

Plagiarism

Many people think of plagiarism as copying another's work, or borrowing someone else's original ideas. However, terms like "copying" and "borrowing" can disguise the seriousness of the offense.

According to the *Merriam-Webster OnLine Dictionary*, to "plagiarize" means: (1) To steal and pass off (the ideas or words of another) as one's own; (2) To use (another's production) without crediting the source; To commit literary theft; To present as new and original an idea or product derived from an existing source.

In other words, plagiarism is an act of *fraud*. It involves both stealing someone else's work and lying about it afterward.

However, can words and ideas really be stolen?

According to U.S. law, the answer is yes. In the U.S. and many other countries, the expression of original ideas is considered intellectual property and is protected by copyright laws, just like original inventions. Almost all forms of expression fall under copyright protection as long as they are recorded in some media (such as a book or computer file).

All of the following are considered plagiarism:

- Turning in someone else's work as your own
- Copying words or ideas from someone else without giving credit
- Failing to put a quotation in quotation marks
- Giving incorrect information about the source of a quotation
- Changing words but copying the sentence structure of a source without giving credit
- Copying so many words or ideas from a source that it makes up the majority of your work, whether you give credit or not

Attention! Changing the words of an original source is not sufficient to prevent plagiarism. If you have retained the essential idea of an original source, and have not cited it, then no matter how drastically you may have altered its context or presentation, you have still plagiarized.

Most cases of plagiarism can be avoided, however, by citing sources. Simply acknowledging that certain material has been borrowed, and providing your audience with the information necessary to find that source, is usually enough to prevent plagiarism.

Plagiarism FAQs

What is plagiarism?

Simply put, plagiarism is the use of another's original words or ideas as though they were your own. Any time you borrow from an original source and do not give proper credit, you have committed plagiarism and violated U.S. copyright laws.

What are copyright laws?

Copyright laws exist to protect our intellectual property. They make it illegal to reproduce someone else's expression of ideas or information without permission. This can include music, images, written words, video, and a variety of other media. At one time, a work was only protected by copyright if it included a copyright trademark (the © symbol). According to laws established in 1989, however, works are now copyright protected with or without the inclusion of this symbol. Anyone who reproduces copyrighted material improperly can be prosecuted in a court of law. It does not matter if the form or content of the original has been altered – as long as any

material can be shown to be substantially similar to the original, it may be considered a violation of the **Copyright Act**. For information on how long a copyright lasts, see the section below on the public domain.

Are all published works copyrighted?

Actually, no. The Copyright Act only protects works that express original ideas or information. For example, you could borrow liberally from the following without fear of plagiarism:

- Compilations of readily available information, such as the phone book
- Works published by the U.S. government
- Facts that are not the result of original research (such as the fact that there are fifty U.S. states)
- Works in the public domain (provided you cite properly)

Can facts be copyrighted?

Yes, in some situations. Any “facts” that have been published as the result of individual research are considered the intellectual property of the author.

Do I have to cite sources for every fact I use?

No. You do not have to cite sources for facts that are not the result of unique individual research. Facts that are readily available from numerous sources and generally known to the public are considered “common knowledge,” and are not protected by copyright laws. You can use these facts liberally in your paper without citing authors. If you are unsure whether or not a fact is common knowledge, you should probably cite your source just to be safe.

Does it matter how much was copied?

Not in determining whether or not plagiarism is a crime. If even the smallest part of a work is found to have been plagiarized, it is still considered a copyright violation, and its producer can be brought to trial. However, the amount that was copied probably will have a bearing on the severity of the sentence. A work that is almost entirely plagiarized will almost certainly incur greater penalties than a work that only includes a small amount of plagiarized material.

But can't I use material if I cite the source?

You are allowed to borrow ideas or phrases from other sources provided you **cite them properly** and your usage is consistent with the guidelines set by fair use laws. As a rule, however, you should be careful about borrowing too liberally – if the case can be made that your work consists predominantly of someone else’s words or ideas, you may still be susceptible to charges of plagiarism.

What are the punishments for plagiarism?

As with any wrongdoing, the degree of intent (see below) and the nature of the offense determine its status. When plagiarism takes place in an academic setting, it is most often handled by the individual instructors and the academic institution involved. If, however, the plagiarism involves money, prizes, or job placement, it constitutes a crime punishable in court.

Academic Punishments

Most colleges and universities have zero tolerance for plagiarists. In fact, academic standards of intellectual honesty are often more demanding than governmental copyright laws. If you have plagiarized a paper whose copyright has run out, for example, you are less likely to be treated with any more leniency than if you had plagiarized copyrighted material. A plagiarized paper almost always results in failure for the assignment, frequently in failure for the course, and sometimes in expulsion. See the following links for information: Youngstown State Undergraduate Bulletin <http://www.yosu.edu/catalog/files/2009-2010%20Undergraduate%20Bulletin%201-80.pdf> (page 42 Academic Misconduct) and the Student Code of Rights and Responsibilities <http://www.yosu.edu/thecode.pdf>

Legal Punishments

Most cases of plagiarism are considered misdemeanors, punishable by fines of anywhere between \$100 and \$50,000 – and up to one year in jail. Plagiarism can also be considered a felony under certain state and federal laws. For example, if a plagiarist copies and earns more than \$2,500 from copyrighted material, he or she may face up to \$250,000 in fines and up to ten years in jail.

Institutional Punishments

Most corporations and institutions will not tolerate any form of plagiarism. There have been a significant number of cases around the world where people have lost their jobs or been denied positions as a result of plagiarism.

Does intention matter?

Ignorance of the law is never an excuse. So even if you did not realize you were plagiarizing, you may still be found guilty. However, there are different punishments for *willful infringement*, or deliberate plagiarism, and *innocent infringement*, or accidental plagiarism. To distinguish between these, courts recognize what is called the *good faith* defense. If you can demonstrate, based on the amount you borrowed and the way you have incorporated it in your own work, that you *reasonably* believed what you did was fair use, chances are that your sentence will be lessened substantially.

What is “fair use” anyway?

The U.S. government has established rough guidelines for determining the nature and amount of work that may be “borrowed” without explicit written consent. These are called “fair use” laws, because they try to establish whether certain uses of original material are reasonable. The laws themselves are vague and complicated. Below we have condensed them into some rubrics you can apply to help determine the fairness of any given usage:

- **The nature of your use:** If you have merely copied something, it is unlikely to be considered fair use. But if the material has been transformed in an original way through interpretation, analysis, etc., it is more likely to be considered “fair use.”
- **The amount you’ve used:** The more you’ve “borrowed,” the less likely it is to be considered fair use. What percentage of your work is “borrowed” material? What percentage of the original did you use? The lower the better.
- **The effect of your use on the original:** If you are creating a work that competes with the original in its own market, and may do the original author economic harm, any substantial borrowing is unlikely to be considered fair use. The more the content of your work or its target audience differs from that of the original, the better.

What is the “public domain?”

Works that are no longer protected by copyright, or never have been, are considered “public domain.” This means that you may freely borrow material from these works without fear of plagiarism, provided you make proper attributions.

How do I know if something is public domain or not?

The terms and conditions under which works enter the public domain are a bit complicated. In general, anything published more than 75 years ago is now in the public domain. Works published after 1978 are protected for the lifetime of the author plus 70 years. The laws governing works published fewer than 75 years ago but before 1978 are more complicated, although generally copyright protection extended 28 years after publication plus 47 more years if the copyright was renewed, totaling 75 years from the publication date. If you are uncertain about whether or not a work is in the public domain, it is probably best to contact a lawyer or act under the assumption that it is still protected by copyright laws.

Preventing Plagiarism: Student Resources

In a research paper, you have to come up with your own original ideas while at the same time using work that's already been done by others. How can you tell where their ideas end and your own begin? What's the proper way to include sources in your paper? If you change some of what an author said, do you still have to cite that person? Confusion about the answers to these questions often leads to **plagiarism**.

- A. Consult with your instructor:** Have questions about plagiarism? If you are unsure about something, you should ask your instructor. He or she will most likely be very happy to answer your questions.
- B. Plan your paper:** Planning your paper well is the first and most important step you can take toward preventing plagiarism. If you know you are going to use other sources of information, you need to plan **how** you are going to include them in your paper. This means working out a balance between the others' ideas and your own, original ideas. Writing an outline or coming up with a thesis statement in which you clearly formulate an argument *about* the information you find will help establish the boundaries between your ideas and those of your sources.
- C. Take Effective Notes:** One of the best ways to prepare for a research paper is by taking thorough notes from all of your sources, so that you have much of the information organized before you begin writing. On the other hand, poor note-taking can lead to many problems – including improper citations and misquotations, both of which are forms of plagiarism! To avoid confusion about your sources, try using different colored fonts, pens, or pencils for each one, and make sure you clearly distinguish your own ideas from those you found elsewhere. Also, get in the habit of marking page numbers, and make sure that you record bibliographic information or web addresses for every source right away – finding them again later when you are trying to finish your paper can be a nightmare!
- D. When in doubt, cite sources:** Of course you want to get credit for your own ideas. You don't want your instructor to think that you got all of your information from somewhere else. If it is unclear whether an idea in your paper really came from you, or whether you got it from somewhere else and just changed it a little, **you should always cite your source**. Instead of weakening your paper and making it seem like you have fewer original ideas, this will actually strengthen your paper by: 1) showing that you are not just copying other ideas but are processing and adding to them, 2) lending outside support to the ideas that are completely yours, and 3) highlighting the originality of your ideas by making clear distinctions between them and ideas you have gotten elsewhere.
- E. Make it clear who said what:** Even if you cite sources, ambiguity in your phrasing can often disguise the real source of any given idea, causing inadvertent plagiarism. Make sure when you mix your own ideas with those of your sources that you always clearly distinguish them. If you are discussing the ideas of more than one person, watch out for confusing pronouns.
- F. Know how to Paraphrase:** A paraphrase is a restatement **in your own words** of someone else's ideas. Changing a few words of the original sentences does NOT make your writing a legitimate paraphrase. You must change **both** the **words** and the **sentence structure** of the original, **without** changing the content. Also, you should keep in mind that paraphrased passages **still require citation** because the ideas came from another source, even though you are putting them in your own words. The purpose of paraphrasing is not to make it seem like you are drawing less directly from other sources or to reduce the number of quotations in your paper. Actually it is advantageous to highlight the fact that other sources support your own ideas. Good paraphrasing makes the ideas of the original source fit smoothly into your paper, emphasizing the most relevant points and leaving out unrelated information.
- G. Evaluate Your Sources:** Not all sources on the web are worth citing. So how do you tell the good ones apart? For starters, make sure you know the **author(s)** of the page, where they got their information, and when they wrote it (getting this information is also an important step in avoiding plagiarism!). Then you should determine how credible you feel the source is: how well they support their ideas, the quality of the writing, the accuracy of the information provided, etc.