

Plagiarism in the Academia

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Abstract:

Plagiarism is a highly salient issue in today's education. While plagiarism is an old issue, new computer technologies seem to aggravate the matter. Both students and professors seem to be making use more and more of plagiarism in order to fulfill their academic requirements, and academic policies are not fully able to cope with this expanding phenomenon. The paper provides an account of the phenomenon of plagiarism in academia, to identify the main reasons why this happens, and to present the situation in Romanian academic world in the light of a high-profile case.

1. Plagiarism: definition, content and extent

The word "plagiarism" has a long history. The Latin *plagiarius* (inspired from the Greek word *plagion* meaning kidnapper of children or slaves) was first used in the first century AD by the Roman author Martial in his epigram I.52 in order to denounce another poet who was stealing his poems. The word was not used again for more than thirteen centuries. Lorenzo Valla used the term (still in Latin) in a book published in 1471, an imitation of Martial poems (Fitzgerald, 2007:96). In English the word *plagiary* was first introduced by Ben Jonson in his play *The Poetaster* (1601) and gained recognition by its inclusion in Samuel Johnson's *Dictionary* (1755).

"To plagiarize" is defined in the Oxford Dictionary (quoted in Shahabuddin, 2009) as "to take and use another person's thoughts, writing, invention etc. as one's own". The legal definition may be more prolix, as in the case of the Romanian Law number 206/2004 which defines "to plagiarize" as "the exposition in a written work or an oral communication, including in electronic format, of texts, expressions, ideas, demonstration, data, hypothesis, theories, results or scientific methods extracted from written work, including in electronic format, of other authors, without mentioning this fact and without references to the original sources".

Clarke (2006:96-97) identifies four elements of plagiarism:

1. Publication – plagiarizing involves the public character of the new work;
2. Content – some content of the new work should be derived from another author's previous work;
3. Appropriation – the presentation of another person's work as his one's own (in the case of self-plagiarism the case should be: presentation of previous work as new and original);
4. Lack of credit given: the source of the presentation is not properly mentioned.

The extent of plagiarism in academia is unknown. At a certain point it was deemed to be a serious domain of investigation. In 2006 a new journal, *Plagiary: Cross-Disciplinary Studies in Plagiarism, Fabrication, and Falsification* dedicated to the study of plagiarism, fabrication and falsification in the scientific publications and popular discourse domains was launched. The journal lasted for only two years.

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While it is very easy to find articles or books about plagiarism among students, the effort to find literature about plagiarism among scholars is much more difficult. In the existing literature there are mostly vague indications about the dimensions of plagiarism like Shahabuddin's (2009:355) claim that are hundreds of documented cases. Many articles are based on the analysis of several cases, usually inside a single (sometimes narrow) domain. The recent popularity of the subject may also be attributed to widely discussed cases of plagiarism from recent years among well-known politicians like Karl-Theodor zu Guttenberg, the German Minister of Defense (2011), Pál Schmitt, the Hungarian president (2012), Victor Ponta, the Romanian Prime-Minister (2012), all accused to have plagiarized their PhD thesis.

As a general opinion, all the authors in the field do agree that the phenomenon is expanding due to factors like the expansion of scientific research, the growing number of members of academia and, most important, the availability of knowledge on the Internet.

The field of public administration is one in which no significant cases of plagiarism were identified, at least till now. This led the analysis in this paper to be oriented towards the closest domains, namely law and economics.

2. Main reasons for plagiarism

Why do people plagiarize? The reasons are numerous. A list of possible reasons includes:

- Personal benefits. The rise in plagiarism may be explained as a response to fear of being left behind (Callahan, 2007:224) in a society devoted to fast personal advancement. In the case of people from academia publishing is a key element in evaluation in universities (for hiring, keeping the job or promotion) or when trying to obtain a research grant. "Publish or perish" seems to be a very strong incentive for plagiarists also. When the fulfillment of strong quantitative standards is required in order to qualify for academic positions plagiarism is more likely to occur;
- Time management. Research and publishing research results is time consuming. In many cases this time is not available. Junior faculty members have usually a large teaching workload and, in universities with a smaller budget, they have also to fulfill a lot of administrative duties. Some senior members have also management positions. In many universities the teaching staff can be involved in other lucrative businesses or in politics. When considering that they have also a personal life, plagiarism may be seen by many as smart time management.
- Lack of skills. In the best universities it is very rare to have a faculty which does not possess research or writing skills. As we go down the quality ladder such cases can be met more often. Such academics either did not possess the skills from the very beginning or lost the pace with rapid development and changes in their field. The lack of one particular skill seems to be related to incidence of plagiarism – the knowledge of English (the language of most scientific publications). Sometimes it is used also as an excuse, like in the case of a Turkish physicist accused of plagiarism that sent a letter to *Nature* in 2007 insisting that he and his co-authors were just borrowing better English.
- Habits as a student. It is widely known and documented that there is a strong incidence of plagiarism among students. Bowers (1964:48) found almost 50 years ago that 75% of the American students did cheat and 53% had plagiarized at least once during their studies. McCabe et al (2012:60) found that the level of cheating and plagiarism is decreasing in the last twenty years, self-reported plagiarism decreasing from 54% in 1993/1994 to 36%

in a series of web surveys made between 2002 and 2010, but the reason seems to be that “cut and paste” Internet plagiarism is not considered by many students as a form of cheating. The conventional wisdom is that students with low academic performance are more likely to cheat and that they are less likely to join the faculty. There are still enough cases in which students are cheating in order to get high grades and some of them are willing and able to join the academia.

- Psychological disorders. Shaw (1982) equates plagiarism with kleptomania. The case of Dănuț Marcu may be such an example. Wikipedia (http://en.wikipedia.org/wiki/D%C4%83nu%C8%9B_Marcu) is dedicating him a page as an example of serial plagiarist. Several mathematics journals had already banned him, others had rejected his articles. He claims on his personal webpage that he authored over 400 scientific papers but there are no proofs of original work. There are no obvious reasons for his behavior. He is not affiliated with any university or research institute and mathematics is listed on his personal webpage as a hobby.
- Culture. A research in the field of plagiarism in business found that a main factor related to plagiarism is the country of origin (core – westernized vs. newly institutionalized). The relationship is moderated by the status of the author (Junior/Untenured vs. Senior/Tenured), the knowledge of English language and gender (Honig and Bedi, 2012:116). As Clarke (2006:102) puts it “the strong bias against copying in academic work is a western intellectual preoccupation”. The traditions regarding general ethics are influenced by the country of origin and the university system is very different from one country to another. In the last 20-30 years the globalization wave has engulfed more and more countries and the universities are in the front line of this movement. Academics from all countries had adhered (at least formally) to the same rules of scientific conduct. The adjustment to those rules may take some more time;
- Inefficient sanctions. Sanctioning plagiarism may be done in several ways and by several actors. The first instance is represented by the scientific journals. Unfortunately these are not doing the best job. In many cases the journals are not able to catch the plagiarists. The peer-reviewers are not focused on plagiarism but on the quality of the findings. Often plagiarism detection software is missing. Major publishers started to use such programs in 2010 (Butler, 2010), and the number of rejections due to plagiarism issues was as high as 23% of the submissions for one specific journal. It seems that the general practice when founding a plagiarized submitted is to reject the paper quietly without any publicity. Seldom were the authors banned from publication in those journals. If plagiarized articles are being identified only after publication the prevalent policy is to withdraw the articles (sometimes without traces), again, without too much publicity. Interestingly enough, some publishers are still willing to sell the retracted articles. The major concerns of the editors are to preserve the reputation of the journal by avoiding bad publicity and to avoid the risk of a lawsuit by the plagiarist (Lewis et al, 2011). A second instance is represented by the universities which have the duty to act when one of its members is suspected of plagiarism. The matter is delicate, difficult and, sometimes, risky. Cases like the one presented by Hexham (2004) are not rare in the literature and are showing that in certain circumstances the whistle blower is the one who has to suffer most. In many universities bad publicity is not wanted and, especially when the plagiarist is an important member of the university, sanctions are avoided. The third instance may be a national organism like the United States Office of Research Integrity or National Research Ethics Committees. The power of such organisms varies very much from country to country and

such institutions are quite sensible to political pressures (as in the case of the not guilty verdict in the case of Victor Ponta's PhD thesis) or afflicted by "buddy systems".

- The domain of study. This may influence in a large measure the occurrence of plagiarism or the way in which plagiarism is seen or handled. As "soft sciences" rely more on longer, descriptive or analytical writing, plagiarism may occur more often in these fields of research than in hard sciences where the most common misconducts are: data fabrication (Decoo, 2002:9-10), duplicate publishing (the same material being submitted with minor changes – usually the title – to several journals) or salami publishing (publishing different parts of the same research). Hard sciences had witnessed some spectacular cases of 100% plagiarism, where the most important changes from the original work were regarding the author and the title. Some fields are more affected by plagiarism, others are less. Karabag and Berggren (2012:175) found that the biggest number of retracted articles in journals was in medicine, while in the field of economics and management the number of retractions is much smaller. Honig and Bedi (2012:113) found that out of the 279 papers presented at a conference of the Academy of Management 71 (25.44%) were plagiarized and 38 (13.62%) were heavily plagiarized. It is possible that the figure is bigger for conferences – the review process is less thorough than in the case of academic journals. The standards for identifying plagiarism may differ from field to field, especially when we are dealing with general knowledge which is in the public domain and needs no citation. In social sciences, more than in other domains, there are many instances in which authors have to deal with such knowledge.

3. Academic plagiarism in Romania

The first research on intellectual property in Romania was a thesis done in 1893 by Constantin Hamangiu. According to Dobrescu (2007) the thesis was plagiarized from a French author – a great start for studying intellectual property.

In the academia, plagiarism was for very long a minor preoccupation. In 2005, when the issue of Ethic Codes in universities was in discussion, a research (Miroiu, 2005:50-51) showed that the main ethical problems in the view of professors, students and administrative staff were: favoritism, sexual harassment, bribes, university cliques and disrespecting intellectual property – even though 44% of the professors and 51% of the students knew plagiarism cases among the faculty from their department or program (Miroiu, 2005:21). Accordingly, the newly drafted ethic codes were not paying too much attention to plagiarism. Such cases were usually handled with discretion, sanctions being usually very mild. Chelcea (2008) mentions several cases in which plagiarism charges were dismissed even if the proofs were very convincing. At most, if plagiarized papers were used to obtain a promotion, the sanctions would have been to withdraw the new academic title. Whistle blowers were in many cases seen as troublemakers and some ended up by being prosecuted under the libel law. In one such case a whistle blower was condemned to an administrative fine and it took five years and an appeal to the European Court of Human Rights (request no. 19997/02) in order to win the case.

Ethical misconduct (including plagiarism) could have been analyzed not only by universities but also by the National Research Ethics Council. This council was not a functional one for a long time. The Government Ordinance 28/2011 which modified the Law 206/2004 reacted to the fact that in 2009 and 2010 20 cases were submitted to the Council and none was solved.

The mentioned Ordinance strengthened the position of the National Research Ethics Council by clarifying and detailing the possibilities of academic misconduct and by establishing a set of possible sanctions ranging from written admonition to firing the culprit.

The test of the efficiency of the mechanisms designed to fight plagiarism was a spectacular one: the case of the PhD thesis defended in 2003 by the Romanian prime-minister Victor Ponta.

Three different bodies were involved in an attempt to reach a verdict, the Ministry of Education having the final word. The National Council for Academic Titles and Diplomas is in charge of deciding if, after the defense of PhD thesis, the title should be awarded. On the 29th of June 2012 the verdict of this council was that Mr. Ponta committed plagiarism. The Ministry of Education had dismissed the decision based on the lack of necessary quorum and of competence – the council had the competence to decide only for new thesis. On July the 18th 2012 the National Research Ethics Council decided that Mr. Ponta had not plagiarized basing its verdict on a report of experts which had reported that the standards of the time were respected with some minor negligence regarding citation rules. The Committee of Ethics of the University of Bucharest – the institution in which the thesis was defended – decided on the 20th of July 2012 that Mr. Ponta had committed plagiarism. A commission of experts decided that 98 out of the 306 pages of the thesis were plagiarized from four different publications (only two of them being mentioned in references). The Ministry of Education reached to a conclusion only on the 21st of March 2013 – it has upheld the decision of the National Research Ethics Council and rejected the demand of the University of Bucharest that the PhD title should be withdrawn.

The political side of the debate was very clear – the accusers of Mr. Ponta were mainly politically involved people (in the opposition camp). The composition of the National Research Ethics Council has changed on the 25th of June (in the wake of another plagiarism issue of the short-lived Minister of Education, Ioan Mang, a computer science professor which was forced to resign on the 15th of May 2012) and the composition of the National Council for Academic Titles and Diplomas was changed after the decision made on the 29th of June.

There are other sides of the dispute. The first one is regarding the debate about academic policies. In 2010-2012 the government actions in higher education were heavily influenced by academics from the field of hard sciences which tried to emphasize the quantitative evaluations (both for universities and for academics) based on measurable research outputs like articles published in the main scientific journals. In terms of competition for resources (research grants and promotions) soft sciences (and also old-fashioned researchers) were disadvantaged. Also the universities with a lower scientific production (all private universities and public universities established in the last 20 years) were disadvantaged. The fight around Ponta case was also about academic policies. In the end, the reformist movement had lost the battle.

Another important issue regards the different standards in place for judging plagiarism or, from a broader perspective, the way in which scientific articles should be written. Some people from the field of law felt that the domain was under attack. Florescu (2012:3) is presenting a legalistic perspective on plagiarism. After complaining that the lack of citations is interpreted as an attempt of plagiarism even in the case of an exceptional work with clear original elements, plagiarism is characterized by the presence of three elements:

- Reproduction of other author's text without proper citation;

- Clear intention of presenting that text as own contribution;
- The source should be an original one.

The Law 204/2006 in his form from 2011 had excluded the element of intentionality from the definition of plagiarism because the character of originality of scientific work is presumed (unless otherwise stated). The report of the technical committee of the National Research Ethics Council in Ponta's case states that "we cannot appreciate that the PhD student Victor Ponta had appropriated ideas, concepts and methods and presented them as original or personal contributions" staying in the line with the idea that intentionality should be proven.

The third element of plagiarism was inspired from the Law 8/1996 regarding Intellectual Property – only the authors of original work can benefit from intellectual property but it is a fallacious one – copy-paste is still copy-paste no matter the source. Also the Law 8/1996 is used to claim that ideas, theories and methods presented in a work are not protected by the law so we cannot speak of plagiarism when someone's taking them even without citation (Florescu, 2012:2).

Also a frequent theme for those willing to reinterpret the concept of plagiarism refers to the common knowledge existing in the public domain. The Decision no.8/2011 of the Romanian High Court of Cassation and Justice states that the use of such knowledge "as expressed in legislative, administrative and judiciary texts can be made only in a standard manner". However, this should not be interpreted that all the papers from the field should be identical, nor that originality is not permitted or that proper citation should not be used. Florescu's paper has in six pages 25 footnotes, some of them quite extensive. By comparison Ponta's thesis had only 15.

The consequence of such a verdict regarding the Ponta case is that plagiarism is no longer a salient issue. The National Research Ethics Council was less and less required to pronounce in plagiarism cases. On its site the last decision posted dates from January 2013 (three months old). The subsequent decisions made by the council are quite mild. There were sanctions like written admonition, the interdiction to apply for promotion in the next 12 months or the retraction of plagiarized works. In the case of Ioan Mang the council had ruled that the former Minister of Education plagiarized on the 5th of September 2012. The report is still waiting for the sanction of the Ministry of Education.

4. Conclusions

The problem of plagiarism is a serious one in Romania. It is more than just a problem concerning the academia itself – it is strongly related to the quality of the higher education. Teodorescu and Andrei (2009) showed that student cheating is highly influenced by the academic dishonesty of instructors. The role of the universities as producers of knowledge and their credibility is seriously undermined by such practices.

The Ponta case placed plagiarism under the spotlight, making it a favorite of the media. Unfortunately the politicized approach did more harm to the cause than good. The weaknesses of the academic system were all seen in the process – those of the national organisms in charge of fighting plagiarism, the weaknesses of the universities (except the effort of the University of Bucharest) and of the scientific community.

The perspectives for the future seem to be rather bleak – at the level of the entire higher education system the fight against plagiarism seems to be a lost cause (at least for now). There are some hopes that universities (at least some of them) will be able to do something in regard with this phenomenon. But, this can be done only as a

part of a general effort to increase the quality of higher education and not as an isolated measure. It is very difficult to fight plagiarism when:

- Research is seen by many academics as a burden;
- Publishing is considered to be mainly a formal fulfillment of some quantitative criteria;
- Universities are more interested in money and internal politics than in ethics;
- The academic community is highly fragmented, unwilling to establish and respect common standards;
- The justice is not working properly – in many cases is helping plagiarists and sanctioning whistle blowers (libeling was recently re-incriminated in Romania).

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