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Plagiarism, Google, and the Mouse: Is the Internet Killing Our Ability to Do Research?

A Presentation to the 24th Annual Charleston Conference

by William M. Hannay (Partner, Schiff Hardin LLP) <whannay@schiffhardin.com>

O
ne morning, a couple of weeks ago, my wife called our local high school looking for our son, who is a Junior. He needed to see a doctor about a (fortunately, minor) health problem. It turned out that there was an opening in the doctor's schedule that morning, so she was trying to find him quickly. Well, to make a long story short, everybody was playing “Where's Waldo?” but nobody could find our son. It wouldn't have been like him to ditch school, but where was he? People got worried. Finally, he appeared of his own accord, and the answer proved to be that he had been in the school library. It was — and this is the take-off point for my remarks today — the last place anybody thought to look. The surprise came, not because young William is a bad student, but because “everybody” knows that “nobody” at Barrington High goes to the school library anymore.

Certainly the notion that “nobody” uses our high school library is an overstatement, but I don't think it's that much of an exaggeration. And I don't think that this phenomenon is unique to our local High School. My sense is that it is a phenomenon repeated at secondary schools throughout the United States, and increasingly at colleges and graduate schools. When “they” say that nobody goes to the library anymore, what "they" mean is that students are not using library books anymore to do research. Students are allowed by their teachers, even encouraged to substitute on-line “research” for the more traditional process of delving into, for example, hard-cover histories or biographies, books of literary criticism, or monographs on the social sciences. Indeed, I tell you frankly I don't know what my son was doing in the library because I seriously doubt that he has ever learned how to do research there. I suspect he was just looking for a quiet place to get some homework done. Nothing wrong with that, of course, but there's a lot more that libraries offer to the intellectual process than just a lack of noise. And I worry about, as a society, we are developing a generation of students who don't know how to do “book” research.

This summer, I read about an online survey conducted by the Electronic Publishing Initiative at Columbia University in New York. The study concluded that electronic resources have become the main tool for university students gathering information. Here's the principal findings of the survey:

- 99 percent of student respondents said that they were far more dependent on electronic resources than print resources for their schoolwork.
- The results show that undergraduate students, in particular, are heavily dependent on the Web.
- When going online to do work for a course, graduate students are more likely to use an Internet search engine (46.5 percent) than to go to a library-sponsored electronic resource (21.9 percent) by a factor of more than two-to-one. Graduate students are more likely to use library-sponsored electronic resources, however.
- Finally, the physical library is still an important destination for students to retrieve articles and books, undergraduates are more likely to use the library as a study space, for the computing facilities, or for Internet access.

Commenting on the significance of the survey, Kate Wittenberg, director of Columbia's Electronic Publishing Initiative said: “students' research habits, and their preference for using Google and other search engines as their first step rather than the library, is part of a more general cultural and social change and I am not sure that there is much that libraries, or anyone else, can do to change this pattern.”

I hope that this assessment is wrong, and that we can change the pattern of increasing dependence on Google and other search engines as the principal research tool for students. For it seems to me that there are at least three serious academic flaws that flow from this situation. First, reliance on Web browsing feeds an unwelcome tendency towards what one commentator has called “passive learning and grazing for information,” rather than an active and questioning search for truth. Second, relying only on the Web denies students access to the vast majority of useful knowledge, for the simple fact is that the millions of pages of information on the Internet represent only a tiny percentage of the disciplined thought and writing available in books. Third, Web-based research provides students no guideposts or framework for analyzing the importance, acceptance, or even validity of the information they electronically stumble across. (Is some unknown person's blog, for example, a valid and worthwhile authority to cite in a paper? In the same league as peer-reviewed journals or well-recognized treatises?)

Moreover — and I come now to the main issue I want to discuss with you — it is undeniable that the Internet has become the single greatest tool for academic dishonesty ever made available to high school and college students. With a well-chosen Google search and a few clicks of that devilish little Mouse, a student can find and download portions of articles or even whole term papers and pass them off as his own. Plagiarism is not new, but it used to be a physically harder crime to commit when you had to write it all out by hand if you wanted to copy. The increasing tendency of students to resort to the electronic form of cheating has been monitored in the past few years by several academicians. One of the better known scholars in this area is Rutgers professor Donald McCabe, the founder of the Center for Academic Integrity at Duke University.

Prof. McCabe reports, for example, that in a survey of 14,000 college students at 23 schools, more than one in five students admitted to cheating on a test in the past year. Moreover, according to McCabe, the fastest growing form of cheating is taking information from the Internet and passing it off as the student's own work. See Chicago Sun-Times, July 25, 2004, p. 16. While ten percent of college students admitted to Internet plagiarism in 1999, that number rose to around forty percent in 2003,

And it is not only in academic studies and surveys that evidence of the problem can be found. ABC’s “Primetime Thursday” aired an hour-long report on cheating in school on April 29 of this year. “Primetime’s” investigation found cheating on campuses everywhere—from top public high schools and colleges to Ivy League universities. Students described the powerful temptation to cheat, telling ABC they are under intense pressure to get good grades—and keep up with peers who cheat on exams and papers. “It’s unfair on your part, if you’re studying...so many hours for an exam and everybody else in the class gets an ‘A’ cheating,” said Sharon, a college student. “So you want to get in the game and cheat, too.”

Comments from several of the students ABC interviewed indicate that the cheating trend may reflect a deep-seated cynicism among students that getting an education is more about learning to “work” the system than learning math and history.1 Cheating in school, they argue, is good preparation for a career in the business world, where someone isn’t whatever’s necessary to get ahead. (The Primetime report struck a nerve among parents and teachers. Hundreds wrote in after the show, concurring with the existence and enormity of the problem. See http://www.charactercounts.org/pdf/Primetime_post-show_comments.pdf)

Why is this happening? Why don’t all students recognize that, for example, cutting and pasting text from the Web without attribution is plagiarism? One scholar attributes some of the difficulties in teaching ethics to students to “the values of a generation that has no problem downloading songs off the Internet.”2 If copyright laws are perceived as irrelevant when it comes to music on the Internet, the ethical leap from failing to pay for music to failing to credit sources may not be far.3 One, possibly apocryphal but wonderfully amusing anecdote illustrates the moral tone-deafness of many students:

A professor had a student come to his office to argue for an A on a paper instead of the C he received. When the professor asked the student to explain why he should get an A, the student appeared flustered, then replied, “Because the student I bought it from got an A.”

Another scholar finds a more global explanation, suggesting that students are dishonest because their role models (parents, instructors, doctors, lawyers, clerics, police, and society in general) offer little to stimulate principled action and that “G-consequentialist ethical theories that care more about results than principles take precedence over traditional moral thinking.”4 As a result, he argues, “unethical activity becomes acceptable when it is convenient or whenever one can get away with it.”5

And plagiarizable information is exceptionally “convenient” to find. Not only is it easy to find articles or Websites from which students can cut-and-paste a sentence or a paragraph, but from a variety of so-called “term paper mills,” students can find entire papers, probably on the very topic the teacher has assigned. To test this convenience, I did a little experiment. Yesterday (November 4th), I ran a search on AOL for “free term papers” — I got 55,115 hits.6 These included three sponsored sites which were not exactly “free” but they would undoubtedly have sounded appealing to a desperate student.

www.monsterpapers.com, offering access to “1 Million Term Papers and Essays” for only $.95.
www.serve.com, offering “Term Paper and Research Paper Service” — it was at pains to note that “We are NOT a free service but our prices are low”
www.paperonline.us — obviously a highly ethical and patriotic operation — it offers “Non-plagiarized term paper writing services from USA” at “Only $8 per page” for 4 days delivery with a “Money-back guarantee.”

There were also innumerable non—sponsored sites that were indeed “free,” including: www.TermPaperSites.com with only the highest quality sites on the net with “Thousands of free and searchable Term papers!”

And a site billing itself as the “Home of teens for free term papers [and] homework” where you can also “Chat and Hangout.” It’s name? True gentle ladies and gentle men, I ask you to please close your ears. It’s www.schoolducks.com.

Just to see what kind of papers were available for “free,” I plugged a Google search for “free term papers” into the “Scarlet Letter.” (William, my son, is reading it for his English class, and I was curious what temptations might lay in the path of him and his classmates.) I got 29,900 hits. So I looked at a couple of them. They looked like pretty realistic high school papers: turgid, bewildered, tuneless ... but probably worth a “B” in most high school English classes.

So it is convenient — terrifyingly convenient — to find tons of material to plagiarize in whole or in part. And, at least until the past couple of years, it has been woefully easy to “get away with it.” As the dean of one college journalism school commented: “Many of the students think that their professors are too lazy, too busy, or too dumb to catch them. Some of those students and others have gotten away with it before, certainly in junior high school and high school, sometimes in other college courses.” It would be difficult for the typical teacher to catch such Internet plagiarism, but enlightened entrepreneurs seem to be coming to the rescue. An increasing number of computer-based detection tools are now available to academic institutions to catch the cheaters.8

One of the most successful is Turnitin.com, a California-based company formed in 1996 by a group of researchers at University of California at Berkeley who created a series of computer programs to monitor the recycling of research papers in their large undergraduate classes. It is reported that over 3,500 institutions license Turnitin’s plagiarism prevention system, including hundreds of high schools, submitting as many as 20,000 papers daily.9 The software compares a student’s essay to all text publicly available on the Internet, to various books and academic journals, and to millions of essays already turned in to the service, and within five minutes, can issue a report that highlights each passage that matches another source.10 “Approximately 30 percent of the 20,000 papers we check a day are less than original,” the CEO of Turnitin’s parent, iParadigms LLC, is quoted as saying. “Our system doesn’t detect plagiarism, it detects verbatim copy. It is up to the instructor to determine if plagiarism has occurred.”11

Northwestern University has announced that it has begun using a similar Internet service this fall. The site is sponsored by NIU’s called “Smart assignment” and allegedly not only searches for exact phrase matches but also looks for similar wording in cases where a student was savvy enough to change a few words in the lifted material. The university’s associate provost for undergraduate education is quoted as saying that the service is necessary to combat a “significant” 10 percent to 20 percent rise in academic dishonesty.12

But one Website concerned with the plagiarism plague warns that plagiarism detection services are not a complete answer. These services don’t catch “custom essays,” and they don’t catch plagiarism when the original work isn’t already in the digital domain. If you rely on detection, you are doing a disservice to your students. ... The fact is, detection services help to catch the cheaters who fall into the “not so bright” category. Smart cheaters can skate circles around these services.13

Moreover, the use of detection services carries with it a risk of being wrong. Consider, for example, the report of a University at Canterbury student in England who admitted downloading material from the Internet for his degree after the school began to run a pilot program of plagiarism-detection software to analyze students’ work. He was advised, just before his final exams, that he would get no credits for his course work and is now suing the university for negligence. The student, 21-year old Michael Gunn, claims that Canterbury officials should have warned him that his actions were against school regulations.14

So what is the answer to plagiarism and the too easy use of Google and the mouse? Prof. Lawrence Himman, director of the Values Institute at the University of San Diego, identifies three steps that institutions can take: “Our first and most important line of defense against academic dishonesty is simply good teaching. Cheating and plagiarism often arise in a vacuum created by routine, lack of interest and overwork. ... The second remedy is to encourage the development of integrity in our students. A sense of responsibility about one’s intellectual de-
development would preclude cheating and plagiarizing as inconsistent with one's identity. ... Third, we must encourage our students to perceive the dishonesty of their classmates as something that causes harm to the many students who play by the rules.\textsuperscript{20}

Certainly the positivist approach suggested by Professor Hinman is vital in the long run. But in the meantime, it is just as important to use the available legal and academic sanctions against student plagiarists when they get caught. Honor codes and school policies against plagiarism must be emphasized and enforced by both secondary and post-secondary institutions, and the discipline meted out should be publicly disclosed so that an example can be made of those who have violated the codes or policies.\textsuperscript{21} Where the academic institution has taken such disciplinary action, the accused plagiarist all too often turns to the courts of law in an attempt to avoid the loss of degree or, in the case of teachers, loss of job. Invariably, judges reject the plaintiff's effort to have the court second-guess the academic institution's procedures.\textsuperscript{22}

The publicity given to the numerous instances of famous or near-famous "adults" that have been found guilty of plagiarism is highly salutary, both because it shows that people do get caught and also because it shows what a devastating effect committing plagiarism can have on one's life and career. Here's a quick list:

- In late September of this year, Lawrence Tribe, a distinguished Harvard law professor, admitted that he had copied without proper attribution portions of a 1974 book by Henry Abraham entitled Justices and Presidents.
- Notorious journalism scandals have recently come to the surface, such as the ones involving Jayson Blair (New York Times), Jack Kelley (USA Today), and Richard Judd (Harford Courant).
- Historians Stephen Ambrose and Doris Kearns Goodwin used entire passages from other publications in their books without indicating from whence the material came.
- Huang Zongying, an associate professor of English at Peking University, was fired after a Chinese graduate student brought the misconduct to light.
- In September 2004, Mostafa Imam, a Saudi Arabia-based researcher, was accused of plagiarizing photographs of various organisms previously published in micropaleontology articles by other authors. Shortly thereafter, Imam died of a fatal heart attack.
- Tony-nominated playwright Bryon Lavery has been accused of plagiarizing passages from a 1997 New Yorker article by Malcolm Gladwell about Dr. Dorothy

Otnow Lewis and her book Guilty by Reason of Insanity. Lewis and Gladwell say that a number of passages in Lavery's play "Frozen" are taken directly from their own work.

In March of this year, the president of Central Connecticut State University, Richard Judd, was accused of plagiarizing materials for an op-ed piece that appeared in the Hartford Courant the previous month. A few days later, he announced that he would retire at the end of the school year.

Importantly, there are various legal weapons available to academic institutions to fight plagiarism committed by the student or academic as well as the aiding and abetting of such misconduct by online term paper mills. With respect to the latter, for example, 14 states have enacted laws that prohibit and, in most cases, criminalize the sale of term papers, thesis, dissertation, or other written material where the writer knows or should reasonably have known that such written material is to be submitted by another person for academic credit at any institution of higher learning in the state.\textsuperscript{23} Unfortunately, neither academic institutions nor prosecutors have proven interested in pressing such cases.

With respect to the plagiarists themselves, academic institutions seldom press for legal sanctions against the perpetrators other than internal disciplinary measures. Nevertheless, sanctions under various legal theories are in fact available.\textsuperscript{24} In the end, teachers are the first line of defense in both detecting and deterring plagiarism.

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giarism, and there is much good advice available on the Web about how to do just that. For example, an excellent set of guidelines on "Anti-Plagiarism Strategies for Research Papers," prepared by Mr. Robert Harris in 2002 is available at http://www.virtualsafety.com/plagiarism.htm. The guidelines provide helpful and workable advice about how to apply the general goal of "marking the assignment and requirements unique enough that an off-the-shelf paper or a paper written for another class or a friend's paper will not fulfill the requirements" so that only a newly written paper will suffice.

I do not know the extent to which your own academic communities formally attempt to inculcate in their students, teachers, and researchers a deeper respect for book research versus online research as well as unfailing sense of academic honesty and integrity, nor do I know the extent to which your institutions consciously and intentionally include library professionals in either the broader challenge of teaching intellectual rigor or the process of detecting and deterring plagiarism. But if the institutions do not redouble their efforts to inspire academic honesty and if they do not include library professionals in these efforts, those institutions are leaving themselves on a collision course with the present trends towards lazy and dishonest scholarship. Addressing these issues is not a "luxury" that can be postponed until a better time, notes Professor Lawrence Hinman. "It is a short step from dishonesty in schools and colleges to dishonesty in business."

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Geology
Cold. Snow. Ice. Glaciers. Icebergs. Welcome to the cryosphere! If you live in Buffalo or Minneapolis and want to know more about the world of cold, visit the National Snow and Ice Data Center out of Boulder, CO. View the curious formations sculpted by snow and ice, such as sastrugi (formed by wind) or ogives (alternating bands of light and dark ice). Experts can dig into more than 400 data sets of snow depths or satellite images then follow the gradual crumbling of the Larsen Ice Shelf in Antarctica. — http://nsidc.org/

Paleontology
When your 10 year old begins to hunger for more information about T. Rex, turn to the Paleobiology Database, maintained by paleontologist John M. K. Cooper of the University of California Santa Barbara. With more than 43,000 fossil collections’ detailed data, the site offers a wealth of collective information which allows users to map collection sites, look at detailed profiles including lists of other remains, and ask "big-picture" questions like tallying the diversity of forms since the demise of the dinosaurs. — http://paleodb.org

Endnotes
1. Bill is a partner in the Chicago-based law firm, Schiff Hardin LLP, and has been a frequent speaker over the years at the Charleston Conference. He is an Adjunct Professor at Chicago-Kent College of Law and the author of numerous books and articles on legal topics.
3. Id.
4. A case in point is reported in the Boston Globe for March 3, 2000, at B1 (sixty-three students in Introductory computer science class at Dartmouth were charged with plagiarism on homework assignments).
8. Id.
11. The same search for "free term papers" on Google came up with 5,090,000 hits. By contrast, a search for "plagiarism detection" came up with only 36,000 hits on Google and a mere 7,107 hits on AOL.
12. Dane S. Claussen, director of the journalism and mass communication graduate program at Point Park University in Pittsburgh, quoted in V. Whitehouse & J. Nichols, "Inside the hallowed halls: how journalism schools are confronting student plagiarism," The Quill, August 1, 2004, No. 6, Vol. 92; Pg. 14.
13. One article makes the disturbing suggestion that some term paper mills "have ties to plagiarism detection software companies." For example, detection software companies, Plagiarize (http://www.plagiarize.com) and EduFile (http://www.edufile.com) have connections to term paper sites like MightyStudents (http://www.mightystudents.com), EssayMill (http://www.essaymill.com), EssaysOnFile (http://www.essaysonfile.com), and TopEssays (http://www.topessays.com).
15. Id.
21. It would be surprising if any educational institution did not have some code of policy. A quick Web search turned up numerous examples on line. It also turned up the curious anomaly of one state university library Website that included both the school's honor code as well as an extensive list of hyperlinks to fee-based and "free" term paper mills. One wonders about the wisdom of providing such information. As one legal commentator observed when encountering a similar situation on another university library's Website, "While such information is not difficult to find, I consider it unethical to provide links to businesses that are explicitly violating the law." Ronald B. Stander, "Plagiarism in Colleges in USA" (2000), available at http://www.rbs2.com/plag.htm.
22. See Andrew Harns v. Georgetown Univ., 247 F. Supp. 2d 71 (D.D.C. 2003), where an American student of Indian descent sued Georgetown, alleging unlawful discrimination on the basis of national origin and retaliation after the university sanctioned him for plagiarism. The court dismissed the complaint, concluding that plaintiff offered no evidence that the disciplinary hearing was not conducted in accordance with the procedures published in the university's honor code. Moreover, the honor code clearly set forth the definition of plagiarism, and the hearing board's decision not to exercise its disciplinary power to adjust the sanction was not a violation of the sanctioning guidelines.
25. One section of Mr. Harris’ guidelines gives practical details on how to detect plagiarism. Rule number one is to “[l]ook for the clues.” As you read the papers, he advises, look for internal evidence that may indicate plagiarism, such as mixed citation styles, lack of references or quotations, unusual formatting, off topic discussion, signs of datelessness, anachronisms, anomalies of citation, anomalies of style, and smoking gun blunders.

<http://www.against-the-grain.com> 39