

**PERCEPTION AND ATTITUDE OF LIBRARIANS TOWARDS THE USE  
OF COPYRIGHT LAW AMONG FEDERAL UNIVERSITY LIBRARIES IN  
NORTH WEST ZONE OF NIGERIA**

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OF COPYRIGHT LAW AMONG FEDERAL UNIVERSITY LIBRARIES IN  
NORTH WEST ZONE OF NIGERIA**

**BY**

**JIMOH ANDA HARRISU  
SPS/11/MLS/00020**

**April, 2016**

**DECLARATION**

I hereby declare that this work is the product of my own research efforts; under the supervision of Mall Muhammad DaudaYakasai and has not been presented and will not be presented elsewhere for the award of a degree or certificate. All sources have been duly acknowledged.

.....

**JimohAndaHarrisu**  
**SPS/11/MLS/00020**

**CERTIFICATION**

This is to certify that that the research work for this thesis and the subsequent preparation of this thesis by (JimohAndaHarrisu SPS/11/MLS/00020) were carried out under our supervision.

.....  
**Mal. Muhammad DaudaYakasai**  
**Supervisor**

.....  
**Dr. ShehuOnipe Bello**  
**Head of Department**

## APPROVAL

This dissertation has been read and approved as meeting the requirements of the Department of Library and Information Science, Bayero University, Kano for the award of degree of Master's in Library Science.

.....  
**Mall. Muhammad DaudaYakasai**  
**Supervisor**

.....  
**Date**

.....  
**Dr. ShehuOnipe Bello**  
**Head of Department**

.....  
**Date**

.....  
**Prof. GhajiAbubakarBadawi**  
**Internal Examiner**

.....  
**Date**

.....  
**Prof. Innocent Isa Ekoja**  
**External Examiner**

.....  
**Date**

.....  
**Prof. Said Ahmed Babura**  
**Dean School of Post Graduate**

.....  
**Date**

## **DEDICATION**

This work is dedicated to the loving memory of my late father, Mall JimohAdeika and to my lovely mother, Asma'uJimoh whose overwhelming prayers for me are appreciated.

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## **ABSTRACT**

Perception and attitude of librarians towards the use of copyright law in Federal University Libraries of North Western Zone of Nigeria was investigated. The objectives of the study were to identify the level of awareness of copyright law by librarians, to determine the perception of librarians towards the use of copyright law, to determine the attitude of librarians towards the use of copyright law, to find out the level of application of copyright law by librarians, to identify the challenges associated with the application and use of copyright law in Nigeria University Libraries. The researcher employed survey research methodology with the population of 188. The entire population of 188 was used as copies of structured questionnaire were sent to the librarians working in all the seven Federal Universities of North Western Zone of Nigeria. Interview was equally conducted with all the seven university librarians. Descriptive data analyses were employed for the analysis. Majority of librarians in the study area were aware of the copyright law but have no knowledge of the law. Despite the high level of awareness of librarians on copyright law, the law was not applied in their libraries. The librarians positively perceived copyright law but the attitude of university librarians towards the use of the law was completely negative. It also highlighted that there was lack of awareness of copyright law on the part of library users as the library users were ignorant of the law. There was lack of enforcement of the law by the Nigeria Copyright Commission (NCC). It was recommended that the librarians should be trained on how to apply the law in day- to day activities in library operations. It is not enough to be aware of the law but also be conversant with the sections of the law and how to apply it properly.

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## CHAPTER ONE

### INTRODUCTION

#### 1.1 Background to the Study

Libraries are an embodiment of a variety of materials comprising of books, periodicals, pamphlets, reports, video and audio tapes, microforms, motion pictures, sound recording, radio, CD-ROM databases, electronic resources etc. Academic libraries are important components of universities as they facilitate research, teaching and learning. Academic libraries provide information materials by ensuring access to systems of knowledge and information relevant to the pursuit of enquiry and study. Academic libraries play a vital role in universities' quest for academic excellence. The primary mission of the university library community is the exchange and development of ideas and information. This brings us to daily contact with expressions of those ideas embodied in print media, audio, video media and computer media among others. Universities are the producers as well as the consumers of such expression.

The librarian is a professional who is concerned with the collection, storage, processing and dissemination of recorded knowledge in a university library. The librarian will therefore be involved in the acquisition and processing of information resources, maintenance of information sources, services and systems and provision of information resources to users either directly or indirectly (Aguolu and Aguolu, 2002).

It is important to note that librarians are trained to select, acquire and process these information materials (irrespective of their forms) needed by the library users. The aim of the librarian is to satisfy the needs of the users in the library by making sure that users' requests are put to consideration, whether those materials are available or not, the librarian strives to see that such materials are made available.

Hence librarians are in the business of providing information to their respective university communities. They make sure that the moment users place requests for particular information; they strive to acquire the information either by getting them through gift or acquire them from the publishers. Whatever the means of acquisition of information materials, users' needs must be met. In carrying out such business, a lot of activities are involved; selection of information materials, preservation and dissemination of information resources.

The librarian is also closer to publishers of information materials, and because of this fact, the librarians give priorities to only copyright works during selection of information resources, any information materials that are not copyrighted are considered as not standard. In this regard, they are supposed to give adequate attention to the issue of copyright law in libraries.

Perception is closely related to attitudes. Perception is the process by which organism interpret and organize sensation to produce a meaningful experience of the world. In other worlds, a person is confronted with a situation or stimuli; the person interprets the stimuli into something meaningful to him/her, based on prior experiences. However what an individual interprets or perceives may be substantially different from reality(Eagly&Chaiken, 1993).

Attitudehas been described as “learned pre-disposition to respond in a consistently favourable and unfourable manner with respect to a given object”(Fishbein and Ajzen1975). The term attitude has come to mean an individual's feeling towards and belief about the object of the attitude or “the view around the world”. One's attitude towards a certain thing will in fact determine how the individual will react to that thing

when he/she encounters it. Thus, an attitude must have a behavioural component, or what is called a “disposition to respond” (Cambell, 1963). An attitude then is an organized set of feelings and beliefs which will influence an individual behaviour. It is expected that the librarian attitude towards copyright law should be of primary concern particularly as the librarian engages in the business of information provision in libraries. University librarian’s positive attitude towards copyright law will dictate to a large extent how academic librarians perceive copyright law and that will in turn lead to reduction in infringement of copyright law in the university libraries (Fishbein and Ajzen, 1975).

Many of the works produced in the university communities are protected by copyright law; therefore, the librarians should understand and be aware of the essence of copyright laws as it affects library operations.

Intellectual property simply deals essentially with ownership. Intellectual property is a legal field that refers to creation of the mind such as music, literary and artistic works. Inclusive are intentions, symbols, names, images and designs used in commerce. It also comprises copyrights, trademarks, patents, and related rights. Under intellectual property law, the holder of one of the abstract “properties” has certain exclusive rights to the creative works, commercial symbol, or invention, which is covered by copyright law.

Basically, there are four major subjects of intellectual property field, which are, copyright, trademarks, patents and industrial design. The last three are usually called industrial property, mainly because they substantially concern industrial process and application.

Information professionals such as librarians have a role to play in issues relating to copyright law. The fact that librarians and publishers are stakeholders in information

business, they are supposed to be knowledgeable in copyright issues. Because of this, it becomes very important to know whether the librarians concerned perceive copyright law negative or positive in their day to day activities in the library. The librarians are expected to perform the critical task of safeguarding the needs of content creators, rights of authors and at the same time try to balance the law with the users need to get satisfaction with their information needs and this depend on the modalities they adopt in using the law in the library.

Copyright is part of the family of intellectual property rights, it is the sole right granted the author or creator, to copy, produce, distribute, perform, translate, adapt or arrange a work in any material form whatsoever. In other words, copyright is a guarantee for a creator that he or she has legal rights to prevent the use of his material without fair reward. For a work to be a copyrighted it must be original and it is the expression of the idea that is protected but not the idea itself. Copyright encompasses a bundle of rights for the creator, including the right to copy, make adaptations, perform or broadcast the work and have sole ownership. If a material is protected by copyright, libraries cannot legally make it available to the public in any form other than the original. Copyright law provides also that authors may transfer their rights to publishers in order to bring their works to the market. (NCC Handbook, 2011).

In effect, there are really three groups in the copyright phenomenon:

1. Creators who have legal rights under the copyright law,
2. Publishers who have legal rights by transfer, and
3. Users (or institutions such as schools and libraries) who have legal rights through exceptions and limitations to creators' rights. An important function of the copyright law

therefore is to help maintain a balance among these three competing groups. If the owners (publishers) rights were too strong, authors and creators might not be rewarded for their efforts.

There is the concept of fair use which is one of the provisions in copyright laws. In this provision, copying and distribution is allowed for the purpose of research and study, as well as reproducing materials to enable disabled individuals to access it, e.g. translating it into Braille. All these can be done without first seeking the permission of the copyright holder. Fair use consists of a set of guidelines that outline what constitutes allowable use of copyright materials.

In view of the above, copyright law has been a topic of discussion and debate among scholars, librarians and lawyers around the world (Moahi, 2004). Librarians all over the world particularly in the developing countries and specifically Nigeria have divided opinion about copyright law. In spite of the varied opinions of librarians towards copyright law, there seems to be no study that has attempted to gauge and identify the unique views of librarians, their awareness of copyright law, and their perception towards the use of copyright law. It is against this background that the present study is aimed at investigating the perception and attitudes of librarians toward the use of copyright law among Federal University Libraries in North Western Zone of Nigeria.

## **1.2 Statement of the Problem**

Copyright law is operated to control illegal copying of intellectual materials that exist in all fields of endeavors. Copyright law protects the author or artist against unauthorized

copying of his materials, thereby giving the copyholder the exclusive right to control production or adaptation of his work for certain period of time. Copyright law has a lot of benefit; some of these benefits include the authors reaping the benefit of their labour. The authors gain royalty from the sales of their works instead of printers who gain from their illegal sales of some author's works. More importantly, copyright law is very necessary to encourage authors for better creativity.

As custodian and disseminators of information materials, librarians are among those who are expected to play active roles in the application and use of copyright law in their libraries. The librarians seemed not to be aware of the benefit and existence of copyright laws and this might have affected their application of the laws in the libraries. In spite of the stronger copyright mechanism such as the enactment of copyright Act and administration of copyright related issues and supervision by Nigeria Copyrights Commission (NCC), copyright infringements have persisted in the libraries.

Despite the importance of copyright law as stated here in the study, it appeared that librarians in the federal university libraries were not aware of the essence of copyright law. This might have affected their perception and attitude towards its application in the libraries. The essence of this study therefore is to identify the level of awareness of copyright law by librarians in the study area, to determine the perception of librarians towards the use of copyright law, to determine the attitudes of librarians towards the use of copyright law, to find out the extent at which librarians apply copyright law in their libraries, and to identify the challenges associated with the application and use of copyright law in the federal university libraries under study.

### **1.3 Research Questions**

The following are the research question that guided the study.

- 1 What is the level of awareness of copyright law among librarians in the libraries under study?
- 2 What is the perception of librarians towards the use of copyright law in federal university libraries under study?
- 3 What are the attitudes of librarians towards the use of copyright law in federal university libraries under study?
- 4 To what extent do librarians apply copyright law in the libraries under study?
- 5 What are the challenges that are associated with the application and use of copyright law in the federal university libraries of North Western Zone of Nigeria?

### **1.4 Research Objectives**

1. To identify the level of awareness of the selected librarians on the use of copyright law in their libraries.
- 2 To determine the perception of librarians towards the use of copyright law in Federal University libraries under study.
- 3 To determine the attitudes of librarians towards the use of copyright law in federal university libraries under study.
- 4 To find out the level of application of copyright law in the libraries under study.
- 5 To identify the challenges that is associated with the application and use of copyright law in federal university libraries of North Western Nigeria.

### **1.5 Significance of the Study**

This study will help provide requisite information that will lead to the understanding of perception and attitude of librarians on the use of copyright law. It will also help the librarians to understand their knowledge regarding copyright law. This will also help the librarians expand their level of knowledge of copyright law. It will further enable library administrators to be able to make a choice regarding how copyright related issues are handled and thus help inform internal policies regarding copyright law.

Other stakeholders in the business of information such as authors, film producers as well as the Nigeria Copyright Commission (NCC) will also benefit from the study as they will be informed through this whether there is need to initiate an enlightenment programmes with the librarians on the proper application and use of copyright law in university libraries of North Western Zone of Nigeria.

The library users are not left out; hence they are the ones who mostly infringe on copyright law. They will be informed through this study of the implication of copyright infringement. The findings of this study will also be useful to researchers who have interest in this area.

### **1.6 Scope and Limitations of the Study**

This study only focuses on copyright law, one of the many components that fall under intellectual property field, because it is the most relevant to information, knowledge creation, organization, and dissemination. Other fields in the intellectual property like trademarks, patents, industrial designs were excluded. The study focused only on the professional librarians in the Federal University Libraries of

North Western Zone of Nigeria. Para- professional staffs were not part of the study, though, they were part of the staff but it was believed that only the academic librarians must have taken some courses related to copyright law.

The study did not holistically look at all the copyright Acts, but rather focused on the Nigeria copyright Act, CAP C28, laws of federation of Nigeria 2004, which was used to discuss Nigeria copyright experience.

There were a number of limitations that were encountered. The seven Universities studied were far apart from one another in North Western States of Nigeria. This constraint necessitated that the researcher sought for a research assistant in each of the universities in the administration of the research instrument. The researcher had the limitation to administer the instrument personally. There was also time factor limitation. There was a limitation in securing time for an interview with the university librarians.

## 1.7 Operational Definition of Terms

**Academic Librarian:** Within the context of this study, it is someone who works in academic library and holds at least a first degree in Library and Information Science.

**Attitude:** The librarian's behaviour towards the use of copyright law.

**Copyright:** This implies a legal concept that grants authors and artists control over the use of their creations for defined periods of time.

**Copyright Law:** This implies an aspect of law that protects creation of artistic works and, thereby disallows unauthorized use of those works as defined by the law.

**Perception:** Within the context of this study, it means how librarians feel towards the use of copyright law.

**University librarian:** This implies a professional who is in charge of administration, supervision and directing the operational activities of the university library.

**Use:** This implies provision of library materials within the doctrine of copyright law.

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## **CHAPTER TWO**

### **REVIEW OF RELATED LITERATURE**

#### **2.1 Introduction**

Copyright law had received a lot of attention from scholars, civil society workers, public analyst and lawyers. An attempt will be made to review such literature as they relate to the topic in the following order.

- 2.1 Introduction
- 2.2 Awareness of copyright law by librarians
- 2.3 Perceptions of librarians toward the use of copyright law.
- 2.4 Attitudes of librarians toward the use of copyright law.
- 2.5 Application of copyright law by librarians.
- 2.6 Challenges associated with the application and use of copyright law by Librarians.
- 2.7 Theoretical/ Conceptual framework.
- 2.8 Summary of the review and uniqueness of the study.

#### **2.2 Awareness of Copyright Law by Librarians**

There is no standard definition for “copyright awareness” (Aina, 2008). However, some critics have argued that awareness can only be defined in the light of what is being manifested in all forms of perception, knowledge and consciousness. In each expression, awareness is revealed as the ability to perceive (perception), know (knowledge) or the state of being conscious (consciousness) (Apotiade, 2004).

On this wise, copyright awareness is perceiving, knowing and being conscious that copyright exists in all forms of perception, knowledge and consciousness. It is the state of having conscious knowledge about copyright in a perceived manner (Okiy, 2005). When

users of copyright materials exhibit this sense of awareness in an educational institution, it gives authors the opportunity to enjoy the economic value of their works and motivates their authorship. Copyright awareness can be developed when conscious efforts are made to bring it into fruition. For instance, copyright notices are displayed at various points where copyright materials are mostly used.

The importance of copyright awareness can be noticed in its absence (Olaka, 2010). That is to say that the absence of copyright awareness can be noticed when there is the problem of uncontrollable copyright infringement activities such as plagiarism and piracy within an academic setup (Aina, 2008).

Awareness in all sphere of life is very challenging. In the same vein, awareness of copyright protection has also remained a globally controversial aspect of copyright in respect of works eligible for copyright protection, works not protected by copyright and authors' protection under the copyright protection (Olaka, 2010). A lot of people have little or no knowledge in this regard. However, the objective of copyright has always been to protect the interest of creators and users together with the dissemination and access to knowledge and information (Dames, 2006). This is because copyright recognizes that authorship requires an investment of time, efforts and skills. Once expressed in tangible, physical form, an idea can be copied by others; this is the reason why copyright provides protection against copying of those works that have been copyrighted (Moahi, 2004).

Awareness is the first step towards deeper understanding a particular thing. Most people tend to gauge expertise by the level of knowledge and skill that a particular individual possesses in a given field. In order to measure the level of understanding of copyright law

and related issues, the few studies that have tried to undertake this task have tended to use surveys. Williamson (1992) studied awareness of copyright by faculty and teaching assistants in a university in the U.S. Cox (1998) was interested in the awareness of copyright by principals and teachers in the United States. Smith et al. (2006) surveyed 446 faculty members in the health sciences at a U.S. University and found that 56% had limited knowledge, 6% had no knowledge of copyright, and 88% reported that they did not have any formal instruction in copyright.

In a study conducted by Ford foundation (2008) on survey of copyright piracy in Nigeria, it was discovered that high awareness of copyright law is further indicated by 72.24% respondents who said that they had knowledge of the existence of the copyright law. Again this knowledge did not translate to compliance with the law enforcement; the law was taken for granted.

The knowledge of copyright is very important before proper compliance can take place. In this regard, it is not clear whether the librarians have knowledge of the law particularly in university libraries of North Western Zone of Nigeria.

According to Okiy (2005), the regulatory scope of copyright protection keeps on expanding as the reach and power of copyright expands globally. This means, some works that were generally excluded from copyright protection are now often classified as copyright works.

It is obvious that copyright remains the cardinal bridge between creation and access to knowledge and knowledge-based materials

According to Omoniyi (1990), the problem of illegal photocopying (piracy) and plagiarism in our academic environments could potentially result from uncertainties or

lack of awareness of users. It is obvious that tertiary education revolves around the use of other people's copyright works as well.

Unfortunately, the existence of lack of copyright awareness and understanding in our academic environments reveal that some people, including lecturers, students and school administrators, fail to notice that the use of other peoples' expression of ideas without due acknowledgement is offensive.

Lack of copyright awareness in libraries also contributed to high level of copyright infringement (Osofisan, 1999). Osofisan, further defined copyright infringement as the unauthorized use of a copyrighted work in a manner that violates one of the copyright holders' exclusive rights and does not fall into any of the exceptions or limitations on the holder's rights. Based on this, awareness of copyright infringement can be said to be the awareness that is created when people become aware, conscious, alert, and responsive that unauthorized use of works that are copyrighted is prohibited.

While there is a global concern to fight plagiarism, piracy and other forms of copyright infringement by offering protection for copyright works, the scope of copyright protection has globally remained a very controversial aspect of copyright (Moahi, 2004) .

One may even wonder what happens in a university where there is no copyright awareness policy in this era where copyright infringement has become more evident with the emergence of advanced technology, as it is now possible to copy any material in volumes and works that are likely to be protected by copyright. Even though some awareness has been created about the requirements of the copyright law, infringement of the law is still on-going. According to Adusei, Anyimadu-Antwi and Halm (2009), in the African Copyright and Access to Knowledge (ACA2K) report, campuses of tertiary

institutions in Ghana had become the hub for the abuse of the copyright law particularly due to photocopying activities. This is because the books and other information resources available in the academic libraries are highly inadequate to support the large student population. Meanwhile, some students cannot afford to buy the textbooks that are available for sale, especially those published by foreign companies.

This trend is not exceptional to Ghanaian universities only. In Nigeria, students have easy access to photocopying facilities, which has made the activity so common and cheap that they often prefer photocopying to buying pirated materials that are sold for prices which are still unaffordable to students. Unfortunately, private photocopying operators on most campuses who are out to make profit, provide the opportunity for the violation of the copyright law (Okiy, 2005). According to a paper presented by Nyadzi (2008), a large number of students and lecturers are involved in photocopying large volumes of literary works, such as textbooks, journals, music sheets, magazines, etc. This reduces the sales of such publications and royalty payment to authors. It is also estimated that more than 300 billion pages of copyright protected works are photocopied worldwide each year resulting in the loss of about US\$15 billion to right holders (Nyadzi, 2008). The question one may therefore ask is, are users and for that matter library users aware of the copyright law? Whose responsibility is it to create the awareness? According to Adusei, Anyimadu-Antwi&Halm (2009) in their “African Copyright and Access to Knowledge (ACA2K) report”, librarians are aware of the copyright law and they appreciate its relevance to rewarding creators for their intellectual efforts. However, they express reservations for its restrictiveness on permitted use, as well as its vagueness on the “fair use”. With a large population of students and faculty to satisfy as against few information materials,

academic librarians are not able to ensure that the copyright law is complied with in their institutions. It is therefore a relief that the law enforcement agencies are slack in its enforcement. One librarian was reported to confess that ‘the law is not strictly enforced and that helps us. “If the law enforcement agencies come hard on us there will be a public outcry and that will equally force the government to take a second look at the copyright system” (Adusei, Anyimadu- Antwi&Halm, 2009). This research report also revealed that, some universities in Ghana do not have any copyright policy or even notices displayed at places where photocopying activities are undertaken to inform people on the quantum of materials that may illegally be photocopied and the implications of violating the copyright law(Adusei, Anyimadu-Antwi&Halm, 2009). This assertion has however been debugged in this research.

In response to the massive unauthorized photocopying of copyright protected works worldwide, right holders in the literary industry from many countries (including Ghana) have adopted measures that will ensure that all outfits involved in photocopying for any reason whatsoever are “licensed to do it in a legally regulated environment” (Nyadzi, 2008). This move led to the establishment of the Reprographic Rights Organizations (RROs) in 1973. Presently, over sixty (60) countries worldwide have established RROs mainly to collect and distribute royalties to right holders as compensation for the financial loss incurred through mass photocopying. Through licensing, the RROs also aim to monitor the genuine use and abuse of literary works and to create and promote cordial relationship between right holders and users (Nyadzi, 2008; CopyGhana, 2009)

It is important enough to consider the extent of librarians’ knowledge of copyright law which could affect their level of application of the law in the library. Recent research

indicates that both knowledge and practice have been in wanting. In Schlosser's (2009) study of copyright statements on digital library collections, she found only "half the collections surveyed had copyright statements, and those statements were often difficult to distinguish from terms of use and were frequently vague or misleading". She speculates one reason for this as lack of copyright knowledge within libraries. Chase (1994) conducted a study on media directors in higher education and found 18% were able to achieve the established proficiency level of 75% when asked questions on "copyright law and related guidelines". He concluded, "Many educators are frustrated by the limitations of the Copyright Act, but if they fully understood the law and its intent, they would understand the liberal degree of latitude that is available".

Talking about knowledge of the copyright law, it is important to find out if copyright law is being studied in our library schools as a course which will dictate librarian's acceptance of it. Dames (2006) observed that

Given the importance of copyright issues in daily professional librarianship and library advocacy, it speaks poorly for our profession that so many librarians enter the workforce without proper grounding in copyright, the legal construct that governs the creation, reproduction, distribution, and repurposing of information.

Cross & Edwards (2011) emphasized that:

Unfortunately, the current state of legal education within LIS programs raises particular concerns in that it may give some librarians a false sense of security. In the absence of thorough legal education, commonly repeated misinformation may take hold and be perpetuated.

In a review of ALA-accredited programmes, Gathegi & Burke (2008) found that progress was made in providing legal education in the curriculum, with library and information science (LIS) school Deans and Directors recognizing the importance of law related

courses. However, the authors pointed out that, “Surprisingly, findings have shown current issues in the field, that there is paucity of courses in intellectual property/copyright”. Despite the overall increase of courses dealing with the broad topics of information law, legal information management and processing, and intellectual freedom and ethics, copyright education seems to be an area which continues to be ignored or overlooked. Interestingly, Dryden (2011) studied Canadian graduate library and archives education programmes and found copyright education courses to be the most common of the legal education classes offered. However, she disclosed that accurate data was difficult to compile since course descriptions did not always include a complete and specific accounting of all topics covered.

In a study carried out by Olaka(2010),knowledge of copyright issues was tested. Twenty five (15%) of the librarians were rated as very knowledgeable; 52(31.1%) was rated as knowledgeable; 60(35.9%) was rated moderately knowledgeable; 26(15.6%) were rated as a bit knowledgeable; while 4(2.4%) were not knowledgeable in tested knowledge. This is particularly important because knowledge of the copyright law will allow librarians not only to develop interest in it but will make them accept and apply it appropriately.

Eye (2013) conducted a study to show library Deans and Directors’ level of working knowledge of basic copyright law. Majority of them seemed to have at least a working knowledge of basic copyright law, despite the reported scarcity of formal training, especially in library schools. Together, they correctly answered a mean of 77.49% of the ten questions in the quiz, with the most success related to defining fair use, the exclusive rights of copyright holders, and the nature of copyright work. It is especially interesting to examine how respondents reported their own knowledge of copyright law as largely

adequate (64.9%), as well as the knowledge of the librarians working under their supervision (53.5%), yet less than 11% agreed that library schools were providing adequate training in copyright law to academic librarians. It does not appear, based on the study, that an ALA- accredited master's degree had a significant effect on copyright knowledge. Rather, library deans and directors seemed to be educating themselves about copyright law (Eye, 2013).

In a study carried out by Eye (2013) participants were asked to reflect on their own copyright knowledge, specifically, how they were able to make sound decisions in the development and enforcement of copyright policies. A total of 64.9% of the respondents indicated that they agreed or strongly agreed they had adequate knowledge of copyright law. Just over 12% indicated they either disagreed or strongly disagreed with the notion that they had adequate knowledge to make sound decisions concerning copyright law.

Copyright law can be ambiguous and confusing to interpret; especially with “the proliferation of misinformation and misstatements” surrounding it (Butler, 2010, p. 19), but that should not discourage library professionals from developing and implementing policies that balance access to information with respect to the restrictions that carry both legal and ethical implications. In line with this, Ball and Oppenheim (2005) conducted a study to know how librarians and students felt about copyright law. The study revealed that 45.5% of students and 47.8% of librarians felt that copyright law governing photocopying was fair. There was also little difference between the numbers who held the opposing view. About one in five of the ILS students and librarians disagreed that it was fair. However, in a further question only 45.5% of librarians agreed and 24.2% of

librarians disagreed that copyright law should be rigidly enforced. Students were slightly less committed (33.6% agreed).

Olaka& Adkins (2013) investigated how Kenyan academic librarians with varying education levels solved and handled copyright issues when presented to them by library users. It was revealed that librarians from the different education levels differed in solving and handling copyright issues. In a study, Isiakpona (2012) found that the level of awareness of copyright laws by undergraduate students was considerably high but the knowledge on the provision of the copyright laws on the use of printed or literary materials was low among the undergraduate students in the University of Ibadan. Wan, Ismail & Cheat (2012) conducted a study on plagiarism as to what extent it was understood. The purpose of the study was to identify the extent of students' understanding of the concept of plagiarism through the use of computer and information technology. The results showed that the students' understanding of the concept of plagiarism was not satisfactory. Olaka& Adkins (2012) conducted a study on exploring copyright knowledge in experience and education level among academic librarians in Kenya. The result showed that academic librarians were only moderately knowledgeable about copyright issues.

Despite these critical reviews in providing insight into awareness of copyright law, they are not comprehensive. No study had tried to investigate awareness of copyright law by librarians in the study area. This study will therefore fill that gap.

### **2.3 Perception of Librarians Towards the Use of Copyright Law**

In our daily activities, we tend to attach meaning to what we see around us. Those things we see around us are defined internally and our mind interprets these meaningfully, in a

process known as perception. In other words, we perceive objects, people and possibly events around us and we tend to attach names to those things we see to make a meaning. By definition, perception has been defined as (a) “a result of perceiving: observation, (b) a mental image: concept” (Merriam-Webster, 2003). Because perceptions can determine our attitudes towards something and can actually cloud our judgment of others or something, it is important to know how copyright law is viewed i.e., perceived by university librarians. Such will determine whether they have negative or positive perception of the law or not, which in turn can influence their attitudes. “Perception is the process whereby organisms interpret and organize sensation to produce a meaningful experience of the world” (Lindsay & Norman, 1977). However, what an individual interprets or perceives may be basically different from reality.

The perception process follows four stages: stimulation, registration, organization and interpretation (Lindsay & Norman, 1977). Assael (1995) put it that “a person’s awareness and acceptance of the stimuli played an important role in the perception process. Receptiveness to the stimuli is highly selective and may be limited by a person’s existing beliefs, attitudes, motivation, and personality”. Libraries must support copyright because they should recognize the need for creators to be rewarded for their work and for creative works to be protected from piracy and other unfair exploitation. As pointed out in WIPO (2005) “we uphold copyright laws and encourage our users to respect them”. However, copyright is not only about protection of right holders, it provide balanced protection on both the users of information and the authors. As stated in WIPO (2005), “copyright was from its early days meant to balance the need with the user’s right to access information for teaching, learning and further creative endeavours”. WIPO (2005) copyright treaty

recognized the need to “maintain the balance between the rights of authors and the larger public interest, particularly education, research and access to information”. It is based on this balance that librarians allow access to information by the users. The copyright law is supposed to be positively perceived by the librarians so as to allow both authors and publishers have a sense of belonging. As pointed out in WIPO we need a minimum set of users’ rights to redress the balance i.e. proactive acceptance of agreed norms by rights holders and users.

Assale (1995) went further to say that individuals would select the stimuli that satisfied their immediate needs which he called “perceptual vigilance” and the individual might disregard stimuli that may cause psychological anxiety which he referred to as “perceptual defense”

There are other definitions of perception, particularly, social perception. Nelson and Quick (1997) defined the concept as “the process of interpreting information about another person”. What this definition means is that the opinion of Mr. ‘A’ about Mr. ‘B’ depends on the amount of information available to Mr. ‘A’ and the extent to which Mr. ‘A’ is able to interpret the information he had acquired. In other words, a person may be in possession of the same set of information that other people have on a particular situation, person, or group but would arrive at different conclusion due to understanding and individual differences in the capacity to interpret the received information. This may be one of the reasons that dictate to a large extent why some librarians may consider copyright relevant more than other librarians. Some librarians may act otherwise towards applying copyright law in their library because they have different perception towards the law.

Rao and Narayan (1998) obviously share the main opinion of the above definition. In their own words, “perception is the process whereby people select, organize, and interpret sensory stimulations into meaningful information about their work environment”. They argue that perception is the single most important determinant of human behavior, stating further that, “there can be no behaviour without perception”. Though, focusing on librarians in the use of copyright law, Rao and Narayan (1998) draw attention to the fact that since there were no specific strategies for understanding of others, everyone appears to be “left with his own inventiveness, innovative ability, sensitiveness and introspective skills to deal with perception”.

Nelson and Quick (1997) described the three major characteristics that influence our perception of other people or things to which they said;

- Perceiver’s specific characteristics: - One of the perceivers – specific factors that influence perception is familiarity with the object of perception. Familiarity implies that, compared to others, we are better positioned to make observation leading to better relative ability to arrive at supervisor decisions about a particular situation. This characteristic is relevant to the present study as may be, librarians working in the university are familiar or not with the copyright law and when they are not familiar with it, that might be very difficult for them to actually use it or sanction anybody in the library who goes against the law. But if they are familiar with the law, their perception of the law might be positive. In other words familiarity counts very much because for one to perceive something accurately you must have been familiar with such a thing, either through your experience or knowledge.

- Target – specific characteristic: - One of the most important target-specific characteristic is the physical appearance of the perceived. Some of these characteristics include height, weight, estimated age, race and gender. The way a person dresses speaks volume about him or her.
- Situation – specific characteristics: - This is a very significant factor that affects the impression that informs someone about an individual.

Therefore, among the three characteristics of perception, perceiver's specific characteristic which has to do with familiarity with target is the one that is related to the topic of discussion. One thing is clear that the extent librarians working in the university becoming familiar with copyright law is very questionable. It is actually their familiarity with the law that will enhance the knowledge of the law before it is applied. As noted by Schiff (1970):

In order to perceive something, one must first be aware of it. Thus awareness may be a considered aspect of perception, perhaps the most basic and preliminary aspect, and research into individual differences in the awareness of stimuli is a legitimate and productive research aim.

In this respect, if the librarian is not familiar with the copyright law, definitely application of copyright law in the library will be very difficult and such will have a great effect on the users as well. A study conducted by Isiakpona (2012) on undergraduate students' perception of copyright infringement, reveals that the level of awareness of copyright laws by undergraduate students was considerably high (about 85%) but the knowledge on the provision of the copyright laws on the use of printed/literary materials was low among the undergraduate students in the University of Ibadan. This may be as a result of the level of familiarity of librarians with copyright law, hence they are the ones

who are supposed to educate the users on the effect of none application of copyright law in the library.

It was discovered from the review that the awareness of copyright law by undergraduates was very high but their knowledge of copyright law is particularly low but no study has been carried out to investigate the perceptions of librarians on the use of copyright law.

From the review, there are no empirical studies that tried to gauge the perceptions of librarians on the use of copyright law. However, the review is not comprehensive enough. No study had tried to investigate perception of librarians on the use of copyright law in the study area; this study will therefore fill that gap.

#### **2.4 Attitudes of Librarians Towards the Use of Copyright law**

Fishbein and Ajzen (1975) describe attitude as “learned pre-disposition to respond in a consistently favourable and unfavourable manner with respect to a given objective” in other words, attitude helps us define how we see a situation, as well as define how we behave toward the situation or object. Attitude causes us to behave in a particular way toward an object or person. Librarians attitude towards copyright law actually dictate the way they behave towards the use of copyright law in the library. If their attitude towards it is positive then it is likely that the use of copyright in the library will be high and the users of information materials will be conscious of the law. In this regard however, it is important to note that, “a particular attitude does not exist in isolation” (Michener, Delamater and Myers, 2004). They went further to say that attitude, ordinarily describes the mental condition of an individual, which implies, that attitude exists in the mind of a person. Oppenheim (1966) defined and describe attitude as:

... A state of readiness, a tendency to act or react in a certain manner when confronted with certain stimuli... Attitudes are reinforced by beliefs (the cognitive components) and often attract strong feelings (the emotional components) that will lead to particular forms of behavior (the action tendency components.)

Michener, Delamater and Myer (2004) explained that there are three components that make up of a person's attitude, which according to them include cognition, an evaluation and a behavioural predisposition. They explained that in cognition, individuals that like or dislike certain objects or activities basically do so because they harbour certain perceptions about these objects or activities. In this way, perception features as an important modifier of cognition. In this case, perception plays a greater role in one behaviour.

In the evaluation components of attitude, they argue that there are both positive and negative aspects of evaluation. To them, evaluation involves direction (negative or positive) as well as an intensity (that ranges from the very weak to the very strong).

For the behavioural predisposition component of behaviour, they explained, that we describe an object or activity as boring; we express a tendency to avoid all classes of that object. They concluded that "people having a specific attitude are inclined to behave in certain ways that are consistent with that attitude" (Michener, Delamater and Myers, 2014).

Katz (1960) opined that attitudes are acquired through learning and sharing knowledge with others. It is on this premise that one will argue that some university librarians may not have taken their time to learn the copyright law, this may equally be one of the reasons that show that they may or may not be using copyright law in the library though

there could be so many other reasons because publishers and librarians are expected to be partners in progress. As Katz (1960) put it, attitude helps us in developing favourable predisposition about object that rewards us and unfavourable attitudes those that attract punishment-towards us. Based on this explanation, Pratkains& Greenwald (1968) opined that “because of the complexity of our social environment, attitude helps us to group people, objects and events into categories”.

Having explained the concept of attitude, it will be better to know whether librarians see any benefit in applying copyright law in their library or not because going by what Katz (1960) said, people tend to develop favourable attitude towards something particularly if there is reward attached to such thing.

As observed by Fabunmi (2007), libraries and Librarians have an institutional role in the effective administration of copyright in Nigeria because they are custodians of most intellectual property. This is true because librarians select and purchase or acquire information materials from publishers in large volumes and they are equally expected to be one of the forces that encourage application of copyright law. In this respect, authors will benefit from effective application of the copyright law. Authors will be motivated to make new works. But if libraries develop negative attitude towards the application of copyright law in the library, Apotiade, (2004) explained that it could have negative impact on our educational sector because according to him libraries play a key role in educational institutions in many spheres, including copyright.

In a study conducted by Ball and Oppenheim (2005) on the attitudes of librarians for copying of software for home use, the respondents’ attitudes toward copying software for home use was unequivocal. The attitude of the bulk of both sets of respondents was that it

is unacceptable for employees to make unauthorized copies of software. Only 2% of librarians and 4.5% of students felt that this was an acceptable practice. Library Science students and librarians appear to be slightly more reliable than information systems employees, of whom in an earlier study, 7.8% felt that copying software was acceptable.

It is important to note that librarians have a major role to play in the use of copyright law. Aguda (1962), Pitman (1982), Campbell (1995) and Osofisan (1999) discussed reasons for copyright in any society and the moral, economic and cultural argument for it. They centered on society's recognition of intellectual creativity of the author and the financial investment made by the publisher in publishing the work. Hence there is need to give the author and his publisher a limited monopoly right to reap the fruits of their labour and investment.

However, proper use of copyright law by librarians and whether they develop negative or positive attitude towards the law depend to a large extent on the kind of encouragement they receive from the body that administers copyright issues in Nigeria, that is the Nigeria Copyright Commission. Sodipo (1990), Omoniyi (1990) and Agetan (1992) observed the weakness of the existing machinery for applying the law and recommended sustained enlightenment campaigns by the Nigeria Copyright Commission to sensitize all the participants in national book development including librarians to the provision of the copyright law and the consequences of their violation.

Apart from Nigeria Copyright Commission taking a bolder step in educating the users of copyright law, librarians equally have a role to play, that is, if their attitude towards copyright law is positively developed. Urs (2004) pointed out that:

Libraries should give easy-to-understand basic knowledge about copyright and IPR laws to the users by creating and providing access to copyright

hand books. Impart training to make users more aware about the implication of the copyright laws and IPR.

Some orientation programmes can also be organized by librarians so that the users become more conscious about the use of library materials much more carefully and lawfully. However, libraries, being social and cultural institutions, have the responsibility to make available all types of information resources in order to satisfy the information needs of the users. They should equally consider the right of authors as pointed out in the copyright law. Despite these surveys being critical in providing insight into attitude of librarians towards copyright law, they are not comprehensive. No study had tried to investigate attitude of librarians towards copyright law by librarians in the study area. This study will therefore fill that gap.

## **2.5 Application of Copyright Law by Librarians in University Libraries**

Librarians play a key role in the educational development of a nation in many spheres, including copyright issues. Library collections consist of copyrighted materials and their mission is to make these materials available to students and faculties in support of teaching, learning and research. Librarians are information providers of authors' intellectual outputs and in the library they share materials and preserve works under specific provisions in the copyright Act. As pointed out by Fabunmi (2007) :

Libraries are often the only entities that provide access to the vast majority of copyrighted works that lose market vitality long before the expiration of the copyrights, and are often the only entities that preserve public domain materials. Libraries enable users to access copyrighted and public domain works and to exercise their right under the exception and limitations to creator's right in the law.

In this regard, the librarians working in the university libraries have to be mindful of the activities that take place in the library particularly on the issue of how and when to apply the law on those who use the information in the library because their profession necessitate paying close attention so that they play balanced role and promote users right as well as creators' rights.

As far as libraries are concerned, the librarians select from vast information resources available but only those ones that are relevant to the needs of users and this makes the library a significant market for published works however small the library might be. The vast majority of copyright works in library collections are purchased and acquired through an “increase agreements” (IFLA, 2001). Librarians are always very careful when they acquire materials for their libraries because “they pay more for copyright works than works of an individual” (Fabunmi, 2007). Based on this reason, it is important for the library staff and users to be familiar with copyright law, their limitation and benefits when making use of materials in the library. Even though the users might be given an opportunity to copy some part of the information materials, that should be strictly guided by the law in order to safeguard anti-piracy legislation. As pointed out by Fabunmi (2007):

Librarians need to recognize that most users of copyrighted materials are not aware of their dependence on balanced law and policy for access to information and for gaining knowledge. Members of the public take their rights for granted and generally exercise common-sense, but do not usually get involved in policy deliberations. Librarians should take seriously their roles as advocate for individual users of copyrighted materials. Librarians need to ensure that the right and privileges of their customers are safeguarded i.e. they must ensure the library use of uninhibited access to available collection in aid of research. Any user that is unsure if the materials to be copied are protected by copyright need to seek advice from the library staff.

From the forgoing, application of copyright by librarians is very important because they are equally supposed to be copyright expert. Librarians have to apply copyright in the day to day activities of the library because they have to protect the author's right as pointed out in copyright law. They may do this by providing the right guidance to their library users on how to make use of the library stock without infringing on the copyright. Some measures have been provided by Fabunmi (2007) as a means through which librarians can apply copyright law in the library. Research projects in the library should be made available for researchers for consultation only. Photocopying the entire work should not be allowed, and law should be strictly adhered to. Also, the librarians should ensure that precise citation is done by any researcher for any little information collected from a given source in the library.

Orientation is particularly important as to how the library staff are to handle copyright related issue because according to Moahi (2004), explained that "an understanding of copyright is particularly important in an academic, scholarly and artistic environment where people are continuously using the works of others to build and shape their own thoughts, opinions and indeed produce their own work". In most cases, the students or the users of information are not to blame for an act of "infringement and piracy" (Moahi, 2004). Though there are other activities that may take place in a library that could give rise to copyright issue, such activities according to Australian Copyright Council (2000) include:

- Supplying photocopies or digital reproductions to clients;

- Copying for another library under “inter library loan”, rather than sending the original;
- Copying to replace materials in the collection or add to the collection and
- Making preservation of research copies of materials in the collection.

Piracy if allowed by librarians in their libraries could pose a lot of danger, both to the production as well as access to information materials. As pointed in WIPO (2005), the consequences that piracy may have include:

The commercial activities of pirates undermine the chance on the market for those who publish and distribute works in a legitimate way, and take the risk to invest into the promotion of new, still less known talents, mainly national authors.

For this consequence, they might not have any chance to succeed in their business since the market is flooded with cheap pirated publication, in that regard, the authors as well may decide to put a stop to their writing and such could have a serious effect on the library and education as whole.

McDermott (2012) argued that, “the library community can no longer afford to consider intellectual property law as a foreign topic appropriate for law schools but not library schools”. There is an accumulating body of evidence indicating the library profession has fallen behind in recognizing the importance of understanding copyright law as a critical factor in effective librarianship and to some extent felt to apply to the fullest on the users who are always infringing on the law (Moahi, 2004). That has contributed to the reason why library users will always photocopy large volumes of books and nobody challenges them to have gone against copyright law.

A contributing factor to lack of copyright application by librarians is likely the lack of copyright related education in general. Jaszi (2013) asserted that, “the courts have given

us little, if any, specific guidance on how to think about fair use and education”. With few legal precedents to inform the interpretation of copyright law in libraries, it is difficult to design and implement clear policies and practices. However, a recent district court decision, Cambridge university press vs. Becker (2012), (known as the Georgia State case) has provided at least some light on how fair use can be interpreted on library resources. Another recent case was Authors Guild vs. Hath Trust (2012), in which the court provided valuable insight into what fair use looks like for libraries, especially in a transformational context. A third recent copyright case involving libraries was Association for Information Media and Equipment vs. Regents of the University of California (2012); however, it was dismissed by the court and much of the case hinged on non-copyright matters.

Despite this latest outbreak of legal activity, there are still many unanswered questions, especially, regarding fair use in electronic reserves, interlibrary loan, and excessive photocopying in the library. Fortunately, a new resource which has become helpful for librarians is the code of best practices in fair use for academic and research libraries (2012). It is important to note that application of copyright law by librarians will make the information user to appreciate the work of authors at the same time encourages them to write. Though some of the users of information are equally writers as well, despite that, they need to know the provisions in the copyright law and it is only the librarians who will help in enlightening the library users on the issue of copyright law.

From the review, it was discovered that there is low level of copyright application on the part of Librarians and library administrators as many of the librarians studied, lack knowledge of copyright law. (Chase, 1994; Cross and Edward, 2011; Ball and

Oppenheim, 2004). Despite these surveys being critical in providing insight into application of copyright law, they are not comprehensive. No study had tried to investigate application of copyright law by librarians in the study area. This study will therefore fill that gap.

## **2.6 Challenges Associated with the Application and Use of Copyright Laws in Nigeria University Libraries**

The historical trend of copyright law indicates that copyright law has been in existence for a very long time and practiced to grant the authors exclusive right. Despite this, the applicability and use of the law particularly in Nigeria is still at the hatching stage. There are so many challenges associated with the application and use of copyright laws in Nigeria university libraries as pointed out in NCC (2008), thus:

.....the position and role of law enforcement agencies like the police, customs, and other officers of relevant government agencies is critical. In most developing countries, these personnel are faced with various challenges which hamper effective delivery on their mandate.

This has to do with proper use of the law. For example, in situations where one has discovered that his/her library is not properly using the law as indicated or the law is not used at all, the library user can use the materials the way he/ she wants and in a situation where the law is not properly used the library staff can query improper use of the information. The law enforcement agencies as well equally lack some machinery to be able to make arrest in that regard because of their level of knowledge of the law (NCC, 2008). Though, the Nigeria Copyright Commission claimed they have been carrying out enforcement activities to which they pointed out that:

From May 2005 to May 2007, the Commission conducted 157 inspections and 155 anti-piracy operations in Lagos, Ibadan, Ilorin, Enugu, Owerri, Uyo, Port-Harcourt, Makurdi, Bauchi, Kano, Kaduna, Aba, Benin City, Yola and FCT. The operation was carried out on books, music, film, software and broadcast piracy”.

The enforcement programmes NCC carried out might not have serious impact on the librarians because, most of the enlightenment programmes carried out by the Commission as reported by NCC 2008 did not target libraries and librarians as it said that:

The Commission has continued to use multi-faceted communication channels in disseminating information on copyright and the ills of piracy. The major target groups are the policy makers and officials; members of the bar and bench; enforcement officers; right owners and the consuming public.

In a study carried out by Ford Foundation (2008), it was revealed that a good number of (44.4%) of the respondents observed the weakness in the enforcement of the copyright law in Nigeria due to non-effectiveness of NCC and other law enforcement agencies. Most of the respondents (84.47%) indicated that they were aware of the existence of the Nigeria Copyright Commission (NCC).

Notwithstanding, the rather positive performance librarians working in the university demonstrated on the copyright knowledge assessment, it is clear, there is a recognized need for more significant training in copyright law. Less than 11% of respondents agreed library schools were providing adequate training in copyright law to academic librarians, while 41.3% were neutral and 47.8% either disagreed or strongly disagreed. Several librarians commented on the frustration they experienced with copyright issues, especially the law’s ambiguity and lack of clarity (Eye, 2013).

It is only when librarians, the academia and the students are properly enlightened on copyright law that the use of copyright law in the university libraries could be achieved. They have to realize that librarians are one of the strong forces and more importantly information providers to a very large number of people within the university community who need to be properly acknowledged on copyright issues and discussions. Because they are not properly acknowledged, some of them may feel reluctant in the application of the law and as well, it may affect perception and attitudes of library users towards the law negatively.

In the study carried out by Olaka (2010) to find out the knowledge of copyright issues by librarians in Kenya, the result showed that academic librarians in Kenya are only moderately knowledgeable about copyright issues. The study revealed that as many as 25.7% (43 out of 167) academic librarians studied were either not aware or had little knowledge of the existence of the copyright policy in the library. Academic librarians in Kenya who were moderately, a bit knowledgeable or had absolutely low knowledge of copyright issues accounted for 90 (53.9%) of all academic librarians. Lack of or limited knowledge of copyright does not seem to be confined to only librarians in Kenya University. Matsika (2007) and Kwoyaya (2006) in Zimbabwe and Uganda respectively reported the same situation in their various studies that librarians lack sustainable knowledge about copyright issues. In the United States, Smit et al (2006) found that 62% (292 out of 466) of Health Science Faculty in two Universities in the United States had limited or no knowledge of copyright. In Nigeria, Okiy (2005) showed that ignorance about copyright was mainly among persons operating small scale

photocopy shops and they do not see anything wrong with rampant copying of copyrighted materials because to them it is business and a means to eke out livelihood.

From the above studies, it is evident that most librarians lack knowledge of copyright law and that may have negative effect on their attitudes on the use of copyright. Knowledge and awareness go hand in hand because it is only when one is aware of certain thing that he tends to learn more about such thing. The low level of knowledge of copyright law on the part of librarians could be the reason why they (the librarians) allow the library users to infringe on copyright law without knowing it, or see the people photocopying volumes of books without any one stopping them even within the library as it is evident that most libraries offer reprographic services. Those who offer these services do not know the law guiding the operation.

Olaka (2010) pointed out in his study that library users infringed on copyright not because they wanted to, but because academic libraries in Kenya had insufficient information materials. This indicated why students involve in photocopy of books without considering whether such a material is copyrighted or not. In a study carried out by Isiakpona (2012) to find out the undergraduate students' perception of copyright infringement in university of Ibadan, it was discovered that 131 (65.5%) students infringed copyright through photocopying. The majority of undergraduate students engage in photocopying as a form of copyright infringement. This could be as a result of their ignorance about copyright itself. The study revealed that undergraduate students perceived copyright law negatively due to their low level of knowledge of the issue of copyright law. As reported on the study carried out by Isiakpona (2012), 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 undergraduates in the University of Ibadan.

Apart from the low level of knowledge of users on the issue of copyright law, the librarians who are the service providers need to be knowledgeable on the issue of copyright law. In the study carried out by Eye (2013) indicated he believed that the knowledge, as well as those people working under the supervision of university librarians, was adequate to make informed decisions. However, almost of 90% the respondents were either neutral or disagreed that library school programmes were providing adequate training in copyright law to academic librarians. The study revealed that library university librarians have a basic knowledge of copyright law concepts. However, it is unclear as to whether their understanding is sufficient to provide a sound basis for developing and sustaining operational policies and strategic direction for their libraries. This is particularly serious in the use of copyright law because it is one thing to have knowledge of a particular something, but understanding as to how such thing could be applied is a different thing. In this regard, some of the factors that affect the application of copyright law as revealed in Olaka (2010) include:

- Level of familiarity with copyright law on the part of the librarians.
- Librarians generally have low level of knowledge of copyright law. This to a large extent has led to the librarians not applying copyright law in their respective libraries.

- Because of low level of copyright knowledge by the library staff, it becomes difficult to implement the law as users of the library take the advantage to infringe on copyright law.

Considering the economic importance of copyright law, it is imperative that librarians should begin to apply copyright law and disallow infringement. As explained by Picard (2004), “infringement represents the reproduction, distribution, display, or performance of a protected work that caused economic harm to the copyright holder and creates economic benefit to the infringer.” As for piracy, it is equally a serious offence to pirate any items belonging to another person. Picard (2004) explained that:

Media that are most often the victim of piracy are motion pictures, and audio recordings, cable networks, books and computer games and software. Most forms of piracy include illegal duplication, counterfeiting, and unauthorized public performance.

Considering the effect of piracy, Bounie et al (2005) made an attempt to provide the separation of the substitution and complementary effects implied by piracy of music, using survey data from French University students. They found much interesting evidence relating to stated CD purchases, MP3 files, and the size of CD collections. Their statistical analysis showed that overall, the effect of using file sharing networks and MP3 files led to an effect on sales of CDs of between -5.2 per cent and +9.7 per cent. The positive influence is due to the presence of “samplers”, which is generally a smaller subgroup than the pure “pirates”.

A second principal area of interest for economists with respect to the economic effects of copyright piracy has been the case of home taping of rented videos and movies from television emissions. The paper by Cronin and Wusterbarth (1986) made some estimates for the lost royalties of copyright holders due to this type of piracy, based on a survey of

1,620 North American households. From their survey data, Cronin and Wusterbarth estimated that, in 1982 in the US, 39 million home tapes of movies from commercial television broadcasts, 29 million copies of movies from pay television broadcasts, and about 7 million copies of rented or borrowed videos were made. Using these figures, the final estimates for the actual monetary amounts of lost royalties during 1982 are 2.7 million US dollars from tapes made from commercial TV, 1.9 million US dollars from tapes made from pay TV, and 1.1 million US dollars from tapes made from rented or borrowed videos.

Although they did not present such statistics, it is interesting to note that from the Cronin and Wusterbarth paper, it is in fact possible to conclude that a massive 93.5 per cent of home taping of television broadcasts, and 74.3 per cent of home taping of rented or borrowed videos represent lost sales for the industry.

In this regard excessive duplication or photocopying business that provides copies of books, articles for students are engaged in illegal duplication for commercial purposes.

The review has revealed a substantial knowledge about some factors that affect the use of copyright law in Nigeria University libraries. Those factors ranging from low level of knowledge copyright law by librarians, lack of awareness of the law, improper enforcement of law by NCC (Ford Foundation, 2008; Olaka, 2010; and Isiakpona, 2013).

The review failed to point out specific challenges faced by librarians in the application and use of copyright law in the study area. The present study will however fill that gap.

## **2.7 Theoretical and Conceptual Framework**

A theory is a way of explaining some segment of the empirical world; it consists of a set of concepts that are defined and interrelated to present a view of a phenomenon (Burns

&Grove 2005:9; LoBiondo-Wood & Haber, 2002:109; Polit&Hungler, 1999:716).

According to Burns and Grove (2005:9), a theory is developed from a combination of personal experiences, findings and abstract thought processes.

Brink (1999:29), as well as LoBiondo-Wood and Haber (2002:110) stated that a model is often described as a symbolic depiction of reality. It provides a schematic representation of some relationships among phenomena and uses symbols or diagrams to represent an idea. If the research is undertaken in a context of a theoretical framework, it will help to organize the study, examine a problem, gather and analyze data. Burns and Grove (2005:128), as well as LoBiondo-Wood and Haber (2002:490) defined a conceptual model as a set of highly abstract, related constructs that broadly explains phenomena of interest, expresses assumptions, and reflects a philosophical stance. Brink and Wood (1998:283); as well as Polit and Beck (2004:116), concurred that a conceptual framework/model provides a broad understanding of the phenomenon of interest, the assumptions and the philosophical views of the model's designer. The phenomenon under the current study is perception and attitude of librarians towards the use of copyright law among university libraries in North Western Zone of Nigeria.

Creativity is universally agreed to be a good thing that copyright law should seek to promote and protect (Moahi, 2004). Scholars have developed series of theories of copyright regarding the perception of people and their general attitude towards the law. Within the mainstream of copyright scholarship it has been taken as self-evident that a grand theory of the field must be grounded either in a theory of rights or in a theory of economic analysis (Bettig, 1996).

This study will adapt Economic theory of copyright law formulated by William Landes and Richard Posner (1989). From the analysis of economic theory of copyright law, Landes and Posner (1989) argue that all the intellectual creations fall into a small but important category of products that economics refers to as “public goods”. According to them, the theory has both “supply and demand side”. While the supply side of copyright law emphasizes on how increase in copyright protection could be enforced to allow authors have more incentives, the demand side of the theory is considered as being lenient so as to ensure that consumers of copyright goods are not severely disadvantaged by excessive high prices. The theoretical stance is a balanced framework for the authors, the users of information as well as the information providers (librarians).

The distinctive characteristics of most intellectual products, Landes and Posner arguments, are that they are easily replicated and that enjoyment of them by one person does not prevent enjoyment of them by other persons. Those characteristics in combination create a danger that the creators of such products will be unable to recoup their "costs of expression" (the time and effort devoted to writing or composing and the costs of negotiating with publishers or record companies), because they will be undercut by copyists who bear only the low "costs of production" (the costs of manufacturing and distributing books or CDs) thus, can offer consumers identical products at very low prices. Awareness of that danger will deter creators from making socially valuable intellectual products in the first instance. According to them we can avoid the economically inefficient outcome by allocating to the creators (for limited times) the exclusive right to make that consumer find valuable. That is, for which there are not, in the opinions of consumers, equally attractive substitutes-will be empowered thereby to

charge prices for access to those works substantially greater than they could be in a competitive market (Sam, 1999). All of the various alternative ways in which creators might be empowered to recover their lost Landes and Posner contend, are for one reason or the other, more wasteful of social resources. For this rationale, their argument, should be- and, for the most part, have been- used to shape specific doctrine within the field (Landes and Posner, 1989).

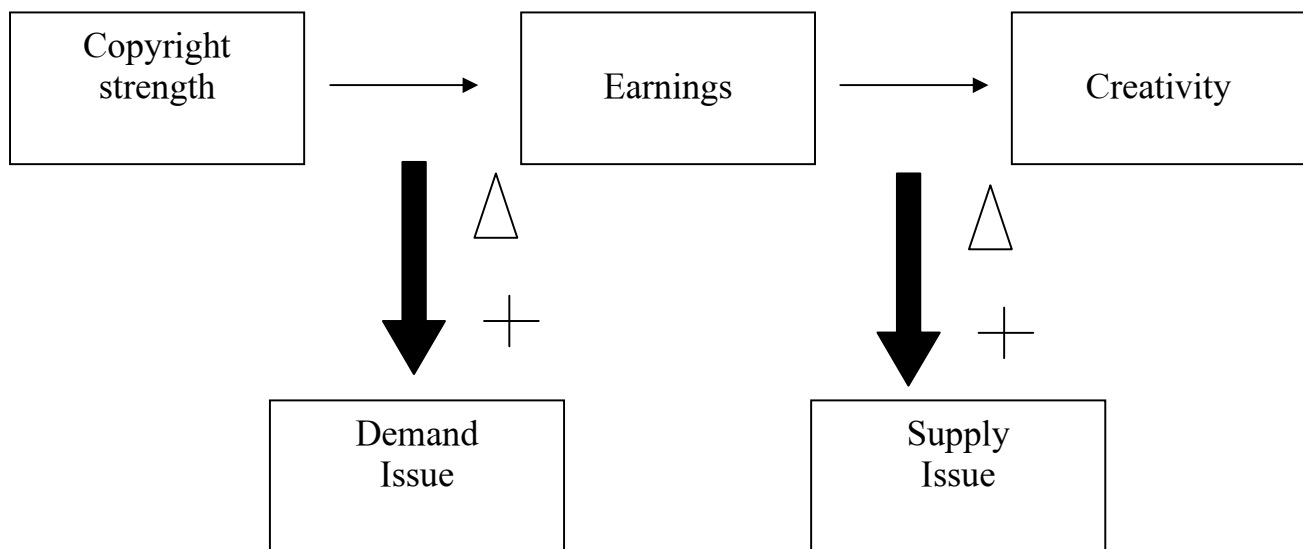


FIGURE 1: Conceptual Model Developed by Landes and Posner (1989)

The first event in the model deals with the assumption that increased copyright law protection results in higher revenue and earnings for copyright holders, a question related to how consumers react to price change, i.e. a demand issue. They assume that elasticity of demand is positive, greater than zero, a value corresponding to the industries assumption when calculating their losses and smaller than infinite a value consistent with

the assumption made when those who disregard copyright theft on the above grounds suggesting that piracy is harmless or, even beneficial (Landes and Posner, 2003).

The second circumstances that should take place in the stylized chain of events presented in the model are related to supply of creative work. Specifically, it is related to the conditions that should be verified for an increase in copyright protection to result in higher earnings for creators through royalties and related compensation (Towse, 2003).

### **2.7.1 Strength and Limitation of the Model**

The strength of the theory is depicted as positive theory that described how results are reached rather than a normative theory suggesting the goals copyright should seek to achieve (Smith, 1999). As an application of economic theory, the economic analysis of copyright attempts to explain "to what extent copyright law can be explained as a means for promoting efficient allocation of resources (Smith, 1999).

The model of economic analysis of copyright law has some limitations which is based on the fact that it has been used to study various instances in developed world as there are no empirical studies that attempted to look at the situation of developing societies with issue that has to do with whether authors or publishers are properly remunerated, which could in turn affect the supply or demand side of the copyright law. On the supply side, the most active area of research has been on the issue of earnings, although much of that has not been directed to earnings from copyright royalties as such, but rather to earnings of creative individuals. The demand side of markets for copyright-protected products has been studied less intensively than the supply side (Landes and Posner, 2003).

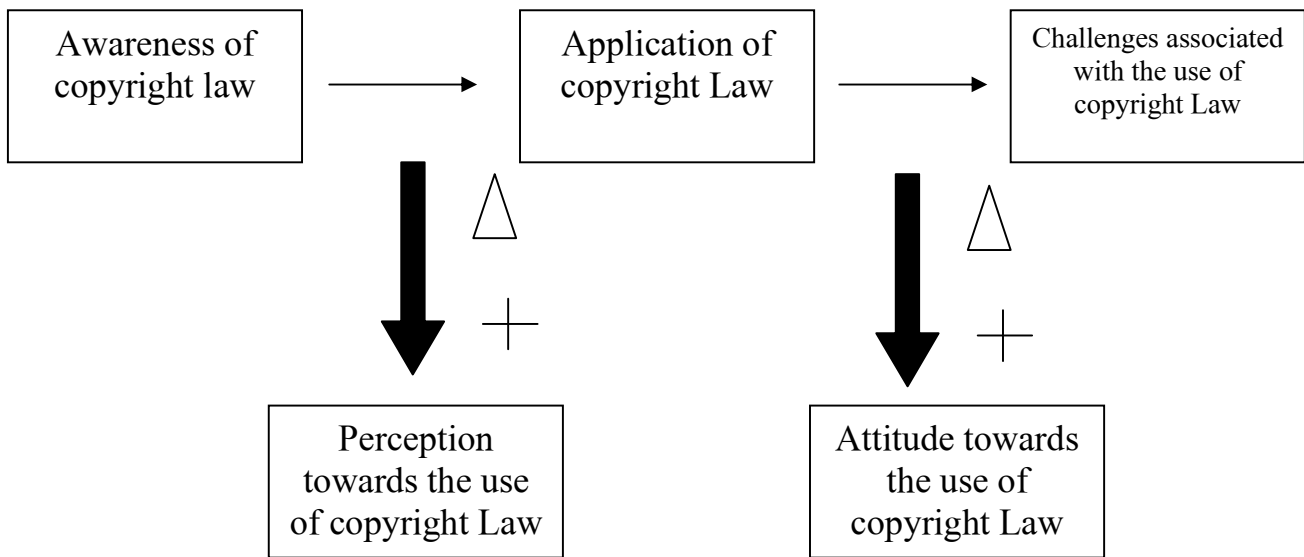
### **2.7.2 Application to the Study**

The study is based on the Model of Economic Analysis by Landes and Posner (1998). In applying this model to the present study, increase in copyright protection may result in higher revenue and earnings for copyright holders. Negative perception of librarians over copyright law could be as a result of weak copyright law which in turn dictates the librarians' attitudes towards the use of the law. Piracy on that ground will increase in the library as library users will use the weak protection of copyright materials to do excessive photocopying in the library thereby resulting into losses on the side of the publishers and authors. The positive attitude of librarians towards the use of copyright law could only be achieved if librarians are aware of not just the content of copyright Act but also how to apply it in library operations

The use of copyright law for library materials could only take place when there is increase in copyright protection and the librarians understand the law as a means through which authors could be rewarded for their efforts and that could only result in the librarians showing positive attitudes towards the law.

The model particularly fits the present study because the strength of any copyright depend on how well the consumers are aware of it before there could be increase in both the supply or demand of copyright materials and that will enhance the application of the law which eventually translate into positive or negative perception of the law by the consuming public.

Figure 2 shows the modified conceptual model



Modified Conceptual Model

### 2.7.3 Interpretation of the Modified Conceptual Model

The modified conceptual model (fig 2) is based on the Lands and Posner (1998) model as background. However, this modification is framed upon the fact that the study was not on **Demand and Supply** of copyright law, but on awareness, perception and attitudes of librarians towards the use of copyright law and the application of the copyright law in the concerned university libraries.

Copyright law cannot be properly applied in library operations unless the librarians are aware of its importance and have adequate knowledge of the law, and it is such knowledge that will dictate to a large extent the attitude toward how the law is perceived. Perception and attitude of librarians on the use of copyright law have to do with the applicability of the law on the bases of their understanding. In that case, what will make

librarians to apply the law is when they have positive view of the law and have adequate knowledge and are aware of the consequences of violating the use of the law. Strengthening the protection of copyright law will allow the librarians to perceive the law positively and thereby disallow infringement of copyright in the use of library materials by library users.

## **2.8 Summary of the Review and Uniqueness of the Study**

The literature reviewed had shown level of awareness of copyright law, It particularly showed what copyright awareness is all about, (Aina, 2008; Apotiade, 2004; Okiy, 2005). It had also revealed that a lot of people have little or no knowledge of copyright law (Olaka, 2010; Smith et al. 2006; Williams, 1992). The literature also revealed substantial knowledge about application of copyright law by University librarians. Most of the literature reviewed indicated low level of application of copyright law on the part of library administrators (Beatrice, 2007; Maohi, 2004; McDermott, 2012; and Dames 2006).

However, the literature had exposed an obvious gap in the knowledge about perception and attitudes of librarians toward the use of copyright law in university libraries particularly in the North Western part of Nigeria. The study will make a meaningful contribution in filling that gap.

The literature equally identified some challenges associated with the use of copyright law in Nigeria university libraries such as low level of awareness of copyright law, lack of library school having copyright as part of their courses and low level of familiarity with copyright law on the part of librarians working in university libraries etc. (NCC, 2008; Olaka, 2010; Mostika, 2007; Okiy, 2005; isiakoapona, 2012).

The study is quite unique. The reviews of literature focused on the level of awareness of copyright law by both the librarians working in the university libraries and students that were the patrons of the university libraries. However, the review of the works was not comprehensive enough to include any study that investigated the awareness of copyright law in the study area that comprised seven university libraries in the North Western Zone of Nigeria. It is also evident that no study reviewed had tried to gauge the perception of librarians on the use of copyright law in the study area. Again, the reviewed work failed to include any attempt to investigate the attitude of librarians towards use of copyright law in the study area. Finally, it is also observed that no study had attempted to investigate on the neither application nor challenges of copyright law by librarians in the study area.

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## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

The chapter explained the planned research design; methods of sample selection, data collection and analysis of results are explained. It was hoped that the chosen methodology could generate useful information through the collection and analysis of data on the perception and attitude of Librarians towards the use of copyright law in Federal University libraries of North Western Zone of Nigeria. Research methodology has been defined as the process used to gather and analyze data needed to answer the research questions guiding a study Cohen (2010).

#### **3.2 Research Design**

Research design is generally regarded as the vehicle that transports the researcher from a state of ignorance to state of knowledge. Basically, research design, as an important aspect of research must be the most appropriate to appropriately measure what is being measured and obtain the data that will validly lead to a conclusion that is also valid (Nwadinigwe, 2002). This study adopts survey research method. This is because it is a method used in finding out the meaning and obtaining an understanding of the present condition (Muhammed, 2006). Survey research has been defined as procedures in quantitative research in which investigators administer a survey instrument to a sample or to the entire population of people concerned to describe the attitudes, opinions, behaviours, or characteristics of the population (Creswell, 2008). Therefore, since surveys are used extensively in assessing attitudes and characteristics of a wide range of subjects, it can equally be used to investigate perception and attitude of librarians on the

use of copyright law. The justification is that as stated by Olaka (2010), the features of survey research include assessing characteristics of a large number of people, covering wide geographical areas, and it is the viable strategy to measure people's attitudes. The above characteristics of survey research tally with the features of the present research because the scope of the present research is wide covering seven states of the North Western Zone of Nigeria.

For the purpose of the current study, Cross sectional survey was adopted. A cross-sectional design is of different types. A cross-sectional study can examine current attitudes, beliefs, opinions, or practices (Creswell, 2008). Hence the current study is on the perception and attitude of librarians on the use of copyright law, the type of cross-sectional survey used was attitude and practices which deal with how individuals think about issues, whereas practices are their actual behaviours (Creswell, 2003).

### **3.3 Population of the Study**

Research population is the actual or target population that is studied. The population of the study is the particular traits, events, people or subjects that are being studied. Such "subject" is well described with regards to its uniqueness so as to distance and differentiate it from all other factors and conditions that are not similar to what is being described (Nwadinigwe, 2002). Population in this study was all academic librarians in the federal university libraries of North Western Zone of Nigeria. It was believed that academic librarians have "common defining characteristic" (Creswell, 2008). The population comprises of all academic librarians in the seven federal University libraries of North Western Zone of Nigeria, which are:

- Ahmadu Bello University, Zaria, Kaduna state.

- Bayero University, Kano, Kano state
- Federal University Dutse, Jigawa state
- Federal University Dutsinma, Katsina state
- Federal University, BrininKebbi, Kebbi state.
- Federal UniversityGusau, Zamfara state
- UsmanuDanfodiyo University, Sokoto state

Table 7.1 Population of the federal universities in the North western Zone of Nigeria

S/No	Name of Universities	State	Year of Establishment	Number of Academic librarians
1	Ahmadu Bello University, Zaria	Kaduna	1962	122
2	Bayero University, Kano	Kano	1977	33
3	UsmanuDanfodiyo, University	Sokoto	1975	20
4	Federal University,Dutse	Jigawa	2011	3
5	Federal University,Dutsinma	Katsina	2011	5
6	Federal University,BrininKebbi	Kebbi	2013	2
7	Federal University, Gusau	Zamfara	2013	3
Total				188

**Sources:** *Preliminary Survey Conducted*

In table 3.1, it is indicated that all the universities in the North western zone of Nigeria have academic librarians. The overall population of 188 academic librarians was identified including seven university librarians.

### **3.4 Sample Techniques and Sample Size**

The overall academic librarians of the universities in the North Western Zone of Nigeria was a total of N 188 was used while the university librarians served as participants who were considered to be “information rich” persons (Glasow,, 2005). Each University librarian provided information regarding perception and attitude of librarians toward the use of copyright law in University libraries of North- Western Nigeria. However, there was no need for sampling techniques hence the entire population. In other words, stratification method was used to adopt the seven university librarians as respondents

### **3.5 Instruments for Data Collection**

In a survey research, the researcher collects quantitative, numbered data using questionnaire (e.g. mailed questionnaire), or interview (one-on-one interviews) and statistically analyze the data to describe the trends about responses to questions (Creswell, 2008).

Data collection should be objective, systematic and repeatable (Glasow, 2005). Among the ways surveys gather information is through one or a combination of the following methods: structured or semi-structured interviews, attitude scales, self-completion questionnaire, and standardized tests of achievement or performance (Cohen 2000). Nwadinigwe (2002) maintains that a researcher should use the simplest manner of collecting the data to get answers to the research question and should not collect any

more data than necessary. Mindful of these conditions, the data collection instruments selected to collect data for this research were questionnaire and interview. A questionnaire is a method of data collection that asks participants to give written or verbal replies to a written set of questions (Nwadinigwe, 2002). It is a quick, convenient and inexpensive method of collecting standardized information (Aina, 2004). A questionnaire can be used to collect information on attitudes, knowledge and experience of staff (Nwadinigwe, 2002). A structured written questionnaire that uses a quantitative self-report technique, as outlined by Olaka (2010) was used to collect data in this study.

Survey interview is a form on which the researcher records answers supplied by the participant in the study. The procedure for this interview was one-on-one interview. One-on-one interview is a form of a survey data collection that is conducted with an individual in the sample and record responses to close ended questions (Aina, 2004).

The instruments covered all the variables that are involved in the study. This was done to make sure that questions were asked in all aspect of the variables. The questionnaire particularly focused on the awareness of copyright law by librarians, application of copyright law by librarians, perception of librarians toward the use of copyright law while the interview questions conducted with the university librarians focused on attitudes of librarians on the use of copyright law and challenges associated with the application and use of copyright law in Nigeria university libraries.

The questionnaire has four sections (see Appendix II). Section A of the questionnaire collected data on the personal information of the librarians which has four (4) questions.

Sections B to D have 8 to 9 items designed in a Likert format. A Likert scale is commonly used to measure attitudes, knowledge, perceptions, values, and behavioural

changes. A Likert format involves a series of statements that respondents may choose from in order to rate their responses to evaluative questions (Vogt, 1999). The questionnaire consisted of positively and negatively worded statements with five different response options ranging from strongly agree to strongly disagree. The statements are scored one to five (one for strongly agree through to five (5) for strongly disagree).

Each section of the questionnaire covered the entire necessary question that is expected to explain each variables of the study. The sections of the questionnaire are as follows.

### **3.5.1 Questionnaire for Academic Librarians**

The questionnaire was divided into three sections:

- 1 Awareness of copyright law by librarians
- 2 Level of Application of copyright law by librarians.
- 3 Perception of Librarians toward the use of copyright law.

### **3.5.2 Interview Questions for University Librarians**

- 1 Attitude of University librarians toward the use of copyright law.
- 2 Challenges associated with the application and use of copyright law in Nigeria University Libraries.

## **3.6 Administration of the Research Instrument**

In order to collect data for this study, all questionnaire were paper-based and were handed personally to one participant in the library who acted as a “point person” (Olaka, 2010) i.e.-the research assistant and whose duty wasto distribute the questionnaire to other participants and collect them on behalf of the researcher after they had filled them. The aim of using point person was to enhance the return rate and save the researcher’s

time of getting all academic librarians hence they work in different sections and shift. Each of the universities chosen had a point person that helped in distributing the questionnaire. More importantly, the researcher carried out the interview personally with all the seven university librarians in all the Federal University Libraries of North Western Nigeria.

### **3.7 Method for Data Analysis**

According to Glasow (2005), data analysis is “an integrated part of the research design”, and it is a means of making sense of data before presenting them in an understandable manner. Descriptive statistics was used to analyze the data collected. Questions in sections B to D were analyzed using ordinal scale. 1 to 5 Numbers on an ordinal scale are in ascending order, with no equal steps implied between the numbers (Olaka 2010). This number did not have any arithmetic properties as it acted only as labels on the table.

The frequency of a particular response to a question was calculated as a percentage and the data was illustrated using tables. Tables facilitate presentation of large amounts of data (Glasow,2005).

In the Interview data analysis, data collection and analysis proceeded simultaneously. During the interview, the text and data obtained was documented and all responses were reported.

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## CHAPTER FOUR

### DATA PRESENTATION, INTERPRETATION AND ANALYSIS

#### 4.0 Introduction

The section has been presented in the following order.

4.0 Introduction

4.1 Response rate

4.2 Awareness of Copyright law by Librarians.

4.3 Perception of librarians towards the use of copyright law

4.4 Level of application of copyright law by librarians.

4.5 Report of Interview conducted with the University Librarians

4.5.1 Attitudes of librarians towards the use of copyright law.

4.5.2 Challenges associated with the application and use of copyright law in their University Libraries.

#### 4.1 Response Analysis

The table 4.1 indicates the response rate of academic librarians in Federal University libraries of North Western Nigeria.

**Table 4.1 Questionnaire Response**

Questionnaire	Frequency	Percentage
Distributed	188	100%
Returned	180	95.8%
Not returned	8	4.2%
Total	188	100%

Table 4.1 shows the response rates of the questionnaire returned. The researcher administered 188 copies of questionnaire to the respondents out of which 180 were returned and found usable. This represents 95.8% response rate. The copies of questionnaire not returned were 8 (4.2%). The high rate of returned questionnaire was as a result of the fact that the researcher used point persons in each concerned library, who were able to go round the sections of their respective libraries to distribute as well as collect back the questionnaires.

## 4.2 Awareness of Copyright law by Librarians

Table 4.2 shows the level of awareness of copyright law by librarians.

Table 4.2 Awareness of Copyright law by Librarians

Level of awareness of Copyright law by librarians	Strongly Agreed		Agreed		Undecided		Disagreed		Strongly Disagreed	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
I am aware of copyright law	120	66.7	50	27.8	0	0	9	5	1	0.6
I am not conversant with the sections of copyright law	80	44.4	35	19.4	5	2.8	40	22.2	20	20.1
I have no knowledge of copyright law	95	52.7	43	23.8	0	0	23	11.1	19	10.5
I heard of copyright but don't know much about it	122	67.8	45	25	3	1.7	7	3.9	3	1.7
I do not know what copyright law is protected.	70	38.8	40	22.2	0	0	42	23.4	28	15.6
I need more knowledge of copyright law	156	86.7	21	11.7	0	0	2	1.1	1	0.6
I need more training to increase my level of copyright awareness.	142	78.9	15	8.3	0	0	18	10	5	2.8
I don't know how to help library users regarding copyright related issues	80	44.4	50	27.8	8	4.4	30	16.7	12	6.7
I have not seen or read copyright Act before	90	50	43	23.8	0	0	20	11.1	27	15
Others (please specify)..... .....										

The descriptive statistics of librarians on their awareness of copyright law is summarized in Table 4.2. Both “Strongly agreed” and “agreed” were added together as “agreed” while “disagreed and strongly disagreed” were also added together as “disagreed” for the analysis.

A total of 170 (94.4%) agreed that they were aware of copyright law while 10 (5.6%) indicated that they were not in terms of being conversant with the sections of copyright law, 155(63.8%) respondents agreed to this, 5 (2.58%) were undecided while 60 (42.3%) were not.

As for knowledge of copyright law, 138 (76.5%) represents agreed that they had while 42 (21.6%) did not have did not have. On their part, 167 (92.8%) represents agreed that they had heard of copyright law but did not know much about it; 3 (1.7%) were undecided; while 10 (5.6%) disagreed. One hundred and ten (61.0%) respondents agreed that they did not know what copyright law protected while 70 (39%) disagreed, thus indicating that they knew the provisions of copyright law.

One hundred and seventy seven (98.4%) respondents indicated that they needed more knowledge of copyright law while 3 (1.7%) disagreed with the position. On the need for more training to increase their awareness level of copyright law, 157 (87.2%) librarians agreed to it while 23 (12.8%)disagreed.

One hundred and thirty (72.2%) respondents indicated that they didn't know how to help library users in terms of copyright related issues; 8 (4.4%) were undecided while 42 (23.4%) disagreed with this position. As for having seen or read the copyright law, 133 (73.8%) respondents agreed that they had not while 47 (26.1%) disagreed.

The implication from the data presented is that the librarians in the study area were highly aware of copyright law, though; they equally indicated that they might have heard of copyright law but

did not know much about it. That is why they have equally indicated that they needed more training on knowledge of copyright law and copyright awareness.

#### 4.3 Perception of Librarians Towards the Use of Copyright law

This question finds out the perception of librarians on the use of copyright law

**Table 4.3 Perception of Librarians Towards the Use of Copyright law**

Perception of librarians towards the use of copyright law	Strongly Agreed		Agreed		Undecided		Disagreed		Strongly Disagreed	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
Copyright law is a welcome development in the library.	59	32.8	51	28.3	0	0	50	27.8	20	11.1
Copyright law creates order out of chaos.	70	38.9	45	25	2	1.1	38	21.1	25	13.9
Copyright law encourages authors or potential ones to write	84	46.7	41	22.8	1	0.6	31	17.2	23	12.8
The provisions of the copyright are difficult to use.	76	42.2	50	27.8	2	1.1	40	22.2	12	6.7
Copyright law increases the revenue base of the authors.	90	50	33	18.3	0	0	32	19.8	25	13.9
The law does not favour the development of library	84	46.7	55	30.6	0	0	29	16.1	12	6.7
Copyright law does not bring any benefit to librarians	70	38.8	69	38.3	0	0	27	15	14	7.8
Copyright law has no importance in the libraries	50	27.7	70	38.8	10	5.6	30	16.7	20	11.1
Copyright law discourages infringement.	62	34.4	78	43.3	0	0	15	8.3	25	13.9
Copyright law allows the library to purchase genuine library materials.	90	50	54	30	0	0	22	12.2	14	7.8
Copyright law and what it protects is not communicated to library users.	70	39.9	65	36.1	0	0	25	13.9	20	11.1
Others (Please Specify).....										

Both “Strongly agreed” and “agreed” were added together as “agreed” while “disagreed and strongly disagreed” were also added together as “disagreed” for the analysis.

Table 4.3 above on the perception of librarians towards the use of copyright law indicates that a total of 110 respondents out of 180 representing (61.1%) agreed that copyright law was a welcome development while 70 (38.9%) reportedly disagreed with it.

In another statement, a total 115 respondents out of 180 representing (63.9%) reportedly agreed that copyright law created order out of chaos, while 2 respondents representing (1.1%) did not decide and 63 respondents representing (35%) disagreed with the statement.

A total of 125 (69.4%) agreed that copyright law encouraged author and the potential ones to write, while 1 respondent representing (0.6%) did not decide and 44 respondents representing (24.4%) disagreed with the statement.

One hundred and twenty six (70%) agreed that the provisions in the copyright law were difficult to use while 2 (1.1%) did not decide and 52 respondents representing (28.9%) reportedly disagreed with the statement.

One hundred and twenty three (68.3%) agreed that copyright law increased revenue base of authors while 57 respondents representing (31.7%) reportedly disagreed with the statement. Also, the total of 139 respondents out of 180 representing (77.2 %) agreed that the law did not favour the development of library while 52 respondents representing (28.9%) disagreed with the statement.

A total of 139 (77.2 %) agreed that copyright did not bring any benefit to the librarians while 41 respondents representing (22.8%) agreed with the statement. Moreover, a total of 120 respondents out of 180 representing (66.7%) agreed that copyright law had no importance in the library while 10 respondents representing (5.6%) did not decide and 50 respondents representing

(27.2%) reportedly disagreed with the statement. In another statement, a total of 144 respondents out of 180 representing (80%) reportedly agreed that copyright law allowed library to purchase genuine library materials while 36 respondents representing (20%) disagreed with the statement. Finally, a total of 135(75%) agreed that copyright law and what it protects was not communicated to library users while 45 (25%) reportedly disagreed with the statement.

The finding here implies that the perception of librarians towards the use of copyright law is positive as majority of the respondents perceived that copyright law allows the library to purchase genuine materials in the library.

#### 4.4 Level of Application of Copyright Law by Librarians

Table 4.4 shows the level of application of copyright law by the librarians in their day to day activities in the library.

**Table 4.4 Level of Application of Copyright law by Librarians**

Level of application of copyright law by librarians	Strongly Agreed		Agreed		Undecided		Disagreed		Strongly Disagreed	
	Freq.	%	Freq.	%	Freq.	%	Freq.	%	Freq.	%
I do not know how to apply copyright law in library operations	70	38.8	34	18.8	3	1.7	34	18.8	39	21.7
The law is not applied in the library.	85	47.2	49	27.2	7	3.9	20	11.1	19	10.6
The university does not encourage me to apply copyright law.	87	48.3	50	27.7	4	2.2	14	7.7	25	13.8
The library policy discourages application of copyright law.	80	44.4	37	20.6	8	4.4	30	16.7	25	13.8
I do not encourage library users to use the library materials without infringing on copyright law.	91	50.6	30	16.7	3	1.7	27	15	29	16.1
Lack of proper application of copyright law in the library is not considered an offence by the library users.	81	45	40	22.2	13	7.2	21	11.7	26	14.4
The library does not have copyright related policy to facilitate copyright application	85	47.2	45	25	6	3.3	24	13.3	20	11.1
Library users are often seen infringing on copyright law without being queried.	70	38.9	60	33.3	5	2.8	25	13.9	20	11.1
Others (please Specify).....										

The descriptive statistics of level of application of copyright law by librarians as shown in table 4.4 is explained here. Both “Strongly agreed” and “agreed” were added together as “agreed” while “disagreed and strongly disagreed” were also added together as “disagreed” for the analysis.

A total of 140 (57.8%) agreed that they did not know how to apply copyright law in the library, while 3 (1.7%) were undecided; 73 (40.6%) disagreed to it.

In terms of applying the law in the library, 134 (74.4%) agreed that the law was not applied in the library, while 7 (3.9%) were undecided, 39(21.7%) disagreed to the statement.

One hundred and thirty seven (76.1%) agreed that the university does not encourage them to apply copyright law, while 4(2.2%) were undecided; 39( 21.7%) indicated the university did not encourage them to apply the law.

A total of 121(67.2%) agreed that they do not encourage library users to use the library without infringing on copyright law, while 3 (1.7%) and 56 respondents (representing 31.1%) reportedly disagreed with the statement.

One hundred and twenty one (67.2%) agreed that lack of proper application of copyright law in library was not considered as an offence by library users, 13 (7.2%) were undecided, 47 (26.1%) disagreed with it.

A total of 134 (74.4%) agreed that the library did not have copyright related policy to facilitate copyright application; 6 (3.3%) were undecided; 44 (24.4%) disagreed with it.

One hundred and thirty (72.2 %) agreed that library users were often seen infringing on copyright law without being queried; 5 (2.8%) were undecided; 45 (25%) disagreed with the statement.

From the data presented in the Table 4.5, it is clear that librarians in the study area did not apply copyright law in their library as majority of the respondents agreed that the University did not encourage them to apply copyright law. This implies that the level of awareness recorded did not translate into real application of the law in the library.

#### **4.5 Result of Interview Conducted with the University Librarians.**

All the seven Federal University Librarians of North Western Nigeria were informed and the interview question delivered to them. Date was fixed for the interview and as the researcher went back at the stipulated time it was only five university librarians that were met on ground and two university librarians were engaged and not available for the interview. The researcher had interview with five university librarians. All the five university librarians were asked 5 questions based on the research objectives. Their responses are summarized thus:

##### **4.5.1 Attitude of Librarian Towards the Use of Copyright law**

University librarian said that,

I don't care about the law all I care for is to protect my library materials from mutilating. .... If a library user photocopies a whole book provided that such material is returned back to the library shelf fine....I don't want my library materials to get lost as a result of imposing copyright law in the library so whether there is copyright law in the library or not, my duty as the University librarian will not change.

Other university librarians said that:

... regarding my attitude towards copyright law, ... there are things that we[university librarians] need to know more about the copyright law, especially what it does protect and even the culture of duplicating things... or even plagiarism, you know that we also need to understand more about this and I don't think some of us care about all this.

As a university librarian, we are in a position where we need to impart this information to our staff because our understanding of the subject is very important....practically speaking, copyright law has no impact on my job as a university librarian and for that I don't bother much about the law... In fact I gain nothing and I lose nothing for applying or for not applying copyright law in the library.

On whether the attitude of University librarians towards the law has any effect on the way the academic librarians perceived the law, the following statements are their views.

The librarians know exactly what to do when it comes to the issue of copyright law..... The issue of copyright law is never an issue at all in the library so long as the library materials [books and other copyrighted materials] we acquired are not pirated. The librarians cannot assume that copyright law does not exist in the library. The librarians cannot on their own handle copyright issues unless they are informed to do so, they perform their duty strictly based on the directive they received.

#### **4.5.2 Challenges Associated with the Application and use of Copyright Law in Nigeria University Libraries**

There are so many factors associated with the application and use of copyright law in Nigeria University libraries, as they said that:

We [university librarians] don't have knowledge of the law; some of us do not even know how to apply the law because as far as I know I have never seen the copy of the law and in that case how do you expect me to apply it properly..... Though it is a law that protects the intellectual and artistic production of authors but it doesn't end there..... If for example a library user is found violating the law who cares?

Other university librarians explained that:

..... There is the commission that is responsible for administration of copyright law but they are not doing enough to enforce the law..... They are supposed to be responsible for the orientation of people about the law and even if they [NCC] have been doing that the university library is completely left out of the orientation..... As a university librarian, I expected Nigeria Copyright Commission to have come to the university library to make some findings on how they can improve on the use of copyright law. I can tell you that a lot of people do not know the function of NCC and what they do.... Librarians may claim they are aware of copyright law but do not know when someone infringes on copyright law and if they know what do they do to such person? In essence, the librarians do not have knowledge of the law.

Another University Librarian said that:

.....There is lack of awareness of the law by the library users, though any library materials we purchased particularly books we try to make sure they are copyrighted but the real implementation where people use the materials in accordance with the law is not there.....We are supposed to place in our photocopy center that the library is copyright compliant so that library users could limit their level of photocopying.....But I felt the issue of fair use is being abuse to a large extent.

In proffering solutions to the identified challenges, the University Librarians interviewed said that the Nigeria Copyright Commission should double up their effort in the enforcement of the Law. "The University Librarians have a role to play, if we [University Librarians] believe that copyright law has its benefit. We should also make sure we make it mandatory for all library users to comply with the law". The librarians on their own should try and seek knowledge on copyright law. Education is very important to making copyright law workable. Each institutions should make it mandatory in the general study curriculum the essence of copyright law and what it protects, so that students could understand what copyright law is all about.

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

#### **5.1 Introduction**

This chapter gives summary of the whole work and the findings of the study and recommendations that were made to address the perception and attitudes of librarians on the use of copyright law in the Federal University libraries of North Western zone of Nigeria. The summary of the research findings are briefly discussed to offer an overview of the major revelations based on the research objectives and questions. Conclusions and recommendations of the study as well as suggestions are also presented in this chapter.

#### **5.2 Summary of the Study**

The work is organized into five chapters. Chapter one covered the general background and overview on the concept of copyright law and the use of copyright law in university libraries. The research problem was highlighted in the chapter as well as the objectives of the study. The study was aimed at investigating the perception and attitude of librarians towards the use of copyright law in North Western Nigeria. Finally, the research questions and objectives of the study were enumerated and concluded with the significance and scope as well as the limitations of the study.

Chapter two presents review of related literature on the area of investigation. Areas on which the literature focused included: awareness of librarians on the use of copyright law, perception of librarians towards the use of copyright law, attitude of librarians towards the use of copyright law, application of copyright law by librarians

and challenges associated with the application and use of copyright law in Nigerian University libraries. In addition, both conceptual and theoretical frameworks were discussed in the chapter.

Chapter three of this study explained that, the study employed survey research design that collected data through questionnaire form seven (7) universities libraries of North Western Nigeria and interview was equally used to gather data from the seven (7) university librarians. The data collected through questionnaire were analyzed using simple percentages while the interview results were reported.

Chapter four presents the discussion of the results. In discussing the result, tables were used to present the data collected. In the chapter, out of one hundred and eighty eight (188) copies of questionnaire distributed, one hundred and eighty (180) were filled and returned. This represented a response rate of 95.5% and the remaining eight (8) making 4.5% were not returned.

### **5.3 Summary of Findings**

Based on the presentation and analysis of the results generated from the study, the summary of the finding are outlined below:

- a) The result showed that majority of librarians in the study area were aware of copyright law but they were not conversant with the sections as it showed that they were not having knowledge of the law.
- b) Librarians in the study area indicated that the law was not applied in the library despite their awareness of the law.
- c) Librarians in the study area perceived that copyright law was a welcome development, though they perceived that the law was difficult to use.

- d) The attitude of University librarians towards the law was completely negative as librarians interviewed showed that they did not care about the law.
- e) The result of interview on factors affecting the application and use of copyright law showed that though, librarians might be aware of copyright law, the library users were not aware of the law. More importantly, the Nigeria Copyright Commission (NCC) did not enforce the law.

#### **5.4 Conclusion**

From the general findings of the study, it was concluded that awareness of copyright law without knowledge of it cannot translate into proper application of copyright law, orientation is the best way into making the librarians have knowledge of the law and how best the law could be implemented in the library.

Despite the positive perception of librarians towards the use of copyright law, there is low level of application of the law; this is because the law is not seen as something that can add value to the development of the library.

The attitude of university librarians towards the copyright law has greatly affected the application of the law by the librarians this is because the university librarians do not take the law serious in the library operations.

Nigeria Copyright Commission (NCC) has a big role to play in the enforcement of copyright law in Nigeria university libraries, their enforcement programmes should be extended to the universities where copyright infringement had persisted.

## **5.5 Recommendations**

Based on the finding and conclusion of the study, the following recommendations have been drawn:

- a) The librarians and the library users should be properly educated on the essence of copyright law in libraries.
- b) The librarians should be trained on how to apply the law in day-to - day activities in library operation. It is not enough to be aware of the law but also be conversant with sections of the law and how to apply it properly.
- c) The University librarians need to be attending seminars or conferences on copyright law to enrich their knowledge of current issues relating to copyright law. More importantly, such conferences will equip them on how to apply the law accurately.
- d) The Nigeria Copyright Commission (NCC) needs to redouble their efforts if enforcement of the law, particularly in Federal Universities should be up held. More importantly, universities should place a notice in each section of the library to educate library users on issues relating to copyright law.

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## APPENDIX I

Department of Library and Information  
Sciences,  
Faculty of Education,  
Bayero University, Kano

Sir,

### INTRODUCTORY LETTER

I am a Master degree student in the above mentioned institution and department working on my thesis titled: *‘Perception and Attitude of Librarians Towards the use of Copyright Law Among Federal University Libraries in North Western Zone of Nigeria’* as a partial requirement for the award of Master’s Degree in Library Science (MLS).

I would highly appreciate if you would assist in granting me time to conduct an interview with you. Sir, the interview shall be tape recorded.

Thank you,

Yours faithfully,

JimohAndaHarrisu  
SPS/11/MLS/00020

**Appendix II**

**QUESTIONNAIRE FOR ACADEMIC LIBRARIANS**

**SECTION A PERSONAL BACKGROUND INFORMATION**

- 1 Name of University .....
- 2 Section you are working in the Library.....

*Note: SA= Strongly Agreed A=Agreed U=Undecided D=Disagree  
SD=strongly disagreed*

**SECTION B AWARENESS OF COPYRIGHT LAW BY LIBRARIANS**

- 3 How do you agree with the following as being the significance of copyright law to national development?

	1	2	3	4	5
Statement	<b>SA</b>	<b>A</b>	<b>U</b>	<b>D</b>	<b>SD</b>
I am aware of copyright law					
I am not conversant with the sections of copyright law					
I have no knowledge of copyright law					
I heard of copyright but don't know much about it					
I do not know what copyright law are protected.					
I need more knowledge of copyright law					
I need more training to increase my level of copyright awareness.					
I don't know how to help library users regarding copyright related issues					
I have not seen or read copyright Act before					
Others (please specify).....					

**SECTION C LEVEL OF APPLICATION OF COPYRIGHT LAW BY LIBRARIANS**

4 To what extent do you agree with the following as being the level of application of copyright law by librarians?

	1	2	3	4	5
Statement	SA	A	U	D	SD
I do not know how to apply copyright law in library operations					
The law is not applied in the library.					
The University do not encourage me to apply copyright law.					
The library policy discourages application of copyright law.					
I do not encourage library users to use the library materials without infringing on copyright law.					
Lack of proper application of copyright law in the library is not consider an offence by the library users.					
The library do not have copyright related policy to facilitate copyright application					
Library users are often seen infringing on copyright law without being queried.					
Others (please Specify).....					

**SECTION D PERCEPTION OF LIBRARIANS TOWARDS THE USE OF COPYRIGHT LAW**

5 Base on your perception of copyright law, how do you agree with the following statement?

	1	2	3	4	5
	<b>SA</b>	<b>A</b>	<b>U</b>	<b>D</b>	<b>SD</b>
Copyright law is a welcome development in the library.					
Copyright law creates order out of chaos.					
Copyright law encourages authors or potential ones to write					
The provisions of the copyright are difficult to use.					
Copyright law increases the revenue base of the authors.					
The law does not favour the development of library					
Copyright law do not bring any benefit to librarians					
Copyright law have no importance in the libraries					
Copyright law discourages infringement.					
Copyright law allows the library to purchase genuine library materials.					
Copyright law and what it protects is not communicated to library users.					
Others (Please Specify).....					

## Appendix III

### Interview Questions for the University Librarians

Interviewer:..... Time:..... Date:.....  
Place:.....

Participant:

Gender:..... Academic Qualification: ..... Years of service as a librarian.....

**Instructions:** I am carrying out a research to find out perception and Attitude of Librarians towards the use of copyright law in North Western Federal University Libraries. I believe that you are especially qualified to enlighten the researcher on the subject area and there are about five (5) questions that will be presented to you.

Interview Questions: Perception and Attitude of Librarians towards the Use of Copyright Law in Federal University libraries of North Western Zone of Nigeria

- 1 Sir, how can you describe your attitude towards the use of copyright law in your library?
- 2 Sir, do you think your attitude towards the law have any effect on the way academic librarians perceive copyright law?
- 3 As the head of the University Library Sir, have you ever try to investigate whether copyright law is used or applied in your library or not by the librarians?
- 4 Sir, what do you think are the challenge associated with the application and use of copyright law in Nigeria University libraries?
- 5 Sir, could you please suggest possible solutions to these problems?