

"PLAGIARISM IN MONTENEGRO: CORRUPTION WE FORGIVE?!



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Introduce

Plagiarism is one of the primary problems of education system in Montenegro, but in many developed countries as well. Over the past five years, Centre for Monitoring and Research has dealt with the topic of plagiarism and academic fraud through various projects. This brief public policy proposal is an outcome of realization of project "Strengthening of Think Tank capacities in fight against corruption", which has been implemented by CeMI with support of Think Tank Fund from Budapest. It is aimed at brief presentation of plagiarism as form of academic fraud which is, based on our research, widely present form of corruption in our society, as well as definition of recommendations that would help improve current situation in this field. This public policy proposal is consisted of five parts: description of the problem – which contains definition of plagiarism that suits best academic form of plagiarizing, description of legal framework that regulates plagiarism issue in Montenegro, analysis of current situation

legal framework that regulates plagiarism issue in Montenegro, analysis of current situation in Montenegro when it comes to fight against plagiarizing academic works, examples of good practice in fight against plagiarism and recommendations for improvement of situation in this field.

I Description of the problem

Plagiarism is the use of another's work, words, or ideas without attribution. The word "plagiarism" comes from the Latin word for "kidnapper" and is considered a form of theft, a breach of honesty in the academic community.¹ Lot of universities created their own definitions of plagiarism in order to comprise all forms of this phenomenon and set clear sanctions against it. For example, University of Texas at Austin provides us with one of the most comprehensive definitions of plagiarism: "the appropriation of, buying, receiving as a gift, or obtaining by any means material that is attributable in whole or in a part to another source, including words, ideas, illustrations, structure, computer code, and other expression or media, and presenting that material as one's own academic work being offered for credit".²

Different universities and sources name several types of plagiarism. Website <u>www.plagiarism.</u> <u>org</u>, one of the resource centers for research and fight against plagiarism, distinguishes following types of plagiarism:

- 1. **Gifted authorship** cases when paper had not been written by the author of the text, but by another person in the name of the author. Special form of this type of plagiarism is selling and buying of academic papers at the grey market. This, so called, "**ghost-writing**" is globally present and there are thousands of companies called "essay factories" which are engaged in mass production of papers for students. Apart from plagiarism, these "factories" do not have any quality control, which makes buying of the already plagiarized work very probable;³
- 2. **Complete plagiarism** Cases of signing other person's work with one's own name. The most serious breach is overtaking of the other students' academic work;
- **3. Auto-plagiarism** Presenting one's own previously submitted academic work as a new one;
- 4. Translation plagiarism Cases of translating other author's text without naming the

<?> Yale College Writing Center: "Understanding and avoiding plagiarism", available at: http://writing.yalecollege.yale.edu/

² Definition is available at University of Texas at Austin website: <u>http://www.lib.utexas.edu/services/instruction/learningmodules/plagiarism/</u>

^{3 &}quot;Be ware the essay mills" <u>http://www.academiccomposition.com/beware-the-essay-mills/</u>

source;

- **5.** Copying parts of other author's text Cases of overtaking parts of other author's text, without naming the source (including Internet). The most serious breach is overtaking of parts of other students' academic work.
- **6. Paraphrasing without reference** Cases of overtaking the overall sense or particular ideas of other person's text, without naming the source;
- 7. **Citing out of context** Cases of using somebody's text or paraphrasing it, without citing precisely or naming the source precisely and in whole.

There can be different causes of plagiarism, as there are many causes of corruption. Reasons can be found in students being overwhelmed with obligations, lack of control at faculties, lack of interest for the topic of the academic work, even the distorted value system which makes academic fraud a legitimate mean to achieving the final goal – a better mark or diploma.

Consequences of plagiarism are very serious and problematic for both students and universities, but also for future employment. There are three types of consequences:

- Individual consequences endangering personal, professional and academic integrity. In addition to regular sanctions imposed by faculty or university, such as failing the exam or expulsion from the university, the rest of student's academic papers lose their value and are always questioned.
- Consequences for academic institution If there were lots of cases of plagiarism or doubts about plagiarism at certain faculty, the professional credibility of that institution and validity of diplomas issued in it are questioned.
- Consequences for employer who hired plagiarist of a person who plagiarized an academic work, has the potential to undermine the credibility of institution who hired this person. In addition to that, there is great risk that the person who had plagiarized the academic work before, could repeat similar behavior once employed. This can lead to legal consequences not only for the person involved in plagiarism, but also for the institution responsible for his/hers work.⁴

We were able to see how serious consequences of plagiarism can be in academic community, but also in the world of entertainment, literature and politics. There were cases of plagiarism in Germany and Romania that resulted in ministers' resignations. In Romania, the Prime minister was accused of plagiarizing his PhD thesis in 2012, and, in Germany, ministers of defense and education resigned over accusations for plagiarism.

Harvard student who wrote a book "How Opal Metha Got Kissed, Got Wild and Got a Life", lost the contract with movie production hose DreamWorks, due to accusations for plagiarism. ⁵ When it comes to the world of entertainment, actress Kim Hye-soo apologized for copying large part of her Master thesis in 2001. ⁶

⁴ Library of the Texas University at Austin, available at: <u>http://www.lib.utexas.edu/services/instruction/learningmodules/plagiarism/conse-</u> <u>guences-transcript.html</u>

⁵ The Harvard Crimson "Student's Novel Faces Plagiarism Controversy", available at: <u>http://www.thecrimson.com/article/2006/4/23/students-novel-faces-plagiarism-controversy-beditors/</u>

⁶ Plagiarism.org: "A national strategy for addressing student plagiarism", page 1, available at: <u>http://www.turnitin.com/assets/2014-05-29_Na-tional_plagiarism_strategy_a_case_study.pdf</u>



II Legal Framework

Plagiarism can be put in relation with the violation of author's rights, which are defined by **Law on Author and Akin Rights**⁷, whereas **Criminal Law** defines plagiarism as offense in Article 223, paragraph 1:

Whoever, under his/hers name or under other person's name, publishes in part or in whole, or puts in circulation copies of other author's work or interpretation, or presents other author's work or interpretation publically, will be punished with fine or prison up to three years".⁸ However, this offense is prosecuted on private claim, which excludes cases of plagiarism in which author sells his own work to be published under other person's name.

Article 78 of recently adopted **Law on High Education** determines sanctions for plagiarism, which is a significant step forward compared to previous laws in this field that put plagiarism under jurisdiction of faculties: "An authored work (expert, scientific, or artistic) which is declared plagiarism by competent authority, is considered null, together with marks, awards, profession and titles that have been product of such plagiarism. Institution is obliged to declare null all marks, awards, profession and titles that were obtained by person from paragraph 1 of this article at that particular institution. Procedure of determination of plagiarism is regulated by institution's statute, in accordance with special law."⁹

Statute of the University of Montenegro contains provision that states that person who had obtained certain degree of education and diploma, can be deprived of them on the basis of decision of the Governing Board, at Senate proposal, in cases of fraud or deceit, including plagiarism or appropriation of other author's work, violation of author rights, or other unethical practice in preparation of master or PhD thesis, and other academic papers.¹⁰ Also, **Rules on Selection of the Academic or Scientific Titles** contains possibility to initiate procedure for deprivation of title, should it be proven that scientific work the title is based on are plagiarized, or if the person with academic title violates the Codex on Academic Ethics. In this case, the Senate or Council of University's organizational unit ought to start the procedure.¹¹

Article 3 of the **Ruler on Disciplinary Procedures and Disciplinary Responsibility of Students** of the University of Montenegro names cases that will be considered violation of academic duties, but does not mention plagiarism as breach of those duties. ¹² Even though plagiarism can eventually fall under "taking exams or other knowledge assessments by fraud", it is still necessary to introduce plagiarism explicitly into the Ruler, and to define the corresponding sanctions: declaring the diploma null or permanent expulsion from the University. It is important to notice that there is no classification of sanctions for different breaches of academic duties in the Ruler, which makes it possible to impose equal sanction for disruption of work in library or computer room and illegitimate use of means, devices or assistance while taking the exams or other forms of knowledge assessment.

Article 81 of the **Statute of University Mediterranean** also requires deprivation of all qualifications and diplomas obtained on the basis of fraud or deceit, including plagiarism and appropriation of other author's work.¹³

⁷ Law on Author and Akin Rights ("Official Gazette of Montenegro", No. 37/2011)

⁸ Criminal Law of Montenegro ("Official Gazette of Serbia and Montenegro", No. 70/2003, 13/2004, 47/2006 and "Official Gazette of Montenegro", No. 40/2008, 25/2010, 32/2011, 40/2013 i 56/2013)

⁹ Law on High Education ("Official Gazette of Montenegro", No. 44/14), article 78

¹⁰ Statute of University of Montenegro, available at: <u>http://www.ucg.ac.me/zakti/Statut.pdf</u>

¹¹ Rules on Selection of the Academic or Scientific Titles

¹² Ruler on Disciplinary Procedures and Disciplinary Responsibility of Students, article 3, available at: http://www.ucg.ac.me/bilteni/pravilnik%20 o%20disciplinskom%20postupku.pdf

¹³ Statute of University Mediterranean, available at: http://unimediteran.net/fajlovi/odluke/StatutUniverziteta.pdf

III Analysis of current situation

Within the publication created by Centre for Monitoring and Research in cooperation with Centre for Civic Education "Policy for fighting against Corruption in Education - Effects of the current and recommendations for passing the new policies" in 2010, CeMI opened the question of plagiarism and suggested introduction of new software for checking the authentication of the academic papers. The study stated that "the efforts of some university units, which have adopted regulations for this issue, unfortunately are insufficient to improve of the current situation."¹⁴

After the study was published, a measure about establishing software for plagiarism control on each organizational unit of the University of Montenegro, was formulated. It was also inserted in the Action plan for fight against Corruption and Organized Crime (2010-2012) and (2012-2014), as well as Action plan for fight against Corruption in Education (2010-2012). However, despite the announcement on implementation of this measure by University of Montenegro, it has not been implemented yet.

In 2013, group of students who were members of the Association of Integrity, formed within project "Students' Ethical Initiative" which was implemented by CeMI, conducted a research on the topic of different forms of academic fraud. They have obtained worrying results about popularity of plagiarism among students and existence of grey market of academic papers, by conducting focus groups and public opinion survey. According to the survey results, even though 72,5% of students stated they had never plagiarized an academic paper, 20,5% of every fifth student considered that buying of academic papers is very frequent at the University of Montenegro.¹⁵

Despite highly perceived existence of plagiarized works and the fact that almost one third of students rewrote part of text or complete text from other author, without naming the source, not even one case of plagiarism has been sanctioned so far, nor have there been any deprivations of diplomas over plagiarism.

Buying of the academic papers "gifted authorship" has been perceived as the most common form of plagiarism, in great part due to the fact that "essay factories" are available online at any moment. **Grey market of the academic works** is present online without any cover-up, in form of tens of websites that boast of their professionalism and tradition. Apart from websites such as <u>www.diplomski-radovi.com</u>; <u>www.maturskiradovi.net</u>, etc., the announcements can be found at copy shops, Tender announcements and social networks.

¹⁴ Public policy study "Policy for fighting against Corruption in Education - Effects of the current and recommendations for passing the new policies", CeMI 2009, page 52, available at: http://cemi.org.me/images/dokumenti/studije/study_kuo_eng.pdf

¹⁵ Research conducted among students in December 2012, CeMI





Other forms of plagiarism, such as complete plagiarism and partial paraphrasing are hard to find without detailed control of the academic work. However, in the past year, there have been few affairs related to these issues in Montenegro and the region. Serious accusations were addressed to¹⁶:

- current Vice Minister of Education and Minister of Science for **plagiarizing parts of other author's paper**;
- former Director of the Police for **copying parts of other author's paper and partial para-phrasing**;
- Official of the political party and Teaching Assistant at University Donja Gorica for **complete plagiarism** in one case and **copying parts of other author's work** in another case.

None of the mentioned cases has been completely investigated nor have there been any sanctions imposed. The only commission formed to investigate doubts about plagiarism, came to conclusion that there was no legal grounds for deciding on this matter. This situation undermines the credibility of officials involved in accusations over plagiarism, but also encourages students to use this type of fraud since they will not be held accountable for such behavior.

¹⁶ Texts from Vijesti, Dan, CDM, Radio Slobodna Evropa

IV Examples of good practice

As previously mentioned, one of the easiest and most reliable ways to check an academic paper is to use the software for plagiarism detection. There are several versions of these software solutions – depending on database used for comparison with academic paper, we can distinguish following three types¹⁷:

- 1. Software that checks similarities between academic work and its own data base. It can contain tens of thousands of papers and academic paper is only compared to those.
- 2. Software that compares academic work with all other papers available online. This type of software works as a regular search engine, but is enriched with additional algorithms that enable easier search for similarities between texts.
- 3. Software that combines its own database with papers available online.

Based on use of language, we can distinguish between two types of software:

- 1. Software that checks academic papers written in same language;
- 2. Software that detects similarities between academic papers written in two different languages (the most common second language of comparison is English).

Great Britain is one of the positive examples of use of software for plagiarism detection. Software Turnitin is currently used in more than 98% institutions of high education and more than 44% colleges, as well as in primary and secondary schools. Research has showed that usage of this software helped reduce number of plagiarized and unoriginal academic papers.¹⁸

Apart from software solutions, there are international associations devoted to control of authentication, such as COPE – Committee for Publishing Ethics. Cope was established in 1997 in Great Britain and currently comprises over 9000 publishing houses and academic journals from the whole world. One of its primary functions is to provide training for publishers in order to make them able to recognize plagiarism and set up quality control of academic works. ¹⁹ Another important society of this nature is, of course, WIPO – World Intellectual Property Organization that protects all types of intellectual property. WIPO's office in Montenegro is Bureau for Intellectual Property of Montenegro.²⁰

Library Kimbel at Coastal Carolina University developed variety of instructions for recognition of plagiarized works, in order to help professors detect potential plagiarism in time. We will present some of the recommendations that have been adjusted to our language:

It is necessary to pay attention on writing style, language, vocabulary, tone and grammar and compare them with student's usual form of written expression – if the paper proves to be under or above usual level, there is certain risk it has been plagiarized:

- Language used in the academic work differs from language student usually uses (i.e. different dialect);
- Parts, or sentences, are not connected to the general idea of the paper. Students sometimes insert only a paragraph that puts in relation paper and the given topic;
- Pronouns do not correspond with student's gender;
- Unusual text at top or bottom of the printed page;

¹⁷ Ivana Jelavić "Plagiarism and software for plagiarism detection", University of Split, Faculty of Economy, Split, 2011, page 30

¹⁸ Plagiarism.org: "A national strategy for addressing student plagiarism", page 3, available at: <u>http://www.turnitin.com/assets/2014-05-29_Na-tional_plagiarism_strategy_a_case_study.pdf</u>

¹⁹ About COPE, available at: <u>http://publicationethics.org/about</u>



- Letters of grey or other color different from the rest of the text, may indicate that that part had been copied from some website;
- Link of the web page left on top or bottom of the page. Lots of free essays contain links that students tend not to notice;
- Weird or wrong format. Essays downloaded from the Internet have indents and spacing which do not correspond with academic format;
- Linking ideas to charts, graphics or other accompanying material which are not contained in the work;
- Citing literature which cannot be found in faculty library, or comes from another country;
- Citation from bibliography and cited works cannot be checked;
- Inactive websites listed in footnotes or bibliography;
- All quotations form parts of books older than 5 years;
- Student is not able to sum up his work, or answer specific questions related to the topic of his work. $^{\mbox{\tiny B}}$

Each of the suggested solutions has its deficiencies. Namely, when student plagiarized from sources which are not available online, software for detection of plagiarism is unable to do so. Ordering and buying of academic works has been so improved that it is almost impossible to recognize if they had been written by another person. However, combination of several techniques for plagiarism detection can help control and prevent students from cheating this way.

V Conclusion and recommendations

When we speak about corruption, we often neglect academic fraud as one of its forms. When we refer to corruption in education, our first thoughts usually relate to bribing professors in order to obtain better marks, but we usually do not think of cribbing, whispering and plagiarizing. We also ignore building pattern of behavior which cherishes value system that presents fraud as legitimate way of facing obligations and duties. It is not needed to offer research based evidences that student who was prone to cheating during his academic engagement, will tend to bribe or abuse his power more often. Therefore, fight against corruption must start from one of the most important factors for formation of personality – education.

Plagiarism is legally regulated in Montenegro, but these regulations are not properly introduced in universities, or actively implemented. In the past 5 years, over the period CeMI has been researching this topic, there have been no sanctions over plagiarism. Regional plagiarism affairs have disturbed Montenegro somewhat, due to serious accusations addressed to highly positioned academics and officials. Nevertheless, none investigation of these cases had been brought to an end. Introduction of software for plagiarism detection has been announced since January 2013, but remains to be nothing more but a nice promise.

In accordance with examples of good practice and analysis of current framework for plagiarism control in Montenegro, we recommend the following:

- 1. Introducing special provision on plagiarism into the Ruler on Disciplinary Procedures and Disciplinary Responsibility and defining concrete sanctions for this form of academic fraud.
- 2. To harmonize statutes of all universities with the Law on High Education and to define

procedures for detection of plagiarism.

- 3. To introduce multilingual software for plagiarism detection at all universities in Montenegro, and to prescribe obligation to use a free software before its set up.²⁰ This can be achieved by prescribing a quota of works that ought to be checked in one period, based on random sample.
- 4. To train universities' professors about methods for plagiarism detection.
- 5. To consider possibility of shouting down or limiting accessibility to the websites that offer plagiarism services, in cooperation with Ministry of Information Society and Telecommunications.
- 6. To perform detailed check of plagiarism allegations present in the media and, if proven true, deprive persons who committed this offense of qualifications obtained by plagiarizing.
- 7. To work on raising level of awareness about flaws and consequences of plagiarism.
- 8. To involve professors more in process of consultations over academic works of students.

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- Definition available at University's website: http://www.lib.utexas.edu/services/instruction/learningmodules/plagiarism/;

²⁰ Few free software engines for plagiarism detection are available at following address: <u>http://blueblots.com/tools/15-tools-for-checking-duplicate-content/</u>



- Ivana Jelavić "Plagiarism and software for plagiarism detection", University of Split, Faculty of Economy, Split, 2011;
- http://blueblots.com/tools/15-tools-for-checking-duplicate-content/;
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- <u>www.ziscg.me/</u>
- Yale College Writing Center: "Understanding and avoiding plagiarism", available at: http://writing.yalecollege.yale.edu/;

Plagiranje je korišćenje djela, riječi ili ideja druge osobe, bez navođenja izvora. Sam izraz dolazi od latinske riječi plagere (i grčke: plagion) što znači oteti i smatra se formom krađe i kršenjem integriteta u akademskoj zajednici.²¹ Mnogi fakulteti su napravili svoje definicije plagiranja, kako bi obuhvatili sve forme ove pojave i postavili jasne sankcije. Na primjer, Teksaški Univerzitet u Ostinu daje jednu od detaljnijih definicija akademskog plagiranja: "Plagiranje je prisvajanje, kupovina, primanje na poklon, ili na bilo koji drugi način sticanje materijala koji se pripisuje drugom licu/izvoru, bilo da se radilo o riječima, idejama, ilustracijama, strukturi, informatičkom kodu, ili drugom načinu izražavanja, i predstavljanje ovog materijala kao sopstvenog akademskog rada."²²

Različiti univerziteti i izvori navode više tipova plagiranja. Kao najčešće navođene tipove plagiranja na sajtu <u>www.plagiarism.org</u>, jednom od resursnih centara za istraživanje i borbu protiv plagijata izdvojeni su sledeći tipovi:

- 1. Poklonjeno autorstvo Odnosi se na slučajeve u kojima osoba nije autor teksta, nego je tekst napisao neko drugi u ime te osobe. Poseban vid plagiranja je kupovina akademskih radova na sivom tržištu. Ova pojava, tzv. ghost-writing, je globalno raširena i postoje na hiljade kompanija "fabrika eseja" koje se bave masovnom proizvodnjom radova za studente. Pored toga što je ova pojava sama po sebi prisvajanje tuđeg rada, ove "fabrike" često ne sadrže nikakvu kontrolu kvaliteta, te postoji velika mogućnost kupovine rada koji je već plagijat. ²³
- Potpuni plagijat Odnosi se na slučajeve u kojima osoba potpisuje cijelo tuđe djelo svojim imenom. Naročito teškim prekršajem smatra se prepisivanje pisanih radova drugih studenata i studentkinja;

<?> Yale College Writing Center: "Understanding and avoiding plagiarism", dostupno na: <u>http://writing.yalecollege.yale.edu/</u>

²² Definicija dostupna na sajtu Univerziteta: <u>http://www.lib.utexas.edu/services/instruction/learningmodules/plagiarism/</u>

^{23 &}quot;Be ware the essay mills" <u>http://www.academiccomposition.com/beware-the-essay-mills/</u>



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