



# PRACTICE OF REFERENCING AND CITATION IN ACADEMIC INTEGRITY OF UNIVERSITIES IN VIETNAM

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***Abstract** -Creativity is built on the mind of mutual inheritance and inquiry. There is no opinion, thought, or hypothesis created without the reference and basis of those with prior experience. Therefore, plagiarism is a wrongdoing that frequently occurs in universities in Vietnam and the world and is essential for creative activities. However, an important issue is that the perception of students, lecturers, and universities in Vietnam today still has some deviations in terms of rationality, infringement, and the proper form of referencing and citation. This leads to unclear regulations, lack of compliance of wrongdoers and profound negative influence on academic integrity. Based on methods of the questionnaire, doctrinal and comparison research, this article will evaluate citation and referencing activities in Vietnam universities in reference to other universities in the world.*

***Keywords:** referencing, citation, university, academic integrity, universities*

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## A. INTRODUCTION

Higher education aims to initiatives, build creativity, and promote the spirit of self-study and self-research. Therein, students and lecturers play essential roles in the development of the prestige and training quality of each university. To achieve this goal, they not only improve skills and knowledge but create works that contribute positively to humankind and social community. Scientific research is one of the important creative activities in an academic environment, which requires both students and lecturers to provide novelty, applicability, and feasibility of their works based on previous studies. A successful publication normally references and cites other relevant works. However, this act can lead to a risk, possibly committing plagiarism in case the author provides unreasonable citations and referencing in scientific research. In Vietnam, Law on

Intellectual Property was in effect for about 17 years from when Vietnam joined the Berne Convention and the World Trade Organization. However, the legal framework on intellectual property rights is still minimal, especially on copyright issues. In the academic context, despite an infringement of copyright, plagiarism is indifferent in universities with a lack of control mechanisms and sanctions. Consequently, students and lecturers habitually make improper citations and referencing.

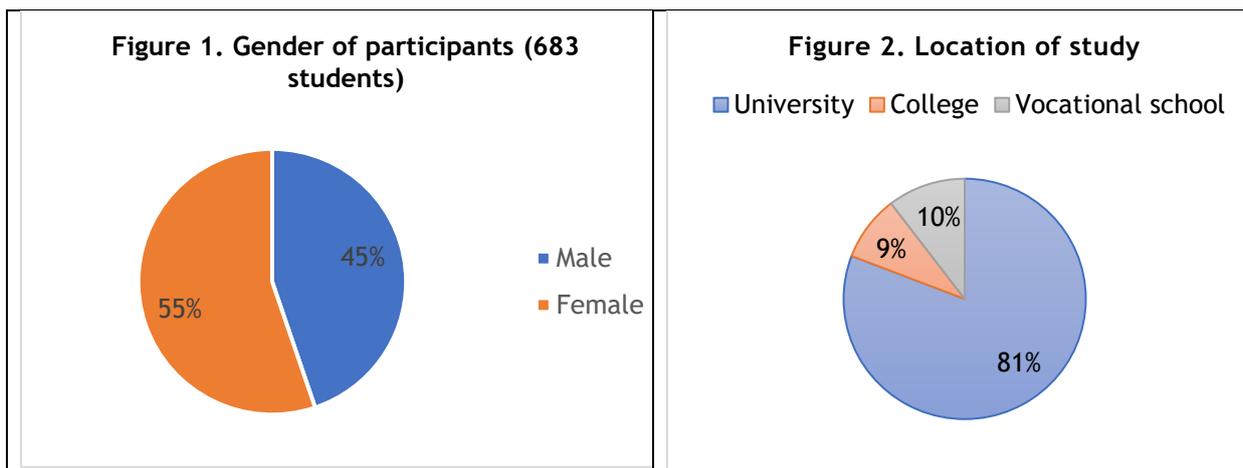
There are some studies on this issue in Vietnam. Particularly, Vu and Long (2021) evaluated the perception of surveyed students about dishonest behaviors in academic integrity, which include improper citations and referencing<sup>1</sup>. Nonetheless, the study has only indicated identified influences of educational background to the perception of surveyed students but not mentioned possible sanctions imposed on violations in practice. Another analysis is conducted by Tran, Huynh, Thanh Hoa and Trinh (2018), which determined common grounds of academic dishonesty. More importantly, solutions have been recommended to improve current principles and standards of academic integrity; however, the study lacked comparison with other nations with developed educational systems to have a broader outlook on this issue<sup>2</sup>. Therefore, this paper will examine the shortcomings of previous studies before a reasonable conclusion is reached.

**B. METHODOLOGY**

The quantitative and qualitative methods are applied to reach the research objectives, including questionnaires, doctrinal and comparative legal research. Initially, the study uses a survey to examine the cognition, understanding and current difficulties of Vietnamese students in respect to the copyright in academic settings. Secondly, the research interprets not only Vietnamese laws but internal rules of some universities on citation and relevant sanctions. Accordingly, a legal comparison is finally provided between Vietnam and other universities in the world to identify the pros and cons of current legislation for reasonable recommendations.

**C. RESULT**

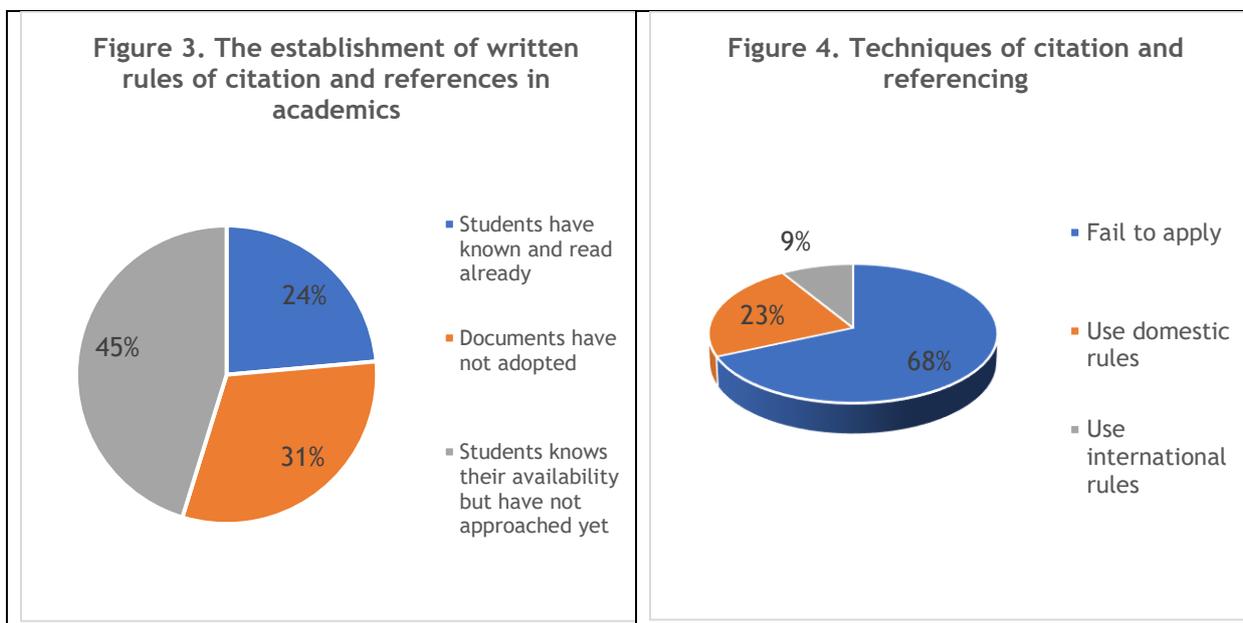
The survey is conducted with the participation of 683 students in Ho Chi Minh City at the beginning of July, 2021, including 306 men (45 %) and 377 women (55%) under Figure 1. Most of these participants come from universities with 552 students (81%), which is about four times more than the total number of students from colleges and vocational schools, as indicated in Figure 2.



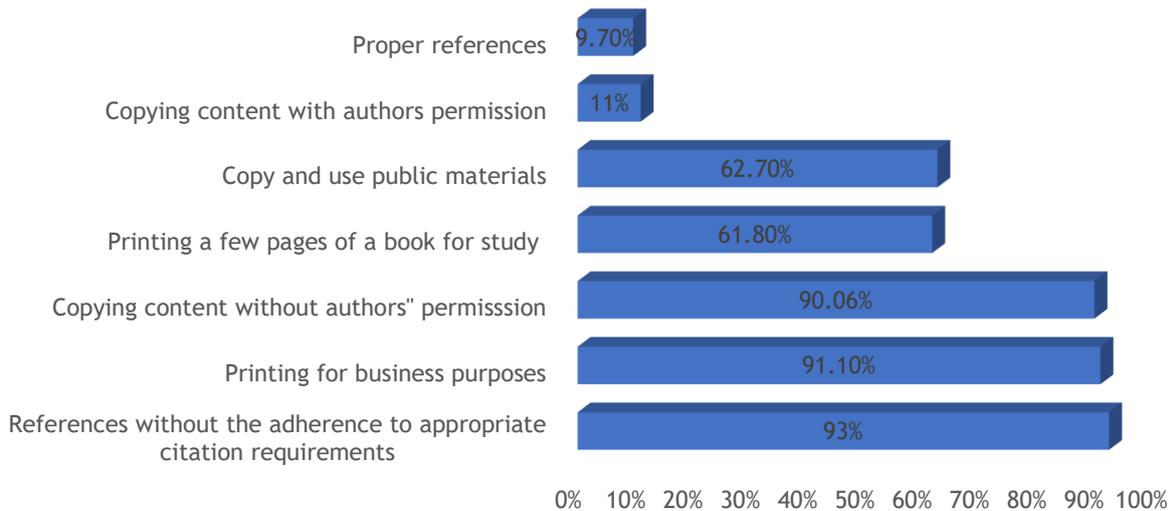
<sup>1</sup> Vu, Đăng & Long, Nguyễn. (2021). Assess students' academic integrity through students' perceptions of the academic environment and academic dishonesty behavior. *Journal of Science Open University Ho Chi Minh City*, 46-63.

<sup>2</sup> Tran, Ut, Huynh, Thanh, Thanh Hoa and Trinh. (2018). Academic Integrity in Higher Education: The Case of Plagiarism of Graduation Reports by Undergraduate Seniors in Vietnam. *Journal of Academic Ethics*.

The survey examined about purposes of respondents in the use of citations and references. Specifically, one-third of the surveyed students use for copying relevant information, while the rest mainly expands knowledge and does research during the study. More thoroughly, the participants are asked about the establishment of written rules of citation and plagiarism in academics. According to Figure 3, the result indicates about 161 (24%) students have known and read already related documents, which is lower than those who believe that these documents have not been adopted in their universities and those who know their availability but have not approached yet with about 213 (31%) and 309 (45%) students respectively. This is proved that participants are not concerned with whether written rules of academic citation and plagiarism are issued or not. Additionally, the participants are asked about techniques of citation and referencing. Figure 4 indicates that up to 467 students fail to apply proper methods for references, occupying 68%. Meanwhile, 60 students are using international citation practices such as APA and Harvard, mostly from international universities in Vietnam such as RMIT, AIT (9%). Furthermore, 156 students use citation rules established by domestic universities in compliance with Vietnamese law with 23%.

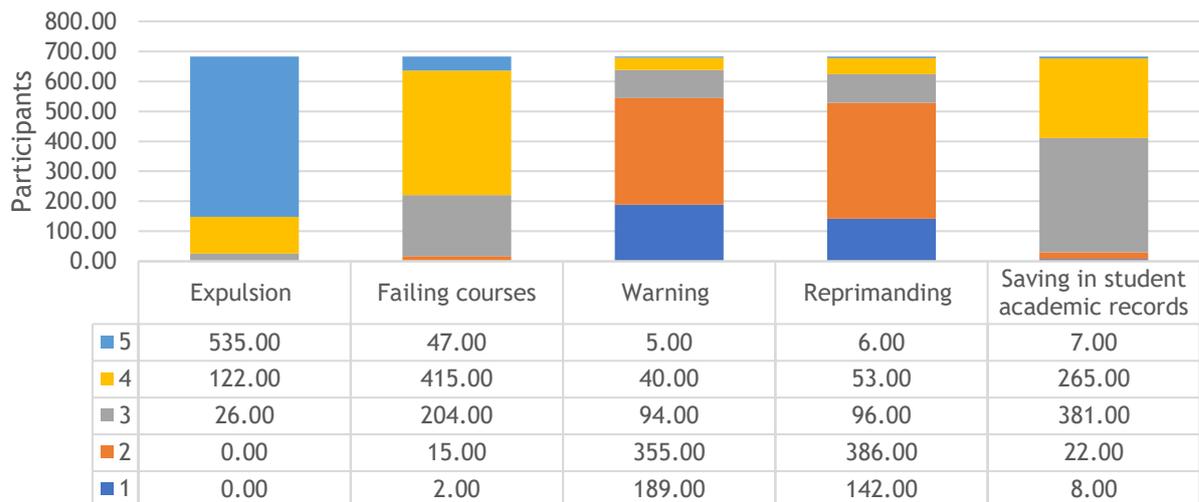


The survey also assessed the perception of participants towards several copyright violations against citation and plagiarism. Figure 5 shows that most of the surveyed students (about 90%) correctly identified copyright violations, including references without adherence to appropriate citation requirements, copying and printing the full content of other authors for individual purposes without permission. However, approximately 62% of participants still believed that printing a few pages of a book for study and copying public materials such as normative legal documents infringe laws on copyright. In fact, these acts are exceptions allowed within the scope of copyright protection. Even, proper citation and copying of materials with the permission of any author indicates that the awareness of plagiarism in Vietnamese universities is still minimal with a vague and indifferent attitude. Regarding penalties as indicated in Figure 6, 535 students chose expulsion as the highest form for misquoting and plagiarism (5), which is followed by saving wrongdoings in student academic recording with 415 students choosing 4, failing courses with 381 students choosing 3; and finally warning and reprimanding with a range from 350 to 380 choosing 2.



■ Figure 5. Perception about violations against citation and plagiarism

Figure 6. Academic penalties for plagiarism



### D. DISCUSSION

#### 1. Referencing and citation are common activities in Vietnamese universities.

According to higher education statistics for the academic year 2019-2020 of the Ministry of Education and Training in Vietnam, the higher education system of Vietnam has 237 universities, with a number of undergraduate students up to 1,672,881, graduate and doctoral students 105,974, and 73,132 permanent lecturers (excluding educational institutions in the Security and Defense sector)<sup>3</sup>.

According to Clause 1, Article 5 of the Law on Higher Education in 2012, one of the common goals of higher education is:

<sup>3</sup> Department of Training and Education. (2021). Higher education statistics for the academic year 2019 - 2020. <https://moet.gov.vn/thong-ke/Pages/thong-ko-giao-duc-dai-hoc.aspx?ItemID=7389>

*“training human resources, raising human knowledge, fostering talents, researching science and technologies for creativity, serving the requirements of socio-economic development, ensuring national defense and security and international integration”<sup>4</sup>.*

To achieve the above goal, lecturers, students, and researchers must regularly participate in academic activities such as teaching, learning, and research. When performing these activities, participants are required to learn from each other within the university environment, showing that scientific productions often relate to properly referencing other authors' works. These days, teaching and scientific research works of lecturers, students, trainees, and doctoral students at many universities in the world are often expressed through lectures (in the form of documents or slides show, audio or video recordings), graduation theses and dissertations of learners and articles, textbooks and study guides. In addition, works that are often referenced and cited in universities include lecture notes, textbooks, handbooks, reference books (collectively referred to as books) or scientific research and projects, thesis, presentation report, scientific proceeding, or another specific product (collectively referred to the research papers)<sup>5</sup>. With reasonably referenced from previous works, a myriad of new results in scientific research have been created to promote the development of human beings.

## **2. Awareness of regulations related to citation in Vietnamese universities and international.**

Currently, Vietnamese universities, most learners, even some lecturers, professionals, and scientific researchers still fail to understand and comply with regulations on citation fully. This failure may partly arise from the Confucian culture of East Asian countries, in which learners from an early age have been educated with the habit of remembering and repeating what teachers have taught them. Consequently, learners themselves get used to reusing creations of other people without any citation or acknowledgments<sup>6</sup>. Meanwhile, in Europe, this issue is not the same. According to statistics from the European Commission on Ethics, Transparency in Education on perceptions of plagiarism and violations of academic citation guidelines in 2018, most of the participants in the survey perceive and understand regulations on citation with a rate of 80%-100%<sup>7</sup>. Denmark, Italy, Hungary, and Luxembourg received absolute support from the respondents. The results of this survey are relatively consistent with current education in European countries, which mostly derives from the Socratic principle. Learners are mainly focused on developing critical thinking, reasoning, and broadening knowledge through self-discovery<sup>8</sup>. Therefore, the number of violations against citation and referencing in these countries is relatively limited.

After joining the Bern Convention in 2004, Vietnam domesticated and promulgated the Law on Intellectual Property 2005. After that, the Law on Intellectual Property was amended and supplemented in 2009 when Vietnam became a member of the World Trade Organization (WTO), including the TRIPS agreement. The current regulations on citation and referencing are stipulated under the Intellectual Property Law for general application. Therefore, violations against copyrights from arbitrary copying have decreased significantly, especially in education. In compliance with the law, Vietnamese universities have issued their regulations related to citation and referencing to guide lecturers and learners as well as impose appropriate sanctions to limit the violations.

For example, Decision No. 250/QĐ-DHL dated March 3, 2015, regulating citation and anti-plagiarism of the Ho Chi Minh City Law University (“Decision No. 250/QĐ-DHL”)<sup>9</sup>; Decision No.

<sup>4</sup> National Assembly of Vietnam. (2012). Law on Higher Education in 2012

<sup>5</sup> Trung, T. Q. (2020). Rational citation of work - practice in undergraduate research, teaching and learning. Journal of Legislative Studies.

<sup>6</sup> Ehrich, J. H. (2014). A comparison of Chinese and Australian university students' attitudes towards plagiarism. Studies in Higher Education, 231-246.

<sup>7</sup> Glendinning, Irene & Lancaster, Thomas & Foltýnek, Tomáš & Henek Dlabolová, Dita & Linkeschova, Dana & Calhoun, Ben. (2018). South-East European Project on Policies for Academic Integrity.

<sup>8</sup> Dias, P. C. (2014). Plagiarism phenomenon in European countries: Results from GENIUS project. Procedia - Social and Behavior Sciences, 2526-2531.

<sup>9</sup> Ho Chi Minh City University of Law. (2015). Decision No. 250/QĐ-DHL dated March 3, 2015 of the Rector of Ho Chi Minh City University of Law on citation and anti plagiarism.

02/QD-XHNV-TTPC-SHTT dated January 19, 2018 of the Rector of the University of Social Sciences and Humanities, Vietnam National University (“Decision No. 02/QD-XHNV-TTPC-SHTT”) on citation and anti-plagiarism<sup>10</sup>; Decision No. 5602/QD-DHTV dated September 25, 2020 on regulations on citation and anti-plagiarism of Tra Vinh University (“Decision No. 5602/QD-DHTV”)<sup>11</sup>, all of which stipulate that the citation and referencing must satisfy requirements specified at Point b, Clause 1, Article 25 of the Intellectual Property Law 2005 and other relevant Decrees guiding the implementation. However, each university will have different regulations on the rate or level of permission for referencing and citation.

This is consistent with the current global trend when prestigious universities have developed specific regulations guiding how to cite and prevent plagiarism under different names. For example, Harvard University and Stanford University in the US have developed an “Honor Code” to regulate academic integrity. Therein, plagiarism has been identified as one of six prohibited acts<sup>12</sup>. MIT even provides anti-plagiarism rules directly into the student handbook, including signs and sanctions of plagiarism, such as suspension or expulsion. Plagiarism in the US is considered a serious ethical violation in academics. Thus, most universities do not accept the intentional or unintentional plagiarism of other authors, except for Stanford University where disciplinary action will be only taken for deliberate plagiarism. Each university will stipulate a different percentage that allows the referencing of materials to serve the learning and teaching in the study<sup>13</sup>.

Currently, in Vietnam, there are regulations on citation and referencing provided by plenty of universities. However, they have not been effectively applied in practice. One of the reasons why violations against copyright occur relatively in academic settings is that wrongdoers have not yet fully and clearly understood these regulations. Moreover, the dissemination of the rules at universities is only a formality which fails to approach students in good manners. As a result, lecturers and students are not fully aware of the importance of copyright in an academic environment. In 2020, a study by Professor Dang Hung Vu and Nguyen Thanh Long of Vietnam National University, Ho Chi Minh City conducted to evaluate perceptions of academic integrity at Vietnamese universities with 208 participants. Only about 64% - 69% of students realized that their school provided regulations and guidelines on citation and referencing<sup>14</sup>. This rate is much lower than that of Canadian universities. Specifically, according to a study by Professor Lisa Valentino in 2015 of Western Ontario University, more than 90% of 201 students in Canada admitted that they have known regulations on citation and references at their school, most of which adhere to popular citation styles in the world such as Harvard, APA and MLA<sup>15</sup>.

At Vietnamese universities, in access to regulations on citation and referencing, students mainly study a course called as methods of scientific research, which is not available in bachelor, and only required to be taught at the master and doctoral levels. Furthermore, teaching strategies in this course are often conceptual and theoretical, with few practical exercises<sup>16</sup>. Thus, students have not been instructed practically on how to write scientific research products such as reports, research outlines, and theses to scientific articles to publish in academic journals. Therefore, the reality shows that the applicability and compliance of regulations on citation and referencing in Vietnam greatly depends on each person's consciousness via the ability to learn and search.

<sup>10</sup> University of Social Sciences and Humanities. (2018). Decision No. 02/QD-XHNV-TTPC- IP dated January 19, 2018, of the Rector on citation and anti plagiarism.

<sup>11</sup> Tra Vinh University. (2020). Decision No. 5602/QD-DHTV dated September 25, 2020 on regulations on citation and anti-plagiarism of Tra Vinh University

<sup>12</sup> Soiferman, L. (2016). Problems of Policing Plagiarism and Cheating in University Institutions Due to Incomplete or Inconsistent Definitions. Retrieved from: <https://files.eric.ed.gov/fulltext/ED569164.pdf>

<sup>13</sup> Ibid.

<sup>14</sup> Vu, Đặng & Long, Nguyễn. (2021). Assess students' academic integrity through students' perceptions of the academic environment and academic dishonesty behavior. *Journal of Science Open University Ho Chi Minh City*, 46-63.

<sup>15</sup> Valentino, L. D. (2015). Awareness and Perception of Copyright Among Teaching Faculty at Canadian Universities. *Partnership - The Canadian Journal of Library and Information Practice and Research*, 1-16.

<sup>16</sup> Giao, P. V. (2018). “Academic integrity”: Theory, practice, and requirements in the world and in Vietnam. *Legislative Studies*, 358.

Meanwhile, teaching this module in the UK, USA, and Australia is quite intuitive and active. More specifically, students have opportunities to approach real-life situations and make group presentations to improve their understanding and skills in scientific research. Some major universities, such as the University of New South Wales, the University of Sydney, and the University of Melbourne, also organize tutorials in persons and invite professors, lawyers, and experts in the field of intellectual property to share experiences with students<sup>17</sup>.

In Vietnam, several universities have not used and installed plagiarism-checking software for lecturers and learners. In fact, this tool can significantly assist universities in avoiding plagiarism and other misconduct in scientific research. Currently, the software can be built by reliable third parties such as Grammarly, Turnitin or created by universities themselves, such as DoIT by Vietnam National University. In fact, this advanced technology is available; however, Vietnamese universities have not yet fully applied it practically or focused on its development. Moreover, a current disadvantage Vietnamese universities face is English. This is because most popular plagiarism-checking tools worldwide only works with English. At Australian universities, 100% of students are required to submit their works to Turnitin initially for checking similarity before delivering their final essay or thesis assignment to examiners. The minimum requirements for grading are not over 10% of the similarity rate and include appropriate citations according to international standards such as APA, Harvard, ... If works fail to overcome the similarity check, a student is required to explain and then wait for a final decision rendered by an education institution where he or she is studying. In fact, universities provide policies to categorize levels of similarity<sup>18</sup>. For example, regarding assignments and essays, students can use checking software themselves before submitting. In terms of theses, dissertations and graduation projects, there will be an extra intervention of the school-level management<sup>19</sup>.

### 3. Violations against citation and referencing in Vietnamese universities.

The citation and referencing must be in accordance with the domestic laws and regulations of each university. However, due to a lack of full understanding of legal issues on copyright, wrongdoers commit violations in the academic context, as follows:

*First, citations and references do not include the information of authors and the origin of their works.*

Clause 2, Article 25 of the Intellectual Property Law 2005 stipulates that citations and referencing must provide information about the name of relevant authors and the origin of the works<sup>20</sup>. However, in Vietnamese universities, the issue which learners and lecturers can copy, and use works of other authors without referencing full information is still common.

According to a survey at Duy Tan University on citation and referencing in 2021, participants were asked whether you have ever copied whole or one paragraph or more than half of an article, a book, a paper, an original works of other authors without citation and referencing or not?". Accordingly, only 16% of total respondents disagreed while the rest believed that they did this act at various rates (13.5% frequently, 12% often, 49% sometimes, and 9.5% rarely). When asked about why there is a failure of citation and referencing in the use of original works of other authors, 36% of total participants said that they had not known citation methods. Following this, progress pressure for completion and failure to remember the information of authors occupies 21% and 12% respectively. Lastly, nearly 10% of total respondents are indifferent about citation and

<sup>17</sup> Fatemi, Ghazalossadat & Saito, Eisuke. (2019). Unintentional plagiarism and academic integrity: The challenges and needs of postgraduate international students in Australia. *Journal of Further and Higher Education*. Doi:10.1080/0309877X.2019.1683521.

<sup>18</sup> Ibid.

<sup>19</sup> Alua, Mary Ann & Asiedu, Nasir & Bumbie-Chi, Deborah. (2022). Students' Perception on Plagiarism and Usage of Turnitin Anti-Plagiarism Software: The Role of the Library. *Journal of Library Administration*. 63. 119-136. 10.1080/01930826.2022.2146445.

<sup>20</sup> National Assembly of Vietnam. (2005). Law on Intellectual Property 2005, Article 25

referencing<sup>21</sup>. Similarly, in 2017, a study conducted in School of Social Sciences and Humanities in Vietnam National University, more than 46% of total surveyed students usually use original works of other authors without citation and referencing, and 10% of that never do this. More seriously, nearly 60% of the surveyed students use pirated copies for research and study. From the data mentioned above, this is an alarming issue in the academic environment in Vietnam. Even in some developing African countries with lower educational conditions and facilities, the cognition of proper citation and referencing is much higher. For example, KUNST University in Ghana surveyed 500 students, which resulted that 97% of respondents adhered to proper citation and referencing in their research (Korletey, and Tetey, 2015)<sup>22</sup>.

To help lecturers and learners in citation and referencing, policies in each Vietnamese university provide specific and detailed instructions on how to cite and make a list of references such as general principles, specific in-text citations, and references for each work as well as an order of references. For example, Appendix on guiding citation and referencing issued together with Decision No. 02/QĐ-XHNV-TTPC-SHTT<sup>23</sup>; Appendix 01 on citation and anti-plagiarism of Ho Chi Minh Law University issued along with Decision 250/QĐ-DHL<sup>24</sup>. Countries with developed education systems facilitate lecturers and learners via similar policies. In Australia, for example, the University of Sydney has a policy of academic integrity (Academic Honesty in Coursework Policy 2016) and a research code of conduct (Research Code of Conduct 2019) with similar provisions. The University of New South Wales has also developed its own research codes with internal plagiarism policies<sup>25</sup>.

*Secondly, the percentage of cited contents is large and not correlated with that of content created by the students, lecturers and researchers.*

According to the Vietnamese Dictionary, a citation is the use of a sentence or a paragraph from another work clarifying reasoning; or the use of an (insignificant) work of another person making the creators' intention more explicit. Thus, for scientific research works with a majority of cited contents, the intention of writers fails to clarify their own idea or deliver original purposes of reasoning. Currently, to limit such violations in Vietnam, universities have regulated to limit the percentage of cited content allowed to scientific research works. In fact, specific proportions in each university are different, which depend on the own regulations of citation and referencing (Yap, 2020)<sup>26</sup>. For example, Ho Chi Minh City University of Law allows the percentage of citation to be less than 50% (Clause 3, Article 5 of Decision 250/QĐ-DHL)<sup>27</sup>. Meanwhile, Tra Vinh University and School of Social Sciences and Humanities, Vietnam National University allow lower percentage of below 30% (Clause 5, Article 5 of Decision 5602/QĐ-DHTV)<sup>28</sup>; 20% for works of other authors (Clause 5, Article 5 of the Regulation issued together with Decision No. 02/QĐ-XHNV-TTPC-IP) respectively<sup>29</sup>. Even the School of Social Sciences and Humanities, Vietnam National University also stipulates that the allowed rate is less than 30% in the use of works published by writers or by co-authors without specifying the source.

<sup>21</sup> Giang, M. (2015). Plagiarism is increasingly alarming. <https://tuoitre.vn/dao-van-ngay-cang-dang-bao-dong-754254.htm>

<sup>22</sup> Korletey, J and Tetey. E (2015). An Investigation of Copyright Awareness at Kwame Nkrumah University of Science and Technology (KNUST). *International Journal of Sciences: Basic and Applied Research*, 390-404.

<sup>23</sup> University of Social Sciences and Humanities. (2018). Decision No. 02/QĐ-XHNV-TTPC-IP dated January 19, 2018, of the Rector on citation and anti plagiarism.

<sup>24</sup> Ho Chi Minh City University of Law. (2015). Decision No. 250/QĐ-DHL dated March 3, 2015 of the Rector of Ho Chi Minh City University of Law on citation and anti plagiarism.

<sup>25</sup> Sefcik, Lesley & Striepe, Michelle & Yorke, Jon. (2019). Mapping The Landscape of Academic Integrity Education Programs: What Approaches Are Effective? *Assessment & Evaluation in Higher Education*. 45. 1-14. 10.1080/02602938.2019.1604942.

<sup>26</sup> Yap, Joseph. (2020). Common Referencing Errors Committed by Graduate Students in Education.

<sup>27</sup> Ho Chi Minh City University of Law. (2015). Decision No. 250/QĐ-DHL dated March 3, 2015 of the Rector of Ho Chi Minh City University of Law on citation and anti plagiarism.

<sup>28</sup> Tra Vinh University. (2020). Decision No. 5602/QĐ-DHTV dated September 25, 2020 on regulations on citation and anti-plagiarism of Tra Vinh University

<sup>29</sup> University of Social Sciences and Humanities. (2018). Decision No. 02/QĐ-XHNV-TTPC-IP dated January 19, 2018, of the Rector on citation and anti plagiarism.

Based on a survey on the rate of plagiarism at Hoa Sen University, Vietnam, 681 essays of students in the fields of human resources, tourism, finance and accounting, business and marketing are used for checking similarity. The result showed that the average similarity rate of such essays is 29%. According to Dr. Do Ba Khang, who conducted the research, this is a relatively high rate compared to the world. Specifically, most universities in the world limit the maximum rate with the range from 10-20% similarity. Even, in some educational institutions, if the similarity rate is higher than 5%, a writer may be convicted of committing plagiarism. Therefore, the average rate of 29% for checking similarity at Hoa Sen University is alarming<sup>30</sup>. In addition, according to the plagiarism warning notice issued by the Director of the Institute of International Training - Academy of Finance, a statistic of submissions of students of the DDP training program at the Institute of International Training - Academy of Finance for the course A&A shows that most students are still vaguely aware of plagiarism, and indifferent about the seriousness of this wrongdoing. Even students still underestimate plagiarism despite being reminded and warned. The result has clearly shown 100% of the exams of DDP students (in Hanoi) have similarities to works of other authors (45/45 submissions), many of which have a very high similarity rate. The average similarity rate in the survey is 43%, which is much higher than that in Greenwich University in the UK. 40/45 submissions have a similarity rate of approximately 20%, and the lowest rate is 8%<sup>31</sup>.

With advanced educational systems, the UK, Australia, and Canada aim to encourage students to come up with new and innovative products, applicability, and rationality. To develop creativity, students, lecturers, and researchers need to refer to reliable sources to draw conclusions and find out resolutions for unsolved problems. Therefore, to ensure academic integrity, along with the application for checking plagiarism, universities also set up committees to investigate and evaluate violations against copyright and citation. Depending on each discipline, the degree of similarity allowed will vary, ranging from 10% to 20%. In some cases, the similarity rate is over 30%, and students must explain to faculty and an ad-hoc committee about academic misconduct to review and make a final decision.

*Third, violations against the purposes of copying and using works of other authors.*

According to the provisions of Article 25 of the Intellectual Property Law, the act of "self-reproducing a copy for personal scientific research and teaching, not for commercial purposes" is one of two cases that do not require permission and without paying royalties or remuneration to the author or the copyright owner<sup>32</sup>. In fact, copying is completed through several means, such as photocopying, scanning, and taking photos by a camera. According to the above provisions, copying is not against copyright in the case of the purpose of scientific research or teaching.

In fact, many countries also have reasonable exceptions on citation and copying in the same manner as Vietnam. However, Fair use or Fair trading under the domestic laws of these nations is more comprehensive and transparent, including learning and scientific research. Typically, these exceptions are identified as non-commercial purposes and served for the public. Specifically, according to Part IV, the Civil Code of the Russian Federation 1994 Article 1275, copying and appropriate citation are only accepted in academics when the library has legally published the work to restore lost or damaged archives<sup>33</sup>. Fair use for learning, research and teaching purposes only applies to individual articles and a small portion of the work or short paragraphs legally published in libraries and educational institutions. Under this provision, students can copy or cite part of a work or article for learning purposes without the consent of authors. However, the work of students must cite the name of author and of source of borrowing to have an original copy<sup>34</sup>. Acceptable similarities are specified in rules and other relevant documents established by educational institutions. According to Articles 107 and 108 of the US Copyright Act 1976, only libraries and

<sup>30</sup> Giang, M. (2015). Plagiarism is increasingly alarming. <https://tuoitre.vn/dao-van-ngay-cang-dang-bao-dong-754254.htm>

<sup>31</sup> University of Greenwich (2020). Plagiarism warning. <https://iife.edu.vn/canh-bao-tinh-trang-dao-van/>

<sup>32</sup> National Assembly of Vietnam. (2005). Law on Intellectual Property 2005, Article 25

<sup>33</sup> The Russian Federation. (1994). Civil Code 1994, Part VI, Articles 1275

<sup>34</sup> Ibid.

archives are allowed to copy and cite for the purpose of storing comments, criticism, news or research, or teaching<sup>35</sup>.

Today, universities in developed countries allow a certain percentage or number of pages copied of published work to determine proper citations and references. A student who wishes to copy a part of a published work for study must obtain permission from the library and educational institution. Normally, many universities will provide photocopying services in the library to support and only allow students to copy at a specific rate. Page numbers and copying rates vary among universities. For instance, in Australia, universities stipulate that students cannot copy more than 10% unless authorized by the author. In the UK, this ratio is also used, but the policy is further required not to exceed 20 pages. In Finland, universities allowed students to copy a maximum of 20 pages per published work.

In higher education, it is common for students to copy textbooks and documents for learning purposes. The main cause of this situation is economic problems when most of the students are not financially independent and still depend on the monthly financial support of their families. With limited financial resources and challenging economic conditions, most students will choose photocopy books instead of high-priced copyright books. In addition, most students are still unaware that copying such textbooks and materials violates the copyright. At the same time, students' awareness of the school's regulations on copying, citation, and copyright law is still not high. They are still indifferent to the school's sanctions and think that no one will find out.

At some multinational universities, plagiarism still occurs, which is committed by mostly international students. This is because they fail to understand the culture of their learning environment, and domestic laws of the host country and the language barriers in expressing opinions<sup>36</sup>. Specifically, according to a study by the University of Minnesota in the US, 85% of violations against references and appropriate citations arise from international students, who claim that their primary language is not English and wrongly understand academic integrity policies. Moreover, this study found that many students from Asian cultures also consider repeating whole words and ideas of others as respect to owners of the work in their country<sup>37</sup>.

In Vietnam, near any university, there are photocopier shops that provide photocopying and printing services, sell various textbooks and reference books, and even store thesis and graduation project files without legal authorization. In developed countries such as Australia and the UK, opening a printing business is conditional, which requires permission from competent authorities. In particular, the business is only allowed to print personal documents created by owners or public documents along with the binding and framing services. Printing without permission, performed directly or indirectly at any printing business, is considered an illegal act with very high penalties<sup>38</sup>. Therefore, the printing business will not allow or support students to print documents, books, or articles composed by other authors without permission.

In general, the severity and rate of violations have increased in educational institutions, especially universities. According to a survey by the Vietnam Association of Copying Rights VIETPRO, more than 60 educational institutions in Vietnam expose the most common copyright infringement is unreasonable citation and references<sup>39</sup>. To avoid these violations and protect the copyright in academic settings, universities in Vietnam have enacted regulations that prohibit students from

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<sup>35</sup>The US Congress. (1976). The Copyright Act 1976, Articles 107 and 108

<sup>36</sup>Suherman, La & Rahman, Fathu & Eryck, Muhamad & Munirah, Munirah. (2022). Plagiarism Occur in Students' Academic Work, Exploring Impact The Efl (English As Foreign Language) Undergraduate Students' Plagiarism In Theses Writing. *Zonasi: Jurnal Sistem Informasi*. 4. 52-63.

<sup>37</sup>Doss, D. H. (2016). Assessing Domestic vs. International Student Perceptions and Attitudes of Plagiarism. *Journal of International Students*, 542-565.

<sup>38</sup>Sefcik, Lesley & Striepe, Michelle & Yorke, Jon. (2019). Mapping The Landscape of Academic Integrity Education Programs: What Approaches Are Effective? *Assessment & Evaluation in Higher Education*. 45. 1-14. 10.1080/02602938.2019.1604942.

<sup>39</sup>Tuyen, Nguyen. (2019). Copyright protection in higher education institutions - Practice at some universities. *Trade and Industry Journal*. Retrieved. <https://tapchicongthuong.vn/bai-viet/bao-ho-quyen-tac-gia-trong-co-so-giao-duc-dai-hoc-thuc-tien-tai-mot-so-truong-dai-hoc-64993.htm>

using and releasing copy-edited learning materials without the permission of authors for works and articles published by the library. At the same time, the school requires students to cite reasonably pursuant to common scientific research standards and acknowledge cited works' contributions<sup>40</sup>. Based on the rate of seriousness, each university specifies sanctions to deter acts of copyright infringement.

#### 4. Practical penalties imposed on violations against citation and referencing in Vietnamese universities.

Recently, a myriad of violations against citation and referencing have occurred in Vietnamese universities. For example, Lac Hong University decided to take disciplinary action simultaneously against 15 students copying half to two-thirds of a research thesis from another author, according to Decision No. 841/QĐ-DLH<sup>41</sup>. In addition, another recent case of violation against citation and referencing concerned by scientific researchers is the book "Relation between PR professionals and journalists: from a media ethics perspective" by Professor Hoang Xuan Phuong and Vu Mong Lan. This published book was complained by Professor Jim Macnamara due to copying about 85% of his article published in the *International Journalism & Mass Communication Quarterly* in 2016. After that, the Editorial Board contacted the Publishing House of Vietnam National University and proposed to withdraw the book and other editions. At the same time, the publisher sent an apology and then was accepted by Professor Jim Macnamara. On the side of wrongdoers, both authors were dismissed from their position in the universities where they were working. Then, the authors report their violations to the publisher and bear all damage costs<sup>42</sup>. Apparently, violations against citation and referencing in an academic environment cause severe consequences to the reputation, brand, and development of scientific researchers. Lack of deterrent sanctions and dissemination facilitate wrongdoers to infringe laws on copyright.

Today, based on the level of damage and seriousness of citation and referencing, an infringer can be imposed by one or more different sanctions. Most universities in these countries consider this violation as an unethical practice and misconduct in the integrity of scientific research<sup>43</sup>. Therefore, these sanctions are often specified in codes of conduct or academic disciplines. In academic settings, disciplinary measures may be imposed, including reprimand, points deducted for infringing works, and definite suspension of defense, not allowed for defense<sup>44</sup>. Seriously, the decision on assignment of the project may be canceled, the protection results are canceled, the scientific research contract is canceled, the acceptance test results are canceled, and the author must compensate according to regulations and publicly apologize. For undergraduate students, minor violations may result in points being deducted or failing the selected course. In severe cases, the student may be permanently expelled, and this violation will be recorded on the student's transcript and file. In the University of New South Wales, the Research Code of Conduct is designed to protect the integrity of the university's scientific<sup>45</sup>. When there is a violation of copying and citation, the school will rely on the process in the procedural code on research misconduct to handle it. If the violator is a student, the sanctioning form will be specified in the Student Misconduct Procedure<sup>46</sup>. Depending on the severity of the violation, disciplinary measures include warning, failing the course, suspension, expulsion temporarily or indefinitely, and revocation of degrees. In addition, the school also applies additional measures, such as: not allowing violating

<sup>40</sup>Ibid.

<sup>41</sup> Lac Hong University. (2010). Decision No. 841/QĐ - DHLH of the Rector signed on June 15, 2010 on the enforcement of discipline against students plagiarism in student scientific research for the 14th time.

<sup>42</sup> Nga, Đ. (2021). Committing plagiarism, the Vice Dean and Head of Department of Van Lang University were dismissed. <https://phan.vn/dinh-dao-van-pho-truong-khoa-va-truong-bo-mon-truong-dai-hoc-van-lang-bi-cach-chuc.html>

<sup>43</sup> Levin, V.I. (2018). Plagiarism, Its Essence and Measures To Prevent And Handle It. *Vyshee Obrazovanie v Rossii*. 27. 143-150.

<sup>44</sup>Ibid.

<sup>45</sup>See Sefcik & Striepe & Yorke, above n35.

<sup>46</sup>Ibid.

students to use materials from the school and the library. In Vietnam, many universities have developed regulations on appropriate citation and copying, which include fines. However, the reality shows that the handling measure is still relatively light and not enough of a deterrent. Furthermore, the process for assessing violations has not yet been enacted. For example, under the Decision on handling plagiarism of the University of Economics Ho Chi Minh City No. 4621/QĐ-ĐHKT-VSDH, Article 4 stipulates that the highest penalty for students when committing this mistake for the second time is only a deduction of points for that course, while lecturers and researchers will not be denied previous acceptance of the work report and termination of the contract<sup>47</sup>. In addition, the regulation has not yet built a clear mechanism and procedure to consider violations. Therefore, universities in Vietnam need to further improve the regulations on sanctions as well as discipline and increase the deterrence of these regulations to minimize the violation of regulations on copying and citing.

#### E. CONCLUSION.

To meet the requirements of international integration for educational activities and protect academic integrity, higher education institutions need to pay more attention to the issue of citation and copying in learning, teaching, and scientific research. Through this, universities in Vietnam can achieve two purposes. First, the school will improve the compliance of students, faculty, and staff in the academic environment and their awareness of copying and citation violations. Second, the school has perfected its image and reputation in the academic environment.

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