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Undergraduate Students' Perception of Copyright Infringement: A Case Study of the University of Ibadan, Oyo State, Nigeria

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Introduction

Learning involves mental processes, acquisition of some skills and competencies which must be relatively permanent within the cognitive abilities of the learners. These skills may be acquired in a formal learning environment or an informal learning environment. The later explains a situation in which people acquire knowledge through direct and indirect contact with various forms of mass media, like newspapers, television, radio, etc.

Oje and Babalola (2000), defined learning as the mental activity by which knowledge and skills, habits and attitudes, virtues and ideas are acquired, retained and utilized, resulting in the progressive adaptation and modification of conduct and behaviour. It is important to note here that this process of learning is usually enhanced through the various learning resources used by undergraduate students in higher institutions of learning.

Learning resources according to Oje and Babalola (1999) are information, represented and stored in variety of media and format, that assist students' learning as defined by provincial or local curricula, this includes but is not limited to materials in print, video and software formats. These learning resources are usually made available for access to the learners in the library; hence the library is usually referred to as a storehouse of information. Muazu'tt (1987) in Apotiade (2002) defined a library as a repository of knowledge or an intellectual storehouse serving as giant memory to mankind"

A library could is a social institution concerned with the collection, processing, storage and dissemination of recorded information for the purpose of reading, study and consultation; in order to satisfy the varying information needs of its clientele. (Aina, 2004)

Undergraduate students need information to improve their social, economic and political experiences and this information is best retrieved from the libraries. Kargbo (2002) noted that libraries are derivative agencies. They arise from particular needs within a society and their types and functions reflect the diversity within the society. Hence we can say that libraries are institutions that assist its user in deriving and accessing various information.

Teaching, as defined by Abolade (1986) in Oje (2000), is the process of imparting knowledge or encoding information so that the decoder may be able to modify his behaviour. Teaching and

learning resources available to users and the teachers could be in various formats like print, audio, visual, audiovisual, electronic, e.t.c., but the most commonly used learning resources by undergraduate students in the University of Ibadan is the print form. It is also very necessary that the intellectual contents of these learning resources be protected from being infringed on by users and this can only be achieved through the implementation of copyright. There can be no issue of copyright if the learning resources are not being utilized; infringement therefore occurs in the process of using learning.

The object of the protection of the “intellectual content or creativity” is a right conferred by law on an individual or legal entity in respect of the product of his or her intellect, guaranteeing the exclusive right to control the exploration of the work. The protection of the intellectual content of the different aspects of an authors work helps to promote creativity and improves the economy in the long run.

The Concept of Copyright

Copyright can be defined as a set of exclusive rights granted by government for a limited time to protect the particular form, way or manner in which an idea or information is expressed. Copyright may subsist in a wide range of creative or artistic form or “works”; including literary works, movies, musical works, sound recordings, paintings, photographs, software and industrial designs. Copyright laws simply explain the legal protection given to authors against unauthorised copying of their work.

According to Odetunde (2004), copyright could be described as “a property that may be sold, assigned or licensed for use by any other person who has interest in such work”. The whole essence of copyright laws is to avoid intellectual theft by various information users.

With the effective protection of the intellectual content of the author’s work, intellectual theft will be curbed to a minimum level and in the long run authors will be encouraged to create more works with even better standards.

Copyright is essentially a private right. The owner must decide how to exploit the copyright work and how to enforce the copyright. The owner can decide if there will be any use of the copyright work falling within the scope of the economic rights

The concept of copyright was devised for the society for two main purposes:

- to serve as a positive force for creative people to produce works of culture
- to provide incentives for the effective dissemination of these works. (Okwilagwe, 2001)

Fishman (1996) opined that 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. Its intent is to advance the progress of knowledge by giving the author of a work an economic incentive to create new works. Economic incentive here implies that the author of the work is motivated to produce more works since he has a lot to gain monetarily and otherwise.

In Nigeria as a developing country, the subject of copyright cannot be over flogged taking into cognisance the economic state of the country characterised by the low standard of living among members of the country and the high cost of education (textbooks, journals and other learning and educational resources). The Nigerian copyright enforcement still needs a lot of improvement in terms of its enforcement to reduce piracy and copyright infringement. Most students would rather photocopy literary materials needed for learning and research instead of buying textbook in order to save cost; and these acts of photocopying are not in line with the copyright laws. The intellectual content of every library resource available for learning and research is usually attributed to an individual or corporate body referred to as the author. The rights of the authors of these library resources (literary materials) are usually protected by a law known as the Copyright Law.

The copyright law prevents the infringement of the intellectual contents of these literary works by users in higher institutions of learning; the importance of the knowledge of copyright by undergraduates cannot be overemphasised.

Moahi (2004), explains that:

> an understanding of copyright is particularly important in an academic, scholarly and artistic

environment where creators are continuously using the works of others to build and shape their own thoughts, opinions, and indeed produce their own works.

Copyright Infringement

Infringement of copyright is the unauthorised use of copyrighted materials in a manner that violates one of the copyright owner's exclusive right to produce or perform the copyrighted work, or to make derivative that build upon it. Infringement in this content includes piracy, plagiarism of text, infringement of copyright when using photocopying machines, duplication of web pages, e.t.c.

Plagiarism is an example of copyright infringement and it could be described as the violation of copyright law to use all or any part of A's document, either verbatim or with trivial changes, in a document written by B, except as described in the section on fair use.

Piracy is also another means of infringement of copyright law. Piracy as opined by Bankole (1988) is "the theft of copyright which occurs for reasons of want, scarcity and inaccessibility to books." Consequently, Thomas (1991) as cited by Okwilagwe (2001), submits that piracy is "the unauthorised or illegal reproduction of the work of an author for sale without payment of royalty or other compensation to the owner of the intellectual property so exploited."

The issue of copyright laws, its infringement and piracy, does not only apply to information users like scholars and academics but it also applies to commercial reprographers who engage in photocopying activities.

Okwilagwe (2001), while citing the Copyright Act, Chapter 68 laws of the Federal Government of Nigeria (1990), identifies works that will have copyright right protection in section 1 of the act. They include literary works, musical works, artistic works, cinematography films, sound recordings and broadcast.

Undergraduate Students and Copyright Infringement

Information is usually viewed as very vital to undergraduate students. It could also be seen as the driving force behind the development of different sectors in any nation (Ifidon, 1999). People in different spheres of life (including undergraduate students) need information about new developments and techniques to improve existing practices and better their lives. The type of information transferred varies from person to person and from society to society and with time. Copyright infringement takes place (either consciously or unconsciously). This is because a reasonable number of undergraduate students cannot afford to purchase textbooks. They therefore look for alternative means of acquiring these learning resources. Studies have shown that only 5% of students in higher institutions can afford to purchase textbooks needed for learning and research and as a result, these students tend to engage in the act of photocopying, thereby infringing on the copyright of the author. (Ogunronbi and Bello, 1999)

Some factors are responsible for the practice of piracy and they include;

1. Very high cost of books as compared with average income

2. Scarcity and unavailability of publishing materials

3. The devaluation of the local currency. (Nwafor, 1991)

It was revealed in a study carried out by Ogunrombi and Bello (1999) that photocopy, as a kind of reprographic activity is quite common in higher institutions of learning for reasons such as book scarcity and the cheapness of photocopying services. The study points out that over 70% of students photocopy books rather than purchase them.

The researchers also noted that a large number of undergraduates couldn't afford the prohibitive costs of books, which are mainly foreign books. These students go out of their way to search for operators of photocopiers who are of course concerned about their profits and not the author's copyright. The operators therefore facilitate the violation of the copyright laws by students through the photocopying of major pages of the needed materials.

Statement of the Problem

Literature, both recent and past has established that copyright laws are very important for better creativity on the part of the authors and protection of intellectual content of their work. However, it is not certain if information users actually have a reasonable level of knowledge of these copyright

laws as a means of protecting the intellectual creativity of respective authors. They might have reasonable level of knowledge of these but still infringe on the laws.

It is also believed that in Nigeria, the copyright law is not as effective as expected since no proper mechanism is put in place to curb infringement. Various forms of infringement are still practised on a reasonable scale in higher institution of learning despite the copyright laws.

The concern of this study therefore is to determine the level of knowledge and the different perceptions of undergraduate students in the University of Ibadan on the issue of copyright law and its infringement.

Research Questions

1. To what extent are undergraduates in the University of Ibadan aware of copyright infringement and the provisions of the copyright law?

2. What are the major ways in which copyright laws are being infringed by undergraduates and what factors lead to this infringement?

3. To what extent is the access and availability of printed learning resources responsible for the infringement of copyright laws by undergraduates?

4. What kind of correlation exists between undergraduate students' perception and awareness of copyright laws and the actual infringement of the laws?

Methodology

A sample size of 200 was randomly selected from the population of 12,236 undergraduate students and the sampling procedure/ technique to be used for the study is the Stratified Random Sampling. This sampling technique is adopted because the population is divided into homogeneous groups known as strata and samples are drawn from each stratum using the simple random sampling technique. The size of the sample taken from each stratum will be determined by the population size of the strata. Each stratum will be represented by a faculty in the university, bringing it to a total of 13 strata; in other words, the stratification factor used in this study is the faculty of the respondent. The stratification ensures that each type of a population member is included in the sample and hence yields higher precisions even though the total number of people in each stratum may vary. A sample size of 200 respondents would be randomly drawn from each stratum (faculty) that makes up the population.

Where Wh represents the Weight of each stratum

nh represents the sample taken in each stratum

Nh represents the size of each stratum

N represents the size of total population

Analysis and Interpretation of Data

Table 1: Distribution of Respondents by Faculty

No	FACULTY	TOTAL	Wh=Nh/N	nh = nWh	percentage
1	Agriculture and Forestry	1,277	0.10	21	10
2	Arts	1,504	0.12	25	12
3	Basic Medical Sciences	289	0.02	5	2
4	Clinical Sciences	1,065	0.09	17	9
5	Dentistry	190	0.02	3	2
6	Education	1,715	0.14	28	14
7	Law	486	0.04	8	4
8	Pharmacy	226	0.02	4	2
9	Public Health	127	0.01	2	1
10	Science	2,324	0.19	38	19
11	Technology	1,104	0.09	18	9
12	The Social Sciences	1,422	0.12	23	12
13	Veterinary Medicine	507	0.04	8	4
	TOTAL	12,236		200	100

Table 1 shows the distribution of respondents by faculty. 25(12.5%) of the respondents were from the faculty of arts; 38(19.0%) from the faculty of science; 28(14.0%) from the faculty of education; 4(2.0%) from the faculty of pharmacy; 26(13.0%) respondents were from the faculty of agriculture; 18(9.0%) from the faculty of technology; 8(4.0%) from the faculty of law and veterinary medicine each; 23(11.5%) respondents were drawn from the faculty of the social sciences and 17(8.5%) from the faculty of clinical sciences. 2(1.0%) respondents were from the faculty of public health and 3(1.5%) respondents were from the faculty of dentistry.

Table 2: Academic Level of Respondents

Faculty

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Arts	25	12.5	12.5	12.5
	Science	38	19.0	19.0	31.5
	Education	28	14.0	14.0	45.5
	Pharmacy	4	2.0	2.0	47.5
	Agriculture	26	13.0	13.0	60.5
	Technology	18	9.0	9.0	69.5
	Law	8	4.0	4.0	73.5
	Veterninary Medicine	8	4.0	4.0	77.5
	Social Sciences	23	11.5	11.5	89.0
	Clinical Science	17	8.5	8.5	97.5
	Public Health	2	1.0	1.0	98.5
	Dentistry	3	1.5	1.5	100.0
	Total	200	100.0	100.0	

Table 2 shows the distribution of respondents according to their academic level. Out of 200 respondents, 49(24.5%) were in their first year, 58(29.0%) were in two hundred level, 39(19.5%) were in 300 level, 49(24.5%) were in 400 level, 4(2.0%) were in 500 level and 1(0.5%) in 600 level. The table reveals that majority of the respondents were in their second year.

Table 3: Distribution of Respondents by Educational Qualification

Level of Study

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	100	49	24.5	24.5	24.5
	200	58	29.0	29.0	53.5
	300	39	19.5	19.5	73.0
	400	49	24.5	24.5	97.5
	500	4	2.0	2.0	99.5
	600	1	.5	.5	100.0
	Total	200	100.0	100.0	

Table 3 shows that 145 respondents out of the 200 are Senior Secondary School Certificate holders, 48 are NCE/OND holders, 3 are HND holders and 4 of the respondents possess other qualifications.

These represent 72.5%, 24%, 1.5% and 2% of the total respondents respectively. 48(24.0%) respondents had HND, while 4(2.0%) of the respondents had other qualifications. This shows that the respondents are well educated and intelligent to give adequate answers to the questions in the questionnaire, to the best of their knowledge.

Data Presentation and Analysis

Research Question 1:

To what extent are undergraduates in the University of Ibadan aware of copyright infringement and the provisions of the copyright law?

The undergraduate students' awareness of copyright laws is presented in Table 4a

Table 4a: Awareness of Copyright Laws

	Frequency	Percent	Valid Percent	Cumulative Percent
Aware of copyright law	170	85.0	85.0	85.0
Not aware of copyright law	30	15.0	15.0	15.0
TOTAL	200	100.0	100.0	

Table 4 reveals that out of the 200 undergraduate students that were sampled, 170(85.0%) were aware of the existence of copyright law while 30(15.0%) were unaware of it. This shows that majority of the undergraduate students are aware of copyright laws.

4.2.2 Research Question 2:

What are the major ways in which copyright laws are being infringed by undergraduates and what factors lead to this infringement?

The forms of infringement commonly practised by undergraduate students are photocopying, plagiarism and piracy and the data collected is presented in table 5a.

Table 5a: Forms of Infringements done by Undergraduate Students

If yes, pls indicate which one

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Photocopy	131	65.5	94.9	94.9
	Piracy	6	3.0	4.3	99.3
	Plagiarism	1	.5	.7	100.0
	Total	138	69.0	100.0	
Missing	System	62	31.0		
Total		200	100.0		

From table 5a, we can deduce that 131(65.5%) students infringe on copyright through photocopying, 6(3.0%) infringe on copyright through piracy while 1(0.5%) student infringes on copyright through plagiarism. This shows that majority of the undergraduate students engage in photocopying as a form of copyright infringement.

Research Question 3:

To what extent is the access and availability of printed learning resources responsible for the infringement of copyright laws by undergraduates?

The effect of availability of printed learning resources on the infringement of copyright laws by undergraduate students is presented in table 8.

Table 6: Effect of Non Availability of Printed Learning Resources on the Infringement of Copyright Laws by Undergraduate Students

To what extent does the non availability of textbooks motivate you to practice photocopying

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	great extent	64	32.0	38.3	38.3
	some extent	55	27.5	32.9	71.3
	little extent	24	12.0	14.4	85.6
	no extent	24	12.0	14.4	100.0
	Total	167	83.5	100.0	
Missing	System	33	16.5		
Total		200	100.0		

Out of the 200 respondents sampled, 64(32.0) are of the opinion that non availability of printed learning resources to a great extent makes them infringe on copyright law through photocopying, 55(27.5%) expressed that non availability of printed learning resources makes them infringe on copyright law to some extent, while 24(12.0%) respondents stated that non availability of printed learning resources makes them infringe on copyright laws to a very little extent and 24(12.0%) are of the opinion that non availability of printed learning resources does not affect their infringement of copyright laws. From the table we can see that majority of the undergraduate students infringe on copyright law as a result of the non-availability of printed learning resources.

Research Question 5:

What kind of correlation exists between undergraduate students' perception and awareness of copyright laws and the actual infringement of the laws?

This question is answered by making a statistical cross tabulation of the awareness of copyright laws by undergraduate students and their adherence to the provisions of copyright laws on the use of printed literary materials. Hence the level of awareness and the adherence to the dictates of the copyright law on the use of printed/literary materials would be cross tabulated and the chi-square

test would be used in determining the kind of relationship that exists. The cross tabulation is presented in table 7.

Table 7: Cross Tabulation of the Views of Respondents on Copyright Awareness and their Adherence to its Provisions on the Use of Printed Materials

	Adherence	Non Adherence	Often	Total
Aware of copyright law	62	56	48	166
Not aware of copyright law	7	20	3	30
Total	69	76	51	196

From table 7, which is a cross tabulation of questions 1 and 3 in section B of the questionnaire, it is obvious that out of the 200 respondents, 166 of them are aware of what is referred to as copyright laws but only 62 respondents follow the dictates of the copyright laws on the use of printed/literary materials; 56 out of the 166 respondents that are aware of the copyright laws do not follow its dictates while 48 respondents follow the dictates of the copyright laws often. From this data, less than half of the respondents that are aware of the copyright laws actually follow the dictates of the law. We can therefore deduce that there is a negative correlation between the level of awareness /perception of undergraduate students of copyright laws and the adherence to these laws by undergraduate students.

Conclusion and Suggestions

The level of awareness of copyright laws by undergraduate students is considerably high (about 85%) but the knowledge on the provisions of the copyright laws on the use of printed/literary materials is low among the undergraduate in the University of Ibadan

The study also revealed that majority of undergraduate students infringe on copyright laws mostly through photocopying and the major reason for infringement of these laws by undergraduates is because of the high cost of purchasing. It was also observed that majority of the undergraduate students infringe on copyright law as a result of the non availability of printed learning resources and majority of the undergraduate students infringe on copyright laws as a result of the high cost of purchasing printed learning resources, this finding varies from the study carried out by Ogunrombi and Bello(1999), which revealed that majority of undergraduate students infringe on copyright as a result of scarcity of these printed resources.

The research also showed that there is a negative correlation between the undergraduate students' awareness level of copyright laws and the level of adherence to the provisions of the copyright law for the use of printed/literary resources, meaning that the undergraduate students have a reasonable level of knowledge of the dictates of the copyright law but still go ahead to infringe on these laws

The infringement of Copyright laws has a negative effect on the educational system in the country; the author of literary materials do not get motivation to produce more materials and this leads to a shortage of learning resources in the tertiary institution and hence it leads to a low academic performance by the students.

It is therefore recommended that the libraries in higher institutions should be well equipped with enough and relevant printed/literary resources that will be readily available and assessable by the students when needed, this will help to reduce the rate of photocopying in higher institutions. The learning resources available in the library should also be in multiple copies, this will enable different users borrow and use the materials at the same time.

Libraries, librarians and lecturers could also help in increasing the level of awareness of copyright laws among students by organising students' orientation programmes to raise students' awareness of copyright laws and motivate compliance. Education on copyright laws could also be included in

the curriculum; this will make students' more aware of the consequences of infringing on these laws.

To reduce the rate of illegal photocopying, commercial photocopying operators should be asked to pay royalty for excessive photocopy; the payment of these royalties will help to reduce the extent of illegal photocopying and thereby reducing infringement of printed copyrighted materials.

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