

EMERGING ISSUES IN INFORMATION ETHICS IN NIGERIA LIBRARY: PLAGIARISM AND COPYRIGHT

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Abstract

Library develops human intellectual and emotional abilities to recognise and respect human dignity and right of others. Research works have shown that information ethics is a global issue. The focus of this paper is thus to discuss the issues of information ethics in Nigerian libraries. Through Nigerian libraries, issues in information ethics such as copyright and plagiarism can be curbed to a minimal level. The paper also discusses the concept of ethics, information ethics, information ethics from the librarianship perspective, issues of plagiarism and copyright violation as related to information ethics in the contemporary electronic age are examined. It is concluded that knowledge of information ethics would lead to improve quality and quantity of research output in Nigeria and there should be periodic seminars and workshops on information ethics for librarians.

Introduction

Ethics is a branch of philosophy that is concerned with human conduct, more specifically the behaviour of individuals in the society. Ethics examines the rationale for moral judgments; it studies what is morally right or wrong, just or unjust (Liton, 2013). Otike (2017) defines ethics as professional standard of conduct. Laudon and Laudon (2005) define ethics as the principle of right and wrong that individuals, acting as free moral agents, use to guide libraries. Ethics is a **method, procedure, or perspective** for deciding how to act and for analysing complex problems and issues (Resnik 2011).

Moreover, Kadu (2007) asserts that ethics leads to a set of rules and conduct for specific situations; basic ethical principles guide the development of standard for specific professions and groups. Ethics is a moral principle that governs or influences a person's behaviour. The Oxford Dictionary

of Philosophy (2008) defines ethics as the study of the concepts involved in practical reasoning, good, right, duty, obligation, virtue, freedom, rationality and choice. According to Adam (2005), information ethics is the field that investigates the ethical issues arising from the development and application of information technologies. It provides a critical framework for considering moral issues concerning information privacy, moral agency, new environmental issues (especially how agents should behave in the info sphere), and problems arising from the life-cycle (creation, collection, recording, distribution, processing, etc) of information, especially ownership and copyright in view of the digital divide.

Information ethics is defined, according to Britz (2013), as the field of study that investigates the ethical issues arising from the life cycle of information,

including the generation, gathering, organisation, retrieval, distribution and use of information. As an interdisciplinary field of study it relates among others to the field of computer science, library and information science, philosophy, communication, science, journalism and mass media etc. Chuang and Cheng (1999) view information ethics as one aspect of a much larger philosophy known as social ethics. To them information ethics deals with the moral conduct of information users based on their responsibility and their accountability.

Information Ethics from Library Perspective

According to Fallis (2007) library and librarians play an extremely important role in society. Their mission is essentially to provide members of society with access to the information that they need. Just like doctors, lawyers, and other professionals, library professionals would like to carry out their mission in an ethical manner. And, like other professionals, library regularly faces ethical dilemmas such as should librarian put internet filters on all the computers in a library? Should library inform law enforcement officers investigating potential terrorists what a particular patron has checked out? Should library make photocopies of an article for a class when the school library cannot afford multiple copies of the book itself (Doyle 2002) Should library put a warning label on an encyclopaedia that contains clearly inaccurate medical information (Garogian, 1991). In order to deal effectively with these ethical dilemmas, library professionals and libraries need to be able to engage in ethical reasoning. In particular, since these ethical

dilemmas fall within the scope of *information ethics*, library professionals need to have a good working knowledge of information ethics. Some of the ethical dilemmas faced by library professionals have arisen because of advances in information technology. But most of the aforementioned ethical issues do not involve new information technology to any large degree.

According to Ndwandwe (2009), the core issues of information ethics include copyright, *intellectual freedom*, *equitable access to information*, *information privacy*, and *intellectual property* and plagiarism. In this paper, emphasis is laid on copyright and plagiarism. According to the *Merriam-Webster On-Line Dictionary (2010)*, to plagiarise means to steal and pass off the ideas or words of another as one's own, use another's production without crediting the source, commit literary theft, present as new and original idea or product derived from an existing source.

Aina (2008) refers to copyright as giving credit to creators for their literary and artistic works, literary works include novel, poems, plays, references, works (non-fiction), newspapers, computer programmes, films, musical compositions and choreography. Nwalo (2003) defines library as an organisation or institution that selects, acquires, processes, organizes, stores and disseminates information in various formats to meet the varying needs of users.

Advances in information technology have made the general population more aware of these issues. But library and library professionals have been concerned with these issues for centuries. But there is one

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important type of resource on information ethics with which all library professionals ought to be familiar with namely, the *codes of professional ethics* that have been adopted by the various organizations to which library professionals belong (Hannabuss, 1996).

Fallis (2007) asserts that code of ethics is a list of guiding principles for ethical behaviour. For example, a code intended to guide the behaviour of library users and library professionals. However, these codes serve other functions as well. In particular, these codes of professional ethics inform the public about what libraries and library professionals are committed to doing. Information ethics provides an ethical framework for the library and information science professional for carrying out various related works like acquiring, storage, processing and using of information.

Capurro (2010) defines information ethics as a branch of ethics that focuses on the relationship between creation, organization, dissemination and use of information and ethical standards and moral conducts governing human behaviour. Floridi (2006) however states that unlike computer ethics, which develops, analyses and attempts to indicate the best course of action, information ethics provides the moral guidelines that define the problem solving procedures in computer ethics. Mutula and Mmakola (2013) define information ethics as the responsible use of information and communication technology processing, storage, dissemination and use. Libraries are expected to be centres for the creation of information and knowledge generated from basic and applied research. As such users' expectation is high regarding access and use of information to write

assignments and examinations or carry out academic research. However, literature suggests that both staff and users in most libraries are engaged in academic malpractices and that is a global issue. Generally, the fact that information centres and information providers and other stakeholders are shifting their focus from information literacy, which has a component of information ethics, is a proof that there is a serious problem regarding ethical access and use of information (Amunga 2016).

Furthermore, Hannabuss (2001) gives a brief summary of what is generally expected from libraries, with regard to information ethics. To him, a library is a place where students are taught, encouraged to perform well, instructed on intellectual property issues, copyright and how to use information ethically within their areas of specialisation. To him, this is a global expectation, yet academic malpractice continues to be an everyday concern not only for libraries but for information creators and vendors. This explains the many technological innovations developed in an effort to come up with software that can detect cheating.

Furthermore in an institution, access to information by students, lecturers and other users of the library is the responsibility of the library which has to be well equipped and have relevant and up to date information resources. This can only be achieved if the libraries are adequately funded and students and other users have the required skills for efficient, effective and ethical access and use of information.

There are several reasons why it is important to adhere to ethical norms. First, ethics **promotes the** aims of research, such

as knowledge, truth, and avoidance of error. Second, since research often involves a great deal of cooperation and coordination among many different people in different disciplines and institutions, ethical standards promote the values that are essential to collaborative work, such as trust, accountability, mutual respect, and fairness. Third, many of the ethical norms help to ensure that researchers can be held accountable to the public. For instance, policies on research misconduct, conflicts of interest, the human subject's protections, are necessary in order to make sure that researchers who are funded by public money can be held accountable to the public. Fourth, ethical norms in research help to build public support for research (David & Resnik, 2015).

The electronic age, also known as the computer age, digital age, or new media age, is a period in human history characterized by the shift from traditional industry that the industrial revolution brought through industrialization, to an economy based on information computerization (Lynch, 2015). The onset of the electronic age is associated with the digital revolution, just as the industrial revolution marked the onset of the industrial age. During the electronic age, the phenomenon is that the digital industry creates a knowledge-based society surrounded by a high-tech global economy that spans over its influence on how manufacturing and the service sector operate in an efficient and convenient way (National Commission for Human Rights, 2013)

The fluidity of information on the networks has caused some confusion about how copyrights, plagiarism and intellectual property rights apply to electronic files. In

the relatively small world of the original network users, an emphasis on free exchange of information and a common understanding of intellectual property allayed most potential conflicts over use of information. Now, as the networks grow larger and attract a broader range of people, some clarification of how electronic files may be used is becoming necessary. The ease with which electronic files can be distributed and the nature of some electronic information create problems within existing copyright law, either the law does not address the peculiarities of electronic information or the law is too easily subverted by the ease with which files can be copied and transferred. Similar problems have arisen with photocopy machines and tape recorders. To make matters more complex, other countries, Nigeria inclusive, may have different copyright laws, so information made available globally through a network may not have the same protections in other places (Lynch, 2015). In view of this, Nigeria libraries should abide by the law in dealing with their clients, so as not to negate these laws.

Issues of Copyright

Copyright can be defined as the exclusive right granted by law to the author of a work, to disclose it as its own creation, to distribute or to disseminate it to the public in any manner or by any means and also to authorise others to use the work in specific ways. Copyright is the exclusive legal right to reproduce, publish, sell, or distribute the matter and form of something such as a literary, musical, or artistic work (Merriam-Webster online Dictionary, 2010). Copyright is the exclusive legal right that the author or

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originator of an original intellectual product such as literary, musical or artistic work has over the products as ascribed by the law. The exclusive right to make copies, license, and otherwise exploit literary, musical, or artistic work, whether printed, audio, video, etc. works granted such right by law on or after January 1, 1978, are protected for the lifetime of the author or creator and for a period of seventy years after his or her death (Nigerian Copyright Act, 2004). That is, the author of the work will enjoy the work throughout his lifetime and seventy years after his or her death. This serves as a financial benefit for the author and his children.

According to Nwogu (2015), copyright is an intangible personal right, vested in the author or originator of protectable work. It confers exclusive right in relation to an eligible work and has fixed duration. It is a creation of statute. It subsists in original literary, musical and artistic works, films, sound recordings and broadcast. It is an abstract property incorporated in a physical property, although the ownership of the latter need not necessarily be vested in the holder of the former. It confers to the owners of the said works the exclusive right to copy, reproduce, publish, distribute, and adapt the work in any material form and so on. However, these rights are subject to exceptions as provided under the Act (Second Schedule). Copyright law protects expression of ideas and not the ideas themselves. It protects creative expression that has been reduced to a tangible form. It protects both published and unpublished works. In Nigeria, copyright is regulated by the Copyright Act Cap C28 Laws of the Federation of Nigeria (LFN)

2004. Any person who performs the acts restricted to copyright owners without permission or license is liable to copyright infringement.

Copyrights protect original works of authorship, including literary, musical, dramatic, graphic, audio-visual, and architectural works, and sound recordings. The law forbids unauthorized reproduction, distribution, performance, or display of works with copyrights. The general intent of the law is to protect the commercial value of a work. Copyrights apply to both published and unpublished work. Under the international Berne Convention on copyrights, which the U.S. signed in 1989, a copyright comes into effect from the moment a work is created and is fixed in some form of tangible expression this is applicable to Nigeria as well.

A copyright notice is not required for copyright protection. The only way a copyright can be invalidated is by explicit announcement by the author that copyright protections are waived.

Works in the public domain (those not extended copyright protections) include those created by an author who has been dead for at least fifty years, works created by the Nigeria government, and works explicitly granted to the public domain (Asherry, 2015)

Significance of Copyright

Copyright laws protect the rights of the author, artist or other originator of a creative work to control when and how his work can be copied and disseminated, and it prevents others from using the work without permission.

Other significances, according to Quinn (2015), are:

It prevents conflict among individuals and among nations over ownership of work in the sense that if a work has been copyrighted nobody can claim the ownership of the work except the original author of the work

It allows fair use and discourage multiple duplication the law stipulated that only ten percentage(10%)of a book can be photocopy, that is, if a book has hundred pages, a user is allowed to photocopy only ten pages of that book, if otherwise such a user has violated copyright law. The right given to a copyright owner to reproduce a work is a limited right. Under some circumstances, called fair use, it is legal to reproduce a copyrighted work without the permission of the copyright holder. Examples of fair use include citing short excerpts from copyrighted works for the purpose of teaching, scholarship, research, criticism, commentary, and news reporting.

It provides incentives to creators by offering recognition for their creativity. These incentives encourage innovations, which benefits society as a whole. Copyright can lead to national wealth creation, in the sense that invention and other creations of the work can lead to the establishment of various industries, which will create employment and source of tax revenue for government. Copyright motivates creator to embark on further works, since the creator would benefit financially and at the same time the work would be protected.

Implications of Copyright Law on Library and Library Users

Conventionally, the copyright system was intended to balance the need to protect the work of creators with the right of users to access information. It was intended to foster the expression of idea. The mechanism that makes the copyright system function properly is its system of exceptions and limitation to an author's or creator's ownership of his or her work, combine with or balanced by adequate protections of the right of creator(Darkey&Akussah, 2008). It is very essential that both the library and the library users must take note of this. A large number of users are involved in photocopying large volume of literary works such as textbook, journal etc. an act which reduces the sales of publication and royalty payment to authors.

Users can only use works created by them freely, but have to obtain permission in using other people's work, this must appear in the body of the work and at the reference page. Photocopying of limited pages of books for educational purposes is allowed in the library. Users are discouraged from photocopying an entire book; this is where fair use comes into place. The library must ensure that the users comply with this.

User education is important on issue of copyright. Users must be encouraged to acknowledge works copied verbatim to avoid plagiarism. Violation of copyrighted works is punishable under the law of any nation this can be done by organising periodic seminar for librarians and they will disseminate the information to the users. Copyright enriches national library since the library is a legal deposit library. National library receives free copies of any or every

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book published in a country under copyright laws. This enables national library compile national bibliographies. National bibliography in this case adds to other library's collections which can be used for referral services. Section 108(b) and (c) of copyright Act allows a library or archive to make a limited number of copies for preserving and replacing works owned by the library or archive (Asein, 1994; Nigerian Copyright Law, 2004; Akinyoola, 2014).

Issues of Plagiarism

Fawkner and Keremidchieva (2004) perceive plagiarism as using another person's work without due acknowledgement. It is otherwise known as academic dishonesty. This practice is common among lazy students and scholars, who do not have capacity to conduct research on their own accord. However, the practice is not limited to students and lecturers only, journalists, politicians and others are equally involved. Plagiarism has become a serious problem in academia. Shahabuddin (2009) reported that more than 70,000 article abstracts appeared disturbingly similar to other published work when scanned by a new search programme. He examined two thousand and six hundred of these abstracts by hand and found three instances of what appears to be outright plagiarism. Besides, outright plagiarism, there are many examples of double publishing, which mean publishing the same paper in different journals.

According to Turnitin (2014), lack of original content in any piece of written work is considered as plagiarism. Plagiarism is a phenomenon that takes place everywhere around us. Some people plagiarise

unknowingly because they do not know what may amount to it. Others plagiarise willingly as they are simply ignorant or lazy. Researchers are the greatest culprits of plagiarism, when it comes to doing their research work.

According to Turnitin (2014), plagiarism is an act of *fraud*. It involves both stealing someone else's work and lying about it afterward. But can words and ideas really be stolen? According to law, the answer is yes. In Nigeria and many other countries, the expression of original ideas is considered intellectual property, and is protected by copyright laws, just like original inventions. All of the following are considered plagiarism; turning in someone, copying words or ideas from someone else without giving credit, failing to put a quotation in quotation marks, giving incorrect information about the source of a quotation, changing words but copying the sentence structure of a source without giving credit.

According to Wallace (2003), the rise of the internet as the primary source for research has changed the shape of plagiarism. For a lot of users, plagiarism is the result of poor time management and waiting until the night before presentation to write a paper. As carelessness runs into a lack of integrity, it is unacceptable from all scholars, not just students. The goal of scholarship is to discover, understand and create. That purpose is defeated when old knowledge is fraudulently presented as original and new. Most plagiarism is wilful, a sort of theft. It is possible to plagiarise unintentionally, though by being careless or hurried, omitting quotation marks or slipping into the words or ideas of others

through inattention or simply for convenience.

The reasons why people plagiarise are many. Some of them, according to Turnitin (2004), are:

Less time: Some researchers often plagiarise due to the fact that the duration allocated to carry out the given research work is limited. Therefore, researchers tend to plagiarise in order to fast-track or aid the completion of their work. This happens when researchers mismanage their time, thus researchers should do right thing at the right time.

Procrastination: Another factor that makes people plagiarise is procrastination. When researchers engage themselves in other activities other than dedicating time for their research work, procrastination sets in, that is they begin to postpone the research work to another time.

Ambition of achieving higher grades: Often times, most researchers aspire to get the best grades out of their research work; out of curiosity to get the best scores by researchers, they tend to look for works of others that seem good for their own proposed works.

Lack of knowledge: When researchers embark on a proposed research, and they lack adequate knowledge or understanding of the topic they are to work on, in no doubt, they result to plagiarise other people's work which could not be healthy for the result of the research at hand. Researchers should collaborate when finding it difficult to handle a project alone, to avoid plagiarism.

Lack of patience: Some researchers are always in a hurry to round off their research work. Therefore, they rush every

step involved in the process of carrying out the proposed work. Out of the anxiety to finish the work, they lose their patience and indulge in plagiarism.

No trust in one's own ability: Losing trust in ones' ability to work on a particular topic or issue could result to plagiarism. Some researchers think that they cannot carry out research work successfully. At times, some researchers have the fear that they lack the capability of bringing out their best in a research work, and this could make them to plagiarise. This could be as a result of low self-esteem.

Ignorance about the consequences of plagiarism: Some researchers are ignorant of the fact that apart from cancellation of the work of someone who plagiarise, such person is liable to serious punishment under the law.

According to Scott (2004), the consequences of plagiarism can be severe. Newspaper reporters, scholars and others have lost their jobs because they plagiarised the work of others. The vast amount of information freely available on the Internet, the power of search engines, and the cut-and-paste capability of contemporary computer programs have made it easier than ever to commit plagiarism. Of course, web search engines can also make it easy for teachers to detect plagiarism.

Conclusion

Ethics is a professional conduct and a moral principle that governs or influences a person's behaviour. Hence, much attention must be given to it. Nigeria libraries must abide by the code of ethics of their profession, to create the kind of world in which the codes aim at, Nigeria libraries

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should guide their users on information ethics by organising seminar and users' education for library users especially on the information on the internet because information ethics will help curb plagiarism and the abuse of copyright which is internationally recognised as intellectual crime, it will cause a change of behaviour and it will also add quality to research.

Recommendations

Based on the submission of this paper, it is suggested that:

- Enforcing information ethics in Nigerian libraries will lead to improvements in the quality and quantity of academic research output in Nigeria.
- There should be periodic seminars

and workshops on information ethics for librarians and users in Nigerian libraries as this will guide the librarians while carrying out their duties.

- Librarians and other information providers should create awareness for users by conducting research on importance of information ethics.
- Libraries must adhere strictly to copyright rules on the issues of photocopy of the library materials and the use of students' projects.

It is also recommended that Nigerian library should organise periodic library orientation for their users, display consequences of plagiarism on the library notice board and strictly abide with the principle of fair use.

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