxford English Dictionary
CONTU	–	Commissions on New Technological Uses of Copyright Works
DALRO	–	Dramatic Artistic and Literacy Rights Organization
FGN	–	Federal Government of Nigeria
HIE	–	Higher Institutions of Education
HIS	–	Historical Institution of Education
ICT	–	Information and Communication Technology
KOPIKEN	–	Reproduction Rights Organization of Kenya
NRF	–	National Research Foundation
UFH	–	University of Fort Hare
USA	–	United States of America

CHAPTER 1

INTRODUCTION AND BACKGROUND TO THE STUDY

1.1 INTRODUCTION

This study focuses on the role of academic libraries in the promotion of copyright amongst their users. The University of Fort Hare (UFH) library was used as a case study. An intellectual property right is a term referring to a number of distinct types of expressions for which a set of rights that are recognised under the corresponding fields of law. Common types of intellectual property rights include copyrights, trademarks, patents, industrial design rights, and trade secrets in some jurisdictions (Joint, 2006). This study focuses on the promotion of copyrights in Institutions of Higher Education (IHE).

Copyright is a legal device that provides the creator of a work of art or literature, or a work that conveys information or ideas, the right to control how the work is used. It is a property right given to authors or creators of works, for example, literary works, artistic works, musical works, sound recordings, films and broadcasts or computer programmes, to control the copying of their work (Dean, 1988). Copyright can also be defined as a set of laws that gives an author certain rights over an original work, including the right to copy the work, distribute it, and create copied works. Copyright also includes exceptions, such as fair use, that allow others to make limited use of an author's work. Copyright protects only the work itself; therefore, unlike plagiarism, one

does not infringe on copyright by using another person's idea without crediting the source (Smith and Wren, 2010). However, even though a copyright notice is not required, it is still important to include one. When a work contains a valid notice, an infringer cannot claim in court that he or she did not know it was copyrighted. This makes it much easier to win a copyright infringement case and perhaps collect enough damages to make the cost of the case worthwhile. Furthermore, the very existence of a notice might discourage infringement. Finally, including a copyright notice may make it easier for a potential infringer to track down a copyright owner and legitimately obtain permission to use the work.

The first copyright law, the Statute of Anne, was enacted in England in 1710, by exercising its power under the newly adopted constitution to secure the rights of authors and inventors. The United States of America (USA) passed an Act almost identical to the Statute of Anne as the first American copyright law in 1790 (DE Wolf, 1925).

According to Otike (2011), copyright should be strictly observed in all Higher Institutions of Education (HIE) and research organizations. However, there are general exceptions and limitations to copyright. These exceptions include, among others: use of copyrighted work for the purpose of scientific research; private use; criticism or review; or reporting of current events subject to acknowledgement of the source. Moreover, the inclusion in a collection of literary works of not more than two short passages from the work in question for use in school registered under any university also requires the acknowledgement of the source. In addition, the reproduction of a work by or under the direction of libraries, non-commercial documentation centres and scientific institutions for public use (Otike, 2011).

In the USA, academic libraries have been concerned with copyright issues since the passage of the Copyright Act of 1976, which revised standards of fair use and reproduction. Because the law was unclear from the start, multiple interpretations during its first years contributed to confusion about photocopying permissions and about reserve readings in particular. Bonner et al. (2002) reported results of a survey of seventy-nine regional academic institutions and found that 52 per cent had campus-wide copyright policy and, out of this total, 41.2 per cent had inadequate policies. Sixteen years after the 1976 Copyright Act was passed, it was concluded that the promotion of copyright remains a problem (Raina & Debbie, 2005).

In Kenya, some academic libraries have been found to infringe, or assist in the infringement of, copyright. There have been reports of book piracy in academic libraries (Osaka and Adkins, 2012). For instance, in 1997 alone, 140,000 books of 200 pages were photocopied in universities and colleges in Kenya. Yet, the mushrooming of both public and private universities has not translated into increased demand for books (Otiike, 2011).

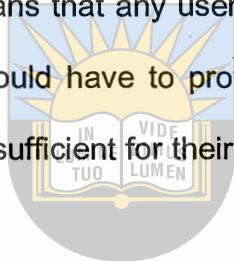
In South Africa, copyright is governed by the Copyright Act No. 98 of 1978, as amended, and its regulations. South Africa is a signatory to the International Berne Convention (1886) on copyright, which obliges South Africa to give recognition and protection to copyright works from signatory countries (Dean, 1988).

According to Nicholson (2010), the problem of plagiarism and copyright infringement is symptomatic of deeper ethical and moral problems from societies emerging from a violent and shameful history where the rights of others were totally disregarded. Users disregard rules and regulations and, in the process, fail to learn proper life skills for the

future. They enter places of higher learning without a strong moral code and obligations. They then engage in plagiarism, copyright infringement, theft and other unacceptable activities in the process of obtaining university degrees. In light of this, it is worrisome that most Institutions of Higher Education do not have strong policies regarding copyright infringement. Most of these institutions' libraries do not even have follow-up measures to determine who printed and photocopied what, when and how. The only aspect that institutions, particularly the University of Fort Hare, seem to emphasise in any significant manner, is the issue of plagiarism, rather than other aspects such as what and how much should be printed or photocopied for academic purposes. Although a lot has been done to control copyright infringement in South Africa (SA), copyright infringement at Universities continues to be a challenge (Nicholson, 2010). As such, abiding by copyright laws is fundamental to South Africa since it enhances the promotion of intellectual property rights in Institutions of Higher Education (IHE) (South African Copy Right Review, 2013).

Recent research highlights that copyright violation in academic libraries in South Africa, whether intentional or unintentional, is on the increase amongst university students (Coetze & Breytenbach, 2006; Cronin, 2003; Ellery, 2008). Various forms of copyright violation such as in-text referencing, citing direct quotations and paraphrasing were identified. The causes of copyright violations was attributed to ignorance, pressure to produce research, freely available information on the internet, inexperienced multicultural users, inaccurate citing and referencing, use of a language, which is not one's mother tongue for academic writing and laziness (Beute, Van Aswegen & Windberg 2008). According to Ellery (2008), first year students are inexperienced about what constitutes copyright infringement. She recommended that if Higher Institutions of

Education (HIE) libraries are serious about improving users' academic skills and preventing copyright infringement, they should incorporate copyright into an academic writing framework in which clear instructions will be provided (Ellery,2008). Moreover, this has been worsened by the fact that the Copyright Act is not clear in defining what fair dealing means and does not specify how much may be reproduced from a work without asking permission from the copyright holder. It just states that the amount copied needs to be "compatible with fair practice and it shall not exceed the amount suitable for the purpose". This means that any user of a copyright work, who wants to claim usage under fair dealing, would have to prove that the amount that they have copied from a particular work was sufficient for their purpose, and not excessive (South African Copy Right Review, 2013)



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1.2 PROBLEM STATEMENT *Together in Excellence*

Lack of effective and efficient mechanisms to monitor copyright violations in Higher Institutions of Education in South Africa continue to hinder the promotion of copyrights. In South Africa, some studies have been conducted on the promotion of copyright in academic libraries in HIEs. However, one faces the challenge of how to effectively promote copyright in these libraries.. In an environment like a University where a library offers services to thousands of students, monitoring or checking such a large number of students to ensure that there is no violation of copyright law seems to be the problem. In other words, the monitoring of students in terms of who does what, when, where and how - with regards to academic material or institutional academic property - is a challenge confronting most HIEs in the country. The resultant effects have been a significant hindrance to copyright promotion within most HIE libraries. There is therefore

a need for HIEs to draw up their own policies regarding the promotion of copyright; however, these policies must be in line with the Act of 1978.

1.3 RESEARCH AIM AND OBJECTIVES

Based on the research problem, the main aim of the study is:

- To investigate the role of academic libraries in the promotion of copyrights amongst its users.

The specific objectives of the research are:

- To identify factors that may lead to copyright infringement in academic libraries at UFH;
- To examine the existing of copyright monitoring mechanisms at the UFH library;
- To determine efforts that are being made at the UFH library to promote copyright; and
- To identify challenges faced by UFH users in abiding by the copyright requirements.



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1.4 RESEARCH QUESTIONS

- What factors lead to copyright infringement in academic libraries at UFH?
- To what extent are library users aware of the seriousness of copyright infringement at UFH?
- What efforts are being made in the library to promote copyright at UFH?

- What challenges face library users in abiding by copyright requirements in the UFH library?

1.5 SIGNIFICANCE OF THE STUDY

The findings of the study will demonstrate the role of academic libraries in the promotion of copyrights in SA. It will also assist in informing and educating academic library users and knowledge production institutions about the negative effects of copyright infringement and plagiarism. The significance of this study is that it will recommend and suggest improved strategies that assist in the promotion of copyright in academic libraries. The understanding of copyright use, as gained from this study, will be the starting point in designing effective strategies to control copyright infringement and plagiarism in academic libraries in HIE in SA. In addition, the study will indicate the extent to which the promotion of copyright and plagiarism ought to be emphasized in academic libraries in the HIE in SA. Moreover, the findings of this study will inform policy makers as to why social, economic and political factors play a fundamental role in determining the successes and failures of the copyright in South Africa. Independent researchers and scholars, like Sanders (2004), have argued that there are good policies governing property rights, but they blame the implementation and the evaluation methods followed. As such, this research is envisioned to be valuable to stakeholders, NGOs dealing with copyright issues and policymakers, in terms of the need to have a revision of policies regarding what constitutes a violation of copyright. Moreover, findings from this study will also provide a broader understanding of the nature and scope of copyright in South Africa. The study will act as a guide on how future policies and programmes can be aligned to national development and national economic

growth. The thesis will also inculcate future debates by highlighting the contradictions and challenges of promoting copyrights that have trivialised efforts made by the government to promote intellectual property.

1.6 LIMITATIONS OF THE STUDY

This study was carried out at the University of Fort Hare in Alice in the Eastern Cape Province of South Africa. The study was investigative in nature as it explored the role of academic libraries in the promotion of copyrights amongst their users. The study participants included students and University library officials.

The researcher experienced problems with five librarians who were purposively interviewed using interview guides. Some of the librarians who were interviewed were too busy to give all their attention to the interview; hence, it took an extended period to complete the interviews. The researcher also experienced financial constraints in printing the questionnaire for the respondents, as the researcher was not financially supported by any scholarship or bursary and, therefore had to gather the necessary financial resources before printing the questionnaires.

1.7 DEFINITION OF KEY CONCEPTS

Academic library refers to a library that is committed to a higher education institution. It has two corresponding functions: to support the school's curriculum, and to support the research of the university faculty and students (Budd, 1998).

Higher Institution of Education (HIE) refers to a school that awards a bachelor's degree or any program with duration of two years or more. It also refers to institutions that provide credits towards a degree; institutions that provide not less than one year of training towards gainful employment; or, a vocational program that provides training for gainful employment and has been in existence for at least two years (Higher Education Act, 1997).

Copyright refers to a set of laws that gives an author certain rights over an original work, including the right to copy the work, distribute it, and create derivative works. Copyright also includes exceptions, such as fair use, that allow others to make limited use of an author's work. Copyright protects only the work itself; therefore, unlike plagiarism, one does not infringe on copyright by using another person's idea without crediting the source. To use portions of a copyrighted work, an author must either have permission from the copyright holders or a statutory exception for use (Smith & Wren, 2010).

Plagiarism, as defined by Smith and Wren (2010), refers to the act of infringing upon copyright by using another person's idea without crediting the source. The Compact Oxford English Dictionary (2009) defines plagiarism as the act of taking the work or ideas of someone else and presents it off as one's own. It can also be defined as a form of intellectual theft and academic dishonesty (Wilhoit, 1994). Different reasons might also lie behind this academic dishonesty, such as intentionally deceiving or unintentionally ignoring the rules of academic writing (Jolly, 1998).

Information literacy, according to the University of Idaho (2014), refers to the ability to identify what information is needed, understand how the information is organized,

identify the best sources of information for a given need, locate those sources, evaluate the sources critically, and share that information. It is the knowledge of commonly used research techniques. Information literacy is critically important as academic libraries are surrounded by an increase in information in all formats. Not all information is created equal: some is authoritative, current, and reliable; while some is biased, out of date, misleading, and false. Information literacy skills are used for academic purposes, such as research papers and group presentations.

Fair use refers to a limitation and exception to the exclusive right granted by copyright law to the author of a creative work. It is a doctrine that permits limited use of copyrighted material without acquiring permission from the rights holders. Moreover, fair use is the most important limitation on the copyright holder's exclusive rights. It provides for the legal, unlicensed citation of copyrighted material in another author's work (United States Copyright Office, 2010:3).

Photocopying, according to the Collins English Dictionary (2009), refers to a photographic copy of printed or written material produced by a process involving the action of light on a specially prepared surface.

1.8 STRUCTURE OF THE DISSERTATION

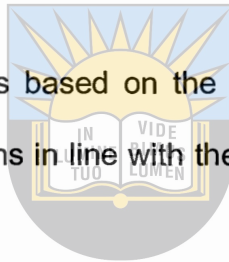
Chapter One provides the background to the study. It also outlines the problem statement, objectives and significance of the study, and provides a list of definitions of key terms.

Chapter Two provides a review of the literature relevant to the study. It also establishes the theoretical framework of the research, in order to ground the inquiry.

Chapter Three outlines the methodology of the study and offers a detailed discussion of the research methods chosen. It also outlines the data collection instruments, sampling method and data analysis employed in the study.

Chapter Four presents a discussion of the data, through the data analysis, based on the objectives of the study.

Chapter Five provides conclusions based on the findings of the data analysis. This chapter also offers recommendations in line with the problem statement and objectives of the study.



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1.9 SUMMARY OF THE CHAPTER

This chapter outlined the introduction and background to the study, the problem statement, research objectives, research questions, significance of the study, as well as the definition of key terms and structure of the dissertation. The next chapter will provide the literature review and theoretical framework that inform the study.

CHAPTER 2

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 INTRODUCTION

The main aim of the study is to investigate the role of academic libraries in the promotion of copyrights in Higher Institutions of Education in South Africa. According to Babbie (2004:75), a literature review is the way in which we learn what is already known and not known. A literature review can also be defined as the effective evaluation of selected documents on a research topic. A review may form an essential part of the research process or may constitute a research project in itself. In the context of a research paper or thesis, the literature review is a critical synthesis of previous research. The evaluation of the literature leads, logically, to the research question. In the context of a research paper or a thesis, the literature review provides a background to the study being proposed (Babbie, 2004:75).

Smith and Wren (2010) define copyright as a set of laws that give an author certain rights over an original work, including the right to copy the work, distribute it, and create derivative works. Copyright also includes exceptions, such as fair use, that allow others to make limited use of an author's work. Copyright protects only the work itself; therefore, unlike plagiarism, one does not infringe on copyright by using another person's idea without crediting the source (Smith & Wren, 2010).

Smith and Wren (2010) define plagiarism as infringing copyright by using another person's idea without crediting the source. The Compact Oxford English Dictionary (2009:110) defines plagiarism as the act of taking the work or ideas of someone else and permits it off as one's own. It can also be defined as a form of intellectual theft and academic dishonesty (Wilhoit, 1994). There may also be different reasons for this academic dishonesty, such as intentionally deceiving or unintentionally ignoring the rules of academic writing (Jolly, 1998). Regardless of the reason, there have been important attempts to become aware of plagiarism and to punish plagiarists through a certain set of ethical rules in higher education institutions. National and international studies and articles on the topic reveal that users engage in plagiarism for various reasons and this violation of academic ethics is being hindered through certain agreements such as copyright licenses (Eminoglu & Nartgun, 2009; Koc, 2006; Lanier, 2006; Scanlon & Neumann, 2002).

2.2 COPYRIGHT LAW

The copyright law differentiates that certain types of information should be treated as if they were private property and therefore capable of being owned. Copyright is the area of law concerning legal rights associated with intellectual creative effort or commercial reputation and goodwill. It covers a very wide area and includes literary and artistic works, films, computer programs, inventions, designs and trademarks. Therefore, copyright exists in many things we use on a daily basis in the library, for example: newspapers, books, magazines, journals, photographs, maps and charts, illustrations and designs, audio cassettes, videos and films, television and radio broadcasts, computer programs and databases, etc. (Smith & Wren, 2010).

2.3 FAIR USE

According to the United States Copyright Office (2010:3), fair use is a limitation and exception to the exclusive right granted by copyright law to the author of a creative work. It is a doctrine that permits limited use of copyrighted material without acquiring permission from the rights holders. Moreover, fair use is the most important limitation on the copyright holder's exclusive rights. It provides for the legal but unlicensed citation of copyrighted material in other authors' work. Fair use should be strictly observed in all Higher Institutions of Education (HIE) and research organizations. However, there are general exceptions and limitations to copyright (Otike, 2011). These exceptions include, among others:

- Use of copyrighted work for the purposes of: scientific research; private use; criticism or review; or the reporting of current events subject to acknowledgement of the source.
- Where this is done, acknowledgement of the source is required.
- Reproduction of a work by or under the direction of libraries, non-commercial documentation centres and scientific institutions for public use (Otike, 2011).

2.4 PERCEPTIONS OF LIBRARIANS' KNOWLEDGE REGARDING COPYRIGHT

Williamson (1992) surveyed a number of university educators in developed countries and found that copyright infringement occurs due to a lack of awareness of copyright provisions. Gould, Lipinski, and Buchanan (2005) used peer assessment and found that administrators of research libraries in developed countries were perceived to have a higher level of awareness of copyright provisions than other libraries in developing

countries. Smith et al. (2006) pointed out that a number of academic institutions in developing countries had little or no knowledge of copyright. However, this study seeks to investigate users' awareness of copyright infringement, especially in the historically disadvantaged higher institutions of learning in South Africa.

According to Cox (1998), studies from developed Western nations have tried to compare differences that exist regarding the awareness of copyright provisions amongst staff in academic institutions. He compared self-perceptions of principals, educators, and librarians in terms of their awareness of copyright provisions and compliance with the principle of fair use in an academic library in the United States of America (USA). Out of the three groups of staff working in an academic institution, librarians were perceived to be the most knowledgeable about copyright provisions. This study seeks to investigate users' awareness of copyright infringement, especially in the historically disadvantaged higher institutions of learning in South Africa.

2.5 COPYRIGHT INFRINGEMENT THROUGH THE INTERNET IN HIE

DeVoss and Rosati (2002) suggest several reasons why internet users infringe copyright. One of the reasons concerns the ease and popularity of copy and paste actions, which are considered natural operations in computerized environments. There is a need to bridge the disparity of definitions and attitudes so that honest users can function in a world of scholarship and ideas, and we must help them to be successful in the academic world and in the profession of their choice.

Harms (2006) argue that the shift to digital formats combined with easy access to copying equipment has made it easier for information to become entangled, mixed and,

essentially, plagiarized (Harms, 2006). With information being freely available, the internet allows for simple cut and paste occurrences of obvious copyright infringement. The efforts call for careful and engaged discussions with users as we begin to understand that technology frames users' thinking and values (DeVoss & Rosati, 2002).

McMurtry (2001) describes three popular methods of using the internet to commit plagiarism. The first method, which is considered the easiest, includes locating appropriate websites using a search engine, copying relevant texts and pasting them into an essay. The second method is comprised of receiving papers prepared by friends or students from other universities through online communications channels such as e-mail or internet forums. The third and harshest method is downloading essays from online "sites that collect and distribute papers on the web, either free of charge or for a fee.

Germek (2009) disagrees with McMurtry (2001), who argued that the use of technology is the cause of copyright infringement. He argues that it becomes difficult to understand how technology in itself could increase the occurrence of copyright infringement. Instead, it is possible that technology has provided a vehicle for academic dishonesty, simply making it easier to engage in such activities. In this view, the belief expressed by George Germek, that technology simply advances copyright infringement progress and spreads its deterioration, would be partially untrue (Germek, 2009).

Compared to information on paper, online information has become much more vulnerable to plagiarism due to the technological options of modifying texts, moving sections from one place to another and separating sections from an original text as a

whole. The main cause of internet plagiarism, according to the literature, is the assumption that the internet is in the public domain and, therefore, information on the Internet may be used without attribution (Groark, Oblinger & Choa, 2001; Oliphant, 2002; Thompson, 2003).

Krauss (2002) states that a number of library users, in South Africa, admit to plagiarism through the use of internet sources. Users accused of plagiarism do not see plagiarism as stealing. He further argues that the users' view of plagiarism comes from a generation raised on information from the internet, which is often not recognized according to scholarly standards. Therefore, rather than criticizing their lack of morality, there is a need to understand the media instilled world in which they live and work. Users work in the kingdom of easy access and transfer of information without authorship or citing the source. Moreover, they are more than willing to develop networks and processes to share the information that they need with no regard for authorship or intellectual property rights (Krauss, 2002).

2.6 PROMOTION OF COPYRIGHT IN LIBRARIES IN COUNTRIES ACROSS THE WORLD

2.6.1 Promotion of copyright in United States of America

The United States of America (USA) was concerned with copyright issues until it passed the Copyright Act of 1976, which revised standards of fair use and reproduction. Because the law was unclear from the start, multiple interpretations contributed to confusion regarding copyright promotion and fair dealing, in particular. A few libraries were encouraged to consult the National Commission on New Technological Uses of

Copyrighted Works (CONTU). Out of the 79 academic libraries surveyed in 1978, only 23 interpreted the guidelines to apply for the right to photocopy. In 2002, Bonner et al. reported results of a survey of 79 regional academic libraries in the United States and found that 52% had campus-wide intellectual property policies and, of these, 41.2% had inadequate policies. Sixteen years after the 1976 Copyright Act was passed, they concluded that defining copyright ownership rights remains an unresolved issue.

The interpretation of copyright laws turned out to be even more complicated as information in electronic formats became available. One of the new challenges was the circulation of copying software. For example, Walch (1984), who found that library practices in guarding against inappropriate copying of software varied, reported this confusion. Out of 293 academic institutions in the USA, 13% were circulating software and several more were planning to do so. Confusion over the issue was addressed in 1990, when the Copyright Act was amended to allow libraries to circulate software as long as copyright notice was attached.

Hanen (2003) points out that the problem of copyright infringement in the West had started as early as the 1600s. During this time, users infringed copyright from printed materials such as books, journals, magazines and other sources that were available in libraries (Mckenzie, 1998). Since the year 1990, technology and communication technology (ICT) had become very popular amongst users and, thus, their methods of copyright infringement had changed (Hansen, 2003). The information from the internet made it possible for users to save as well as cut and paste quickly and with ease, compared to information obtained from books, journals or magazines (Dunn, 2003). The facilities provided by ICT, such as the internet, made it easy for library users to retrieve

information by merely clicking the mouse (Sisti, 2007; Wang, 2008). In other words, the use of ICT can hasten the act of copyright infringement compared to the period before this (Boisvert & Irwin, 2006). However, the issue of copyright infringement is not a new problem (Wang, 2008).

Markham and Dick (2003) argue that there are many factors that contribute to copyright infringement becoming increasingly problematic. Among the problems, are users' understanding of copyright infringement, their self-realization, ethics and personal attitude, internet access, pressure and learning environment? Miall et al (2005), who assert that ICT is a new device that enables users to plagiarise much faster, support this.

In regards to the problem cited above, Introna, Hayes, Blair, and Wood (2003), agree that the understanding of the concept of copyright infringement through the use of ICT is the main contributor to it being a problem. As cited by Introna et al. (2003), university users who plagiarise using the internet believe that the information on the internet was in the public domain. University users believed that it was not wrong to download, edit and/or print an article or book from a website and then claim that article or information as their own original work.

This shows that different contexts will give rise to different meanings of copyright infringement (Ercfegovac & Richards, 2004). This belief is strengthened when university users who were infringing copyright were not being reprimanded by the authority concerned (Sisti, 2007). It is argued that individuals who are knowledgeable of intellectual property issues, such as librarians and information professionals, have a special responsibility for creating copyright policies, encouraging understanding of and

resolving problems regarding copyright infringement. One way of achieving this is through systematic information literacy programs that include intellectual property issues as part of the syllabus (Ercfegovac & Richards, 2004). Therefore, this study seeks to determine which efforts can be made in academic libraries, in order to promote copyright.

2.6.2 Promotion of copyright in Kenya

Despite strict national copyright laws in developing countries, like Kenya, the problem of copyright infringement has not been abated (Smeirs, 2000). Although fair use of intellectual property is an important component in any copyright legislation, there is no law that is clear on determining what fairness in terms of copyright is. Otike (2011) has a different view, as he argues that the law is being misused.

According to Osaka and Adkins (2012), copyright promotion in Kenya has been a challenge. Promotion was originally entrusted to the Attorney General's Office, which is afflicted with a challenging bureaucracy and insufficient resources to carry out this mandate. The globalisation of the information society brought concomitant growth in the development of copyright instruments employed in the global governance of production, processing, access, storage, dissemination and consumption of information (Giddens, 1993). To be part of the global intellectual property dispensation, Kenya became a signatory to intellectual property instruments that were intended to try to create a homogenous copyright regime across the world. The adoption of these instruments meant that Kenya had to write and implement stricter copyright laws, standard to an

international copyright regime, which required a better administration and enforcement mechanism of copyright at a national level.

For example, the Kenya Copyright Act of 2001 led to better copyright administration structures that put in place more strict and disciplinary clauses, the development of institutional policies on copyright, and increased the use of technology protective measures, amongst other efforts (Smeirs, 2000). In February 2010, the Kenya Copyright Board held a stakeholders' conference to review the Copyright Act of 2001, at which more disciplinary measures were suggested, including punishment for the infringement of copyright.

In 2007, the KOPIKEN licensed its first copy shop in Kenya (KOPIKEN, 2009). KOPIKEN is a nationwide body with International affiliation, which undertakes to protect all intellectual property works within Kenyan borders. These intellectual property works include literacy works, music and artistic works. KOPIKEN, under Kenya's Copyright Act 2001, licenses the reproduction of copyright-protected materials against payment of fees whenever it is impractical for rights holders (authors and publishers) to license and collect fees individually (Gazemba, 2014). As a whole, the amount Kenya paid out to other countries in royalties and license fees, from creative industries, rose from \$10 million in 2002 to \$33 million in 2008 (United Nations, 2010). Tension now exists between KOPIKEN and academic libraries in Kenya. Librarians perceive KOPIKEN as forcing them to pay outrageous fees, although KOPIKEN does not explain how they are going to account for or distribute the royalties to content creators or rights owners. The consequence of library users infringing on copyrighted materials has landed on librarians' shoulders, and it becomes very important that librarians know

about copyright issues. Librarians need to be able to balance the need for access to information and the protection of rights owners in order to assist users to avoid copyright infringement (United Nations, 2010).

2.6.3 Copyright in India

According to the Indian Copyright Act (1959), copyright is linked to literacy expression or creative artistic. Copyright material is the end-result of a person's creative mind that takes a physical shape and that has not previously been done. It can be a book, picture, painting or design. According to Bettig (1996), copyright law has been influenced by a variety of copyright laws that existed in former times and that have been implemented throughout history; this includes the moral right of the author who is the originator of the work. The background to some of these copyright laws is their context within ancient Greek culture, ancient Jewish law, and ancient Roman law. Similarly, Macqueen, Waelde and Laurie (2007) argue that copyright laws have been employed hundreds of years ago, even though they were initially developed to protect the rights of the creator, to give control over the right to print or copy a work, and software writers. Access to information is fundamental as it is helpful in education and research and has a direct control in literature.

However, copyright is a major concern since the arrival of the digital library environment. These issues include copyright of literacy work, exceptions to copyright, preservation of copies and licensing agreements (Oppenheim, 2000). Copyright is a major concern in a digital environment and must act to achieve their mission and vision. Furthermore, there is a need for the explanation and assessment of the copyright law

for its prospective impact on libraries (Ferullo, 2003). Further, Sheat (2004) is of the view that Indian academic libraries should keep abreast of international copyright standards to ensure that the creator of a work earns a living for that work.

2.6.4 Copyright in Nigeria

In Nigeria, the legal framework that protects the originators of work is the Protection Decree of 1970 of the Nigerian Copyright Council for literary, dramatic, musical, and artistic works. The Federal Government of Nigeria (FGN) amended this legal framework, when the Nigerian Copyright Commission (CC) was inaugurated in August 1989 (Cambridge University, 2005:2).



Nigerian copyright laws safeguard the rights of originators and their creative and intellectual work. In addition, copyright sought to encourage cooperation between the user and originator so that there may be an exchange of information and academic material may be produced through acknowledgement of the originator (Ekpo, 1992). Further, for the financial value to be enjoyed by originators of work, copyright infringement must be taken seriously. Users of intellectual work should, therefore, recognise and acknowledge the rights of its creators.

According to Sharp (2000), the environment in which academic libraries work require greater access to information, which poses a challenge in regards to controlling copyright infringement. In Nigeria, the arrival of Information Communication Technology (ICT) has led to a rise in academic dishonesty, which has made it difficult for academic libraries to control copyright infringement (Eisenschitz, 1993). However, there are many possible legal mechanisms to control online databases, such as trade secrets, contract

law, and copyright. Nevertheless, the internet has numerous databases that are made available to the public for free access, which makes it difficult to trade discharge protection. Although some Nigerian academic libraries have managed to subscribe to licensing agreements in order to control copyright infringement, it is costly and sometimes impossible to enforce those contracts.

2.7 COPYRIGHT IN SOUTH AFRICA

The Copyright Act No. 98 of 1978 governs copyright in South Africa, and the Regulations made in terms thereof (Western Cape, 2011). This grants the owners of copyright (authors and other creators of intellectual property) the right to:

- Reproduce the work;
- Create derivative works based on the original work;
- Distribute copies of the work;
- Perform the work, or
- Display the work in public.

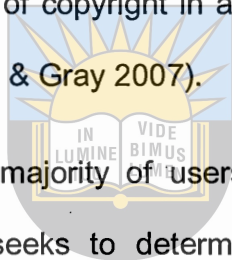
Literature shows that unintentional copyright infringement in academic libraries is scarce amongst university users in SA (Coetzee & Breytenbach, 2006; Cronin, 2003; Ellery, 2008). There is ample evidence of the development of copyright infringement in South Africa to show that users are aware of copyright infringement, since there is literature on issues related to copyright and copyright infringement. Ellery (2008) is of the view that users in the developing world are inexperienced about what constitutes copyright infringement. She recommends that, if HIE libraries are serious about improving user's academic skills and preventing copyright infringement, they should include copyright

into an academic writing framework in which clear instructions will be provided. The causes of copyright violation were attributed to pressure to produce research, unregulated internet usage, multicultural users, poor citing and referencing, use of language that is not a mother tongue for academic writing, and laziness (Beute, Van Aswegen & Windberg 2008). Therefore, this study is carried out to investigate the role of academic libraries in the promotion of copyrights in HIE in SA.

Users disregard rules and regulations and, in the process, fail to learn proper life skills for the future. They enter places of higher learning without a strong moral code on how to avoid copyright infringement and then engage in plagiarism, violating copyright, theft and other unacceptable activities in the process of obtaining university degrees (Nicholson, 2010). He further argues that reasons to copyright infringement may be attributed to South Africa's history of colonization, when the apartheid government treated black people unfairly.

Eckstein (2003) points out that copyright infringement in South African academic libraries is caused by subjective and objective factors. The subjective factors include the trend towards fraud, attitudinal and individual circumstances, ambition and competitive energies of users' academic life and ignoring the rules and conventions that present what is right and what is acceptable. The objective causes include pressures and expectations directed at individuals by society, family and other external sources; this includes society's demand for skilled and educated workers and professionals. Inconsistencies in defining proper behaviour and lack of rules to maintain and enforce this behaviour in Higher Institution of Education (HIE) may also play a role. A lack of adequate subject knowledge can force users to rewrite exactly from sources, and the

fact that there is no literature on the promotion of copyright in historically disadvantaged HIEs (Eckstein, 2003). Eckstein further argues that the promotion of copyright in academic libraries should be a major role of any information literacy programme in the HIE. A study conducted by Devlin and Gray (2007) indicated a wide range of factors that contribute to copyright infringement in academic libraries. One reason they offered was that HIEs do not have adequate admission criteria and will admit users without clear knowledge of what copyright control and promotion entails; furthermore, there is a depth of literature in the promotion of copyright in academic libraries in SA, especially literature that is documented (Devlin & Gray 2007).



This statement indicates that the majority of users have little knowledge of issues related to copyright. This study seeks to determine user awareness of copyright infringement in South Africa.

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Moreover, the current perceptions of intellectual property rights remains confused, especially in higher education. Attitudes and policies need to be clarified so that a consistent approach to a range of different but related copyright matters, such as plagiarism and copyright, is consistently developed. Debate must be differentiated from policy which must, in turn, be implemented as part of the syllabus (Eckstein, 2003). This study, therefore, aims to determine the efforts made by libraries in SA to promote copyright.

Landman (2002) argues that the issue of copyright is a serious matter that causes problems in academic institutions from time to time. In order to prevent the issue of copyright, it is necessary for academic libraries to develop a good understanding of the phenomenon. Copyright infringement takes place in the framework of intellectual

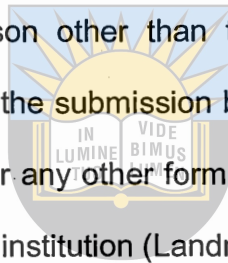
property. Intellectual property is a broad term used for the intellectual creative effort of an individual or group which may be protected by trademark, patents, and so forth. Intellectual property is protected by copyright. This is a term used to refer to the right that authors and publishers have to the exclusive commercial use of their literary work and any original work. This right includes the right to make decisions about the use of their works, to be paid for it and to license certain uses of it.

However, copyright is not unlimited to a single piece of text or publication. For instance, many works are in the public domain, which indicates that such works belong to the public, in a manner of speaking. This usually happens because copyright is valid only for a certain period after publication or after the death of the author, but it may also happen because a work was established or published by a public body. Copyright acts usually make provision for the use of published material for private study or research and for critique, review or news reporting without infringement of copyright. In all these cases, however, there are requirements for the correct handling of material, reference to which will be made later in this study. It must also be noted that copyright only protects the manner in which information is expressed, and not the information itself (Punt, 2002).

Landman (2002) further argues that the rules regarding academic conduct at universities are to be set out in the Codes of Conduct and Ethics currently developed by Senate, based on the values of the University as outlined in its Vision, Values and Mission Statement. The following passages from the current draft documents, regarding the development of these Codes, are especially relevant:

As a user I will maintain the highest standards of honesty and integrity in obtaining relevant study materials, doing assignments, writing tests and examination.

In code of ethics: An institution's code of ethics sets out its standards for an ethical organization as well as individual ethical conduct. This is in line with general academic conduct at institutions for higher learning. For example, in any examination, test or in respect of the completion and/or submission of any other form of academic assessment, a user should avoid infringing copyright. Dishonest conduct includes plagiarism or submission of the work of a person other than the user who is being examined. Dishonesty, including plagiarism or the submission by a user of other people's work as his or her own, in an examination or any other form of assessment will be dealt with in terms of the disciplinary rules of the institution (Landman,2002).



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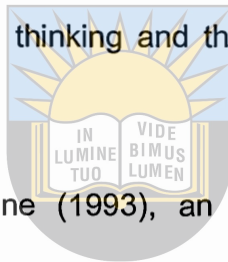
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However, all postgraduate users are required to sign a declaration form as part of the registration process. The declaration form will include the convention for citation and referencing used and that each contribution to, and quotation in, the dissertation or thesis from the works of other people has been attributed, and has been cited and referenced. It will also include a statement that the dissertation or thesis is the user's own work and that the student did not allow anyone to copy his or her work with the intention of passing it off as his or her own work (Landman, 2002).

Young (2001) writes that if a user is found to be guilty of infringing copyright when submitting a thesis or report, he or she could be accused of contravening the University's Code of Conduct; this could, in turn, lead to disciplinary action being taken against the user. The University could also reject the thesis, causing the student to fail.

If a user is found to be guilty of copyright infringement in terms of Act 98 of 1978, legal action could be taken against the student.

Maramark and Maline (1993) state that two things should be done by academic libraries in SA in assisting users to have an understanding of copyright infringement. The first is the implementation of teaching copyright infringement as an institutional norm, including open and honest discussions about the problems and tensions involved in being a successful scholar and creative thinker. The second is to develop thoughtful projects and assignments that foster critical thinking and that do not contribute to plagiarism, either intentionally or unintentionally.



According to Maramark and Maline (1993), an important part of developing an understanding of copyright infringement is to engage in an on-going discussion of copyright infringement or intellectual property rights that labels all intentional or unintentional infringers of copyright. Understanding copyright infringement can often create a breach of faith between a user and a lecturer and contribute to an on-going mistrust between them. It is also important to discuss academic dishonesty, consequences and punishment, because copyright infringement does exist and is a violation of the norms of the institutions in SA. Policies need to be clear and well communicated, and the procedures should be appropriate so that library users understand it. Furthermore, academic dishonesty should be strictly taught to all libraries. Dishonesty and punishment are easier to discuss because they seem to be confirmed (Young, 2001). However, there is not much documented literature related to copyright in historically disadvantaged institutions of higher education, like the

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2.7.1 Copyright and Plagiarism in HIEs

Nicholson (2010) states that copyright infringement is a serious issue in educational institutions today and it is a cause of concern in academia. According to the Merriam Webster online dictionary, the formal definition of plagiarism is: to steal and pass off (the ideas or words of another) as one's own; to use (another's production) without crediting the source; to commit literary theft; to present as new and original an idea or product derived from an existing source. There are, of course, many other definitions of plagiarism. Basically, plagiarism refers to passing off or taking someone else's works, including their ideas, thoughts and written expressions and presenting them as if they were one's own, without acknowledging the original author. It is the theft of someone else's intellectual property. In academia, copyright infringement has to be addressed in the context of academic integrity (Nicholson, 2010).

However, it is necessary to look at ethics and moral codes as they exist today and to question why copyright infringement has become such a common offence within educational institutions. Copyright infringement has been around for centuries but the digital age has made it a lot easier for plagiarists to achieve their dishonest objectives (Nicholson, 2010). In the context of the global village and the digital age, there is no doubt that information is available at the 'click of a mouse' and that the wealth of digital information out there is quite overwhelming for anyone searching for information of any kind. The ease with which users of information can cut and paste, transfer, modify,

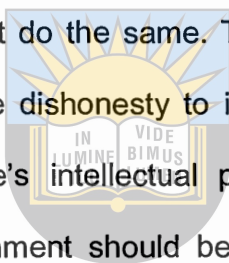
translate and create derivative works is incredible. This gives people the impression that they no longer have to put any effort into their studies or work, as everything they need is out there on the Web (Myers, 2014).

Myers (2014) further argues that the notion that all or most material on the Internet is free is what seems to encourage and spread the use of other people's works without proper acknowledgement. Is it global belief that information is there for the taking? Is it a lack of understanding of intellectual property rights? Do the Internet and media encourage plagiarism by 'bombarding' readers with so much information that they are no longer capable of thinking for themselves? (Myers, 2014). Alternatively, are users of information just reutilizing information because it is out there, instead of constructing new knowledge? Could it be a more disturbing global phenomenon of lack of respect for other persons in general - a hard reality, perhaps, that one can take from others, no matter what the cost? The lack of integrity and dishonesty portrayed in many television shows, films and other media seems to give the impression that morality is no longer a requirement for modern society and that 'the end justifies the means'. It seems that the moral code of many people today is 'take what you can, when you can, but don't get caught' (Myers, 2014).

Are higher institutions expecting too much of their students in the above context? Should they be more lenient when plagiarism or other dishonest offences occur? No, indeed, institutions cannot expect anything less than honesty, respect and ethical behavior from their users. If users do not have these qualities, they need to be educated to change their behavior (Myers, 2014). Warner (2014) adds that, if SA wants law-abiding, ethical graduates, higher educational institutions have a huge responsibility to

educate users about these ethical issues. It is a hard battle but one that educational institutions cannot afford to lose. Users are the leaders, authors and professionals of tomorrow; without integrity and professional ethics, these students will just perpetuate the current problems into the next generation.

Moreover, library users need to be educated about academic integrity, morality and respect for the property of others, including intellectual property. They must realize that they are also authors and creators of intellectual property. If they want others to respect their intellectual property, they must do the same. This is a matter of mutual respect. Plagiarism can range from extreme dishonesty to inadvertent neglect to cite another source when using someone else's intellectual property. The higher the level of dishonesty, the harsher the punishment should be to ensure that plagiarists do not repeat their negative behavior (Warner, 2014).



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However, Jugdav (2014) is of the view that academic libraries should have clear plagiarism policies and disciplinary procedures to address different levels of plagiarism, from minor or unintentional offences to blatant academic dishonesty. Teaching staff need to find more creative ways of setting assignments and projects, so that students cannot easily cut and paste information from the Internet. Moreover, to be in a position to detect and punish plagiarism, they need to understand some of the reasons why students plagiarize, whether unintentionally or with full intent to cheat. For example, there is often confusion between copyright and plagiarism, and what intellectual property is. In this respect, users often do not know that copyright does not protect ideas, but that ideas can be plagiarized (Jugdav, 2014).

Bekwa (2014) argues that users do not know that a copyright infringement can be plagiarism and vice versa, in certain circumstances. For example, if a substantial portion of a work is cut and pasted without acknowledgement or permission from the rights-holder, this is plagiarism and a copyright infringement in terms of the South African Copyright Act No. 98 of 1978 (as amended). In addition, if they do not acknowledge an author but negatively affect the author's reputation, then they will be plagiarizing and infringing the moral rights of the author in terms of the Copyright Act. Many users enter university without having used a library knowledgeable about copyright. They do not have any research and copyright skills and have not learnt how to find books and journals through a library catalogue. They often depend solely on Google for their research material, instead of using their libraries. They are therefore unaware of copyright related issues. Google is quick and easy to use and provides source material for assignments, projects or research reports. They do not have to think too much about the subject, so they put in the least bit of effort into their work (Bekwa, 2014). This study, therefore, seeks to ascertain possible factors that may lead to copyright infringement in academic libraries.

Nicholson (2010) argues that users believe that everything is free on the Internet and therefore fail to acknowledge original sources. If English is not their home language, students find it difficult to evaluate and discuss others' works in their own words, so they tend to cut and paste direct quotations, often forgetting to use quotation marks or reference correctly. They feel that they cannot express the information in the appropriate language and it is a lot easier just to use the same words as someone else, or just change a few words here and there and present it as their own work. Students

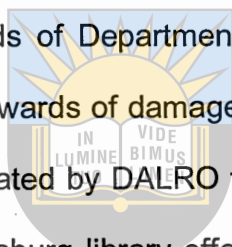
are often not sure what is 'general knowledge' and what needs to be referenced; it is difficult, in some instances, to determine this.

Nicholson's argument is supported by Warner (2014) who argues that sometimes users use famous quotations without acknowledging the person who said them. They do not realize that if they do not know who said the famous words, they must not use them until they have found and acknowledged the source, otherwise it is plagiarism. Many users have problems with time management and heavy workloads and look for ways to cut down their workload. Instead of properly conducting research, they use Google at the last minute and cut and paste to satisfy the requirements of the assignment or project; in the process, they forget to reference and thus plagiarize large sections. The ease of cutting and pasting lends itself to out-of-context paragraphs and different writing styles in their work, which makes the detection of plagiarism quite easy if they have not proofread their work (Nicholson, 2010).

Moreover, the majority of users do not know how to evaluate information on the Internet. It may be total nonsense although it is written in an academic fashion. This can impact on the entire research process and their writing skills. Users sometimes get confused with terminology; for example, they do not always know the difference between plagiarism and paraphrasing. They do not think it is plagiarism if they change words here and there, using the same sentence or paragraph structure, without acknowledging the author (Nicholson, 2010). Sometimes users are not sure what the requirements of the assignment or project are. They do not want to appear to be stupid so they turn to Google for the answers instead of checking with their lecturers. This can result in plagiarism. Some users plagiarize to compensate for actual or perceived academic

inadequacies or because they do not want to be shown up by their fellow users. Some are under family or peer pressure to achieve. They may not be coping with their chosen courses and see plagiarism as a quick fix to get them through that year of study (Warner, 2014).

According to Mashishi (2014), the university's policy should comply with the Copyright Act and Regulations (CAR) and, in so doing, to respect the rights of the authors and publishers and to pay reasonable licence fees where required by law. Infringement of copyright by the Universities, Heads of Departments or lecturers and students could result in legal action and possible awards of damages. The University of Johannesburg library uses a blanket licence regulated by DALRO for the promotion and protection of copyright. In addition, the Johannesburg library offers literacy-training programmes on issues related to copyright (Mashishi, 2014).



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2.8 THEORETICAL FRAMEWORK

According to Swart and Pettipher (2005), a theory is useful as it provides a set of organized principles that, together with contextual knowledge, generate insight into specific situations.

This study is anchored in the fairness theory and Equity theory. According to Locke (2009), fairness is the principle that the creators of literature, art, and other original works deserve either to control their creations or to be rewarded for their efforts. In other words, creators have moral entitlements that the law should recognize and enforce. Put slightly differently, to deny legal protection to creators would be unfair.

Fairness theory is relevant to this study as the researcher seeks to investigate the role of academic libraries in the promotion of copyright in South Africa. Since academic libraries are custodians of knowledge produced by various authors, it is their duty to ensure that the work of an author is protected by ensuring that users do not plagiarise or infringe copyright.

The core of the fairness theory is the principle that the originators of literature, art, and other original works deserve either to control their creations or to be rewarded for their efforts (Scotchner & Menel, 2007). In other words, creators have ethical rights that the law should recognize and implement. To some extent, denying legal protection to creators would be unfair (Scotchner & Menel, 2007).

According to Yen (2009), an alternative to the fairness approach is equity theory. The central theme of equity theory is the view that an author deserves a share of the fruits of his/her contribution to the work done. In this sense, an author should be rewarded or acknowledged for the work that he/she has done. This has important implications for copyright law. For example, it would suggest that the law should ensure that an author and a publisher have a right to a share of the incomes to his/her contribution of the work done (Scotchner & Menel, 2007).

Locke (2009), for example, argues that a person who works hard on a plot of land that is owned acquires a natural right to that land, a right to authorship, once it is formed, and has a duty to settle and respect. The same applies to the author of literature; an author should be acknowledged for the work he/she has done. Academic libraries should therefore ensure that the rights of the authors are protected through a blanket licence (Landes & Posner, 2003).

Shavel and Ypersele (1999) write that the fairness approach is less elaborate, but enjoys even broader appeal. The heart of the fairness theory is the notion that each provider to a collective enterprise deserves a share of the fruits of that enterprise proportionate to the extent of his/her contribution. This has important implications for copyright law.

2.9 SUMMARY OF THE CHAPTER

This chapter reviewed literature related to the role played by academic libraries in the promotion of copyrights amongst its users. It also covered the promotion of copyright in both developing and developed countries. In addition, this chapter has discussed the two theoretical frames that the researcher felt was relevant to the study. The next chapter will outline the research methodology employed in the study.

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CHAPTER 3

RESEARCH METHODOLOGY

3.1 INTRODUCTION

This chapter discusses the methodology employed by the researcher for the study. The main aim of the study was to investigate the role of academic libraries in the promotion of copyrights in Higher Institution of Education (HIE) in South Africa. The study sought to attain the following objectives:



- To identify factors that may lead to copyright infringement in academic libraries at UFH;
- To determine users' awareness about copyright infringement at the UFH library;
- To ascertain efforts that are made at the UFH library to promote copyright at UFH; and
- To identify challenges faced by UFH users in abiding by copyright requirements.

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3.2 DESCRIPTION OF THE STUDY AREA

The study was undertaken at the University of Fort Hare, located in the town of Alice in the Eastern Cape Province, under the Nkonkobe Municipality. The University's main campus is situated in Alice, near the Tyhume River about 50km west of King William's Town. The University of Fort Hare is comprised of five faculties (Social Sciences and Humanities, Education, Science and Agriculture, Management and Commerce, Law).

All of these faculties offer qualifications up to the doctoral level (Freedman, 2013). The university's Alice campus had 11 074 students in 2011 (Pathfinda, 2013). The Alice campus Library is subscribed to more than 85 online journals (University of Fort Hare Alice Library, 2015). The university also has a number of print and photocopying resources within the library. The study was conducted from June to October 2013 at the University of Fort Hare library on the Alice campus, where most of the targeted research participants were found. The targeted participants were those who the researcher felt had the required information and were willing to participate.

3.3 RESEARCH APPROACH



A research method is a means of gathering data. It entails the instruments utilized to conduct the research, such as questionnaires, interviews and observations, depending on the research design (Becker & Bryman, 2002:186). This study made use of both qualitative and quantitative approaches to research. The differences between qualitative and quantitative research design are in nature of the data collected and the method of analysis. Using the two approaches enabled the researcher to get a comprehensive and holistic understanding of copyright infringement at higher institutions of learning. The rationale for using triangulation in this study has to do with the need to compliment the findings of one method with those of the other.

Qualitative research is an approach to social research in which quantitative data is not collected (Bryman, 2012). It allows a researcher to examine a phenomenon of interest in greater detail, in order to understand and relate the meaning being derived from the data (Durrheim 2006:47). Qualitative research permits an investigator to participate and

cooperate with the informants in order to observe and apprehend a condition (Leedy & Ormrod, 2010). The advantage of qualitative research is that it uncovers more about people's experiences. It reveals why things may be the way they are. As qualitative research focuses on small groups, it can be less expensive than quantitative research, which may require large groups of participants or expensive measurement tools. The disadvantage of qualitative research is that it collects data about what your participants feel, think, or how they behave; you therefore cannot necessarily use this data to make assumptions beyond this specific group of participants. It is not a research method that conveniently allows for the collection of statistical data. However, this is only a disadvantage if your research question also requires statistical data. Adopting a mixed methods approach is one way of overcoming this problem. However, the researcher adopted qualitative research in order to fully understand the role played by academic libraries in the promotion of copyrights amongst their users in South Africa (SA).

Quantitative research refers to the organized observed research of social portents (Hunter and Leahey, 2008). Quantitative research can also be defined as any data that is in numerical form, such as statistics and percentages. Qualitative research, in contrast, asks broad questions and collects word data from participants. The advantage of quantitative research is that it is conclusive, and its results can therefore be inferred to the rest of the population. It is also better for costly investment because it measures the degree and frequency of behaviours. With the quantitative research method, the respondents may interpret the questions posed differently, and respond based on their own interpretation; this means that the level of subjectivity is not acknowledged. Furthermore, questionnaires can be costly and time-consuming especially when respondents do not respond punctually, thus leading to a low response rate.

3.4 RESEARCH DESIGN

A research design is the overall plan for obtaining answers to the questions being studied and for handling some of the difficulties encountered during the research process (Polit & Beck, 2004). The research design is also known as the implementation arrangement of the study. It is a systematic arrangement, of a researcher, which enables the researcher to answer research questions and attain the research objectives using the data that was collected. It also ensures that the study is accomplished with the resources available (Robson, 2002; Durkheim, 2006). A research design can either employ a qualitative or quantitative research method.

The research design used in this study is a case study research design. A case study is a method of research that focuses on gaining an in-depth understanding of a particular entity or events at a specific time (Yin, 2009). Willig (2008) asserts that case studies are not characterised by methods used to collect and analyse data, but places focus on a particular unit of analysis: a case. The case study research design demands a high degree of depth, breadth and rigour with careful attention to showing the way in which evidence supports the conclusions reached. In explanatory research, for instance, case studies offer the possibility of investigating causal mechanisms and the specific contents in which they are activated (George & Bennet, 2008). Moreover, case study research can also facilitate a holistic perspective on causality because it treats the case as a specific whole (Babbie, 2007). Moreover, a case study research design can be used to research questions about process because the use of multiple data sources supports the retrospective investigation of events (Babbie, 2007).. As such, this study

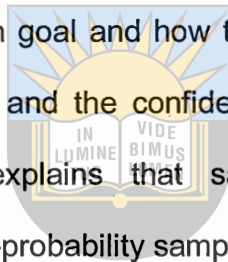
employed a case study research design in which the University of Fort Hare Library at the Alice campus was the case under investigation.

3.5 STUDY POPULATION

According to Babbie (2007:190), the study population refers to a “large group from which a smaller representative group known as a sample of the study population is drawn”. The study population has at least one shared characteristic permitting an investigator to generalise based on a representative sample of observations (Knocke and Bohrstedt, 1991:12-13). In this study, the population were all students registered at the University of Fort Hare’s Alice Campus and all the library staff at the University of Fort Hare Library at the Alice Campus. The purpose of collecting data from different kinds of informants was to enable data triangulation to compare and validate the data, should it yield similar findings. Norman (2000) defines a study population as the complete set of objects and events of groups of people; it is the object from which the researcher wants to ascertain certain individualities and determine certain patterns. It was, however, not possible to use the entire population in this research study, but a representative sample was selected for the purpose of this study. The researcher distributed 45 questionnaires to the respondents from the University of Fort Hare Library; 40 respondents (students from different faculties) were selected randomly and 5 librarians were purposively selected.

3.5.1 Sampling

Sampling is the process of selecting cases to be observed from a study population (Babbie, 2007:180). Sampling is often used in circumstances where it is not possible or appropriate to study the whole of a population due to time or resources. The researcher only collects data from a small portion of a population of interest, but draws conclusions about the larger group from which the sample group has been drawn (Robson, 2002:260; Knocke & Bohmstedt, 1991:12; McClendon, 2004:5). The choice of sampling procedure depends on the research goal and how the researcher wants to generalize the findings to a wider population, and the confidence with which to do that (Bloch, 2004:173). Robson (2002:261) explains that sampling procedures are usually categorized into probability and non-probability samples.



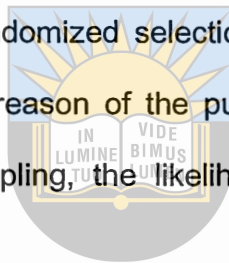
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According to Stangor (2011), probability sampling aims to draw a representative sample from the population so that the results of studying the sample can be generalized back to the population. In probability sampling, the nature of the population of interest is defined and the likelihood of each research participant being selected is known. Probability sampling allows statistical conclusions to be made from the findings of the sample; hence, it is sometimes referred to as representative sampling. Drawing a probability sample requires that the researcher first obtains a complete sample frame for all the people in the population of interest (Stangor, 2011). In this way, a researcher avoids selection biases and the sample becomes representative of the population (McClendon, 2004).

Stangor (2011:110-114) argues that in cases where probability sampling is impossible, because there is no available sampling frame, non-probability samples must be used.

However, in non-probability sampling, as Robson (2002) states, you cannot make such statistical inferences but it is possible to say something sensible about the population from non-probability samples; this is however not on the same kind of statistical grounds as if from probability sampling.

According to Leedy and Ormrod (2004), non-probability sampling is a method where the samples are grouped in a way that does not grant all the informants in the population an equal chance of being selected. In contrast to probability sampling, non-probability sampling is not a product of a randomized selection process. Participants in a non-probability sample are chosen by reason of the purposive personal judgment of the researcher. In non-probability sampling, the likelihood of each research participant being chosen is not known.



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3.5.2 Sampling Size and Procedure


According to Stangor (2011), a sample size is the number of observations used for calculating estimates of a given population. A sample size reduces expenses and time by allowing researchers to estimate information about an entire population without having to survey each member of the population. For this study, the sampling size was 45 respondents, of which 40 participants were University of Fort Hare (UFH) library users and 5 participants were library staff. Using the Rao soft sample size calculator, with the population size of 230 (which represents the number of library patron users for the period during which the data was collected) and a response distribution of 50%, confidence level of 51% and margin of error of 5%, the recommended sample size was 40. For the 40 student respondents, the researcher used class-lists which are grouped

into the faculties of library patrons for the particular period of data collection, and randomly selected respondents to ensure that all faculties were represented in the sample frame. For respondents who could not be traced or were not willing to participate, the researcher utilised snowball sampling, as the respondents would refer the researcher to other students who had used the library during the data collection phase. Furthermore, 5 librarians were purposefully selected for the in-depth interviews, for information rich cases of copyrights; these librarians were more conversant with the promotion of IPR in academic libraries at HIE. The identification of librarians to be selected was based on discussions with the head of the library department. In order to trace additional participants, the researcher made use of snowball sampling. In brief, the sample frame included representatives of all faculties at the University of Fort Hare, Alice campus, and librarians. In addition, participants were selected according to the following criteria: willingness to participate, informed consent and seniority in the library department. The reason for involving this sampling size was that it was of a manageable size. The sampling procedure reflects the unit of analysis.

For purposive sampling, the researcher deliberately selected the librarians since they provided information-rich data on the role of academic libraries in the promotion of copyrights in universities, until the point of data saturation was reached. In this study, the procedure followed for selecting students was that of selecting respondents from class lists. The lists formed a sample frame from which the researcher selected participants at random, by assigning a number to each name and picking names using a table of random numbers, then by blindly making a mark with a pencil on the table and selecting the number closest to the pencil mark (Welmanet *al.*, 2005). The number

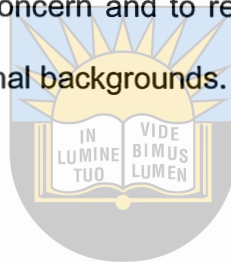
assigned to each name was written down as the researcher moved along that point in the row or column; if the number appeared twice, it was ignored. This was done until the researcher reached the required number of participants, which were 40. A combination of 40 participants was used for the collection of data. In cases where less than 40 participants per setting in the beginning responded to the instruments described above, the names of the remaining participants were continuously drawn from the lists until they satisfied the required 40.

3.6 DATA COLLECTION



Polit and Beck (2004) define data collection as the gathering of information needed to address a research problem. Qualitative data was gathered through in-depth interviews and questionnaires. The in-depth interviews were undertaken in an enclosed and quiet environment, for the respondents who requested privacy. These interviews were conducted face-to-face with participants by the researcher herself. The length of these interviews varied and depended on the information richness of the responses of the respondents. All interviews were recorded, as Klenke (2008) argues that transcripts of recorded interviews give a detailed version of conversation and eliminate the temptation for researchers to annihilate the “unwanted” components of the interview, such as data, which goes against the researcher’s hypothesis. Klenke (2008) also mentions that an important aspect of in-depth interviews is the inherent opportunity for the researcher to gain more information regarding the participants’ personal experiences, views and behaviour.

To collect quantitative data, the study used a survey questionnaire. The questionnaire was pre-tested prior the actual data collection process in order to determine its efficacy in collecting reliable data. Survey administered questionnaires were administered to the selected students of the study. Copyrights was verbally and clearly explained to the student participants as the questionnaires was administered and interviews undertaken; this is primarily because some of the respondents were first years and did not understand the notion of IPR. Furthermore, this was done in order for the respondents to clearly understand the topic of concern and to respond effectively, especially since most respondents had low educational backgrounds.



3.6.1 Survey Questionnaire

A questionnaire was used to elicit data which is expected to reveal the role-played by academic libraries in the promotion of copyrights in SA. Polit and Beck (2004) define questionnaires as instruments for gathering self-report information from respondents through the self-administration of questions. The utilization of questionnaires enhances objectivity and supports statistical analysis. A questionnaire can also be defined as a means of eliciting the feelings, beliefs, experiences, perceptions, or attitudes of a sample of individuals. As a data-collecting instrument, it could be structured or unstructured. The questionnaire is most frequently a very concise, pre-planned set of questions designed to yield specific information to meet a particular need for research information about a pertinent topic. The research information is obtained from respondents with knowledge or experience of a related area of interest. The advantage of a questionnaire is that it is less expensive than interviews and the time involved in training interviewers and sending them to interviews is reduced by the use of

questionnaires. Furthermore, questionnaires offer uniformity of questions, as each respondent receives the same set of questions phrased in exactly the same way. Questionnaires may, therefore, yield data that is more comparable than information obtained through an interview. The disadvantage of a questionnaire is that the respondent's motivation is difficult to assess, thus affecting the validity of the response.

The questionnaire for this study contained Pre-Likert scale developed open ended and closed ended questions and a rating scale with pre-determined response options. Both categories of informants responded to the same questions. The questionnaires were administered to the 40 students who participated in the study. This was because the researcher allowed student respondents to take the questionnaires with them to their rooms to answer them in private, and then return the completed questionnaires later.



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3.6.2 Interviews

One-on-one interviews were conducted with library officials. This was because the librarians are able to provide rich in-depth information on the role of the library in the promotion of copyrights. An interview allowed the researcher to obtain valid and reliable measures through verbal responses from the respondents (Polit & Beck, 2004). It is a conversation in which the roles of the interviewer and the respondent change continually. The advantage of an interview is that it allows the interviewer to clarify questions for the respondents. In-depth interviews also allow the informants to respond in any manner they see fit. It allows the interviewers to observe the verbal and non-verbal behaviour of the respondents. The disadvantages of unstructured interviews are that they often yield data too difficult to summarize or evaluate. Training interviewers,

sending them to meet and interview their informants, and evaluating their effectiveness all add to the cost of the study (Polit & Beck, 2004).

3.7 DATA ANALYSIS

According to Durkheim (2006), the rationale of using data analysis is to convert data into findings pertinent to the original research question. Therefore, the investigator is required to use a data analysis method that fits the design of the study and that will present answers to the research question. Data analysis may use either a qualitative or quantitative research method (Bowling, 2009). For the qualitative research data, the researcher used content analysis to bring order, structure and meaning to the mass of data that were collected. Content analysis allows the researcher to discuss the common themes from thick description. For the quantitative research, the data was coded and fed into the Statistical Package for Social Sciences (SPSS); the analysed data was reported using percentages, tables and figures.

3.8 VALIDITY AND RELIABILITY

According to Brink (2003), validity is the ability of a tool to measure the variables that it is intended to measure. Reliability refers to the uniformity and reliability of a research tool in measuring a specific variable (Brink, 2003). The tools developed for this purpose were shared with the researcher's supervisors and were field tested during the pilot study to ensure that they were well understood and could generate the information required to investigate the role played by academic libraries in the promotion of copyrights in HIE, in South Africa. The investigator tested the tools for appropriateness

of use. The field test was done to check instrument validity and reliability; that is, to determine whether the tool precisely addresses the main aims of the research to be conducted.

The research tools that were employed in this study were the questionnaire for library users (students) and interview guides for library staff. This was to determine whether the tools precisely measured what they were supposed to measure, given the context within which they were applied. The tool was shared with the supervisor to ensure content validity, which is normally used in the establishment of the interview guides. According to Maxwell (1998), content validity is an assessment of how well the tool represents all the components of the variables that are to be measured. To ensure that the data reflected validity and was trustworthy, interviews were conducted with two key informants: one for library users and one for library staff. In order to ensure reliability, the researcher also employed documentary research to complement the information that was collected from the interviews and to ascertain further detail regarding the role played by academic libraries in the promotion of copyrights in HIE in South Africa. Documents are non-reactive, which means that the researcher does not intervene in the context and therefore does not have to rely on the participant (Maxwell, 1998).

3.9 ETHICAL CONSIDERATIONS

Research ethics is referred to as a system of moral values that is concerned with the degree to which research procedures adhere to professional, legal and sociological obligations to the study participants (Polit & Beck 2004). In this study, the researcher complied with the ethical guidelines described by the National Research Foundation

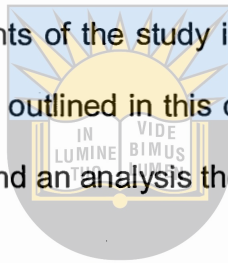
(NRF). The research proposal was submitted to the Research Ethics Committee of the department in which the researcher was registered as a post-graduate learner. This committee approved the proposal and gave permission for the study to be conducted.

The researcher obtained informed consent from the research participants. Informed consent means that participants have adequate information regarding the research, are capable of comprehending the information and have power of free choice, thus enabling them to consent to or decline participation in the research (Gravetter and Forzano, 2003). The researcher introduced herself to the respondents, by indicating her title and position. Detailed explanations of the nature and purpose of the study and the importance of their participation were also given. The respondents were assured that participation in the study was voluntary and failure to comply would not result in any penalties. The researcher gave the respondents her contact address in case they needed to contact her regarding the study and their participation therein. The researcher committed herself to maintaining anonymity and confidentiality, and the respondents were assured that anonymity and confidentiality would be maintained. Anonymity occurs when even the researcher cannot link a participant with the information for that person (Polit & Beck 2004). Confidentiality is maintained when participants are protected in a study and individual identities are not linked to the information provided, and are never publicly divulged (Polit & Beck 2004). The researcher asked the respondents not to write their names and other personal details on the questionnaire forms. The researcher marked the questionnaires by giving each a number to assist in data capturing and checking during the data management phase. The researcher refrained from discussing the responses with others. Only the

researcher and the research supervisor had access to the completed questionnaires and the raw data.

3.10 SUMMARY OF THE CHAPTER

This chapter covered the research design used in the study, in order to gain answers to the research questions. The data collection methods used in the study was questionnaires and interviews. The sampling frame, data analysis, ethical considerations, protection of the rights of the study institution and the protection of the respondents in the study have been outlined in this chapter. The next chapter provides a detailed presentation of the data and an analysis thereof.



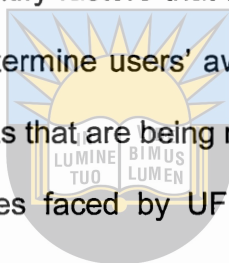
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CHAPTER 4

DATA PRESENTATION AND ANALYSIS

4.1 INTRODUCTION

This chapter presents the analysed data based on the objectives of the study. The objectives of the study were: to identify factors that may lead to copyright infringement in academic libraries at UFH; to determine users' awareness of copyright infringement at the UFH library; to ascertain efforts that are being made at the UFH library to promote copyright; and to identify challenges faced by UFH users in abiding by copyright requirements.



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4.2 DEMOGRAPHIC CHARACTERISTICS OF THE LIBRARIANS

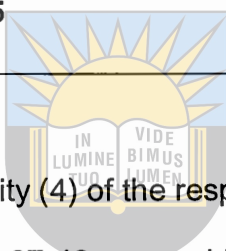
The researcher collected the demographic data of the librarians in order to have an understanding of their characteristics. Participants in this study have been described in terms of their age and gender, as well as the position held by the librarians.

4.2.1 Age groups of the librarians

The researcher asked the librarians to indicate their age group as indicated in Table 1, below. The majority (4) of the librarians who were interviewed were in the 37-46 year old age group and only 1 of the librarians was in the 27-36 year old age group.

Table 1: Age groups of the librarians

Age	Frequency
16	-
17-26	-
27-36	1
37-46	4
>46	-
Total	5



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These results indicate that the majority (4) of the respondents who took part in the study were librarians between the ages of 37-46 years old. This is an indication that majority of the librarians are at the University of Fort Hare are between the ages of 30 and late 40. It could also mean that the librarians enter the workplace as interns then, at a later stage, are promoted or apply for higher positions (Librarians).

4.2.2 Gender distribution of the librarians

The gender distribution of the librarians is outlined in Table 2, below. The table shows that the majority, i.e. 4, of the librarians who participated in the study are males, and 1 librarian is female.

Table 2: Gender distribution of the librarians

Gender	Frequency
Male	4
Female	1
Total	5

The results indicate that the majority of the respondents who participated in the study are male librarians. This could be attributed to the fact that there are more male librarians who contributed to the study than female librarians. It could be because the librarians were purposively selected and most librarians who held higher positions were males because they were highly qualified; consequently, they provided information-rich cases.

4.3. POSITIONS OF THE LIBRARY STAFF

Table 3: Positions of the librarians

Positions of the librarians	Frequency
Information librarian	3
Lending service librarian	2
Total	5

The job positions of the librarians who participated in the study were 3 information librarians and 2 lending services librarians. The rationale for picking library staff is because they are the major participants involved in the study.

4.4 ROLE OF LIBRARIANS IN PROMOTING COPYRIGHT

When the researcher asked the respondents about their role in promoting copyright, the majority (60%) said that their role is to develop a policy related to information services and championing the integration of the library into teaching and learning through the training of users about issues related to copyright. They also indicated that their role is to share and preserve materials under specific provisions for libraries in the Copyright Act 68 of 1978. Two lending services librarians described their roles as follows:

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“Allowing users to access copyrighted and public domain works and exercises their rights under the exceptions and limitations of copyright and fair use.

“To make information accessible regarding controlling of copyright, for example, posters that are posted in the library.

The results reveal that the University of Fort Hare library is playing a role in the promotion of copyright. The findings also reveal that the University of Fort Hare library has developed a policy related to information services and the integration of the library into teaching and learning through training users on issues related to copyright. In addition, users are enabled to access information related to copyright. Information is shared and preserved under the Copyright Act 68 of 1978. Moreover, posters regarding exceptions and limitations are made available and accessible to users.

4.5 PROGRAMS TO PROMOTE COPYRIGHT AT THE UNIVERSITY OF FORT HARE (UFH)

The researcher asked the respondents about programmes that the UFH library has in place to promote copyright. All librarians confirmed that there are information literacy training programmes that are conducted in the library laboratory by the information librarian. The purpose of the programme is to train and educate users on issues related to copyright, such as:

- How to cite sources,
- Referencing,
- Paraphrasing, and
- Referencing styles that one might use in bibliography.



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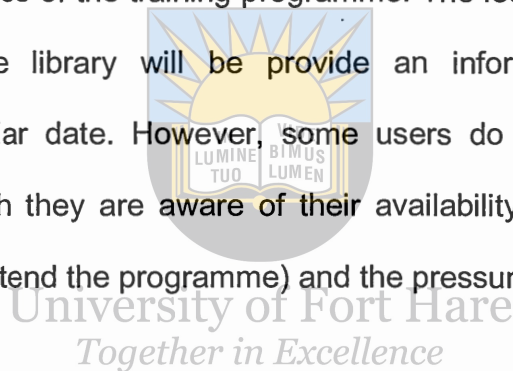
In addition, the UFH library has a website on which issues of copyright, copyright infringement, consequences of infringing copyright and referencing styles like Harvard and APA are addressed. Moreover, notices about copyright requirements for photocopying are posted on the library's notice board.

The response indicates that copyright infringement is promoted by the UFH library through the training of its users. The issue of copyright is a serious concern that should not be taken for granted by both the institution and the users of its library. Mashishi (2014) argues that the Johannesburg library offers literacy-training programmes on issues related to copyright. Furthermore, Otike (2011) states that copyright should be strictly observed in all Higher Institutions of Education (HIE) and research organizations.

4.5.1 Attendance of information literacy training programs by users

The librarians were asked about the strategy that the UFH library users to invite users to attend these training programmes. All the librarians said that UFH users are invited to these programmes through the university webmail and via cooperation with the lecturers. In addition, the training takes place at the library at 14h00, once per week.

The responses imply that the library staff interacts with lecturers by informing them of the dates, times and venues of the training programme. The lecturers announce, during lecture periods, that the library will be provide an information literacy training programme on a particular date. However, some users do not take note of these programmes, even though they are aware of their availability. The reason for this is negligence, laziness (to attend the programme) and the pressure of work.



4.5.2 Monitoring the effectiveness of the information literacy program

Table 4: Monitoring the effectiveness of the information literacy program

Effectiveness of information literacy programs	Frequency
Yes	3
Not sure	2
Total	5

When the researcher asked the librarians whether they monitor the effectiveness of the information literacy programme, the majority (3 librarians) of the librarians indicated that they do monitor the effectiveness of the information literacy program by examining the

attendance register that is signed by the user before the training takes place and calculating the number of users who attended. A high rate of attendance means that a large body of students get to know the information disseminated by the literacy programme although there is no way of testing its effectiveness. Two librarians indicated that they were not sure whether monitoring would translate to the effectiveness of the literacy programme.

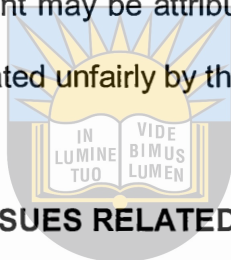
The findings indicate that the library does monitor the effectiveness of the programmes offered by the UFH library. However, as indicated by two librarians, there was uncertainty regarding the monitoring of the effectiveness of the training programmes; this could indicate that the measuring tools that the library uses to monitor the effectiveness of these programmes are not well founded or that the library does not constantly monitor the effectiveness of these programmes. As indicated by Oppenheim (2000), copyright is a major concern and there is a need for the explanation and assessment of the copyright law for prospective impact.

4.6 FACTORS THAT MAY LEAD USERS TO INFRINGE COPYRIGHT

The researcher asked the respondents about factors that may lead users to infringe copyright. The majority (4) of the librarians said that lack of knowledge, lack of information and lack of education about issues related to copyright may be some of the leading factors that may lead to copyright infringement. One librarian said that two influences are:

“Negligence and pressure of work.”

The responses imply that one of the leading factors to copyright infringement is a lack of knowledge and education on the part of students. One Librarian mentioned that library users deliberately or intentionally infringe copyright due to the pressure of work. The librarian provided a scenario where library users infringe copyright due to pressure of work as they are required to submit four assignments in one week. Eckstein (2003) supports this by stating that copyright infringement in SA academic libraries is also caused by negligence and pressure of work. Alternatively, Nicholson (2010) argues that plagiarism and copyright infringement may be attributed to the South African history of colonization, where blacks were treated unfairly by the apartheid government.



4.7 EXISTING LITERATURE ON ISSUES RELATED TO COPYRIGHT

The researcher was interested in learning whether the University of Fort Hare library has any existing literature on issues related to copyright and copyright infringement. All five librarians stated that the UFH library does have accessible literature on issues related to copyright. They indicated that, the University of Fort Hare abides by the National Government policy on Copyright Act 68 of 1978 which provides direction regarding the copying of copyrighted materials for learning and research, so as to confirm agreement with copyright law. They indicated that this policy is available in the University of Fort Hare general prospectus, which guides against copyright and copyright infringement. In addition, there are posters that are pasted onto the library notice board that guide users on the fair use of copyrighted materials. Furthermore, there is a UFH library section on the university's website, which discusses information literacy and the legal use of information.

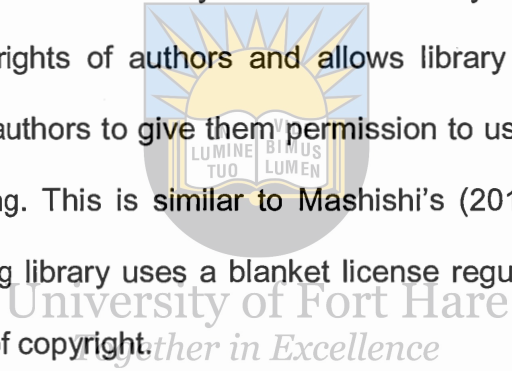
The response indicates that the issue of copyright and copyright infringement is taken seriously at UFH, as the librarians have indicated that the literature on issues related to copyright does exist. However, the researcher believes that these information documented policies on copyright are not sufficient to enable users to understand copyright and the consequences of infringing copyright. The information made available is simply the basics of copyright law and copyright infringement, and it is disseminated on the noticeboard via posters, in the prospectus and on the UFH website. However, this information is not detailed, and it is not taught to users so that they are knowledgeable of the exceptions and limitations of copyright. As indicated by Young (2001), policies need to be clear and well communicated, and the procedures should be appropriate so that library users understand it. Furthermore, responses to issues of academic dishonesty should be strict and these dishonest actions should be severely punished.

There is a need for the UFH library to formulate clear and well-communicated copyright procedures in order to assist library users to understand issues of copyright. Furthermore, the library should ask lecturers to cooperate with them by educating and encouraging their users in regards to the importance of copyright and copyright infringement. It is indicated in literature that librarians and information professionals, have a special responsibility of encouraging understanding and resolving problems regarding copyright infringement (Landman, 2002).

4.8 LICENSE AT THE UFH LIBRARY

The researcher asked the respondents whether the UFH library subscribes to any license for copyright. All five librarians said that the UFH library is subscribed to a blanket license regulated by the Dramatic Artistic and Literacy Rights Organization (DALRO). A blanket license protects the rights of the authors. In addition, the UFH library pays a once off invoice of R1 million a year for a blanket license.

The response indicates that the University of Fort Hare library is subscribed to a blanket license that protects the rights of authors and allows library users to do their work without having to wait for authors to give them permission to use the material, either by printing or by photocopying. This is similar to Mashishi's (2014) observation that the University of Johannesburg library uses a blanket license regulated by DALRO for the promotion and protection of copyright.



However, national and international literature on the topic reveals that users engage in plagiarism for various reasons, and this violation of academic ethics is being hindered through certain agreements, such as copyright licenses (Eminoglu & Nartgun, 2009; Koc, 2006; Lanier, 2006; Scanlon & Neumann, 2002).

4.9 PENALTIES FOR INFRINGING COPYRIGHT

The researcher asked the respondents about the penalties for users who infringe copyright: three (3) librarians said that users are stopped from violating copyright, if serious measures are taken to get them charged using internal disciplinary measures, which guide this act. This is enhanced by the Teaching and Learning Centre's (TLC)

Turn it in system, which is used by students to check if their work is not plagiarised. Two librarians said:

“Users who are found guilty of infringing copyright will appear before the university Disciplinary Committee.”

“Users are reported to their departments or expelled from the varsity”

The results indicate that users who infringe copyright run the risk of being expelled from the varsity. The librarians themselves do not monitor the infringements on copyright. This is done through lecturers who mark the students' work and report any copyright infringements to the university. For example, in 2013, three postgraduate students, from the department of political science at the University of Fort Hare were found guilty of copyright infringement and, apparently, their cases were reported upon by one of the leading newspapers in the country (Times Live, 2013). This clearly indicates that copyright infringement is a serious offence that can put one's academic career at risk and damage the reputation of the affiliated university. This is supported by Young (2001), who wrote that if a user is found guilty of infringing copyright when submitting a thesis or report, he/she could be accused of breaching the University's Code of Conduct; this could, in turn, lead to disciplinary actions being taken against the user.

4.10 DEMOGRAPHIC CHARACTERISTICS OF THE RESPONDENTS

The researcher collected the demographic data of the respondents in order to have an understanding of their characteristics. Participants in this study have been described in

terms of their age, gender, faculty and level of education. The respondents were drawn from the library users' population.

4.10.1 Age groups of the respondents

The researcher asked the respondents to indicate their age group. As indicated in Table 5, below, the highest number (29) of respondents were in the 16-26 year old age group, while 6 (15%) of the respondents were in the 27-36 year old age group, 4 (10%) were in the 37-46 year old age group, and 1 (2.5%) respondent was in the 40 years and above age group.

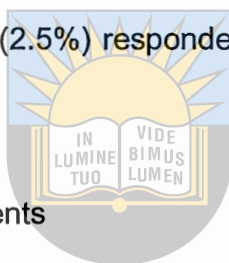


Table 5: Age groups of the respondents

Age	Frequency	Percentage
17-26	29	72.5%
27-36	6	15%
37-46	4	10%
>40	1	2.5%
Total	40	100%

The results indicate that the majority of the respondents who took part in the study were between the ages of 19 and 26. This could be an indication that most respondents who make use of the library are users between the ages of 19 and 26; the reason for this could be that most users enter higher institutions of education at the age of 18 or 19

years. This is in agreement with Bekwa (2014) who argues that many users come to university without having used a library or having knowledge of copyright. They do not have any research and copyright skills and have not learnt how to find books and journals through a library catalogue. They are, therefore, unaware of copyright related issues. Moreover, users between these ages are more likely to use the library since their projects require the use of library resources.

4.10.2 Gender distribution of the respondents

The gender distribution of the participants is outlined in Table 6, below. The table shows that there were more female respondents, i.e. 24 (60%), than male respondents.

Table 6: Gender distribution of the respondents

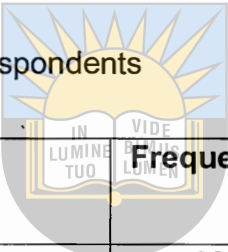
Gender	Frequency	Percentage
Male	16	40%
Female	24	60%
Total	40	100%

The results indicate that 24(60%) of the study participants were female; the main reason for this unequal gender distribution amongst respondents is because a non-probability sampling technique (convenience sampling) was used instead of probability sampling, as stated in Chapter 3. Furthermore, female respondents were more readily available.

4.10.3 Faculty distribution

The researcher wished to gauge the distribution of the respondents according to faculty. Table 7, below, indicates that most of the respondents who participated in the study were from the Faculty of Social Sciences and Humanities. There were 20 (50%) respondents from the Faculty of Social Sciences and Humanities, 10(25%) respondents from the Faculty of Education, 6(15%) respondents from the Faculty of Science and Agriculture, and 4(10%) respondents from the Faculty of Management and Commerce.

Table 7: Faculty distribution of the respondents



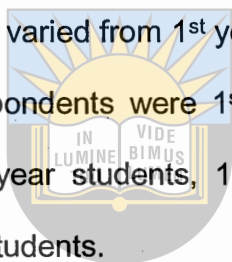
Faculty	Frequency	Percentage
Social Sciences and Humanities	20	50%
Education	10	25%
Science and Agriculture	6	15%
Management and Commerce	4	10%
Total	40	100%

The results indicate that the majority of the participants were from the Faculty of Social Sciences and Humanities. This could be attributed to the fact that the Faculty of Social Sciences and Humanities is the biggest faculty in the University, with almost about 65% of the students at the University of Fort Hare being housed in that faculty. Another reason is that as the only university that could offer black students a chance to higher

education, the only courses available then were Social Sciences. Despite the fact that the university has, of late, incorporated other faculties, the university is still Social Science dominant.

4.10.4 Levels of study of the respondents

The researcher wanted to ascertain the level of study of the participants, as the level of education was considered important to the awareness and understanding of the subject. The level of study of the participants varied from 1st year to post graduate level. Table 8, below, indicates that 3 (7.5%) respondents were 1st year students, 8 (20%) were 2nd year students, 3 (7.5%) were 3rd year students, 19 (47.5%) were 4th years tudents, while 7 (17.5%) were postgraduate students.



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Table 8: Level of study of the respondents

Level of study	Frequency	Percentage
1 st year	3	7.5%
2 nd year	8	20%
3 rd year	3	7.5%
4 th year	19	47.5%
Postgraduate	7	17.5%
Total	40	100%

The findings reveal that the majority (19) of the respondents were 4th year students. This could mean that 4th years are a group who are more likely to use the library because of their workloads, which require the use of the library.

4.11 RESUBMISSION OF WORK PREVIOUSLY SUBMITTED

The respondents were asked to indicate, agree, disagree or maintain neutrality as to whether they believe that resubmitting an assignment that was previously submitted may lead to copyright infringement. The majority, 21(52%) of the participants, agreed that resubmitting an assignment that was previously submitted may lead to copyright infringement, 9 (22.5%) were neutral whilst 10 (25%) participants disagreed with the statement that resubmitting an assignment may lead to copyright (See Table 9, below).

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Table 9: Resubmitting an assignment that was submitted

Resubmitting an assignment	Frequency	Percentage
Agree	21	52.5%
Disagree	10	25%
Neutral	9	22.5%
Total	40	100%

The findings indicate that the majority (21) of the respondents have an understanding of what constitutes copyright infringement. This is consistent with what is indicated in the literature, i.e. that some of the users are inexperienced about what constitutes copyright

infringement. There is a need for academic libraries to incorporate copyright into an academic writing framework in which clear instruction will be provided (Ellery, 2008).

The respondents were asked to indicate agreement, disagreement or neutrality as to whether copying a website and putting it in one's own words is copyright infringement. The majority, 32 (80%), of the respondents disagreed that copying a website and putting it in one's own words may lead to copyright infringement, while 5 (12.5%) informants agreed, and 3 (7.5%) respondents remained neutral (See Table 10, below).

Table 10: Using information from a website and paraphrasing

Using information from the website	Frequency	Percentage
Agree	5	12.5%
Disagree	32	80%
Neutral	3	7.5%
Total	40	100%

The response indicates that most of the respondents have an understanding of what constitutes copyright infringement, as Table 10 above indicates that the majority (32) of the respondents agreed that using information from a website and paraphrasing it is infringing copyright. However, this does not mean that all UFH respondents who participated in the study have knowledge of copyright and copyright infringement, as Table 10 also indicates that 5 respondents disagree that using someone's work and paraphrasing it is infringing copyright. This is consistent with the literature that indicates that, amongst the problems, are users' varying interpretations of what constitutes

copyright infringement, their self-realization, ethics and personal attitude, internet access, pressure and learning environment (Markham & Dick, 2003). However, McCurry (2001) disagrees with Marknam and Dicks (2003) argument that the reasons for plagiarism are due to the use of technology. He further argues that it becomes difficult to understand how technology in itself could increase the occurrence of plagiarism and copyright infringement. Instead, it is possible that technology has provided a way for academic dishonesty, by simply making it easier to engage in such activities.



This simply indicates that there is a need for the academic library to place greater emphasis on issues related to copyright, by explaining these to users to make it user friendly and to be able to control copyright. This suggestion is similar to the work of Oppenheim (2000), who argues that copyright is a major concern in a digital environment and must do something to achieve their mission and vision, which is to control copyright for prospective impact.

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The respondents were asked to indicate agreement, disagreement or neutrality as to whether copying a sentence from an article without acknowledgement is infringing copyright. The majority (72.5%) of the respondents agreed that copying a sentence from another source without appropriate references or acknowledgement leads to copyright infringement, 8 (20%) of the respondents disagreed that copying a sentence from another source without appropriate references or acknowledgement leads to copyright infringement, while 3 (7.5%) respondents remained neutral (See Table 11, below).

Table 11: Copying a sentence from another source without reference or acknowledgement

Copying a short sentence without reference	Frequency	Percentage
Agree	29	72.5%
Disagree	8	20%
Neutral	3	7.5%
Total	40	100%

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The findings reveal that the majority of the respondents are less affected by copyright infringement, as the results listed in Table 11 reveal that the majority of the respondents have an understanding of what constitutes copyright infringement. As indicated in the literature, many factors contribute to copyright infringement becoming increasingly problematic; among these factors, are users' understandings of copyright infringement (Markam & Dick, 2003).

The respondents were asked an open-ended question as to what they thought were factors that may lead to copyright infringement. Most (30) of the respondents indicated that lack of knowledge, ignorance and education by the University of Fort Hare library are factors that may lead users to infringe copyright. Librarians were also asked this question during their interviews. They indicated that users infringe copyright due to pressure, lack of knowledge and information about copyright. This may imply that the

information literacy programme that the library offers to its users may not be effective. There is a need for academic libraries to strengthen the information literacy programme that they offer to users. As indicated by the United Nations (2010), academic libraries need to be able to balance the need for access to information and the protection of the rights of owners in order to assist users in avoiding copyright infringement (United Nations, 2010)

4.12 RESPONDENTS' KNOWLEDGE OF PLAGIARISM

The Compact Oxford English Dictionary (2009) defines plagiarism as the act of taking the works or ideas of someone else without appropriate referencing.

The researcher asked the respondents an open-ended question regarding their knowledge of plagiarism. Thirty-seven (37) respondents indicated that copying someone's ideas and presenting them as your own constitutes plagiarism. They also indicated that copying someone's work without referencing or acknowledging the author is plagiarism. Three respondents said:

"Plagiarism is basically copying material which is not yours and using it without acknowledging or referencing."

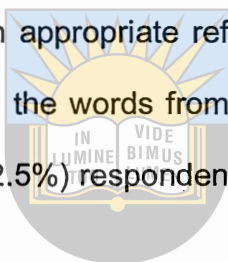
"Plagiarism is stealing the information of another person."

"Plagiarism is taking another person's work without the acknowledgement of the source."

The responses indicate that the majority (37) of the respondents are aware of plagiarism. However, those who still engage in plagiarism may be those who are still

new to the. Moreover, it could be due to ignorance or the pressure of work that they plagiarise. Among the problems cited, are users' understanding of copyright infringement, their self-realization, ethics and personal attitude, internet access, pressure and the learning environment.

The respondents were asked to indicate, on the Likert scale, whether copying words from another source without supplying an appropriate reference is plagiarism. The majority (70%) of the respondents agreed that plagiarism is copying the words from another source without supplying an appropriate reference, 7 (17.5%) of respondents disagreed that plagiarism is copying the words from another source without supplying an appropriate reference, while 5 (12.5%) respondents remained neutral (see Table 12, below).



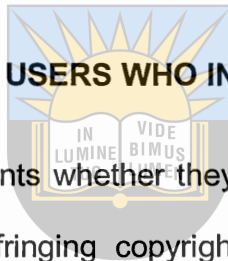
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Table 12: Copying the words from another source without appropriate reference

Copying words from another source without appropriate reference	Frequency	Percentage
Agree	28	70%
Disagree	7	17.5%
Neutral	5	12.5%
Total	40	100%

The findings revealed that the majority of the respondent's understand what plagiarism is. This could be influenced by the level of education of the respondents, as Table 12

indicates that the majority (28) of the respondents who participated in the study were 4th year students. It could also be possible that a few of the respondents who plagiarise do so out of ignorance, rather than the need to plagiarise. This is consistent with the work of Beute, Van Aswegen and Windberg (2008) who state that the causes of plagiarism are attributed to the pressure to produce research, freely available information on the internet, inexperienced multicultural users, inaccurate citing and referencing, and the use of language, which is not a mother tongue for academic writing, as well as laziness.



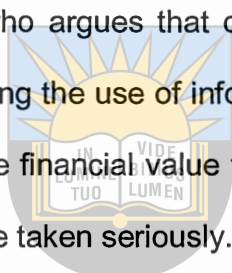
4.13 CONSEQUENCES FACED BY USERS WHO INFRINGE COPYRIGHT

The researcher asked the participants whether they agree, disagree or are neutral in response to the statement that infringing copyright could lead to suspension. The majority (77.5%) of the respondents agreed that a user who is found to have committed copyright infringement can be suspended or expelled from the university, while 3 (7.5%) respondents disagreed that a user found to have committed copyright infringement can be suspended or expelled from the university, and 6 (15%) respondents remained neutral (see Table13).

Table 13: Suspended or expelled from the university

Suspended from the university	Frequency	Percentage
Agree	31	77.5%
Disagree	3	7.5%
Neutral	6	15.0%
Total	40	100%

The findings reveal that most (75.5%) of the respondents are aware of the consequences of infringing copyright. The study recommends the need for UFH lecturers to ensure that they identify transgressions and then refer the student for disciplinary action in order to punish the infringers of copyright; by so doing, users would take the issue of infringing copyright seriously. This is consistent with what was said in literature which suggests that attempts need to be made by Higher Institutions of Education (HIE) to punish those who infringe copyright (Jolly, 1998). This is also supported by Kawooya (2002:1), who argues that copyright creates public interest in literary and artistic creations, including the use of information by users without recourse to the rights holders. Further, for the financial value to be enjoyed by the originators of work, copyright infringement must be taken seriously.



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The respondents were asked whether they agree, disagree or are neutral in response to the statement that infringing copyright could ruin one's academic career. The majority (32) of the respondents agreed that, if a user is found guilty of copyright infringement, his/her academic career may be ruined; 5 (12.5%) disagreed, while 3 (7.5%) respondents remained neutral (see Table 14, below).

Table 14: Academic career can be ruined

Academic career can be ruined	Frequency	Percentage
Agree	32	80%
Disagree	5	12.5%
Neutral	3	7.5%
Total	40	100%

The responses imply that the majority (80%) of the respondents are well aware of the penalties for infringing copyright, and they are aware of disciplinary measures. There is a need for lecturers to strengthen their disciplinary measures, like enforcing policies that guide against copyright infringement. As indicated by Smeirs (2000), measures that are more disciplinary need to be implemented, including the punishment of the infringement of copyright. This statement was supported by Punt (2002), who argues that copyright infringement is a criminal offence, and infringers of copyright risk being fined and expelled from the institution.



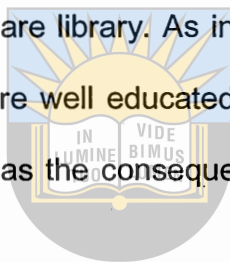
4.14 RESPONDENTS' PERCEPTIONS OF THE PROMOTION OF COPYRIGHT BY ACADEMIC LIBRARIES

The respondents were required to indicate their perceptions of the promotion of copyright by academic libraries. The majority (80%) of the respondents strongly agreed that academic libraries should educate users about copyright, 5 (12.5%) of the respondents agreed that academic libraries should educate users about copyright, while 3 (7.5%) respondents remained neutral. (See Table 15, below).

Table 15: Educate users about copyright infringement

Educate users about copyright infringement	Frequency	Percentage
Strongly agree	32	80%
Agree	5	12.5%
Neutral	3	7.5%
Total	40	100%

The findings revealed that respondents feel very strongly about education regarding issues of copyright. The need required by users is similar to the response provided by librarians who indicate that the library provides information literacy programmes to train and educate UFH users on issues related to copyright and to monitor its effectiveness. The researcher fully agrees that training programmes are being conducted by the UFH library as the researcher was once part of the training and was duly informed by the librarians at the University of Fort Hare library. As indicated in the literature, academic libraries should ensure that users are well educated about issues related to copyright and copyright infringement, as well as the consequences of infringing copyright (Punt, 2002).



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The respondents were asked to indicate whether they strongly agree, strongly disagree or are neutral in response to the statement that having a course on copyright included in the curriculum for academic assessment and allotment of credit value could lead to copyright promotion in academic libraries. The majority (80%) of the respondents strongly agreed and 1(2.5%) of the respondents disagreed, while 17.5% of the respondents were neutral (see Table 16, below).

Table 16: Course on copyright included in the curriculum for academic assessment and allotment of credit value

Compulsory course on copyright	Frequency	Percentage
Strongly agree	32	80%
Neutral	7	17.5%

Strongly disagree	1	2.5%
Total	40	100%

The findings revealed that the majority (80%) of the respondents strongly agree that UFH should begin a course that focuses on issues related to copyright. A compulsory course on copyright could lower the level of copyright infringement and plagiarism; because users would be trained and tested just like any other course. This is consistent with the work of Ercfegovac and Richards (2004), who argue that academic libraries have a special responsibility for creating policy, encouraging understanding and resolving problems regarding copyright infringement, including intellectual property issues, as part of the syllabus.



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The respondents were asked to indicate whether they strongly agree, disagree or are neutral in response to the statement that cooperation between lecturers and libraries could promote copyright. The majority (97.5%) of the respondents strongly agreed that academic libraries should cooperate with lecturers to fight copyright infringement, while 1(2.5%) of the respondents remained neutral (see Table 17, below).

Table 17: Cooperate with lecturers to fight copyright infringement

Cooperate with lecturers	Frequency	Percentage
Strongly agree	39	97.5%
Neutral	1	2.5%
Total	40	100%

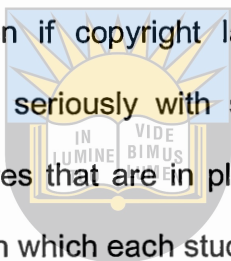
The results revealed that there is a need for the library and lecturers to work together in order to fight copyright infringement and meet users' needs. This can be done by asking lecturers to stress the importance of copyright. This is similar to what is said in the literature, which suggests that academic libraries and lecturers need to find more creative ways of setting assignments and projects, so that users cannot easily infringe copyright (Jugdav, 2014).

The researcher asked the respondents to give their own views on efforts that can be made by academic libraries to promote copyright. The majority (28) of the respondents said that the library should have an effective training workshop where users will be educated and properly assessed and examined on issues related to copyright.

The results indicate that there is a need for the effective training of UFH users regarding issues related to copyright, as users point out that the issue of lack of proper education and examination on issues related to copyright is one of the contributing factors. This seems to contradict the responses provided by librarians; they indicate that the University of Fort Hare library provides training workshops that take place in the library to assist and educate users about issues related to copyright. This could mean that users are not aware of these trainings or, if they are aware of them, the training does not assist them. This is similar to the work of Myers (2014), who argues that users need to be given proper education regarding issues related to copyright, to change their behaviour towards copyright.

4.15 SUMMARY OF THE CHAPTER

In this chapter, the researcher discussed and presented the major findings of the study, as related to the role played by academic libraries, in South Africa (SA), in the promotion of copyrights amongst their users. The major findings of the study were related to the existing literature and to the research questions and objectives. The research findings reveal that there are high levels of copyright infringement at the University of Fort Hare. This is due to a lack of proper mechanisms to monitor students. The findings also reveal that even if copyright laws have been established, the university has not ever taken that seriously with students who violate these laws. Despite this, there are also measures that are in place to deal with plagiarism at the classroom level, such as instances in which each student's work is put through Turn it in to determine the level of plagiarism in the document. This chapter has focused on in-depth discussions of the findings of the study. As evident in this chapter, various findings emerged from the study, and the next chapter will provide precise recommendations where applicable, and conclude the study.



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CHAPTER 5

CONCLUSIONS AND RECOMMENDATIONS

5.1 INTRODUCTION

This chapter discusses conclusions drawn from the study and the recommendations made. These conclusions and recommendations are drawn from the findings of the study. They are offered according to the themes and sub-themes of the study, as discussed in the previous chapter. Where applicable, the researcher made recommendations in terms of policy and further research. The recommendations were drawn primarily from the contributions of the participants themselves.

Overall, the researcher holds that the objectives of the study were met and that the research questions have been answered based on the findings of the study, which were discussed in the previous chapter. The participants, who took part in the study, provided the information allowing for these conclusions.

This chapter consists of a summary of the findings of the study. Thereafter, the researcher will look into the conclusions and recommendations as per the themes and sub-themes outlined in the previous chapter. As will be observed in the layout of this chapter, efforts were made to distinctly label the recommendations separately, where reasonably necessary. However, where the recommendations were of such a number as did not warrant separate subtitles, in the judgement of the researcher, they were

presented under a combined subheading. The ensuing section will offer a summary of the findings.

The research questions of the study were:

1. What factors lead to copyright infringement in academic libraries at UFH?
2. To what extent are UFH library users aware of the seriousness of copyright infringement?
3. What efforts are being made in the UFH library to promote copyright?
4. What are the challenges faced by the UFH library in the promotion of copyright?



5.2 SUMMARY OF FINDINGS

The study has established that the role of academic libraries in the promotion of intellectual property rights in Higher Institutions of Education in South Africa is such that it greatly supports the promotion of copyrights. This is despite the fact that there are challenges that still need to be dealt with, especially at the UFH library where mechanisms to prevent copyright violation seem to be lacking. This summation is consistent with the findings of the researcher. Whilst other factors hindering the promotion of copyrights were noted in the findings, copyright violation by means of plagiarism, printing and photocopying of unauthorised academic material stood out on the basis that, without visible means of monitoring mechanisms, students are willing to violate copyrights regardless of the consequences thereof.

5.2.1 Factors that may lead to copyright infringement at the UFH Library

The results revealed that the majority of UFH librarians indicated that users infringe copyright laws due to a lack of knowledge and education about issues related to copyright. Further, the findings are that the disregard of the law and pressure of work on the part of users is also a contributory factor to copyright infringement. Nicholson (2010) also indicates that copyright infringement may be attributed to the South African history of colonialization where black people were treated unfairly by the apartheid government. Eckstein, however, argues that copyright infringement in South African academic libraries is caused by a trend towards fraud, attitudinal and individual circumstances, the ambition and competitive energies of users' academic life as well as ignoring the rules and conventions that present what is right and acceptable.



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In the findings of this study, the UFH library users agreed that resubmitting an assignment that was previously submitted could lead to copyright infringement. Some of the users, as indicated above, are inexperienced in terms of what constitutes copyright infringement. Most users are generally not conversant with laws governing copyright. The findings further highlight that the literacy programmes currently in place were not specifically targeted at copyright promotion; instead, they targeted matters of language improvement and other aspects related to grammar.

The majority of the UFH library users indicated that copying any academic work without acknowledging the author by means of complete references is an infringement of copyright. This is consistent with the argument posed by Markham and Dick (2003), who propose that amongst users of another's work, are users who do not understand the implications of their actions. This argument is contrary to the view of Mcmurtry

(2001), who argues that reasons for copyright infringement are due to the use of technology. He further argues that it becomes difficult to understand how technology in itself could increase the occurrence of copyright infringement. Instead, it is possible that technology has provided a way for academic dishonesty, by making it easier to engage in such activities. Oppenheim supports Mcmutry's (2001) argument by indicating that copyright is a major concern in a digital environment and must act to achieve their mission and vision.

The study also contends that one of the contributing factors that lead to copyright infringement are lack of knowledge, ignorance and lack of education by the University of Fort Hare library. Moreover, the information literacy training programmes that are meant to assist users regarding issues related to copyright are not effective, as users have no knowledge about issues related to copyright. There is a need for the UFH library to strengthen the information literacy-training programme that they offer to users. In the same vein, the United States (2010) suggested the need for academic libraries to be able to balance the need for access to information and the protection of the rights of owners in order to avoid copyright infringement.

5.2.2 Users' awareness of copyright infringement at the UFH library

The study revealed that copyright infringement is an act of taking the works or ideas of someone else without appropriate referencing (Compact Oxford English Dictionary, 2009). However, some UFH library users had no knowledge of what constitutes copyright infringement. This is consistent with the view of Beute, Van Aswegen and Windberg (2008), who claim that the causes of copyright violation are attributed to

pressure to research, freely available information on the internet, inexperienced multicultural users, inaccurate citing and referencing, use of language, which is not a mother tongue for academic writing and slothfulness.

The study further shows that UFH library users are aware of copyright infringement as respondents indicated that they can avoid copyright infringement by ensuring that proper referencing and the accurate acknowledgement of the author. Users have a potential to avoid copyright infringement. It is possible that the lack of mechanisms to monitor student activities leads to copyright infringement. In support of this, UFH librarians indicated that most users infringe copyright due to their ignorance of copyright law.



5.2.3 Efforts that are being made by the UFH library to promote copyright

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The results revealed that the UFH library has subscribed to a blanket license regulated by the Dramatic Artistic and Literacy Rights Organization (DALRO). The purpose of the licence is to protect the rights of the authors. The university also pays a fee of R1 million a year for a blanket license, as indicated by UFH librarians. The findings also suggested that important attempts should be made to become aware of plagiarism and punish plagiarists through a set of ethical rules at the UFH library.

The results revealed that the University of Fort Hare library provides users with an information literacy-training programme that covers issues related to copyright. This was indicated by the UFH library. They also indicated that the purpose of the programme was to train and educate users on issues related to copyright, such as:

- How to cite sources
- Referencing
- Paraphrasing and
- Referencing styles that one might use in a bibliography.

The findings also revealed that the UFH library has, on its website, a webpage on which issues of copyright, copyright infringement, consequences of infringing copyright and referencing styles like Harvard and APA are addressed. In addition, notices about copyright requirements for photocopying are pasted on the library's notice board. The study also recommends that both the institution and the library users take the issue of copyright seriously. Otike (2011) also suggests that copyright should be strictly observed in all Higher Institutions of Education (HIE) and research organizations. Furthermore, Ercfegovac and Richards (2004) are of the view that one way of promoting copyright is through a systematic information literacy programme, which includes intellectual property issues in its syllabus.

The findings revealed that UFH users are informed about library activities concerning training programmes on information literacy through emails and cooperation with lecturers, as indicated by UFH librarians. The results also revealed that not all respondents attend these training programmes due to laziness, ignorance and the pressure of work. Furthermore, the findings revealed that the UFH library should ensure the effectiveness of the information literacy programme by measuring the attendance of the users. However, the study culminates in the conclusion that the library's measurement of effectiveness of the programme is insufficient. Therefore, there is a need to follow-up by providing users with an assessment to test whether they

understood what was taught during the training programme. Oppenheim (2000) states that copyright is a major concern in a digital environment and suggests the need for the explanation and assessment of the copyright law for prospective impact.

The findings revealed that the available literature on issues related to copyright, such as posters, the Copyright Policy Act 68 of 1978, the University of Fort Hare general prospectus that guides against copyright, and the university website that has information on copyright and copyright infringement. Further, these documents are not sufficient to make users understand copyright and the consequences of infringing copyright. The information available is just the basics of copyright and copyright infringement; it is not detailed. The study, therefore, recommends the need for the UFH library to provide clear communication about and approaches to copyright policies. For example, the library could ask lecturers to cooperate with them by educating students on the subject and encouraging regarding the importance of understanding copyright and copyright infringement. Landman (2002) argues that librarians and information professionals have a special responsibility of encouraging understanding and resolving problems regarding copyright infringement.

5.2.4 University of Fort Hare library users' awareness of copyright requirements

Copyright infringement is a serious offence that can lead to suspension when one is found guilty thereof. The majority (32) of respondents agreed that a user found to have committed copyright infringement could be suspended or expelled from the university. Accordingly, most (32) users at UFH are aware of the consequences of infringing copyright, as indicated above. The findings also suggest the need for the UFH library to

ensure that they punish the infringers of copyright. Consequently, users would take the issue of infringing copyright seriously. This would encourage them to attend information literacy training on copyright and copyright infringement. The study also recommended that attempts be made by Higher Institutions of Education (HIE) to punish those who infringe copyright (Jolly, 1998). This is similar to Kawooya's (2002:1) argument that copyright creates public interest in literary and artistic creations, including the use of information by users without recourse to the rights holders. Further, for the financial value to be enjoyed by the originators of work, copyright infringement must be taken seriously.



The findings also revealed that UFH library users' careers could be ruined if they are found guilty of infringing copyright. The majority (39) of the users indicated this. The results also revealed that the UFH library users are well aware of the penalties they face with regard to infringing copyright, and they are aware of the resultant disciplinary measures. The researcher contends the UFH library should strengthen their disciplinary measures by enforcing clear and well-communicated policies that guide against copyright infringement. Measures that are more disciplinary were suggested, including the punishment of the infringement of copyright, as indicated by Smeirs (2000). Copyright infringement is, therefore, a criminal offence, and infringers of copyright risk being fined and expelled from the institution (Punt, 2002).

The results also revealed that UFH library users who are found guilty of infringing copyright are punished by either being stopped from violating copyright and, depending on the severity of the infringement, measures are taken to charge them through the use of internal disciplinary measures which guide this act (Act 68 of 1978); this was

indicated by (3) librarians. Further, two UFH librarians indicated that users who infringe copyright appear before the university's Disciplinary Committee and are reported to their departments. Moreover, users who infringe copyright run the risk of being expelled from the university. The results also revealed that, in 2013, three postgraduate students, from the Department of Political Science at the University of Fort Hare were found guilty of copyright infringement and their case was reported by one of the leading newspapers in the country (Sunday Times, 2013). Users who infringe copyright could be accused of breaching the University's Code of Conduct; this could, in turn, lead to disciplinary actions being taken against the user.



5.3 CONCLUSIONS OF THE STUDY

This study aimed to explore the role played by academic libraries in the promotion of copyrights among their users in South Africa. The objectives of the study were to identify factors that may lead to copyright infringement in academic libraries at UFH; to determine the users' awareness about copyright infringement at the UFH library; to ascertain which efforts are made by the UFH library to promote copyright; and to identify the challenges faced by UFH users in abiding by copyright requirements. The study revealed that the University of Fort Hare library is playing a big role in the promotion of copyright. It also revealed that the University of Fort Hare library has developed a policy related to copyright. Furthermore, information is made available to users by providing them with information literacy programmes that assist users in matters related to copyright.

It was established that a lack of education, knowledge, pressure of work and negligence are among the contributory factors towards the infringement of copyright. The

unguarded use of freely available information on the internet, where one can simply copy and paste is a contributor to copyright infringement. Moreover, technology increases the occurrence of copyright infringement.

It was established that the majority of users at the University of Fort Hare are aware of copyright and copyright infringement; although there are some users who are not aware of copyright, but this may be due to a lack of proper training and ignorance

The study established that efforts are being made by the UFH library to control copyright. The University of Fort Hare library abides by the Copyright Policy Act 68 of 1978, which provides a copyright guide. In addition, the University of Fort Hare library subscribes to a blanket licence that is regulated by DALRO in order to control copyright. Furthermore, the information literacy-training programme has been developed and is made available to users. Notices that guide against copyright infringement are posted on the library notice boards and a website that guides against copyright infringement is made available to users. This research contends that the activities that the University of Fort Hare library offers to users may not be enough to effectively assist users. However, the majority of users are very much aware of the consequences of infringing copyright.

The consequences include:

- Suspension from the university
- Disciplinary measures and
- Expulsion.

Unfortunately, these disciplinary measures are often not enforced when one infringes copyright.

5.3 RECOMMENDATIONS OF THE STUDY

The general recommendations, based on the findings of the study, are that academic libraries need a centralised national copyright policy which would articulate and address issues regarding possible factors that may lead to copyright infringement in academic libraries; user's awareness about copyright infringement; challenges faced by users in relation to copyright infringement; and efforts that are being made in academic libraries to promote copyright. This would avoid overlaps across and flaws within academic libraries, and improve coordination. The following are specific recommendations regarding possible factors that may lead to copyright infringement in academic libraries at UFH; users' awareness of copyright infringement at the UFH library; efforts that are being made by the UFH library to promote copyright and the challenges faced by UFH users in abiding by copyright requirements:

- It is recommended that the UFH library include copyright into an academic writing framework in which clear instructions about issues related to copyright will be provided. This can be done through a course that should be made compulsory at 1st year level.
- The study also recommends the UFH library present clear and well-communicated explanations of copyright policies and procedures.
- Another recommendation is that a consistent approach needs to be employed by the UFH library to ensure that users who infringe copyright are punished.
- Lastly, the study recommends that the UFH library have an effective and convenient information literacy programme that is intended to assist users in

issues related to copyright by educating as well as properly assessing and examining them on their understanding of copyright.

5.4 FUTURE RESEARCH

This study intended to investigate the role of academic libraries in the promotion of copyrights amongst its users in South Africa. Based on the findings of this study, with its broad theoretical framework and analysis of the primary data, other research projects can use this study as their starting point. More research needs to be undertaken on the role of academic libraries in promoting copyright, in order to gain an in-depth understanding of copyright. Another study should be conducted to explore the possibilities of a clear and well-communicated information literacy programme, since the measuring tool that the library is currently using is not adequate to measure the users' in-depth understanding of copyright. Another in-depth study should be done in terms of promoting copyright, since librarians should be the backbone of an information literacy programme.

5.5 SUMMARY OF THE CHAPTER

This chapter presented a summary of the findings, conclusions, recommendations of the study, and recommendations for future research. The findings of the study revealed that challenges still exist at the level of university libraries, where mechanisms to prevent copyright violation seem to be lacking. The study also found factors hindering the promotion of copyrights, as noted in the findings. The promotion of copyrights is by plagiarism and the unauthorised printing and photocopying of academic material. Based

on the findings, the study concludes that the majority of the users at the University of Fort Hare library are aware of copyright and copyright infringement. The study also revealed that efforts are being made by the UFH library to control copyright. Furthermore, the study concludes that a lack of education, knowledge, pressure of work and negligence are among the contributory factors that lead users to infringe copyright.

The study recommends that academic libraries include copyright into an academic writing framework. The study also recommends that academic libraries provide a clear and well-communicated way of explaining copyright policies and procedures to its users. The study further recommends future research on the role of academic libraries in promoting copyright, in order to get an in-depth understanding of copyright.



5.6 FINAL CONCLUSION University of Fort Hare *Together in Excellence*

The findings of the study revealed that copyright infringement is a serious problem that is affecting academic institutions worldwide, including the University of Fort Hare. The infringement of copyright does not only affect the users but it can also ruin the image of the institution. The results suggest that copyright infringement needs to be taken seriously, as the findings reveal that users infringe copyright deliberately and, in some instances, due to the pressure of work. Users' perceptions of copyright infringement allow them to believe that information found on the internet is freely available to use without any attribution. The results also revealed that users infringe copyright due to laziness, lack of understanding and knowledge, ignorance, pressure and times. The findings established that the University of Fort Hare library does provide users with an information literacy programme and presents literature on issues related to copyright.

However, the findings revealed that the programmes that the University of Fort Hare library offers its users might not effectively assist its users. The study recommends the need for the UFH library to strengthen its programmes by developing new approaches to and cooperation with lecturers.



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APPENDIX 1

APPLICATION FOR CLEARANCE TO CONDUCT RESEARCH AT FORT HARE

Department of Library and Information Science

University of Fort Hare



University of Fort Hare
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02 June 2013

Dear Sir/ Madam

APPLICATION FOR PERMISSION TO CONDUCT RESEARCH AT FORT HARE- JUNE TO OCTOBER 2013

I am applying for a permission to conduct research at Fort Hare from June to October 2013. I am a Masters student in the Department of Library and Information Science at University of Fort Hare. I am required to conduct a research project in fulfilment of the requirements of my degree. My topic is to **investigate the role played by academic**

libraries in the promotion of copyrights in Higher Institutions of Education in South Africa. My topic was approved by the Higher Degrees and Research Committee of the Faculty of Social Sciences and Humanities of the University of Fort Hare.

I have enclosed my proposal, CV and a letter from my supervisor for your reference. You may contact my supervisor for more information about my research project

Your approval will be highly appreciated

Yours Faithfully,

Zintle Mzaiya



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APPENDIX 2



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ETHICAL CLEARANCE CERTIFICATE

Certificate Reference Number: **KHA051SMZA01**

Project title: **The role of academic libraries in the promotion of intellectual property rights in higher education environment in South Africa. Case study of University of Fort Hare library**

Nature of Project: **Masters**

Principal Researcher: **Zintle Mzayiya**

Supervisor: **Mr. FE Khayundi**

Co-supervisor:

On behalf of the University of Fort Hare's Research Ethics Committee (UREC) I hereby give ethical approval in respect of the undertakings contained in the above-mentioned project and research instrument(s). Should any other instruments be used, these require separate authorization. The Researcher may therefore commence with the research as from the date of this certificate, using the reference number indicated above.

Please note that the UREC must be informed immediately of

- Any material change in the conditions or undertakings mentioned in the document
- Any material breaches of ethical undertakings or events that impact upon the ethical conduct of the research

APPENDIX 3



University of Fort Hare
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UNIVERSITY OF FORT HARE

DEPARTMENT OF LIBRARY AND INFORMATION SCIENCE

FACULTY OF SOCIAL SCIENCES AND HUMANITIES

My name is Zintle Mzayiya. I am doing a Master's degree in Library and information science and my research is on the role of academic libraries in the promotion of copyrights among its users) in South Africa (SA). The case study of university of Fort Hare library (Alice campus). I hope the findings of the study will help the respondents (Librarians) to understand the importance of copyright while using the library materials. I will be grateful if you could spare few minutes of your time and answer questions on this questionnaire. All participants in the study are assured of strict confidentiality of any information they give. No names of participants will be included in the final report. Thank you for your assistance.

Research project on the role of academic libraries in the promotion of copyrights among its users: The case study of University of Fort Hare library (Alice campus).

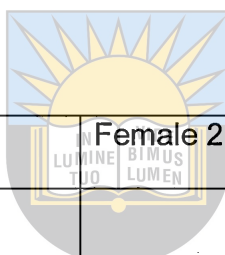
SURVEY QUESTIONNAIRE

Socio-economic and Demographic Characteristics

1. Please share your age by indicating with an X in the appropriate space:

16(1)	17-26 (2)	27-36 (3)	37-46 (4)	Above 46 (5)

2. Gender



Male 1	Female 2

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3. What is your position?

Information Librarian	Reference Librarian	Acquisition Librarian	Lending Services Librarian	Other
1	2	3	4	5

4. What do you consider your role in your library?

.....

.....

5. What programmes does the UFH library offer to promote copyright.

.....
.....
.....

6. How are users invited to attend these programmes?

.....
.....
.....

7. Have you monitored their effectiveness?



.....
.....

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8. What are the factors that may lead users to infringe copyright?

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.....
.....

9. Does the University of Fort Hare Library have any literature on issues related to copyright or copyright infringement? Explain

.....
.....
.....

10. Does the university of Fort Hare library have a licence on copyright?

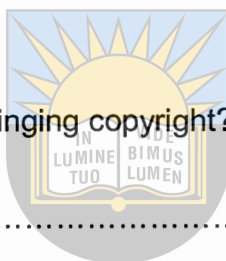
a) Yes

b) No

11. If yes, what is the name of the licence and what is its purpose?

.....
.....

12. What are the penalties for infringing copyright?



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Thank you!!!!!!!!!!!!!!!

APPENDIX 4



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UNIVERSITY OF FORT HARE

DEPARTMENT OF LIBRARY AND INFORMATION SCIENCE

FACULTY OF SOCIAL SCIENCES AND HUMANITIES



My name is Zintle Mzayiya. I am doing a Master's degree in Library and information science and my research is on the role of academic libraries in the promotion of intellectual property rights in Higher Institutions of Education (HIE) in South Africa (SA). The case study was at the university of Fort Hare library (Alice campus). I hope the findings of the study will help the respondents (users) understand the importance of copyright while using library materials. I will be grateful if you could spare a few minutes of your time to answer this questionnaire. All participants in the study are assured of strict confidentiality regarding any information shared. No names of participants will be included in the final report. Thank you for your assistance.

Research project: The role of academic libraries in the promotion of copyrights in the higher education environment in South Africa (SA): The case study of the University of Fort Hare library (Alice campus)

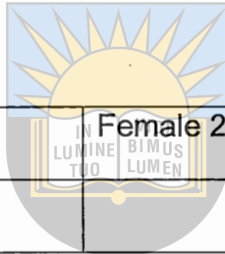
SURVEY QUESTIONNAIRE

1. Socio economic and Demographic Characteristics

1.1 Please share your age by indicating with an X:

16(1)	17-26 (2)	27-36 (3)	37-46 (4)	Above 46 (5)

1.2 Gender



Male 1	Female 2

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1.3 Which faculty do you belong to?

Social sciences and humanities	Education	Science and agriculture	Management and commerce
1	2	3	4

1.4 Level of Study

First year	Second year	Third year	Final year	Post graduate
1	2	3	4	5

2. Possible factors that may lead to copyright infringement in academic libraries at UFH.

Please indicate with an X:

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
Resubmitting an assignment that was submitted in one course for assessment in another course					
Copying a web site and putting your own words and name into the content part of the pages					
Copying a sentence from another source without appropriate reference or acknowledgement					

3. What other factors may lead to copyright infringement/ plagiarism at Fort Hare library?

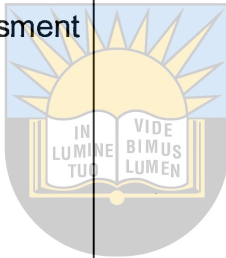
.....

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.....

4. To determine the respondents' awareness about plagiarism at UFH

Plagiarism Please indicate with an X	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
Resubmitting an assignment that was submitted in one course for assessment in another course					
Copying sentences from another source without appropriate reference or acknowledgement.					



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4.1 What is your general understanding of plagiarism?

.....

.....

.....

5. Challenges faced by users in relation to copyright infringement

Indicate with an X

	Strongly agree	Agree	Neutral	Disagree	Strongly Disagree
A student that has been found to have committed plagiarism can be suspended or expelled from the university.					
Once a student is found guilty of plagiarism, his or her academic career can be ruined.					



6. Efforts that can be made in academic libraries to promote copyright?
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Indicate with an X

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Academic libraries should educate users to have an understanding of plagiarism					
Academic libraries should slot a compulsory course in the curriculum for					

academic assessment and allotment of credit value.					
Academic libraries should cooperate with lecturers in order to fight against the issue of plagiarism					

6.1 What efforts can be made in academic libraries to promote copyright/ fight plagiarism?



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Thank you!!!!!!!!!!!!!!