

PLAGIARISM AND SCIENTIFIC INTEGRITY

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Abstract. *Plagiarism is an act of appropriation of a literary, artistic or scientific work as a personal creation, an act committed with (direct, indirect or exceeded) intention, and punishable by both the academic community for violation of scientific integrity, and the law. The type of misconduct as seen in the various forms and elements of plagiarism set in a bad light the individuals and the institutions that practice or tolerate it, and completely discredit themselves by loss of scientific integrity.*

Keywords: *plagiarism, scientific integrity, copyright, deontology*

1. INTRODUCTION

Plagiarism, this notion that is being much circulated today, captures the attention not only considering the BA students, MA students or PhD students, who are anonymous in the world of scientific research, but also the people who are already established in the respective fields through their results. There is no standard or widely accepted definition for this term, which is more and more often invoked today, and the notion of *plagiarism*. Historically, one can say that the premises of plagiarism arose somewhere in the remote past, maybe as early as the period of the Biblical Genesis, when people received, as a gift from God, the *word*. Thus, in relation to the Holy Gospel according to John the Apostle, any common reader can identify, in the beginning, “the word, with its unprecedented virtues of creating indivisible links between people, and setting the whole world in motion”, which belonged to God and was subsequently handed to people [1]. Undoubtedly the word was, and is, a priceless gift received by man, but as soon as it became the object of “intellectual theft”, involved in “the waiting room of corruption” and generating “high treason in the academic world”, through *plagiarism*, it was instrumental in setting to nought virtually all the qualities of those who did not use words correctly, and appropriated them, writing memorable formulations belonging to other people, without however also keeping the name of the author of those formulations. Nowadays, the notion of plagiarism can *grosso modo* translate as “appropriating the words of another person without remembering him/her as the author, which can take the form of ideas, texts, scientific, artistic and literary creations or works, considered as the property of an author, but in reality belonging to others, without the latter being mentioned or cited.

2. PLAGIARISM AND LACK OF SCIENTIFIC INTEGRITY

The literature identifies several definitions of *plagiarism*, and then we chose one that is frequently exploited in

Romania, according to which *plagiarism* consists in “the act through which someone appropriates a literary, artistic or scientific work, in whole or in part, and presents it as a personal creation”, and the author of this illegal act, “the plagiarist refers to the person who unlawfully appropriates the fruits of another’s work, claiming them as the result of his/her own activity” [2].

Another definition of plagiarism is that given by the Ethics Committee of the University of Bucharest [3], according to which “plagiarism is the act or activity through which someone appropriates, by copying, paraphrasing or summarizing without citation, the idea, concept, expression, text, diagram, music score, etc., either published or unpublished, belonging to another person, presenting them as his/her own, without mentioning explicitly the source he/she used”.

The Internet has added a new complex ground to the issue of plagiarism, which is placed in the depth of the education system, especially among high school and college students. In the mid-1990s, a number of websites have started offering paying documents, especially theses, essays and other papers for sale. These “diploma factories” generated a genuine market of papers for graduating students, where the mere acquisition of theses or dissertations was substituted for the normality and obligation of the graduates to write their own papers, and many of the final documents resulting from the sale, going by the name of graduating theses for the respective educational cycle or programme, prove a mediocre level of research, or are written to a minimum level of acceptance. An equally flagrant problem results from the ever increasing range of Internet websites that also provide students with research reports with the overt purpose of being copied. Some anecdotal evidence suggests that, while the ease of copying information from the Internet has not led to a dramatic increase in plagiarism among students, and later even among students who can be considered honest, those who have already cheated are likely to increase the use of electronic resources to continue this deception known as plagiarism of final graduation works, eventually buying the diploma, without however having the skills listed in the respective diplomas. [4; 5]

Some statistics stress that as many as 36% of students admit to having copied sentences or phrases from the Internet without exact reference to the source, 14% confess to have falsified the bibliography, and 7% confirm that they copied verbatim from another source without citing it, or they have handed graduation or final theses made by someone else.

Other statistics from the US (where there are the harshest measures against any specific or distinct academic plagiarism) describe much higher percentages [3], even in samples of a relatively reasonable scope, analyzed or

investigated in 2014 (Josephson Institute Center for Youth Ethics).

Table 1. The overall structure, and the situation in several major areas, of academic plagiarism among US students

Size of sample	Admitting to plagiarism (%)	Test cribbing (%)	Observations
24 000	58	64	Per total
of which:	56	-	Business School
	54	-	Engineering
	45	-	Law School

Source: http://www.unibuc.ro/depts/limbi/literaturi_orientale/docs/2014/oct/16_09_46_47Ghid_impotriva_plagiatului.pdf. Accessed 2 November, 2016.

Plagiarism is more and more clearly equated to lack of scientific integrity, or gradual deterioration of academic integrity in research and educational system. Plagiarism includes both defining, intentional material elements, and a landmark of originality, to which all these elements must refer, at last jointly conducing to reducing or losing academic integrity and honesty when plagiarism is proved.

Generically, the material elements, as described in various conceptualizations, are represented by *the presentation of texts, phrases, expressions, ideas, demonstrations, data, hypotheses, theories, results or scientific methods excerpted from written works, including those in electronic form, produced by other authors, without mentioning it, and without referring to the original sources*, and the intentional element of plagiarism is represented by the intent demonstrated by the benefits obtained from the presentation of *texts, phrases, ideas, demonstrations, data, hypotheses, theories, results or scientific methods*, pretended to be personal creation, which were excerpted from other works, in fact the intellectual property of the latter (the original authors).

As far as the intentional element of plagiarism is concerned, it was one of the reasons why the current definition of plagiarism came under criticism, in the way plagiarism is regulated in Romania by Law no. 206/2004. Thus, some Romanian authors, including Marian Florescu, believe that the definition provided by Law no. 206/2004, in its original form, was more acceptable than the current definition that penalizes a material element [6].

With respect to the second element, it should be mentioned that according to nearly all the authors of articles or works on issues of plagiarism, plagiarism is punishable, whether it is falsely structured as *gross plagiarism* (or major plagiarism), or *involuntary plagiarism* (or minor plagiarism), the latter notion being otherwise hardly tenable (plagiarism remains essentially plagiarism). [7]

As stated above, the third element of plagiarism implies a landmark of originality, an earlier article, a paper, a book or a research that were creative and original, from which the plagiarized took over *texts, phrases, ideas, demonstrations, data, hypotheses, theories, results or scientific methods*. Analyzing this element, one must draw a clear distinction between some highly ironical statements by great cultural or

moral personalities (e.g. Petre Țuțea, according to whom “only God is original”, which basically taunted the evident lack of originality of some authors, and formulations of the type “*If you steal from one author, it’s plagiarism; if you steal from many, it’s research*” [Wilson Mizner], [on line] available at: <http://www.thefreedictionary.com/plagiarism>, which actually represents, in a descriptive manner, the so-called mosaic plagiarism, rather than a joke addressed to the certainly negative impact of plagiarism in general. Creativity and originality occur in a small number of individuals, but this does not imply the need to borrow originality, and can never exonerate the perpetrator. A theft, be it a literary one, remains a theft, and the thief, once proved and convicted as such, will certainly have a criminal record. However, at the level of case law (see Decision) it was stated statutorily that a work, book or paper that *is not predominantly original, innovative, creative and fundamental, but just a compilation, cannot be considered the source of plagiarism*. Originality is presumed, so it is up to the individual accused of plagiarism, to prove that the work that was allegedly affected by plagiarism is not original.

Referring to the forms of plagiarism, the literature identifies multiple forms or types of concrete manifestation of plagiarism, of which these three of major importance are prevalent [3]:

- a) *plagiarism by absence of citation;*
- b) *plagiarism by inadequate paraphrasing;*
- c) *plagiarism by inadequately synthesizing the text.*

Plagiarism by the absence of citation is the most obvious form of plagiarism, and represents the taking over of a text from the work of another author, which is not in the public domain, without accurately or vaguely citing the work/paper/book and the author. Also in this category is taking over fragments of different works, without mentioning the sources, and organizing them into a new book that makes sense.

A vague citation is a poor attempt at avoiding plagiarism, being neither accepted nor advisable, because it leads to superficiality in writing or wording, and denies the reader the possibility of identifying the original work, or the point in the of work from which the quotation was extracted. Typically, citation is made in the text, or in the final references, relative to the position in the article, paper or book. Starting from the need for excessively detailing, the citation can also be structured through footnotes or the bibliography.

Plagiarism by inadequate paraphrasing occurs when several words or their order in the sentence are changed, keeping both the ideas and the logical argument of the author plagiarized, whose name is however kept unsaid, or in other words unquoted.

Regarding *plagiarism by inadequately synthesizing the text*, one can note that it has elements similar to paraphrasing, whereas it describes a summary made by the author of the plagiarism, being is more condensed than paraphrasing. In this case, too, the ideas and the plagiarized author’s line of argument are preserved, without the author being cited.

Robert Coravu adds to these forms of plagiarism *qualified plagiarism, perpetrated plagiarism* and *self-plagiarism*. In fact, only *qualified plagiarism* (where the author presents a paper written by someone else as his/her own work) is as

practically new form, as the other two are very much like paraphrasing and plagiarism proper (the author is the same in the original article and the plagiarized one. The terminology also uses the term *multiple publication* (in fact, another type of *self-plagiarism*), marking a fraud in literary publication or scientific research whereby an author uses substantial parts of his/her own works without giving appropriate references (the case can be illustrated by publishing the same article in several journals or reviews, or adding small passages to an already published paper). *Criptomnesia* is another form of self-plagiarism, which occurs when an author believes he/she had an original idea but, in reality, the idea had come to him/her from the memory of an experience read, or which he/she forgot [8].

3. PLAGIARISM AND COPYRIGHT

Although no one can say that the existence of plagiarism directly depends on the existence of a copyright, because one can also talk about plagiarism in the case of a work for which no-one has any copyright, however a real connivance with such a right should be admitted in most cases.

However, the idea is retained that the copyright is not a prerequisite for defining plagiarism. The term "copyright" was first used in a treaty by Jules Renouard, in his „*Traité des droits d'auteur dans la littérature, les sciences et les beaux arts*”, published in 1838. In the literature there are several opinions concerning the definition of copyright. Copyright consists in all the prerogatives enjoyed by the authors, referring to works created. In Romania copyright is regulated and protected by the provisions of Law no. 8/1996 on copyright and related rights. According to Art. 1 of that law, *copyright of a literary, artistic or scientific work, as well as for other works of intellectual creation, is closely connected with the author and has attributes of a moral and patrimonial nature, and the the holders of the rights recognized and presented in the law may request the courts or other competent bodies, as appropriate, recognition of their rights and their infringement, and can claim indemnification for damages.*

According to the provisions in Art. 12 of the same law, *the author of a work has the exclusive property right to decide whether, how and when to use his/her work, including the consent to use of the work by others.* If the authorship of the work is acquired unlawfully, through plagiarism, the plagiarist will be able to acquire inclusively, again unlawfully, the property right for the work, thus causing material injury to the author. In this case, the legislature was forthright and, according to the provisions in Art. 141 of Law no. 8/1996, the act of a person who unlawfully appropriates, in whole or in part, the work of another author and presents it as his/her own intellectual creation, is an offense punishable by imprisonment from 6 months to 3 years, or the payment of a fine. It can thus be concluded that, under the provisions of Article 141 of Law no. 8/1996, plagiarism represents an offense and is punishable as such, although the law does not contain an express reference to the notion of plagiarism, and the sanction refers to infringement of the author's moral right to the authorship of the work. The provisions of Article 141 of Law no. 8/1996 apply when the rights of authorship are violated, for any type of work protected by copyright, whereas the provisions of Art. 4 of

Law no. 206/2004 are useful strictly as far as the works created in the process of scientific research, technological development and innovation are concerned.

In accordance with Article 295 of the new Code of Criminal Procedure, *the initiation of criminal proceedings shall be made only upon the complaint of the damaged party (...).*

4. PLAGIARISM VERSUS SCIENTIFIC INTEGRITY

Considering the opposite relationship between plagiarism and scientific integrity, this section is precisely intended to delineate some final remarks. Plagiarism remains one of the forms of immoral conduct in the drafting and publication of scientific papers, and one of the factors which are seriously in breach of, and especially damage, academic and scientific integrity.

Plagiarism is also one of the clearest, frequent and serious forms of unethical conduct in the writing and publication of research or academic papers. The analysis of the modalities envisioned and designed to combat and sanction plagiarism implicitly constitutes an analysis of scientific or academic integrity, in terms of protection. Regarding scientific or academic integrity, in the usual sense of the term, it implies impartiality, probity, moral values, respect for principles.

Given that integrity is conceptualized as a virtue, or as an attribute of human character, one will not be able to talk about accurately or completely transposing integrity from the usual plane to the scientific or academic plane; nevertheless, there is a very strong determination in this relationship, as the latter imposes observing a set of specific standards of scientific or scholarly honesty.

The *Code of ethics and professional deontology of the research and development staff* provides one of the principles governing the activity of research and development (the principle of integrity), regulated and governed by Art. 5 letter d), according to which the research and development staff shall exert their activity with honesty, fairness and collegial spirit, fully in line with the other ethical principles, without any external interference. According to Art. 6 letter e) of the above-mentioned Code, the fundamental principles underlying the activities of research and development covered by the previous article, are added the obligatory rules of conduct established by other laws applicable nationally or internationally, concerning respect for property in general, and for intellectual property in particular, and in Art. 7 of the same act, para. 1, it is stated that *observation of professional standards is an obligation and a guarantee of good conduct of the research and development staff*, and Art 2, letter e establishes that *professional standards exclude plagiarizing results or publications*. This code, however, has issues that are not covered yet, and it needs to be reviewed because there are international regulations in the field that should be implemented in Romania, because eventually there will be unique criteria world-wide that will define good conduct and scientific integrity. Steps were taken as early as 2007, when it was proposed, in the First World Conference on Research Integrity, organized by the European Science Foundation and Office of Research Integrity in the United States, that an international conduct code be developed, focusing on ensuring integrity.

In Romania, the main sanctions provided by law (under Law no. 206/2004, as amended by Law no. 398/2006) are:

- removal of the person / persons in question from the project / publication team;
- changing the project manager;
- withdrawing the capacity of a doctoral supervisor and / or the habilitation certificate;
- withdrawing the PhD title;
- withdrawing the academic title or research degree, or demotion;
- removal from the leadership position in the institution of research and development;
- disciplinary termination of the employment contract;
- prohibiting access to the public funds intended for research and development, for a specified period;
- suspension, for a period of time between 1 and 10 years, of the right of entry to a competition for senior positions, or a senior position, a leadership, guiding and control position, or as a member of an examination committee;
- removal of the person / persons concerned from the team working on a project;
- stopping the financing of the project;
- stopping the financing of the project, with mandatory return of funds.

For BA students, and MA and doctoral students the following penalties are provided: written warning, expulsion, and other sanctions provided in the Charter of the University (according to university autonomy), which are established by the Ethics Committee, and applied by the Dean or the Rector within 30 days.

The undeniable cases of complete plagiarism will be punishable by termination of employment or expulsion, and will apply only after inappropriate scientific conduct was ascertained by the committees of inquiry and investigation specially constituted, on the proposal of the ethics committee, in successive stages, that is through inquiry and investigation. The major conclusion resulting from this article would be that between the concept of *plagiarism* and the concept of *scientific integrity* and there is strong opposition, in the sense that the existence of the latter involves combating the phenomenon called "plagiarism".

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