

HOW EDUCATORS CAN MORE EFFECTIVELY UNDERSTAND AND COMBAT THE PLAGIARISM EPIDEMIC

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I. INTRODUCTION

The word “plagiarism,” formally defined in the next section, is rooted in the Latin terms *plagiarius* and *plagium*, referring to kidnapping, and in the Latin word *plaga*, or net. Legal and other types of educators regularly confront the challenges of plagiarism. Its connotation in the modern world of higher education is entirely negative, and plagiarism poses a growing threat to the integrity of contemporary education methods. This brief article and the accompanying articles by Professor Kristen Gerdy and Professor Kevin Worthen are intended to aid higher education teachers in understanding and responding to this form of misconduct, which occurs mostly among students, but also occasionally among established professionals. This article is premised on the following four (hopefully self-evident) propositions regarding plagiarism.

First, plagiarism has always been a part of human society. Second, plagiarism is manifested in a variety of forms and situations. Historically, not every manifestation has been considered wrong. In the tradition of our own western civilization, plagiarism was unrestrained in ancient Rome and, to a certain extent, even as recently as Enlightenment times, in Anglo-American societies. Third, plagiarism as a form of misconduct is taken more seriously in some parts of the world than it is in others. And fourth, the possibilities for plagiarism, both deliberate and inadvertent, are today vastly increased because of technology.

It is possible even for persons of integrity to be ambivalent in regarding some forms of plagiarism as serious misconduct. Reasons for this will become apparent as definitional elements of plagiarism are discussed in the next section.

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II. DEFINITIONS AND DEFINITIONAL ISSUES RELATING TO PLAGIARISM

The Oxford English Dictionary defines plagiarism as “[t]he wrongful appropriation or purloining, and publication as one’s own, of the ideas, or the expression of the ideas (literary, musical, mechanical, etc.) of another.”¹ The authoritative American dictionary has a very similar statement: “[t]o steal and pass off as one’s own (the ideas or words of another).”² A popular desktop dictionary in the U.S. gives a definition as lucid as any: “[t]o take and use as one’s own the writings or ideas of another.”³

But these straightforward definitions might be too simplistic. People do not shape their words and ideas in a vacuum. Authors of professional and scholarly research and writing are constantly seeking out and reflecting on the words, ideas, and data from other sources and other authors in an effort to form their own words and ideas. In ordinary research and writing activities, writers cite to sources for elements of thoughts and expressions they know they could not have created on their own, and also for support or confirmation of their own thoughts and expressions. It is also common for writers to subconsciously repeat catchy or common phrases that came to their attention from other sources. They almost never think of their own thoughts and expressions as having been borrowed or copied, even though they are obviously composites of their reading, conversations, observation, and experience. If one considers these common practices in light of the short and simple definitions of plagiarism just quoted, then almost everyone is guilty of plagiarism all the time.

This problem is illustrated by the following proposition; all of a person’s ideas and expressions are composites of the person’s exposure to the ideas and expressions of others, as comprehended by and melded with the person’s own ideas and expressions. Some ideas and expressions have become so widespread and familiar that they have permeated into a sort of public domain, immune to creative or proprietary claims of anyone and available for use by all. One’s duty is to know when that exposure and reliance on the work of others is so direct and substantial that it is deceitful and unfair not to recognize that work as a contributing source for one’s own work.

1. *Oxford English Dictionary* 932 (James A. H. Murray, ed., vol. 7, Oxford U. Press 1970) (parentheses included in definition).

2. *Webster’s Third New Intl. Dictionary* 1728 (Philip Babcock Gove ed., G. & C. Merriam Co. 1971) (parentheses included in definition).

3. *The Am. Heritage Dictionary of the English Lang.* 1001 (William Morris ed., Houghton Mifflin Co. 1973).

So, in recognition of the truism stated in the above proposition, educators try to provide definitions with nuances that account for and leave un-condemned normal human behavior. At the author's law school, this attempt at a nuanced definition resulted in the following definitional statement for law students and faculty, with the author's contextual clarification in brackets:

Plagiarism is the [deliberate or non-deliberate] failure to give sufficient attribution to the words, ideas, or data of others that have been incorporated into a work which an author submits for academic credit or other benefit. . . . Attribution (or the lack thereof) is materially misleading if it could cause a reasonable reader to be mistaken as to the source of the words, ideas, or data in a way that could benefit the author submitting the work.⁴

This definition, in addition to its legalistic complexity, introduces the issues of (1) what constitutes sufficient attribution, (2) in what respect the attribution or lack of attribution is materially misleading, and (3) whether benefit to the putative plagiarizer is a factor in determining what is materially misleading.

Some might say that this highly legalistic attempt at precision in definition is just another example of how lawyers are able to obscure otherwise ordinary issues. Certainly, when attempting to educate students about these concepts, invoking the simplest definition possible is likely to be most appealing and effective. For instance, at this university for several months in 2003, one could see posters on campus kiosks and bulletin boards that attempted to educate students as to the principle of integrity that is at stake in plagiarism. These posters showed two cowboy figures in silhouette, branding calves against the background of a western sunset. The title read: "If it ain't your work, don't put your brand on it!"⁵

The university law school setting generates another issue that might confuse or compromise efforts to identify and restrain plagiarism. In the U.S., every university law school publishes a professional journal, usually known as a law review or law journal. These publications, which provide the main publication outlets for the scholarly work of law professors and law students, are rigorously edited by academically top students. These rigorous editorial practices pose potential problems as expressed in the following proposition. Student law review and law journal editors often insist on very close documentation for substantive statements appearing

4. *Policies and Procedures* 7 (Brigham Young U., J. Reuben Clark Law Sch. June 2003).

5. This presentation was eye-catching and most appropriate for a large university located in heart of the American West. The poster image, furthermore, was deliciously ironic in depicting two Marlboro-men look-alikes on this campus, where smoking is not permitted.

in the manuscripts they edit. The more similar the manuscript statement is to the statement in the source, the happier they are. They sometimes seem apprehensive if an author makes a statement on his or her own authority, unsupported by nearly identical language from some other published source. This does not lead to an author's failure to give proper attribution to sources, but may discourage the author from contributing creative comment to sources consulted.

Another conceptual problem that often generates definitional confusion is the intersection of restrictions related to plagiarism with restrictions related to copyright. The confusion arises because copyright law prohibits any form of "copying" the protected works and expressions (but not ideas) of others, whether or not attribution is given, whereas plagiarism policies prohibit the presentation of another's ideas and expressions without attribution to the author. Plagiarism thus presents a more rigorous standard, because it prohibits writers from failing to give attribution, which failure would mislead a reader into assuming that the ideas and expressions of another are actually the writer's. Whatever the standard, if the work of others is incorporated into and presented as one's own work, without attribution, then both copyright and plagiarism restrictions have been violated.

A final issue relating to the definition of plagiarism is how educators can most effectively teach these concepts to students or colleagues. In the U.S., and particularly among law schools, the author has observed generally two types of approaches to teaching students about plagiarism: (1) The institutional policy lists plagiarism as an offense subject to discipline (and thus assumes the student knows what plagiarism is); (2) The institutional policy gives detailed definitions and examples of plagiarism, and gives guidelines for avoiding plagiarism (and thus assumes that most students do not understand the plagiarism problem very well).

As an instrument on which discipline may be grounded, the first approach is broader and more comprehensive, and thus allows all types and degrees of plagiarism to be punished. The second approach, because of its explicit detail, makes it less likely that the accused can claim ignorance or innocent failure to recognize that a particular type of conduct constituted plagiarism, but might technically exclude specific forms of plagiarism as punishable. If educators seek primarily to educate rather than punish, then the second approach seems more appropriate.

III. DOES AN ETHICAL VACUUM HELP PLAGIARISM FLOURISH?

The heading poses a question of cause-and-effect relationship that cannot be definitively or empirically answered. The brief comments in this section simply invite the reader to consider the question and the anecdotal evidence supporting an affirmative answer.

Among the more offensive items of “spam” that arrive in a university professor’s daily e-mail are advertisements offering university diplomas or degrees—items instantly available without any investment of time or effort. One e-mail this author recently received offers bachelor, master, and doctor degrees and proclaims, “[t]here are no required tests, classes, books, or interviews!” It also guarantees that “[n]o one is turned down!” Another offers “[a] Degree in Any Experienced Field [sic]” because, “[i]f you have a degree, you are almost assured to gain leverage in the work place.” It promises, “[t]here’s no testing required, simply call . . .” The frequent receipt of these electronic solicitations suggests that vendors are prospering in their business, and are perhaps enormously successful.

If customers of these businesses are not only deceived by the false promises, but also do not care about the moral offense implicit in the entire enterprise, one may question how widespread such attitudes are among today’s students. One who holds the traditional view that plagiarism is wrong, at least in its most flagrant and profiteering forms, is dismayed to perceive the problem worsening and concern diminishing. This, in turn, raises the general question of whether values and ethics generally are in decline. And this general question, in turn, raises related questions: Is the incidence of plagiarism greater now than in the past? Is ethical relativism a basic problem? What basic values would seem to influence whether one plagiarizes or not?

Professor Gerdy discusses the first two questions in the next article. Based on anecdotal evidence, observation, and at least one survey, she concludes it is likely that the problem of plagiarism is more intense today, at least in higher education and professional life, because the pressures to achieve (or to appear to achieve) are greater, and the opportunities and tools for plagiarizing with convenience and secrecy are vastly expanded. Similarly, every study of our secondary and higher education students indicates a disturbing trend: fewer students feel restrained by considerations of principle. More are willing to “do it” if they can get away with it.

As to this last question about the core values at stake in the spreading plague of plagiarism, one might intuitively conclude that anyone who understands what plagiarism is and chooses to engage in it anyway must be lacking in honesty, diligence, and thoroughness. Moreover, such a

person must also see little or no value in personal preparation or accountability, equity, fairness, and justice. This person must be refusing to recognize the distinction between right and wrong, and must instead be finding a principal motivation in the idea that the end justifies the means. Apparently, these basic values, thus threatened, may no longer be taken as universally accepted, but must instead be actively taught and promoted, beginning in the family and reinforced in all educational and professional settings.

IV. WHY, WHERE, AND HOW PLAGIARISM MOST OFTEN OCCURS

A. Why Plagiarism Occurs

(Although None of These Is An Acceptable Excuse)

One cannot produce empirical data to show how vast is the extent of plagiarism or whether or why it might be a worsening problem. However, observation, anecdotal data, and intuition suggest that the following factors contribute to the problem.

1. Academic Pressures

With excellent academic credentials seen as an obvious prerequisite to advancement in most areas of professional life, the pressure on even young children to excel in school and thus make their way into and through the leading institutions of secondary and higher education is enormous. And it is often unwisely intensified by ambitious parents. The fact or appearance of academic achievement might easily overshadow the processes of becoming educated. Some aspects of this problem—where parents impose unwanted pressure on their children to achieve in education—were evocatively depicted in the American film “Dead Poets Society.”⁶

2. Poor Planning

If young people grow up seeing examples of irresponsibility, procrastination, easy distraction, and disorganization in their lives or in their own families, they will discover too late that such traits leave them unable to cope with modern academic pressures. Plagiarism might offer an alluring alternative for dealing with the consequences of putting important things off to the last minute.

6. *Dead Poets Society* (Touchstone Video 1989) (motion picture).

3. *Poor Preparation*

Some students find they have a poor foundation or background for their current academic programs, perhaps because they were “slackers” in earlier courses. Neglect in earlier stages of education often leaves students unprepared for subsequent demands, even if they have reformed bad habits of the past. They might rationalize their engaging in plagiarism as a temporary expedient, a way to buy time while they scramble to make up for past deficiencies.

4. *Excessive or Mindless Workload*

Teachers and professors might be at least partially at fault. Poorly conceived assignments and exercises can contribute to pressures the students feel to plagiarize. For instance, a teacher can easily misjudge the workload and force students into undesirable time-saving techniques. In addition, and more seriously pervasive, are the assignments or projects that unduly emphasize information retrieval over original analysis, and for which some students inevitably see plagiarism as an appealing and harmless approach.

5. *Opportunity*

Without question, the indiscriminate masses of information of all kinds, depths, and authenticity, which are now easily available to students, intensify the plagiarism temptations. The evil culmination of all of this is surely found in the fraudulent enterprises described above—an entire industry devoted to offering research papers, degrees, and diplomas, with no study required. Technology has also fostered research techniques of searching and downloading that vastly increase the possibilities of inadvertent plagiarism.

6. *Cultural Background*

Without intending to suggest any element of ethnocentricity or xenophobia, the author has observed that students from certain parts of the world will have less compunction against plagiarism than students from, for instance, the Anglo-American or western European cultural and legal tradition. If a student’s home is in a region or culture in which widespread intellectual property piracy occurs, one may not assume the student has a built-in restraint against plagiarism. Indeed, a note of sympathy could be sounded for students who come to rigorous institutions seeking higher education degrees, using languages other than their first languages. Here the temptations to take possession of others’ well-expressed passages must be enormous.

7. *Prominent Bad Examples*

The ever-increasing revelations of plagiarism by celebrities and people in high places are not helpful. In most of these cases, the kindest “spin” on the person’s misdeeds is that he or she was not vigilant or did not closely enough supervise his or her assistants (including those performing some kind of well-disguised “ghost-writing”). Such explanations imply that plagiarism can be easily excused as inadvertent, and neither the conduct nor the explanations present edifying examples for students or others.

B. Where Plagiarism Occurs

The most common settings in which people commit plagiarism are the following: (1) preparation of written papers, assignments, and oral presentations (this is a student problem); and (2) authorship of books, articles, and speeches (this is a problem among professionals).

C. How Plagiarism Occurs

The most common activities that lead to plagiarism are the following:

- (1) retrieval of writings from print and electronic resources;
- (2) failure to manage research and maintain adequate research records;
- (3) excessive willingness to rely on the published work of others without personally examining and learning from the materials (e.g., downloading long footnotes and bibliographies);
- (4) reliance on the research and writing assistance of others without adequate scrutiny and supervision (this problem occurs most often when professors and executives use others to research and “ghost-write” material for publication).

V. HOW PLAGIARISM CAN BE BEST DETECTED, COMBATED, AND PREVENTED

Experts in higher education who have addressed this problem seem to agree that faculty perceptiveness is the first line of defense against plagiarism. As emphasized in Professor Gerdy’s article, professors should be familiar with the literature and writing styles in their fields of specialty. They should also be familiar with the writing styles and substantive preparation levels of their students, so that they can be sensitive to student writing, style, and content that is out of character.

When professors encounter student writing that looks suspicious, they can now use an increasing number of technological aids in the detection process. The most basic programs compare suspicious phrases or passages to text contained in an appropriate data base. The Lexis and Westlaw databases are commonly used for this type of comparison in the legal education setting. Other, more sophisticated tools are also available, and some of these are described in Appendix A.

VI. APPROPRIATE SANCTIONS AGAINST PLAGIARISM

Once plagiarism and its extent have been identified, teachers and administrators often struggle with issues of appropriate sanctions. Here, the student's state of mind is relevant. True accidents in the technical search processes, inadvertent copying, and simple neglect seem to merit lighter sanctions. At the other end of the plagiarism scale, massive and deliberate copying and non-attribution, rising to fraud, might merit more severe penalties. It is unlikely that educational institutions and individual educators can implement a zero-tolerance policy, because literal enforcement of such policies will almost always lead to inconsistency and excessive harshness in some individual applications. Issues attached to disciplinary sanctions are discussed more fully in Professor Worthen's article, also in this issue. However meted out, the following sanctions are the most common in the academic setting:

- (1) grade reduction
- (2) rejection of paper or exam; failing grade for assignment or course
- (3) reprimand
- (4) temporary or permanent disqualification from employment or academic program
- (5) suspension
- (6) expulsion or dismissal

VII. CONCLUSION

It is not enough merely to increase the ability of professors and other educators to detect and punish the misconduct of plagiarism. If, as one might easily suspect, the epidemic of plagiarism spreads unabated—and its new, sinister characteristics may be at least partly attributed as generational phenomena—then the current population of educators and leaders must begin to apply corrective measures at the earliest stages of primary education, and those measures must include inculcation of societal values.

APPENDIX A: PLAGIARISM DETECTION SERVICES

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The following table provides contact information for three professional plagiarism detection services, each of which is discussed further in Professor Gerdy's article.

Turnitin	
website	http://www.turnitin.com
e-mail	sales@turnitin.com
telephone	(510) 287-9720 x240 Higher Education
mailing address	iParadigms, L.L.C. 1624 Franklin Street, 7th Floor Oakland, CA 94612
Selected Client List	
Auburn University	Tulane University
California State University System	U.S. Military Academy, West Point
Dartmouth University	University of California Irvine
Georgetown University	University of California Los Angeles
Hofstra University	University of Florida
Lehigh University	University of Maryland
Miami-Dade Community College	
Rutgers University	
Glatt Plagiarism Services	
website	http://www.plagiarism.com
e-mail	drglatt@plagiarism.com
telephone	(312) 337-5904
mailing address	Glatt Plagiarism Services, Inc. 175 East Delaware Place P.O. Box 162033 Chicago, IL 60611 1618 Alhambra Blvd. Sacramento, CA 95816
Selected Client List	
Angelo State University	Santa Monica College
Birmingham-Southern College	State University of New York
Chicago City Colleges	Texas Christian University
Colgate University	University of California Los Angeles
DePaul University	University of Colorado
Hawaii Pacific University	University of Miami
Humber College	University of Wyoming
Miami-Dade Community College	U.S. Naval Academy
Pepperdine University	
EVE2 (Essay Verification Engine)	
website	http://canexus.com/eve/index.shtml
e-mail	sales@canexus.com

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