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Plagiarism really is a crime:  
a counterblast against anarchists and postmodernists (and others)

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## Abstract

This paper is an amplification of a section on postmodernism in my 'Plagiarism in philosophy: prevention better than cure', at <http://www.prs-ltsn.ac.uk/plagiarism/index.html>.

In the war against plagiarism, we tend to think of the enemy as being the dishonest or lazy student. However, there are academics who play down the seriousness of the offence, or even deny that it is an offence at all. Since they are traitors within the ranks, it is important to expose the fallacies in their arguments. The two main groups are anarchists and (some) postmodernists, though there are others as well.

### Anarchists

The anarchists' argument is that, since all property is theft, intellectual property is also theft — in an ideal society, there would be no copyright, and everyone would be able to take the words and ideas of others, and make what use of them they liked without attribution. The problems with this argument are:

1. In fact there is no copyright in ideas, but only in words. No-one is prevented by copyright legislation from using the ideas of others.
2. Copyright exists so that publishers and authors can obtain a fair reward for their labour without being undercut by pirate editions (though I would agree that publishers often unduly restrict the availability of texts). This is not theft of a common good from the people at large.
3. While breach of copyright might sometimes be analogous to theft (in that the author is deprived of royalties), plagiarism hardly ever involves any financial loss; and, unlike stolen goods, the author still possesses the plagiarised work. What the author loses is *reputation*, or the *moral* right to be acknowledged as the author and to be quoted without distortion. This right subsists independently of any intellectual property rights (which usually belong to publishers).
4. Plagiarism is quite distinct from breach of copyright. It isn't plagiarism to re-publish a work without permission (provided the authorship is acknowledged), but it is breach of copyright. Again, it isn't breach of copyright to make use of the ideas of others, or to copy words with permission, or to copy from works not protected by copyright; but if the author is not acknowledged, these would all normally count as plagiarism.
5. Whatever might be said about plagiarism outside academia, plagiarism by students or academics raises special issues. One of the main functions of a university is to accredit students as having demonstrated a certain level of intellectual ability, knowledge, and understanding. But in so far as the work they submit for assessment is copied or paraphrased from others, they have failed to demonstrate any of these. Turning a blind eye towards plagiarism undermines the value of a degree for students, potential employers, and institutions alike. Similar considerations apply to academics who obtain jobs, promotions, or grant-funding on the basis of plagiarised work. Due acknowledgment of the work of fellow members of the academic community is a core value

which students must be rigorously inducted into as junior members of that community. The pros and cons of copyright legislation are entirely irrelevant.

## **Postmodernists**

The postmodernists' argument is that, since there is no such thing as an author, there can be no such thing as plagiarism, because there is no-one to plagiarise from. This needs some explanation.

The postmodernist rejection of the concept of the author is part of a wider attack on modernity in general, including the rationalism of the enlightenment, and the cult of the individual genius in the romantic period. Postmodernists perceive the idea of the original, individual author, and with it the idea of someone who can be plagiarised from, as an aberration lasting only a few centuries. But this claim is historically false, since writers in antiquity were just as jealous of their originality as writers in the modern period. Equally, there have been thinkers throughout history who have shared the postmodernist scepticism about the possibility of genuine originality. Nevertheless, it remains highly paradoxical to deny the possibility of original thought altogether. We now inhabit a world of ideas which is dramatically different from that of our ancestors, and this is due to the efforts of individual thinkers, even when they work co-operatively.

One of the arguments for denying originality (again, not new to postmodernism) is that no-one can think at all without a language and culture acquired from others. This is true; but no-one ever claimed that originality required the creation of a new language or culture. Original thinking consists as much in a fresh ordering of existing words and ideas as in the creation of new ones, just as original music is constantly being created with the same old notes and instruments.

Central to the postmodernist approach is the denial of 'authorial intention'. It used to be held that the meaning of a text was determined by the ideas in the mind of the author while writing it. But a text only has meaning in so far as it is interpreted by a reader, and a potentially infinite readership will interpret the text in a myriad of different ways, depending on their individual cultural experiences. Since we cannot get at the ideas in the author's mind, each interpretation is as valid as any other. The text takes on a life of its own, and the author (if still alive) is only one interpreter among many. Add to this the concept of intertextuality — the idea that a text is to be understood, not in terms of its internal structure, but in terms of its relation to other texts — and we arrive at 'the death of the author'. All we have is texts and readers, and there is no author to plagiarise.

Whilst postmodernists are right to cast doubt on the idea that an author has a crystal-clear conception of what they intend to say, which may be let down by the words they use to express it, it does not follow that authors have no privileged access to their intentions. A central component of academic debate consists in asking authors to clarify what they mean, and this activity would make no sense if the questioner were just as much an authority as the author. Similarly, in the war against student plagiarism, a key weapon is to interrogate the student. If they can give no account of how they arrived at what they wrote (other than copying or paraphrasing some external source), there is a clear presumption that they have plagiarised. Nevertheless, postmodernists do make the valid point that we cannot expect all final-year undergraduates

to be creative geniuses, and we must set realistic targets for the level of independent thinking we demand of them.

Having denied the existence of the *author*, as the individual, inspired originator of new ideas, postmodernists are forced to recognise that there are still *writers*. Writers are genuine, individual human beings, who produce texts which have never been produced before — including those of postmodernist writers themselves. The writer survives the death of the author, and is someone who can still be plagiarised. We merely have to substitute the term ‘writer’ for ‘author’, and everything is as it was before postmodernism arrived on the scene. In our academic culture, we acknowledge our debts to writers we have read, and we expect our students to do the same. If we present the work of other writers as our own, we are guilty of plagiarism, irrespective of postmodernist scruples about the concept of the author.

## **Plagiarism really is a crime: a counterblast against anarchists, postmodernists (and others)**

### **1. Introduction**

This paper is an amplification of a section on postmodernism in my ‘Plagiarism in philosophy: prevention better than cure’ (MacDonald Ross (2004), p.45). While the earlier paper translated the outcomes of generic research on plagiarism into the subject-specific context of philosophy, the present paper is primarily directed towards non-philosophers, who may be perplexed by quasi-philosophical arguments purporting to show that there is no such thing as plagiarism, or that it is not a crime.

As my title implies, I firmly believe that the whole purpose of university education is undermined if plagiarism is condoned. Plagiarism is a serious threat to academic standards, and it is perfectly justifiable to use militaristic metaphors such as ‘the war against plagiarism’ and ‘traitors within the ranks’. As it happens, I am more sympathetic to anarchism, postmodernism, and other movements of thought than my title suggests, provided they are not used to subvert our attempts to eradicate plagiarism.

The war against plagiarism is usually conceived as a war against dishonest or lazy *students*. There is certainly a problem with some students; but in this paper, I am concerned with academics and others who fail to take plagiarism seriously, or even actively encourage it — the traitors within the ranks. Here is an example. Biology students at the University of York are given the following warning on their departmental website:

The university and the biology department take a dim view of those cheating so & so’s who rip off other folks’ hard work by cutting and pasting stuff from the internet etc. So be warned. You could get your wrists slapped.<sup>1</sup>

Needless to say, this flippant piece of advice entirely contradicts the official policy of the University of York; but it is difficult for that university to implement its policy if individual members of staff undermine it, for whatever reason. In this particular example, no reason is given for why students caught cutting and pasting from the internet should receive no more than a slap on the wrist. However, others do give reasons for downgrading the offence of plagiarism, or for denying that it is an offence at all. I shall focus mainly on anarchists and (some) postmodernists; but I shall also consider other movements of thought such as composition theory, post-colonialism, and feminism.

### **2. Anarchists**

The anarchists’ argument is that, since all property is theft, intellectual property is also theft — in an ideal society, there would be no copyright, and everyone would be able to take the words and ideas of others,

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<sup>1</sup> *Furedi (2004)*. Shortly after this article was published, a search of the website verified the first part of the quotation; but the full document was available only from within the university. It subsequently appears to have been removed — and rightly so.

and make what use of them they liked without attribution. An extreme example is an anonymous article about plagiarism on a website called CrimethInc.com (undated).<sup>2</sup> It starts with the slogan:

The marketplace of ideas, like any marketplace, is fit only for looting.

The article's principal objection to the ownership of ideas is that hero-worshipping the great original thinkers of the past encourages the notion that creative thinking is exclusive to a small number of gifted individuals, thus stifling the originality of everyone else. It is a form of power exercised by the few over the many. The concluding recommendation is:

Take what seems relevant to your life and your needs from the theories and doctrines prepared by those who came before you. Don't be afraid to reproduce word for word those texts which seem perfect to you, so you can share them with others who might also benefit from them. And at the same time, don't be afraid to plunder ideas from different sources and rearrange them in ways that you find more useful and exciting, more relevant to your own needs and experiences. Seek to create a personally constructed body of critical and creative thought, with elements gathered from as many sources as possible, rather than choosing from one of the prefabricated ideologies that are offered to you. After all, do we have ideas, or do they have us?

In fact the author confuses two separate issues: the perfectly reasonable advice not to allow yourself to be dominated by a single ideology, with the much more dubious injunction to 'loot' and 'plunder' the ideas of others without attribution.

Although I describe this position as 'anarchist', there are many academics who would reject the label of 'anarchist', while sharing the essential position that the very idea of intellectual property is a construction of 17th-century capitalism, which should be abandoned as limiting the free flow of ideas. For example, this is a recurrent theme of the articles in Buranen and Roy (1999). If there is no intellectual property, it cannot be stolen, and there is no such thing as plagiarism. The clearest mark of sincerity in holding such a belief is to refuse to complain when you yourself have been plagiarised. Thus Ron Scollon (1995, pp.25–26) records his initial anger at learning that he had been a victim of plagiarism, and he explains how he overcame his original emotion by writing calmly about why the concept of plagiarism should be rejected, or at least radically modified.

As it happens, I have a strong sympathy for the view that the protection of intellectual property inhibits people's access to ideas, though not for the same reason. I believe it is only right that authors should be able to earn a living from the fruits of their labours under protection from pirate editions. However, academics often assign their copyright to publishers for nothing, or for a mere token royalty. Once a book or journal is out of print, it remains effectively locked away from the public until 70 years after their death. This is against the interest of everyone except publishers, since the primary concern of academics is for their ideas to be as widely known as possible, and the public wants maximum access to the full

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<sup>2</sup> See also Livingston-Webber (1999) on 'zines', which deliberately flout copyright.

range of ideas — preferably free of charge and without any delay. There is much to be said for the idea of ‘copyleft’, which makes works freely available while at the same time protecting their integrity.<sup>3</sup>

However, the issue of intellectual property ultimately has little or nothing to do with plagiarism. I shall show this by considering five defects in the anarchists’ arguments.

*(a) No copyright in ideas*

It is simply false to say that ideas are copyright. While inventions can be protected by patents, copyright legislation applies only to words.<sup>4</sup> No-one is prevented from using the ideas of others, with or without acknowledgement, provided they do not copy, paraphrase, or translate the author’s words without the permission of the holder of the copyright.

*(b) Copyright prevents piracy*

The original purpose of copyright legislation was to enable publishers and authors (in that order, as it happens) to obtain a fair reward for their efforts without being undercut by pirate editions. This is not theft of a common good from the people at large, since books would not exist unless they were brought into being by authors and publishers. One might well quibble about the precise balance between the interests of authors, publishers, and the reading public; but it is a reasonable principle that the financial interests of the former should be protected. Martin (1995), in his attack on intellectual property, does at least confront the issue of how writers can be motivated in a world without copyright. He comes to the unsatisfactory conclusion that academics don’t need to be paid for their publications because they already have a salary, and that non-academic writers ought to be paid a salary by the state (even if this means a lower income for the most successful writers).

*(c) Plagiarism not theft*

It makes some sense to describe breach of copyright as a form of theft, in so far as author and publisher lose money they would otherwise have earned if their copyright had not been breached (e.g. by the publication of a pirate edition). Indeed, damages are limited to the estimated extent of the financial loss, which is why it is often pointless to take breaches of copyright to court.<sup>5</sup> However, plagiarism is quite different, since it hardly ever involves any financial loss, and the author still possesses the plagiarised work, unlike a stolen object. What the author loses is potential *reputation*, or the *moral* right to be acknowledged as the author, and to be quoted without distortion.<sup>6</sup> This right subsists independently of any intellectual property rights, which in any case usually belong to publishers rather than to authors.

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<sup>3</sup> For more on the copyleft movement, see Stutz (1997). cf. also Creative Commons (<http://creativecommons.org/> [accessed 09.05.04]) and Copyright’s Commons, or Counter-Copyright (<http://cyber.law.harvard.edu/cc/cc.html> [accessed 09.05.04]). Others, such as (Martin 1995), make the point that copyright limits the access of poor nations to information contained in expensive publications.

<sup>4</sup> See, for example, *The National Archive* (2003), p.3, §2.2.

<sup>5</sup> This is why publishers resort to bullying — see Livingston-Webber (1999), pp.269ff. Interestingly, her point that publishers’ copyright statements should not exclude fair use and personal use is completely ignored by her publisher, the State University of New York Press — see Buranen and Roy (1999), p.iv.

<sup>6</sup> See, for example, [http://www.intellectual-property.gov.uk/std/faq/copyright/moral\\_rights.htm](http://www.intellectual-property.gov.uk/std/faq/copyright/moral_rights.htm) [accessed 09.05.04].

This confusion between property rights and moral rights has been largely responsible for the mistaken view that the very concept of plagiarism became possible only with the evolution of intellectual property rights in the 17th century. But both the concept of plagiarism, and the muddled notion that it is a form of theft, go right back to antiquity. The word 'plagiarism' itself meant 'kidnapping' in Latin, as if the plagiarist had stolen the brain-child of its author. Thus Martial (c.40–c.104 AD) criticises a poet who recited Martial's poems without acknowledgement. He compares his poems to his slaves, and says to the addressee of his epigram:

And when he calls himself their owner, say they are mine, discharged from my hand. If you shout this three or four times, you will make the kidnapper ashamed of himself.<sup>7</sup>

So there is a long pedigree for Johnson's (1755) definition of 'plagiary' as:

A thief in literature; one who steals the thoughts or writings of another.

This definition has done much to muddy the waters of subsequent dictionary definitions of 'plagiarism'.

*(d) Plagiarism not breach of copyright*

While plagiarism often does involve breach of copyright, there are many ways in which copyright can be breached without plagiarism, and a work can be plagiarised without copyright being breached.<sup>8</sup> For example, it is not plagiarism if a work, or a substantial part of it, is reproduced with full acknowledgment, but without the permission of the owner of the copyright. On the other hand, it *is* plagiarism (but not breach of copyright) if someone fails to acknowledge the ideas of another, or copies a text with the author's permission but without acknowledgment, or copies from a text which is out of copyright. So plagiarism is essentially quite different from breach of copyright, and the two should not be confused.

*(e) Academic plagiarism a special case*

One of the problems with discussions of plagiarism is that it is far from evident that the rules for academics and students are or should be the same as for novelists, poets, journalists and others. Yet many writers focus on literary plagiarism in particular as if it were the same thing, whether or not they condone it.<sup>9</sup> This is to overlook the fact that it would be quite inappropriate to pepper a poem or a novel with quotation marks and references whenever there is an allusion or a phrase is borrowed. Precisely what distinguishes academic writing from other forms of writing is strict adherence to the convention of accurate quotation, full referencing, and acknowledgement of the sources for one's ideas. This convention is the cement which binds the academic community together.

However, it is more than just a convention, because much of academic life consists in assessing the performance of others as individuals. We assess fellow academics on their suitability for appointment to university posts, for promotion, for grants and prizes, and for the publication of their writings. More

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<sup>7</sup> Martial (1968), I.52. Epigram I.53 also describes plagiarism as a form of theft.

<sup>8</sup> See, for example, Urmson (1982), p.415, and Stearns (1999), pp.9ff.

<sup>9</sup> For example, Shaw (1982), and Dettmar (1999).



routinely, we grade students on their academic performance, and accredit them as having demonstrated a certain level of intellectual ability, knowledge, and understanding. But in so far as the work they submit for assessment is copied or paraphrased from others, they have failed to demonstrate any of these. Turning a blind eye towards plagiarism undermines the value of a degree for students, potential employers, and universities alike. Arguments about intellectual property rights are entirely irrelevant, because students have free access to as much information as they need — through the library, course handouts, classes, and the internet. What they are assessed on is their ability to select, digest, apply, and evaluate the material they have at their disposal, and to produce their own independent synthesis. You might call this the ‘intellectual value-added’ they have contributed to the raw materials of their education. But this intellectual value-added can be assessed by examiners only if they know what is the raw material and what is the work of the student. In other words, students must acknowledge their sources if the process of awarding degrees is to have any meaning. By insisting on this, we are inducting students into a core value of the academic community, and treating them as junior members of that community, whether or not they are destined to remain within it after they graduate. And the large majority who do not pursue an academic career will fertilise society at large with important moral and intellectual values.

To some, the above may seem rather a strong requirement, since it implies that students should not be awarded a degree at all if they can do nothing more than memorise and regurgitate what they have read or heard. But I make no apologies, since it is fundamental to the British higher education system that graduates should have demonstrated the ability to think for themselves. Even if in practice a significant number of students manage to slip through the net and obtain a degree without any independence of thought, it is nevertheless the ideal, and it is clearly enshrined in the Quality Assurance Agency’s qualifications frameworks and subject benchmark statements. Thus the *minimum* requirements for a Bachelors degree with honours include expressions such as the following:

- an ability to deploy accurately established techniques of analysis and enquiry;
- to devise and sustain arguments, and/or to solve problems;
- to comment upon particular aspects of . . . advanced scholarship;
- an appreciation of the uncertainty, ambiguity and limits of knowledge;
- the ability to manage their own learning, and to make use of scholarly reviews and primary sources;
- to review, consolidate, extend and apply their knowledge and understanding, and to initiate and carry out projects;
- to critically evaluate arguments, assumptions, abstract concepts and data . . . , to make judgments, and to frame appropriate questions to achieve a solution . . . to a problem.<sup>10</sup>

If there is a gap between the ideal and the reality in the UK, there is a far greater gap between the UK and many other higher education cultures. It is widely accepted that the main reason why so many international and south European students are charged with plagiarism in UK universities is because they

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<sup>10</sup> *QAA (2001), Annex 1.*

haven't been sufficiently inducted into a culture in which they are expected to think for themselves, and to reference their sources.<sup>11</sup>

In short, the arguments of anarchists and others against intellectual property have no bearing on the need for academics and students to avoid plagiarism.

### 3. Postmodernists

The postmodernists' argument is that, since there is no such thing as an author, there can be no such thing as plagiarism, because there is no-one to plagiarise from. This will need some explanation.

The postmodernist rejection of the concept of the author is part of a wider attack on modernity in general, including the rationalism of the enlightenment, and the cult of the individual genius in the romantic period. Postmodernists perceive the idea of the original, individual author, and with it the idea of someone who can be plagiarised from, as an aberration lasting only a few centuries.

However, as we have already seen in the case of Martial, the idea of the original author goes right back to antiquity. Nor was Martial an isolated exception — to give just one example, a main purpose of Diogenes Laertius's *Lives of the Philosophers* was to establish the first discoverers of philosophical and scientific ideas. What *is* true is that, during the Middle Ages and the Renaissance, there was much more reverence for the wisdom of the past than we find in the fresh beginnings of modernists such as Galileo, Bacon, Hobbes, or Descartes. It is also true that authors were much less fussy than we are now (at least in academic circles) about referencing and acknowledging sources — though this may be partly because they occupied a common culture, in which readers would immediately recognise the sources anyway. However, none of this amounts to any failure to acknowledge the originality of the author. For example, Thomas Aquinas's method consisted in marshalling authorities on different sides of a question (with due acknowledgment), and then creating his own original synthesis. The outcome was not a mere compilation, but a new philosophical system, which was always recognised as distinctively *his*. As Montaigne put it:

Bees ransack flowers here and flowers there: but then they make it their own honey, which is entirely theirs and no longer thyme or marjoram.<sup>12</sup>

Indeed, it is highly paradoxical to deny the possibility of original thought altogether, because we now inhabit a world of ideas which is dramatically different from that of our ancestors; and this is due to the efforts of individual thinkers, irrespective of the extent to which they may have worked co-operatively.

One of the arguments for denying originality is that no-one can think at all without a language and culture acquired from others. This is perfectly true; and it is also true that some thinkers, such as Plato and Descartes, believed that they could be the first to attain truth only by cutting themselves off from their

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<sup>11</sup> See §4.2, below.

<sup>12</sup> Montaigne (1993), I.26, p.171. Ironically, Montaigne goes on to say of the boy being educated: 'Let him hide the help he received and put only his achievements on display. Pillagers and borrowers make a parade of what they have bought and built not of what they have filched from others!' This sounds distinctly like the CrimethInc website.

linguistic and cultural heritage, and focussing on pure reason itself. But the fact that some thinkers have misdiagnosed the nature of their originality (and postmodernists are not alone in holding this to be a fact) does not mean that originality is impossible. No-one ever claimed that originality required the creation of a new language or culture — though some original thinking has in fact resulted in linguistic and cultural change. Original thinking consists as much in a fresh ordering of existing words and ideas as in the creation of new ones, just as original music is constantly being created with the same old notes and instruments. Such constraints on Mozart's originality have not prevented his music from being instantly recognisable as his own, and the same is true of creative writers.<sup>13</sup>

Nor is there anything uniquely postmodern about pessimism with respect to originality. Among outstandingly original writers, Goethe said:

People are always talking about originality; but what do they mean? As soon as we are born, the world begins to work on us, and this goes on to the end. And, after all, what can we call our own except energy, strength, and will? If I could give an account of all that I owe to great predecessors and contemporaries, there would be but a small balance in my favour.<sup>14</sup>

Emerson said:

If we confine ourselves to literature, 't is easy to see that the debt is immense to past thought. None escapes it. The originals are not original. There is imitation, model and suggestion, to the very archangels, if we knew their history.<sup>15</sup>

And Wilde said:

Most people are other people. Their thoughts are someone else's opinions, their life a mimicry, their passions a quotation. Christ was not merely the supreme Individualist, but he was the first in history.<sup>16</sup>

Unlike the others, Wilde excluded himself from his generalisation, since he regarded himself as both an individualist and a genius.

Central to the postmodernist approach is the denial of 'authorial intention'. According to postmodernists, it used to be held that the meaning of a text was determined by the ideas in the mind of the author while writing it. But a text has meaning only in so far as it is interpreted by a reader, and a potentially infinite readership will interpret the text in a myriad of different ways, depending on their individual cultural experiences. Since we cannot get at the ideas in the author's mind except through the text, each

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<sup>13</sup> Nevertheless, it is interesting that the individual authorial voice can be more difficult to detect in the case of writing than in music. In the sciences this is exacerbated by the convention of impersonal writing, which makes it more difficult for students to find their individual, unplagiarised voice — see Simmons (1999) p.42, quoting Crowley (1990), pp.147–153.

<sup>14</sup> Eckermann (1850), Vol. I, p.263 (conversation of May 12, 1825).

<sup>15</sup> Emerson (1917), p.180 (originally published 1875). There are other juicy quotes on pp.178, 191, and 200.

<sup>16</sup> Wilde (1948), *De Profundis*, p.926 (originally published 1905).

interpretation is as valid as any other. The text takes on a life of its own, and the author (if still alive) is only one interpreter among many.

Postmodernists go further, and claim that the relationship between a text and its reader is not the only significant relationship. The text also has to be understood in the context of an indefinite number of other texts to which it explicitly or implicitly refers — or its ‘intertextuality’, to use Kristeva’s term.<sup>17</sup> Given the emphasis on the reader and on other texts, the logical conclusion is Barthes’ ‘death of the author’.<sup>18</sup> These ideas — highly original ones you might say — have been used to deny the very concept of the original author, and hence of plagiarism, since there is no-one to plagiarise from. For example, Larochelle (1999) writes:

Plagiarism can no longer exist once discourse has become a space filled with a multiplicity of interference of untraceable origin.

Post-modern authors believe that the reproduction of a text can only be whole if the context is the same. Therefore, because context changes constantly, a true reproduction cannot be reduced to conformity of text, and plagiarism then becomes an idealization on the report of the ideas to others.

The writer’s activity is found only in intertextuality, where reconstruction and reorientation of borrowed material are predominant.

There is much that is right in the postmodern position. For example, it shares with other movements, such as analytic and linguistic philosophy, the rejection of the old theory that authors have a crystal-clear conception of their own original ideas, and that the only problem is to find the right words to express them. It is also true that texts cannot be fully understood in isolation from other texts known to the author and the reader, and that works of genius, such as Shakespeare’s writings, can generate a greater number of interesting interpretations than can possibly have been consciously entertained by the author (not that postmodernists would express the point in such terms).

However, it remains the case that there *are* original thinkers, and one of the marks of originality is the difficulty of expressing new ideas in a language which does not yet exist.<sup>19</sup> A central feature of academic life is the conference or seminar paper, where authors are interrogated as to what they mean. This activity would make no sense if the questioner were just as much an authority as the author. Similarly, in the war against plagiarism, a key weapon is to interrogate students. If they can give no account of how they arrived at what they wrote (other than copying or paraphrasing some external source), there is a clear presumption that they have plagiarised. We would come to the same conclusion about a fellow academic who could not defend a conference paper.

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<sup>17</sup> Kristeva (1967), p.444.

<sup>18</sup> Barthes (1968). This was shortly followed by Foucault (1969): ‘What is an Author?’

<sup>19</sup> Philosophers in particular have always been coiners of new words (for example, Plato, Aristotle, Cicero, and Kant), and postmodernists have been prolific in continuing this tradition.

Nevertheless, postmodernists do make the valid point that we cannot expect all final-year undergraduates to be creative geniuses, and we must set realistic targets for the level of independent thinking we demand of them. The key is that they should think independently, even if the result of their independent thinking is not a thought that has not been thought before. For example, a good teacher of geometry might set up a situation in which students can work out Pythagoras's theorem for themselves. Their solution won't be original, because Pythagoras had already worked it out. But it will be independent, as long as the students don't simply copy out the proof from a text book.<sup>20</sup>

Having denied the existence of the *author*, as the individual, inspired originator of new ideas, postmodernists are forced to recognise that there are still *writers*. Writers are genuine, individual human beings, who produce texts which have never been produced before — including those of postmodernist writers themselves. The writer survives the death of the author, and is someone who can still be plagiarised. We merely have to substitute the term 'writer' for 'author', and, as far as plagiarism is concerned, everything is as it was before postmodernism arrived on the scene. In our academic culture, we acknowledge our debts to writers we have read, and we expect our students to do the same. If we present the work of other writers as our own, we are guilty of plagiarism, irrespective of postmodernist scruples about the status of the author.

## 4. Others

### 4.1. *Compositionists*

In American universities, there is a long tradition of the explicit teaching of good writing and reasoning. The discipline used to be called 'rhetoric', reflecting its origin in rhetoric as one of the subjects of the *trivium* in the mediæval university. Nowadays it is normally called 'composition', and it is similar to the skills modules which have recently become commonplace in the UK. As might be expected, there is some tension between compositionists, and teachers of the relatively young discipline of English literature, since they share a common territory, namely the use of the English language. During the 20th century, English literature established itself as an academic discipline in its own right, with all the necessary paraphernalia of grounding in theory (even though theories have always been contested), an emphasis on subject content and on the contribution of the individual scholar, and rigid adherence to academic norms of referencing. Compositionists, on the other hand, have always focussed on the development of skills, and on co-operative work. They have become marginalised in the academic hierarchy as concerned mainly with remedial help, and as failing to contribute to the Humboldtian idea of the university as primarily a research institution — an idea which became generally adopted around the same time as English was established as an academic discipline.<sup>21</sup> However, compositionists are fighting back, and they argue that writing centres should be repositioned towards the centre of the academy.<sup>22</sup>

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<sup>20</sup> MacDonald Ross (2004), p.26.

<sup>21</sup> Judging by the contributions to Buranen and Roy (1999), compositionists are mostly women on fixed-term contracts, whereas professors of English are mostly men with tenure. This reinforces the status differential.

<sup>22</sup> Shamoon and Burns (1999), esp. pp.184, 192; Howard (1999), esp. pp.87, 95.

One of the flashpoints is the question of plagiarism. There are really two issues here. The first is whether the help compositionists or fellow-students give to students writing essays in their subject discipline constitutes plagiarism. They are often accused of conniving in plagiarism, although they are generally very careful not to do any re-writing themselves.<sup>23</sup> I myself am rather relaxed about this issue, because within and without academia, it is perfectly normal practice for authors to seek advice from a variety of sources about drafts of their work, and as long as these sources are acknowledged, the question of plagiarism does not arise.<sup>24</sup> Where students are encouraged or required to work collaboratively (which is generally a good thing), rules about the extent of permitted collaboration and about how individual contributions are assessed should be made absolutely clear.

The second and more serious issue is that some compositionists advocate what is known as 'patchwriting', or stitching together unacknowledged quotations from, or paraphrases of texts in order to construct an essay — like a patchwork quilt.<sup>25</sup> The rationale is that this is an easier exercise than writing an independently argued and properly referenced essay for students who have difficulties with writing. Its advocates tend also to accept the postmodernist thesis that originality is impossible anyway. Now, I have no doubt that it *is* an easier exercise, but it is precisely the style of writing we have to wean students from if they are to think and write in an academically acceptable way, and it certainly has no place in degree-level work. There is no reason why students shouldn't be taught to acknowledge their sources properly right from the beginning, even if it reveals that their more elementary work is highly derivative. This way, they will develop good habits on which they can build later.

#### 4.2. Post-colonialist critics

It has long been observed that international students are more often caught plagiarising than others. Different writers give different explanations: that the perfect English of plagiarised passages stands out from the students' own defective English, thus making the plagiarism easier to detect; that non-Western educational systems are based on the regurgitation of material contained in textbooks and uncritical respect for the teacher; that Oriental or African culture prioritises the propagation of collective wisdom over individual creativity — and so on. There is a serious division of opinion over whether different cultures really do have different attitudes towards plagiarism, and if so why, and what ought to be done about it. For example, Buranen (1999) conducted a survey which suggests that all students understand plagiarism in the same way, and she concludes that the assumption that there are cultural differences is an urban myth which is insulting to international students. Others maintain that there really are deep-seated differences, and that it is a form of post-colonial imperialism to expect international students to conform to the Western ideal of the individual author, particularly when this has already been superseded by

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<sup>23</sup> Clark (1999).

<sup>24</sup> Except when the correctness and clarity of the writing itself is being assessed — as in foreign language courses.

<sup>25</sup> Howard (1995a) coined the term 'patchwriting', and she argues that it should not be treated as plagiarism. See also Howard (1999). Levin (2003), p.2, also regards paraphrasing as a valuable educational tool, and he maintains that, in a sense at least, most academic writing is a form of plagiarism, since we are permanently occupied with the ideas of others. However, he maintains a firm stance against 'cheating', which he defines as 'submitting other people's material as their own with the intention of gaining higher marks than they would otherwise achieve.' He concludes that 'cheating has given plagiarism a bad name.'

postmodernist theory. Western and non-Western approaches should be accorded equal respect.<sup>26</sup> The difference is at its starkest in discussions of literary plagiarism, where plagiarism of Western literature by African novelists is seen by some as ‘a positively valued strategy of retaliation and contestation of the oppression suffered by the colonized.’<sup>27</sup>

This whole area is fraught by issues of political correctness in relation to cultural and racial differences. My own position is that, if students wish to come and study in the West, they must accept our core academic value that higher education is all about enabling students to think for themselves, and to speak and write with their own voice. Indeed, this should be one of the main selling-points of Western education. They are free to join our culture, just as our citizens are free to go abroad and sit at the feet of a guru in order to *lose* their own personal identity. Nevertheless, we have to recognise that the process of acculturation is a difficult one, and we should do all that we can to help international students to adapt to a very different educational milieu.<sup>28</sup>

#### 4.3. *Feminists*

I have already alluded to the fact that compositionists are mostly women; and some have turned the debate between compositionists and mainstream academics into a feminist issue. The argument is that the very concept of intellectual property is masculinist. It needs to be revised through a postmodernist feminist approach, ‘in a manner appropriate for greater sharing and creativity.’<sup>29</sup> ‘Intellectual property is about masculine creation’,<sup>30</sup> and the metaphor of paternity implies that only men are authors. The plagiarist is ‘gendered’.<sup>31</sup> The implication is that, if the gender imbalance is corrected, the crime of plagiarism will largely disappear, because there will be no masculinist intellectual property, and all creative production will be co-operative.

I have already disposed of the intellectual property argument, on the grounds that intellectual property has virtually nothing to do with plagiarism. While it is certainly true that the concept of intellectual property was developed in a masculinist world, and possibly also true that men are more possessive about their property and less co-operative than women, this has no bearing on the need for university students to acknowledge their sources and to contribute their own independent thinking.

#### 4.4. *Schoolteachers*

Although schoolteachers are not academics as such, it is one of their responsibilities to prepare students for university education. They are failing in their duty if they let students get away with submitting copied work for assessment. I know of no systematic study of schoolteachers’ attitudes towards and treatment of plagiarism, but there is circumstantial and anecdotal evidence that it is widely condoned. The

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<sup>26</sup> For example, Randall (1991), Pennycook (1996), Dryden (1999), and Swearingen (1999).

<sup>27</sup> Randall (1999), p.136.

<sup>28</sup> However, recent changes in the way A-levels are taught and assessed mean that the differences between home and international students are less than they used to be: all students now need thorough training in academic literacy.

<sup>29</sup> Halbert (1999), p.111.

<sup>30</sup> *ibid.*, p.113.

<sup>31</sup> Howard (1995b), cited in Buranen and Roy (1999), p.281.

circumstantial evidence is that a large number of first-year university students have no idea that unacknowledged copying is wrong. This is why plagiarism is so common, and why we have to put so much effort into inculcating academic good practice. As for anecdotal evidence, BBC News (2004) quotes no less a person than Dr. Ellie Johnson Searle, Director of the Joint Council for Qualifications, as having a somewhat relaxed attitude in response to a student who claimed that over half his classmates copied from the internet. She said that less than 0.1% of assessments were treated as potentially plagiarised, but ‘some coursework pieces which have actually been heavily reliant on other sources rarely reach the notice of awarding bodies.’ Although ‘blatant’ plagiarism would result in penalties, pupils who ‘simply copied odd bits of internet essays’ would only be asked to rewrite the coursework. ‘Pupils can change the language and grammar and put it into their own words, but if they are going to that sort of effort they are essentially self-teaching and are learning the subject anyway.’ In my view, Johnson Searle seriously overestimates the educational value of paraphrasing, and seriously underestimates the extent to which teachers condone and reinforce work habits which make students ill prepared for university study. It is high time for evidence-based research into the extent to which A-level teaching and assessment does or does not prepare students for the independent thinking expected of them at university.

## 5. Conclusion

Traditionally the student has been seen as the enemy in the war against plagiarism. But as long as we treat students as actual or potential enemies, we shall never achieve a culture in which we perceive students, and students perceive themselves, as junior members of a community with a shared purpose in education and research. The true enemy is the enemy within — fellow academics who undermine our efforts to induct students into the core values of higher education, by denying that plagiarism is a crime. I hope I have succeeded in showing that a wide range of attacks on the concept of plagiarism as a crime are all unfounded. Let us keep up our guard against these subversive forces, while at the same time devoting our main energies to getting our students to think independently, and to acknowledge the sources which stimulate their independent thinking.

## Notes

1. Furedi (2004). Shortly after this article was published, a search of the website verified the first part of the quotation; but the full document was available only from within the university. It subsequently appears to have been removed — and rightly so.
2. See also Livingston-Webber (1999) on ‘zines’, which deliberately flout copyright.
3. For more on the copyleft movement, see Stutz (1997). cf. also Creative Commons (<http://creativecommons.org/> (Accessed: 09.05.04) and Copyright’s Commons, or Counter-Copyright (<http://cyber.law.harvard.edu/cc/cc.html> (Accessed: 09.05.04) Others, such as (Martin 1995), make the point that copyright limits the access of poor nations to information contained in expensive publications.
4. See, for example, *The National Archive* (2003), p.3, §2.2.



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5. This is why publishers resort to bullying — see Livingston-Webber (1999), pp. 269ff. Interestingly, her point that publishers' copyright statements should not exclude fair use and personal use is completely ignored by her publisher, the State University of New York Press — see Buranen and Roy (1999), p. iv.
6. See, for example, [http://www.intellectual-property.gov.uk/std/faq/copyright/moral\\_rights.htm](http://www.intellectual-property.gov.uk/std/faq/copyright/moral_rights.htm) (Accessed: 09.05.04).
7. Martial (1968), I.52. Epigram I.53 also describes plagiarism as a form of theft.
8. See, for example, Urmson (1982), p. 415 and Stearns (1999), p. 9ff.
9. For example, Shaw (1982), and Dettmar (1999).
10. QAA (2001), Annex 1.
11. See §4.2, below.
12. Montaigne (1993), I.26, p.171. Ironically, Montaigne goes on to say of the boy being educated: 'Let him hide the help he received and put only his achievements on display. Pillagers and borrowers make a parade of what they have bought and built not of what they have filched from others!' This sounds distinctly like the CrimethInc website.
13. Nevertheless, it is interesting that the individual authorial voice can be more difficult to detect in the case of writing than in music. In the sciences this is exacerbated by the convention of impersonal writing, which makes it more difficult for students to find their individual, unplagiarised voice — see Simmons (1999) p. 42, quoting Crowley (1990), pp. 147–153.
14. Eckermann (1850), Vol. I, p.263 (conversation of May 12, 1825).
15. Emerson (1917), p.180 (originally published 1875). There are other juicy quotes on pp.178, 191 and 200.
16. Wilde (1948) *De Profundis*, p.926 (originally published 1905).
17. Kristeva (1967), p.444.
18. Barthes (1968). This was shortly followed by Foucault (1969): 'What is an Author?'
19. Philosophers in particular have always been coiners of new words (for example, Plato, Aristotle, Cicero, and Kant) and postmodernists have been prolific in continuing this tradition.
20. MacDonald Ross (2004), p. 26.
21. Judging by the contributions to Buranen and Roy (1999), compositionists are mostly women on fixed-term contracts, whereas professors of English are mostly men with tenure. This reinforces the status differential.
22. Shamoan and Burns (1999), esp. pp.184, 192; Howard (1999), esp. pp.87, 95.
23. Clark (1999).

24. Except when the correctness and clarity of the writing itself is being assessed — as in foreign language courses.
25. Howard (1995a) coined the term ‘patchwriting’, and she argues that it should not be treated as plagiarism. See also Howard (1999). Levin (2003), p.2, also regards paraphrasing as a valuable educational tool, and he maintains that, in a sense at least, most academic writing is a form of plagiarism, since we are permanently occupied with the ideas of others. However, he maintains a firm stance against ‘cheating’, which he defines as ‘submitting other people’s material as their own with the intention of gaining higher marks than they would otherwise achieve.’ He concludes that ‘cheating has given plagiarism a bad name.’
26. For example, Randall (1991), Pennycook (1996), Dryden (1999) and Swearingen (1999).
27. Randall (1999), p.136.
28. However, recent changes in the way A-levels are taught and assessed mean that the differences between home and international students are less than they used to be: all students now need thorough training in academic literacy.
29. Halbert (1999), p. 111.
30. *ibid.*, p. 113.
31. Howard (1995b), cited in Buranen and Roy (1999), p. 281.

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