



UNIVERSITY OF CAPE TOWN

DOCTORAL DEGREES BOARD

PUBLICATIONS, COPYRIGHT, AND YOUR PhD THESIS

As a candidate for the degree of Doctor of Philosophy (PhD) you need to know the basic facts about publications, copyright, and your thesis.

The first point is that the University expects all its academic members (and this includes you and your supervisor) to publish the results of research work as fully as possible, as early as possible, and in peer-reviewed journals or in monograph form, whenever this can be achieved. In general, international journals provide the widest circulation for your work and ideas, but preferred South African journals can also be used where this is particularly appropriate. The rules of authorship, broadly speaking, are that all listed authors should have contributed significantly to the conception, execution and writing up of the work; first authors are assumed by readers of most journals to have done the bulk of the work, although in rare cases other conventions, such as alphabetical order, are followed.

It follows from this that you might publish at least some of your work, mostly but not always, jointly with your supervisor and other colleagues, before you submit your thesis. This has certain implications for the thesis examination, partly because of the cardinal requirement that the contents of the document reflect your own original work and not that of other persons (except in the case of items in relation to which your indebtedness is clearly acknowledged and where these do not form a major part of the thesis and are in fact included only for good contextual reasons).

The University expects you and your supervisor to deal with the question of publications in the following way:

- a. Your supervisor must, in their report on your thesis, explain the authorship of any joint publications and the relation that this bears to the thesis.
- b. You must not include published papers in virtually unchanged form in your thesis, e.g., as a chapter, and you must not include such papers as annexures or inserts. (This is because your thesis must stand as a whole thesis, and because such actions may be regarded as intimidatory by examiners who feel that the previous peer-review processes place a restraint on their freedom to report negatively on parts or the whole of the thesis.) Using unchanged joint publications in the thesis text also calls into question the nature of the contribution that you, as a candidate, have made, since this cannot easily be distinguished from that of the other author(s) unless the matter has been clarified by you in your declaration at the start of your thesis and by the supervisor in his/her report. It is best avoided.

The second point is that you hold the copyright in your thesis as the author of your thesis unless you cede that copyright to somebody else.

The University, however, requires two things. In terms of Rule GP8, the University requires that when you present your thesis, you shall be deemed by doing so to grant a free licence to the University to publish it in whole or in part and in any format that the University deems fit. When acting in terms of this licence, the University will at all times acknowledge your authorship of the thesis, and will not distort, mutilate, or in any other way modify your work to the prejudice of your honour or reputation. Any arrangements that you make for ceding copyright, in all or in part of your thesis, must take account of the fact that this is a requirement. The rule exists, not because the University wishes to limit your copyright by the act of your submitting the thesis for examination, but because the University wishes to retain the right to publish a thesis in whole or in part in the interests of scholarship.

You should also be aware of potential difficulties which may arise in relation to copyright in respect of the publication of articles, prior to the submission of the thesis, in journals which require authors to cede copyright in the published article to the journal. There should be no difficulty in the cession of copyright in such articles to the journal, provided there is a clear agreement with the journal concerned that the cession of copyright in the article to the journal is subject to your retaining the right to publish material from the article as part of your thesis and to give the University the free licence required in terms of Rule GP8. (Of course, if an article has been published in a journal, either before or after submission of the thesis, and is available in the international literature in that way, the University is unlikely to want to publish that part of the thesis in the interest of scholarship, as such publication would already be available to other scholars.)

However, a copyright problem could arise if, having published material from your thesis as articles, and having ceded the copyright in those articles to the journals, you subsequently wish to publish the whole of the thesis as a book. The publisher of the book will want you to be able to clear copyright questions with copyright holders. If you intend, or hope, that your thesis will be published in book form, you should take particular care to reach an agreement with the journals in question that you will retain the right to publish the material in book form.

PhD Rule GP9 relates indirectly to this question. It provides that no publication may, without the prior permission of the University, contain a statement that the published material was or is to be submitted in part or in full for the degree of PhD. The University does not, as a rule, allow a candidate for the degree of PhD to indicate in a publication that the work is to be submitted for the degree of Doctor of Philosophy. The University retains the right to withhold this permission in order to ensure that publication is suitable and of a standard that would not bring discredit to the University.

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