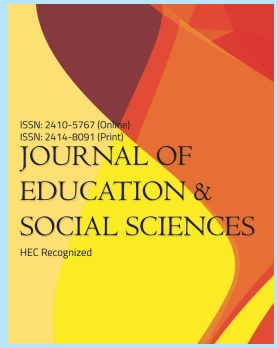
Journal of Education & Social Sciences

ISSN: 2410-5767 (Online)
ISSN: 2414-8091 (Print)



Conceptual Review of Creative Commons - A Roadmap towards Open Educational Practices

Affiliation:
Munir Moosa Sadruddin
Assistant Professor of Education, Sindh Madressatul Islam University, Pakistan.
Email: mmsadruddin@smiu.edu.pk

Manuscript Information
Submission Date: July 10, 2022
Reviews Completed: September 21, 2022
Acceptance Date: September 28, 2022
Publication Date: October 03, 2022

Citation in APA Style:
Sadruddin, M. M. (2022). Conceptual Review of Creative Commons - A Roadmap towards Open Educational Practices, *Journal of Education & Social Sciences, 10*(2), 1-9.

DOI: https://doi.org/ 10.20547/jess1022210201

.

Journal of Education & Social Sciences
Vol. 10(2): 1-9, 2022
DOI: 10.20547/jess1022210201

Conceptual Review of Creative Commons - A Roadmap towards Open Educational Practices

Munir Moosa Sadruddin *

Abstract: *This paper examines the potential of Creative Commons (CC) for the wider creation and diffusion of creative work and open educational resources (OER). Through a conceptual review approach, 'innovation' and 'issues' about the use of CC licenses are explored. CC is a viable option for creators to showcase innovative and creative work, and publish and distribute contextual OER on diverse subject matter. It accelerates collaboration and participation in a community of practice (CoP). However, readiness to share work under CC licenses is crucial for wider open educational practice (OEP). Despite its support towards affordances for education, it is not yet widely adopted in higher education. The use of CC is underrated due to a lack of awareness about its potential in academia. A literacy course on CC licenses must be introduced across higher education institutions to encourage OEP and foster creativity.*

Keywords: OER, OEP, Creative Commons, CC, licensure, digital license.

Introduction

Digital technology has created a profound sense of social connectedness. It has brought significant transformation in the way of disseminating and exchanging knowledge and skills with others. For example, MERLOT provides access to curated learning, teaching, and research resources, and also offers content creation tools at no cost. Similarly, Zenodo- an open repository, allows researchers to share and preserve research work for free. Likewise, OpenLearn- an educational website offers free learning courses and resources to the global learning community.

Artificial Intelligence, virtual reality, and block chain are the future of educational technology. These innovative transformations will increase data vulnerabilities and would greatly rely on safeguarding key information from compromise or loss. The concept of data protection-copyright emerged for the confidentiality of resources and integrity of authors/researchers/creatives. According to BBC (2018), "The first copyright Act of Parliament dates back as far as the 18th century to the Statute of Anne in 1709". Initially, the copyright law was applied for the replication of books. Later, the first international agreement, the 'Berne Convention' was conceded to guard scientific, literary, and artistic domains.

*Assistant Professor of Education, Sindh Madressatul Islam University, Pakistan. Email: mmsadruddin@smiu.edu.pk

Received July 10, 2022; Received in revised form September 21, 2022; Accepted September 28, 2022; Available online October 03, 2022

The history of traditional copyright protection laws varies from country to country and is under the radar of some criticism. Firstly, copyrighted work is not protected after a certain period and falls into the public domain. It increases the chance of resource exploitation for commercial or non-commercial gain. Secondly, copyright protections restrict the recreation of work. Lastly, it hampers creativity and limits the knowledge-sharing process. Okediji (2017) views copyright law as a regime of controlling creative content.

The concept of copyright expanded with the digitalization of resources. After the technological revolution, most of the digital content was subjected to the 'all rights reserved' model. Lack of access, sharing, and collaboration on human creation was a barrier to the realization of the full potential of the digital world. To nurture a knowledge-sharing culture, Creative Commons (CC) emerged as a nonprofit organization in 2001 and published CC licenses in 2002 .

It is a digital copyright license system, which encourages the identification, filtration, and re-utilization of available open content creatively. It underpins the ecology of OER. Its central aim is "to provide such voluntary mechanisms by offering creators and licensors a simple way to say what freedoms they want their creative content to carry" (Maracke, 2010). Updegrove quoted, "[CC] aspires to cultivate a common in which people can feel free to reuse not only ideas, but also words, images, and music" (2013, p.31).

Creative Commons estimates about two billion publications of work (as of 2022) under CC licenses. The licenses are inclusive of four conditions that create six licenses namely CC BY (Attribution); CC BY-SA (Attribution-ShareAlike); CC BY-ND (Attribution-NoDerivs); CC BY-NC (Attribution-NonCommercial); CC BY-NC-SA (Attribution-NonCommercial-ShareAlike) and CC BY-NC-ND (Attribution-NonCommercial-NoDerivs). The most open license is CC BY, whereas, CC BY-NC-ND remains the most obstructive license. The license of choice is created at no cost from https://creativecommons.org/share-your-work/ Individuals can also deposit their work on a Creative Commons platform for wider resource sharing and open collaboration. It is a point to highlight that all OER are published under CC licenses.

CC contributes to the knowledge economy. It catalyzes the production of diverse resources through collaboration. It has potentially alleviated some of the glitches caused by traditional copyright laws such as accessibility to restricted resources, and freedom to re-use licensed work. It has also diluted the boundary of keeping ownership of work by giving "public permission to share and use the creative work" (Wikibooks, 2022). This in turn has leveraged the reprocessing and recreation of resources.

In Pakistan, The Copyright Ordinance, 1962 (now Copyright (Amendment) Ordinance, 2000) is the point of reference for data protection. Pakistan is also a member of the Berne Copyright Union and the Universal Copyright Convention. Open license practice is unrecognized, particularly among academic circles in Pakistan. Research study into this area is limited in the local context. A study surveyed the understanding of editors, professors, and researchers at Pakistani higher education institutions about CC. Participants were not fully informed about CC, its attributes, and its utility. My exposure and experi-

More information on the history of CC is available at https://certificates.creativecommons.org/cccertedu/-chapter/1-1-the-story-of-creative-commons/

ence confirm the lack of awareness and willingness of academia towards publishing work under CC. Academia is in chase of publishing books and research papers, in particular, for financial or professional perks than sharing open knowledge with wider communities. Although a few Pakistani research journals are now published under CC, these are superficial and do not confirm sustainable CC practice on personal grounds.

This study is conducted to understand the facets of 'innovation', and 'issues' about the use of CC licenses. Though the study does not promise a change in mindset, its purpose is to create awareness about CC among higher education academia across Pakistan for sustainable open educational practices.

Research Design

This study adopts a conceptual literature review approach and looks at 'innovation', 'and 'issues', relating to the use of CC licenses. This approach aligns with the research objective to gain some insights about CC as knowledge development for future empirical studies.

Data Analysis

Innovation

CC is an innovative attempt to categorize creative works of interest for the benefit of wider communities (Loren, 2006). It breeds a broad production of novel work in the field of scientific research, education, cultural heritage, music, and visual arts.

Around two billion creative and literary work reflects the contribution of CC in the recreation of knowledge, and in building an innovative-based economy. Vollmer and Green expressed, "Open innovation is transcending the boundaries of traditional knowledge production and fosters cross-fertilization of knowledge" (2016, p.10).

CC facilitates individuals to collaborate, share the intellectual output, and expand the network of communities. The Creative Commons Global Network, for example, is a collection of people, who share knowledge with global learning communities through CC tools, products, and platforms like Flickr, Wikipedia, Youtube, Skills Commons, PLOS, and MIT OpenCourseWare. Similarly, Open Education Resource universitas (OERu) is a global network of like-minded institutions offering free courses under a CC license.

CC gives freedom to the content owner/licensor to place a set of restrictions for the use, reuse, and sharing of work with others. Klimpel (2013) underlines, "[CC] allows individuals to think innovatively, create their own work [out of the existing work], and make it available to a wider audience" (2012, p.8).

CC licensors do not seek any financial reward. They are intrinsically motivated to share their novel work with others. Kim (2007) expressed that the financial gain from copyrighted works is not critical for CC licensors. They create resources out of a love of creating and sharing work; to get recognition from others; to build a reputation, and distribute their work widely under CC.

CC is also innovative as it "develops a rich repository of high-quality works" (Kranich, 2004), which is beneficial for the research and learning communities. For example, Git Repositories on GitHub. Another example is Oasis- the Commonwealth of Learning's repository that offers free courses, learning materials, and OER on the wider subject matter. Individuals can also search for CC-licensed resources through other online platforms such as 'Wikimedia Commons CC- Search' and 'MERLOT'.

CC licenses are suitable for educators, researchers, and academic institutions for sharing learning and creative content. Cobcroft (2010) compiled 200 CC successful case studies on music, images, open visual arts exhibition, open-source cinema projects, open archives, educational resources, independent textbooks, open-source gaming, and open data initiatives. These success stories are evidence of innovation and collaboration . More recently, the CC platform selected eight positive CC projects (to be released in detail) from countries including Brazil, Chile, and Nigeria. All the case studies contributed to the open knowledge cultural heritage ecosystem.

Snijder (2015) shares, "Open licenses pave the way for intermediaries to offer discovery and aggregation services...by amplifying the impacts of open access licensing in the case of scholarly books" (2015, p.1). Creative projects such as Open Access Publishing in European Networks (OAPEN) and MUSE were produced under CC. These have delivered open-access resources, particularly scholarly books to academia and professionals.

Globally, the rising cost of textbooks is adding a burden on students. To address financial constraint, OERAfrica has set the best example by offering CC-licensed resources and undertaking collaborative projects within the African higher education system. CC has widened access to the production of new resources for adult literacy in developing countries. For example, adult learning training institutions in Nigeria are potential beneficiaries of CC resources (Chuma-Okoro, 2013). A few schools in some developing countries have piloted the use of CC-licensed textbooks and teaching resources via APTUS/Rachel/Solar Spell (Thomson, 2016).

CC has been used by some higher education institutions to disseminate information beyond academia while retaining some control over their copyrighted works. For example, Open Educational projects such as Connexion by Rice University, OpenLearn by the Open University, and OER Commons have produced CC-licensed resources such as learning modules, which have been reused by institutions and individuals in a variety of ways. These initiatives are bridging the knowledge gap and shaping global learning communities.

A cross-comparative analysis was conducted across nine countries including Germany, Japan, Canada, and Australia, to find the perceptions and the use of OER for teaching and learning in higher education. The use of OER tools like Youtube and Vimeo for resource sharing in Turkey; the use of Youtube for educational content in Japan; and OER repositories like Slideshare in Canada are promising case studies (Marín et al., 2022).

CC has provided a platform for the public to make their work available to a wider audience. It has encouraged emerging writers and artists to produce creative content and control the misuse of digital content produced by the originators (Kiely, 2010). For example, Joe Moxley founded Writing Commons; Daniel Branan initiated open-source

More case studies can be found at https://wiki.creativecommons.org/wiki/Case_Studies

software for science education; and Professor David Lippman built iMathAS- an open-source math assessment and course platform. Likewise, Free Music Archive is a CC-licensed music platform that legally allows anyone to use music in a personal project without barrier. Likewise, Pexels and Unsplash offer many CC-licensed photos that can be used for free. According to Senftleben (2004), "Unrestrained access to literary and artistic productions enables individuals to participate in the intellectual life of society".

CC has supported "the legality of distributing and altering open materials, especially cultural works such as photos and music" (Bliss & Smith, 2017). "Free-to-all internet communities such as the internet record label, 'Opsound', the Creative Commons music site, 'Creative Commons Mixter' 'Flickr' and the 'Open Clip Art Library' have all adopted the licenses as 'community norms" (Corbett, 2011).

CC has influenced a few governments., for example, Canada, Brazil, Indonesia, France, the United Kingdom, the United States, and Poland, and intergovernmental organizations like the Commonwealth of Learning, the United Nations, and the World Bank, to introduce open resource-sharing policies. This trend might bring more collaborative opportunities for countries on policies and practices grounds.

CC has revived the culture of reading, writing, and edutainment due to the cost-effective digital approach. Nimus (2006) expressed, "As a result of commons-based peer-production and the Creative Commons project more specifically, the possibility of a Read-Write culture is reborn". On the publishing ground, Ubongo- a leading edutainment producer in Africa has shifted from traditional copyright to CC for wider dissemination of OER.

Overall, CC catalyzes intellectual openness, creativity, usability, and innovation.

Issues

If Creative Commons is to be the standard bearer for open access, it's important to understand both what the organization is and what its licenses are. A lack of general understanding of the different types of CC licenses is one of the barriers to its wider use. This could be one of the possible reasons for educators and creatives to create fewer resources and publish them under a CC license. Also, a lack of ownership and willingness would have deterred individuals to participate in CoP. Krelja Kurelovic (2016) found that "the familiarity with OER and Creative Commons licenses [among the participants in Croatia] is very low". Another study revealed a low level of awareness of the CC licenses among UK art and design academics (Casey, 2012). Similarly, Marín et al. (2022) highlighted the lack of awareness level and adoption practice among faculty members, and the availability of institutional repositories as a barrier in nine countries including Australia and Germany. Few other researchers also highlighted a lack of understanding about CC and the nature of open sources as a barrier to reaching their fullest potential (Hodgkinson-Williams & Arinto, 2017). Koščík and Šavelka (2013) expressed that a wider range of users is persuaded to use incorrect CC and infringe copyright due to over-enthusiasm.

CC is incompatible with traditional copyright laws. Frankel (2015) highlights, "Each country has an independent copyright law. Consequently, an owner of copyright in one country will own a separate copyright in another country" (2015, p.275). Although a

good number of countries, for example, India, Australia, and Germany are the proponents of CC policies, incompatibility with the traditional laws has obstructed sharing of resources with wider communities. Corbett (2011) underlines, "Flaws in Creative Commons licenses are merely a symptom of the broader problems created by a traditional law" (2011, p.531).

CC has increased the production of openly licensed remixed work. However, it has no comprehensive directory or database. The originators are uninformed, about how their work has been remixed or recreated by others.

There is also a lack of a uniform global policy framework and no uniform legality to protect the intellectual work publishes under CC. Creative Commons (2013) explains, "CC does not provide legal services. CC makes no warranties regarding the information provided and disclaims liability for damages resulting from its use". Seneviratne et al. (2009) highlight, "Not much effort has been on actually detecting whether a license has been violated or not".

Discussion

"CC emerged as a direct response to the shortcomings of copyright laws and licensing practices in the dynamic, interactive, and distributed internet environment" (Fitzgerald & Hooper, 2013). It was developed in 2001 by Lawrence Lessig at Stanford University and was founded with the support of the Center for the Public Domain, and well-wishers at the Berkman Center for Internet & Society at Harvard Law School and Stanford Law School Center for Internet and Society (Wiki, 2011).

Geere (2011) reflects, "[CC] was intended as a grass-roots movement of creators, otherwise known as copyright owners, who would look at this default of 'all rights reserved' and say 'I don't need all rights', the most they need is some rights".

CC was exhibited on open-source software but for use with digital content than software code. According to Broussard (2007), "[CC] is inspired by the Free Software Foundation's GNU General Public License (GPL), free software, and open-source initiatives" (p.8).

CC licenses are built on the premise of a user-friendly web-based application. It applies a three-layer design namely 'legal code', 'commons deeds' and 'machine-readable', which "ensure creators, users, and even the Web itself understand the norms and rules associated with digital content in a common". Thus, any layman can apply CC license without any hurdle- making it complex to assess its misuse.

CC originally focused on U.S. copyright but later expanded its licenses to be compatible with copyright laws in more than 50 countries (Downing, 2010). Today, CC is a well-recognized global licensure body with a contribution of resources for free.

Comparing CC with traditional copyright laws, individuals cannot negotiate with traditional copyright laws to a great extent as compared to the CC, which has filled the gaps between traditional copyright and the realities of the digital environment (Gulley, 2013).

Literature reflects on CC as a tool for open collaboration and cross-fertilization of knowledge. It has provided a platform to creatives and has encouraged content creators to share resources on a wider scale without much restriction. Several repositories are

available with open resources on diverse subject areas. Also, a good number of creative projects are launched that have allowed the production of contextual resources. CC can further reduce education expenses in many ways.

Some higher education institutions and governments have also supported CC initiatives, but people should be made more aware of CC so that they can copyright their work, and also acknowledge others' work. Awareness of CC license and development of OER is certainly important for the sustenance of open culture, and for sharing and remixing resources in the right direction.

Conclusion

CC is a symbol of innovation and inclusion. It combines with technology to build open knowledge communities. Though CC is not suitable for all contexts, it still is a promising avenue to disseminate sustainable educational practices.

There is a need to create awareness about its potential among academia. CC can be introduced to the teaching faculty and students through workshops, seminars, awareness sessions, or by making it a part of an academic course. Social media can also play an active role in creating awareness on large scale.

"Creative Commons is still far from realizing the full potential of its vision. Over-reliance on traditional practices hinders adoption of novel approaches" (Creative Commons, 2013). CC team must re-evaluate its strategies, and adopt a sustainable approach by developing a flexible model with the inclusion of more licensing options so that every country can apply it.

Research on CC from the higher education perspective, in the form of case studies, must be taken on board to understand, how educators and researchers are using CC for knowledge-sharing purposes.

Traditional copyright laws of each country must expand their support to CC and vice versa, to encourage a culture of open knowledge-sharing. CC can also "develop a roadmap for product development to steer the creation and promotion of new legal and technical tools that meet the needs of users and synchronize with emerging technologies" (ibid).

References

BBC. (2018). *How did copyright come about?* Retrieved from https://www.bbc.co.uk/copyrightaware/what-is-copyright/#:~:text=The%20first%20copyright%20Act%20of,Gutenberg%20in%20the%2015th%20century

Bliss, T., & Smith, M. (2017). A brief history of open educational resources. *Open: The philosophy and practices that are revolutionizing education and science*, 9–27.

Broussard, S. L. (2007). The copyleft movement: creative commons licensing. *Communication Research Trends*, *26*(3), 1-43.

Casey, J. (2012). Creative commons licences: are they right for you? *Art Libraries Journal*, *37*(2), 32–37.

Chuma-Okoro, H. (2013). Importance of creative commons licensing and the creative commons movement to open education resources initiatives in Nigeria.

Cobcroft, R. (2010). The state of the commons: Case studies 2010. , 14-63. Retrieved from JournalofMediaandCommunication(SpecialEdition)

Corbett, S. (2011). Creative commons licences, the copyright regime and the online community: is there a fatal disconnect? *The Modern Law Review*, *74*(4), 503–531.

Creative Commons. (2013). *The future of creative commons.* Retrieved from https://wiki.creativecommons.org/images/c/ce/Future-of-creative-commons.pdf

Downing, J. D. (2010). *Encyclopedia of social movement media*. Sage Publications.

Fitzgerald, A., & Hooper, N. (2013). Explainer: Creative commons. *The Conversation*, 1–5.

Frankel, S. (2015). The international copyright problem and durable solutions. *Vand. J. Ent. & Tech. L.*, *18*, 39.

Geere, D. (2011). The history of creative commons. *Wired, December*, *13*(2011), 2011–12.

Gulley, N. (2013). Creative commons: challenges and solutions for researchers; a publisher's perspective of copyright in an open access environment. *Insights*, *26*(2).

Hodgkinson-Williams, C., & Arinto, P. (2017). *Adoption and impact of OER in the Global South*. African Minds.

Kiely, Y. M. (2010). Copyright, creative commons and artistic integrity.

Kim, M. (2007). The creative commons and copyright protection in the digital era: Uses of creative commons licenses. *Journal of Computer-mediated Communication*, *13*(1), 187–209.

Klimpel, P. (2013). Free knowledge based on creative commons licenses. *Wikimedia Deutschland*.

Koščík, M., & Šavelka, J. (2013). Dangers of over-enthusiasm in licensing under creative commons. *Masaryk University Journal of Law and Technology*, *7*(2), 201–227.

Kranich, N. (2004). The information commons: A public policy report.

Krelja Kurelovic, E. (2016). Advantages and limitations of usage of open educational resources in small countries. *International Journal of Research in Education and Science*, *2*(1), 136–142.

Loren, L. P. (2006). Building a reliable semicommons of creative works: enforcement of creative commons licenses and limited abandonment of copyright. *Geo. Mason L. Rev.*, *14*, 271-328.

Maracke, C. (2010). Creative commons international: The international license porting project-origins, experiences, and challenges. *J. Intell. Prop. Info. Tech. & Elec. Com. L.*, *1*, 4-18.

Marín, V. I., Zawacki-Richter, O., Aydin, C. H., Bedenlier, S., Bond, M., Bozkurt, A., ... others (2022). Faculty perceptions, awareness and use of open educational resources for teaching and learning in higher education: a cross-comparative analysis. *Research and Practice in Technology Enhanced Learning*, *17*(1), 1–23.

Nimus, A. (2006). Copyright, copyleft and the creative anti-commons. *Berlín. Recuperado de http://subsol. c3. hu/subsol_2/contributors0/nimustext. html*.

Okediji, R. L. (2017). *Copyright law in an age of limitations and exceptions*. Cambridge University Press.

Seneviratne, O., Kagal, L., Weitzner, D., Abelson, H., Berners-Lee, T., & Shadbolt, N. (2009). Detecting creative commons license violations on images on the world wide web. *WWW2009*.

Senftleben, M. (2004). Copyright, limitations and the three-step test. *Copyright, Limitations and the Three-Step Test*, 1–356.

Snijder, R. (2015). Better sharing through licenses? measuring the influence of creative commons licenses on the usage of open access monographs. *Journal of Librarianship and Scholarly Communication*, *3*(1). doi: 10.7710/2162-3309.1187

Thomson, I. (2016). Oers taking schools from resource poor to resource rich.

Wiki. (2011). *History - creative commons.* Retrieved from `https://wiki.creativecommons.org/wiki/History`

Wikibooks. (2022). *Perspectives in digital culture/creative commons and participation.* Retrieved from `https://en.wikibooks.org/wiki/Perspectives_in_Digital_Culture/Creative_Commons_and_Participation`