PLAGIARISM: MISCONDUCT AWARENESS ON NOVICE RESEARCH WITHIN THE CYBERWORLD

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1   Introduction

Plagiarism within the cyber-digital environment is a significant problem amongst first-time authors and researchers. It is imperative that an author's contribution to the knowledge community be authentic at all times. Institutions provide the opportunity for novice researchers to contribute towards the furthering of their academic careers through, *inter alia*, the publications of first-time writings and articles. This achievement may also be regarded as a measure of the researchers' accomplishments and success. This article aims to dissuade novice authors from committing plagiarism within the cyber-digital environment by using the Internet as a research tool. To achieve this objective, the article attempts to provide enlightenment by explaining concepts such as novice authorship, plagiarism, the cyber-digital environment and fair-use doctrine. Although plagiarism may have important legal implications for novice authors, this contribution is written mostly from an information technology perspective.

2   Novice authorship

Although plagiarism is not solely committed by novice researchers, they appear to be more likely to commit plagiarism, possibly through a lack of awareness. In the context of the article, novice researchers are first-time or inexperienced authors who write an article with the expectation for it to be published in journals for the recognition of their knowledge within the cyber-digital environment for that specific area of excellence. Apart from the common mistakes made by novice researchers when preparing a digital manuscript for submission, in errors of varying degrees,[1] there seems to be a propensity for first-time authors to copy directly from the works

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[1]   For example, the presentation of an abstract, references, tables or figures that are not in the prescribed format as required by a journal publication.

of others without the latter parties' informed consent, thus committing crimes of plagiarism. The following section examines the concept of plagiarism, its various categories and ways to avoid committing plagiarism.

3 Plagiarism

Novice authors who utilise information available within the cyber-digital environment should exercise due care at all times in order to avoid committing an act of infringement, and thus, plagiarism. Plagiarism, as opposed to cyber-ethics, is the practice of claiming or implying original authorship, in whole or in part, by incorporating another's work into one's own without adequate acknowledgement.[2] According to this description, there should at least be some form of measures to deter this misconduct other than those prescribed by the law on the Web.

3.1 Internet plagiarism: Deterring misconduct

As more researchers use the Web 2.0 for research, the temptation to plagiarise has greatly increased, thereby creating room for infringement of copyright. Regarding Internet plagiarism, it is imperative to deal with the following questions: Do novice researchers have a clear understanding of what constitutes misconduct? Are there procedures that can be implemented and follow in order to curb plagiarism? Howard[3] suggests ways of explaining *plagiarism*, as follows:

> … Writers must acknowledge the sources not only of words, but also of ideas, insofar as is possible, even when they are not quoting word for word from the Web. Moreover, in final-draft writing, writers may not paraphrase a source by using its phrases or sentences, with a few changes in grammar or word choice – even when the source is cited.

Thus, Howard answers the questions posed above in her explanation of plagiarism and cautions against the use of "patch-writing". "Patch-writing" is one of the three categories of Howard's plagiarism policy, a discussion of which follows.

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2   Elmore 2005 http://bit.ly/eLCmSH. For the purpose of the article, this description is within the context of cyber-digital environment.
3   Howard 1995 *College English* 799.

3.2   The three categories[4] of Howard's plagiarism policy[5]

In order to contextualise Internet plagiarism, it is desirable to clarify plagiarism by defining the three categories of Howard's plagiarism policy, namely "cheating", "non-attribution" and "patch-writing". According to Howard,[6] *cheating* in this context means the "Borrowing, purchasing, or otherwise obtaining work composed by someone else and submitting it under one's own name"; *non-attribution* means "Writing own's paper but including passages copied exactly from the work of another (regardless of whether that work is published or unpublished or whether it comes from a printed or electronic source); and *patch-writing* involves "Writing passages that are not copied exactly but that have nevertheless been borrowed from another source, with some changes".

Howard[7] defines patch-writing as "paraphrasing the source's language too closely". Howard further gives examples of the three categories of plagiarism and provides measures for each.

3.3   How can plagiarism be avoided?

As mentioned, there is often some form of infringement relating to the use of another author's work by novice authors. This section is an attempt to address ways to avoid plagiarism and thereby assist novice authors to avoid being caught out unawares in the midst of having committed an act of plagiarism.

In order to avoid plagiarism, authors must give credit in any instance in which they use[8] another author's idea, opinion or theory; any facts, statistics, graphs or drawings; any pieces of information that are not common knowledge; quotations of another person's actual spoken or written words; and paraphrased versions of another person's spoken or written words. Failure to give such credit places novice authors at risk of committing plagiarism. However, there are tools designed

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4   Masango 2009 *IJIM.*
5   Howard 1995 *College English* 788–806.
6   Howard 1995 *College English* 799.
7   Hacker *Bedford Handbook for Writers*. See also n 7 and 8.
8   These guidelines are taken from Indiana University *sa* http://bit.ly/gStdOm.

specifically for plagiarism detection that can be employed by novice authors to determine whether their work leads to infringement through plagiarism. One of these tools is PlagiarismDetect.Com, a subscriber service available to the public.

3.4 *What to expect from Advanced PlagiarismDetect.com*[9]

PlagiarismDetect.Com is one of the most recent plagiarism-detection software tools available on the market. The tool's purpose is to assist researchers in detecting any possibility of plagiarism and, in so doing, helping to avoid such infringements.

4 Manifestation of plagiarism

Plagiarism, as stated in the introductory section of the article, is a problem amongst first-time authors and researchers. Failure to deliver an authentic contribution to a body of knowledge because of plagiarism is seen as shameful and a significant transgression within the academic context. This section explains the manifestation of plagiarism, thereby addressing the primary objective of the article.

Plagiarism is the intentional taking of another author's work and claiming it as one's own.[10] This practice has been observed not only amongst first-time researchers at every level, but also amongst academics, administrators and professional researchers publishing in peer-reviewed journals.[11] Plagiarism, if detected, becomes punishable by our law courts. There are various situations that can be classified as acts of plagiarism,[12] such as a failure to give references and citations in a case in which an author's work is used without permission or even in a case in which conveying common knowledge constitutes plagiarism.[13] An explanation of these two situations follows.

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9   The tool guarantees total confidentiality and safety.
10   Within the context of this article, plagiarism occurs within the cyber-digital environment and is thus referred to as digital plagiarism, in other words, plagiarism with regard to e-information available on the Web as the intentional taking of another's work claiming it as one's own.
11   Spinello *Cyberethics* .
12   Halbert and Ingulli *CyberEthics*.
13   For example, copying works regardless of the copyright sign (©) being clearly indicated.

4.1   References and citations

As indicated, references and citations should always be given where an author's work is used without permission. Failure to do so will constitute infringement and thus plagiarism, which, if detected, becomes punishable by our law courts.

An author makes use of previous studies[14] to provide support for his/her proposed rationale for undertaking a research project. In order to assess the validity of the cited studies, editors and reviewers must have the opportunity to view the original source material if necessary. Inaccurate citations can be a significant barrier to this process. In general researchers seek to advance a specified field of study by building on previously conducted and reported studies. The use of selective references enables novice researchers to build a case justifying an approach to a research question.

It should be noted, however, that should the author use these phrases or sentences in his/her own paper without the use of quotation marks, the author would be *plagiarising*.[15] Using another author's phrases or sentences without the use of quotation marks is considered to be *plagiarism* even if the author cites in his/her own text the source of the phrases or sentences he/she has quoted.

4.2   What constitutes common knowledge?[16]

Another situation in which infringement constitutes plagiarism is the case in which conveying common knowledge constitutes plagiarism. This can manifest itself in two forms, namely quotations and paraphrasing.

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14   On condition that the original authors' works are consistently cited if used without the owner's permission.
15   And thus heavily punished if caught, as he/she would be pretending to be the original author.
16   Common knowledge is considered knowledge that most educated people know or can find out easily in an encyclopedia or dictionary. Thus, one might not know the date of the most recent meeting of the research committee, but one could find it out quite easily. That the earth is the third planet from the sun is common knowledge. However, if it is a fact that is well known only to a small subset of the population, such as a particular scientific discipline, it is not considered common knowledge (Hoon *Guidelines*).

Quotations involve using another author's expressions. Authors are required in such instances to place the passage or phrase they are using in quotation marks and document the source according to a standard documentation style. Failure to do so amounts to infringement and, thus, *plagiarism.*[17] *Paraphrasing* involves using another author's ideas, but phrasing them in one's own words. This is generally a skill authors uses most when incorporating sources into their writing. Although authors may use their own words to paraphrase, it is still necessary to acknowledge the source of the information.

5   Cyber-digital environment

5.1   Digital content protected

Cyber-digital content is the information posted by the author on the Web, which enjoys copyright protection similar to that under the *Copyright Act*[18] as analogue works. Such content can easily be mistaken for works in the public domain,[19] as the author is not clearly identified. In such cases, the author citing the work should include both the web-site address and the date on which the author accessed the web-site. Digital content includes electronic versions of books or e-books, graphics, video, audio, music, e-mail, web-sites and online databases. Using digital content requires permission that is beyond the scope of fair-use.   Another cyber-digital environment is electronic reserves.

5.2   Electronic reserves

Electronic reserves are an extension of traditional library reserves managed according to fair-use exclusions and the rights of copyright holders as embodied in the current copyright law.[20] Materials may not be placed in electronic reserves

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17   And thus heavily punished if caught, as he/she would be pretending to be the original author (Litman *Digital Copyright;* Spinello *Cyberethics*).
18   98 of 1978.
19   Works belonging to no particular author that can be used by anyone without infringement. In other words, works that do not enjoy copyright protection.
20   *Copyright Act.*

without the permission of the copyright holder in cases in which the nature, scope or extent of copying exceeds the reasonable limits of fair-use.[21]

5.3 *The Web 2.0*

The Web 2.0 is a conglomeration of tools, including the Internet, that has become a popular source of information for research papers, and thus many questions have arisen about the manner in which to avoid *plagiarising* these sources. If an author wishes to use virtual information from a web-site, many of the same rules apply.[22] Copying visual information or graphics from a web-site[23] is very similar to quoting information, and the source of the virtual information or graphic must be cited. Failure to do this amounts to infringement and, thus, *plagiarism*. Brinson *et al*[24] and Buys and Cronjé[25] conclude that it is advisable that if permission is granted, it should always be in writing for future reference and evidential purposes.

6   The fair-use doctrine

The article has demonstrated the manner in which infringement and thus plagiarism manifest through novice authors using, unauthorised, the protected works of others available within the cyber-digital environment without adequately crediting the original authors. The meaning of plagiarism has been explained and the manifestations thereof described with the aim of providing guidance to novice authors. This section examines the fair-use doctrine.

The fair-use doctrine refers to an aspect of copyright law that provides for the licit, non-licensed citation or incorporation of copyrighted material in another author's work under certain, specifiable conditions. According to Masango,[26] the term "fair

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21   Hartnett *Copyright Law Symposium* 168; Harper 2001 http://bit.ly/hvylsH.
22   Ginsburg 2001 *Columbia-VLA Journal of Law and the Arts* 24; Ferrera *et al Cyberlaw* .
23   Or from a printed source.
24   *E-Commerce and Internet Law*.
25   *Cyberlaw@SA*.
26   2008 *IJIM* 232–236.

use" is not unique to countries such as South Africa; a similar principle, "fair dealing", exists in some other jurisdictions.[27]

Fair use makes copyrighted work available to the public as raw material without the need for permission or clearance, provided that such free usage serves the purpose of copyright law.[28] The doctrine, advocated by Rao,[29] hereby attempts to balance the interests of individual copyright holders with the social or cultural benefits that follow from the creation and distribution of derivative works. It is related to *fair dealing* in most respects.[30] The social and cultural benefits referred to entail ethical responsibility.

6.1   *Ethical responsibility*

Ethical responsibility should be viewed as the cultural milieu within the cyber-digital environment with respect to other authors' works, as these authors are normally not in the physical presence of one another.

Ethics[31] forms a cornerstone of every form of research by every researcher, whether veteran or novice. Leonard and Cronan,[32] and Leonard, Cronan and Kreie[33] extend this, stating that ethical morality refers to the principles of right or wrong, which individuals, acting as free moral agents, use to make choices to guide their behaviour. A number of authors have advocated viewing plagiarism as an issue of ethics and moral conduct in the case of novice researchers as opposed to misconduct.[34] The factors to be considered in determining fair use is discussed in the following paragraph.

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27 Patry *Fair Use Privilege in Copyright Law*; Masango 2009 *IJIM* 232–236. For more on fair dealing, see WordIQ.com *sa* http://bit.ly/g2wKRT.
28 Ie public domain works.
29   2003 *Online Information Review* 264–275.
30 Patry *Fair Use Privilege in Copyright Law* ; Masango 2009 *IJIM* 232–236.; Carter *Copyrights in the Digital Era*. For more on copyright, see WordIQ.com *sa* http://bit.ly/foHTAQ; Hoon *Guidelines*; and University of Texas System *sa* http://bit.ly/39Nkq9.
31 Gregory *Ethics in Research*.
32 2001 *JAIS* 1–31.
33   2004 *Information Management* 143–158.
34 Ackermann and Britz *Information, Ethics and the Law*; Masango 2007 *Libri* 84–91; Masango 2009 *IJIM* 232–236; MacDonald, McDonald and Norman 2002 *Journal of Business Ethics* 67–74; Leonard and Cronan 2001 *JAIS* 1–31; Leonard, Cronan and Kreie 2004 *Information Management* 143–158; Lahore and Rothnie *Digital Agenda* 1.

6.2   *Four factors for determining fair use*

As indicated, fair use is the most significant limitation on the copyright holder's exclusive rights. It is not a science deciding whether the use of a work is fair and thus there are no set guidelines that are universally accepted. Instead, the novice researcher who wishes to use a copyrighted work must weigh up four factors:[35]

(a) the purpose and character of the use;

(b) the nature of the copyrighted work;

(c) the amount and substantiality of the portion used; and

(d) the effect of use on the potential market for the copyrighted work.

In determining this, the novice researcher should also consider the following questions: Will the expression by the author be used, and is the expression protected by copyright?[36]

Stripped to its essence, fair use is put to the test by the three questions above. Should the answer to all these questions be in the affirmative, then the fair-use doctrine will apply. Should, however, the answer be in the negative, and the works are nevertheless used, then there is infringement and thus plagiarism will be committed.

7   Conclusion

The article has examined plagiarism amongst first-time authors and the research community. In an attempt to dissuade novice authors from committing plagiarism within the cyber-digital environment by using the Internet as a research tool, the article has discussed fair-use doctrine and the manner in which it manifested within the cyber-digital environment.

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35   Fausett *New Architect* 42.
36   MacDonald 1999 http://bit.ly/fofF6c; Dodge and Kitchin *Mapping Cyberspace*.

With regard to both digital plagiarism and fair use, it is no wonder that in the cyber-digital environment, researchers often do not understand just how easy it is for researchers to make use of other author's work. The law appears confusing, ambiguous, and unclear because of a lack of cyberspace policing. Such confusion in this regard is detrimental with regard to academic publishing , as an academic who does not publish will perish.[37] As a result of such confusion plagiarism can be easily committed, which is something that must be curbed. *Plagiarism* is a serious act that can have juridical consequences for which a plagiarist may be unprepared. If caught plagiarising, the punishment is harsh. If "e-policing" were virtually seen to be done (by documenting it somewhere visibily), plagiarism would, to a larger extent be combated. In order to lend greater effect to the *Copyright Act*, it is important to keep abreast of international copyright laws, such as those of the United States of America and Australia. If digital plagiarism were indeed enforceable within the cyberspace, legal certainty, legal security, legal protection and legal deterrence, on the face of it, would be assured in scholarly writing without this being reduced to "lip-service", as it were.

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37   Band 2008 http://bit.ly/ekMAgg.

Bibliography

Ackermann and Britz *Information, Ethics and the Law*

Ackermann M and Britz H *Information, Ethics and the Law: A Guide for Information Practitioners, Students and the Corporate Environment* (Van Schaik Pretoria 2006)

Brinson *et al E-Commerce and Internet Law*

Brinson JD *et al Analysing E-Commerce and Internet Law* (Prentice-Hall Upper Saddle River 2001)

Buys and Cronjé *Cyberlaw@SA*

Buys R and Cronjé F (eds) *Cyberlaw@SA II: The Law of the Internet in South Africa* 2nd ed (Van Schaik Pretoria 2004)

Carter *Copyrights in the Digital Era*

Carter ME *Electronic Highway Robbery: An Artist's Guide to Copyrights in the Digital Era* (Peachpit Press Berkeley 1996)

Dodge and Kitchin *Mapping Cyberspace*

Dodge M and Kitchin R *Mapping Cyberspace* (Routledge London 2001)

Fausett 2007 *New Architect*

Fausett BA "Do you copy?: What the courts are saying about fair-use and linking rights" 2007 *New Architect* July 7(7) (page numbers not available)

Ferrera *et al Cyberlaw*

Ferrera GR *et al Cyberlaw: Your Rights in Cyberspace* (Thomson Learning Cincinnati 2001)

Ginsburg 2001 *Columbia-VLA Journal of Law and the Arts*

Ginsburg JC "Copyright use and excuse on the Internet" 2000 *Columbia-VLA Journal of Law and the Arts* 124–45

Gregory 2003 *Ethics in Research*

Gregory I *Ethics in Research* (Continuum London 2003)

Hacker *Bedford Handbook for Writers*

Hacker D *The Bedford Handbook for Writers* 4th ed (Bedford St Martin's Boston 1994)

Halbert and Ingulli *CyberEthics*

Halbert T and Ingulli E *CyberEthics* (South-Western College Mason 2005)

Hartnett *Copyright Law Symposium*

Hartnett DA "A new era for copyright law: Reconstituting the fair use doctrine" 1992 *Copyright Law Symposium* 39 167–203

Hoon *Guidelines*

Hoon P (ed) *Guidelines for Educational Use of Copyrighted Materials: Designed for Educators and Librarians in the Higher Education Setting* (Washington State University Washington 1997)

Howard 1995 *College English*

Howard RM "Plagiarisms, authorships, and the academic death penalty" 1995 *College English* 788–806

Lahore and Rothnie *Digital Agenda*

Lahore J and Rothnie WA *Digital Agenda – The Copyright Amendment (Digital Agenda) Act 2000* (Butterworths Sydney 2004)

Leonard and Cronan 2001 *JAIS*

Leonard LNK and Cronan TP "Illegal, inappropriate, and unethical behaviour in an information technology context: A study to explain influences" 2001 *JAIS* 1(12) 1–31

Leonard, Cronan and Kreie 2004 *Information Management*

Leonard LNK, Cronan TP and Kreie J "What influences IT ethical behaviour intentions – Planned behavior, reasoned action, perceived importance, individual characteristics?" 2004 *Information Management* 143–158

Litman *Digital Copyright*

Litman J *Digital Copyright* (Prometheus New York 2001)

MacDonald, McDonald and Norman 2002 *Journal of Business Ethics*

MacDonald C, McDonald M and Norman W "Charitable conflicts of interest" 2002 *Journal of Business Ethics* 67–74

Masango 2007 *Libri*

Masango CA "Perceptions about copyright of digital content and its effects on scholarship: A South African perspective" 2007 *Libri* 57(2) 84–91

Masango 2009 *IJIM*

Masango CA "Understanding copyright in support of scholarship: Some possible challenges to scholars and academic librarians in the digital environment?" 2009 *IJIM* 29(3) 232–236

Patry *Fair Use Privilege in Copyright Law*

Patry WF *The Fair Use Privilege in Copyright Law* 2nd ed (Bureau of National Affairs Washington 1995)

Quinn *Ethics for the Information Age*

Quinn MJ 2005 *Ethics for the Information Age* (Pearson Addison Wesley Boston 2005)

Rao 2003 *Online Information Review*

Rao SS "Copyright: Its implications for electronic information" 2003 *Online Information Review* 264–275

Spinello *CyberEthics*

Spinello RA *CyberEthics: Morality and Law in Cyberspace* 3rd ed (Jones and
Bartlett Publishers Sudbury 2006)

Register of Internet resources

Band 2008 http://bit.ly/ekMAgg

Band J 2008 Publish and perish? Protecting your copyrights from your publisher
http://www.policybandwidth.com/doc/20080523-PublishANDPerishFinal.pdf [date
of use 25 Nov 2010]

Elmore 2005 http://bit.ly/eLCmSH

Elmore J 2005 Why do people plagiarize?
http://www.geneseo.edu/~elmore/Why_plagiarism.htm [date of use 28 Nov 2010]

Harper 2001 http://bit.ly/hvylsH

Harper G 2001 Will we need fair use in the twenty-first century?
http://www.utsystem.edu/OGC/IntellectualProperty/fair_use.htm [date of use 25
Nov 2010]

Indiana University *sa* http://bit.ly/gStdOm

Indiana University *sa* Code of student rights, responsibilities, and conduct
http://www.iu.edu/~code/ [date of use 25 Nov 2010]

MacDonald 1999 http://bit.ly/fofF6c

MacDonald I 1999 Copyright in the new communication: Balancing protection
and access http://www.copyright.org.au/admin/cms-
acc1/_images/1108597724c97f63a1aca8.pdf [date of use 25 Nov 2010]

University of Texas System *sa* http://bit.ly/39Nkq9

University of Texas System *sa* Crash course in copyright
http://www.utsystem.edu/ogc/intellectualproperty/cprtindx.htm [date of use 28
Nov 2010]

WordIQ.com *sa* http://bit.ly/foHTAQ

    WordIQ.com *sa* Copyright – Definition

    http://www.wordiq.com/definition/Copyright date of use 28 Nov 2010]

WordIQ.com *sa* http://bit.ly/g2wKRT

    WordIQ.com *sa* Fair dealing – Definition

    http://www.wordiq.com/definition/Fair_dealing date of use 28 Nov 2010]

Register of legislation

Copyright Act 98 of 1978

List of abbreviations

IJIM	International Journal of Information Management
JAIS	Journal of the Association for Information Systems

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Summary

More often than not, there exists some form of infringement relating to the use of other authors' work. This is particularly so in instances in which novice authors make use of the information available within the cyber-digital environment. The article explains the meaning of plagiarism and describes the many manifestations thereof, with the primary aim of providing guidance to novice authors.

Keywords

Copyright; novice authorship; plagiarism; cyber-digital environment; fair-use doctrine; legal protectionism; legal certainty; plagiarism.

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