

## Advice for Plagiarism Whistleblowers

Mark Fox

*Judd Leighton School of Business & Economics  
Indiana University South Bend*

Jeffrey Beall

*Auraria Library  
University of Colorado Denver*

Scholarly open-access publishing has made it easier for researchers to discover and report academic misconduct such as plagiarism. However, as the website *Retraction Watch* shows, plagiarism is by no means limited to open-access journals. Moreover, various web-based services provide plagiarism detection software, facilitating one's ability to detect pirated content. Upon discovering plagiarism, some are compelled to report it, but being a plagiarism whistleblower is inherently stressful and can leave one vulnerable to criticism and retaliation by colleagues and others (Anderson, 1993; Cabral-Cardoso, 2004). Reporting plagiarism can also draw the threat of legal action. This article draws upon our experiences as plagiarism whistleblowers with several goals in mind: to help would-be whistleblowers be better prepared for making well-founded allegations, to give whistleblowers some idea of what they can expect when reporting plagiarism, and to give suggestions for reducing whistleblowers' vulnerability to threats and stress.

Keywords: plagiarism, whistleblowing, retaliation, academic misconduct

### INTRODUCTION

In this article we draw upon our experiences as plagiarism whistleblowers in the hope that we can give others some idea of what to expect when they make plagiarism allegations. We start by discussing some reasons why plagiarism should be reported. Next, we provide guidance on how to report plagiarism in ways that are more likely to be favorably received by investigating parties, such as journal editors and university research integrity officers. We also provide suggestions on how to deal with legal threats and how to reduce the personal vulnerability and stress associated with making plagiarism allegations. The primary focus of this article is blatant word-for-word plagiarism.

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Correspondence should be addressed to Mark Fox, Indiana University South Bend, Judd Leighton School of Business & Economics, Room 204H, Administration Building, 1700 Mishawaka Avenue, South Bend, IN 46634. E-mail: [mfox1@iusb.edu](mailto:mfox1@iusb.edu)

## WHY REPORT PLAGIARISM?

- Perhaps the most compelling reason to report plagiarism is to ensure that authors of original work are given due credit for their research and that this credit is not misappropriated by plagiarists. This is why “plagiarism is widely thought of as perhaps the most grievous academic crime” (Rosamond, 2002, p. 167).
- Reporting plagiarism may lead to corrections to the scientific record. Hence, one consequence of reporting plagiarism is that editors may retract work by plagiarists. In this regard, plagiarism is one of the major reasons for retractions. For example, Grieneisen and Zhang (2012) looked at the justifications stated for 4,232 scientific retractions across a wide range of disciplines. Of these retractions 47% were due to “publishing misconduct, primarily plagiarism and author-initiated duplicate publication” (p. 6).
- Reporting plagiarism sends a consistent message to students, that is, that as academics we will hold ourselves to the same standards that we expect of our students.
- Reporting plagiarism can also highlight flaws in the review or editorial processes of journals, particularly when plagiarism should have been detected prior to publication. This appears to be a more prevalent problem for predatory open access journals. In this regard, Arnold (2009) observed “journal misconduct, carried out by publishers and editors, often with an evident profit motive. One example is a sloppy or sham peer review process designed to produce the impression of a serious scholarly journal without the substance” (p. 1). The increasing prevalence of predatory open access journals (Bohannon, 2013) may be one reason that “in general, duplicates are often published in journals with lower impact factors (undoubtedly at least in part to minimize the odds of detection)” (Errami & Garner, 2008, p. 399). Plagiarism is also a problem in well-established, reputable journals. The editors of *Research Policy* opined that “journal editors and referees, however knowledgeable and diligent, cannot prevent all instances of plagiarism and other research. . . . Hence, readers of journals and books should be alert to possible instances of plagiarism that may have slipped through the peer-review process” (Martin & other editors of *Research Policy*, 2007, p. 908).
- One consequence of plagiarism is that impact factors for the original authors of research are undermined when plagiarists misappropriate their work (Martin, 2009). As career progression in academia and research institutions is typically tied to research outcomes and to research impact, plagiarism gives an unfair advantage to plagiarists relative to others by giving others a misleading impression of the research skills and contributions of plagiarists.
- One unfortunate alternative to reporting plagiarism is to do nothing. In some cases inaction may be partly motivated by colleagues who provide advice such as, “No one will thank you for this,” “Be very careful that this doesn’t hurt your career,” or “Don’t be surprised that this gets covered up if you do complain.” As the authors of a special report on plagiarism in the *Chronicle of Higher Education* observed, “academe often discourages victims from seeking justice, and when they do, tends to ignore their complaints—a kind of scholarly ‘don’t ask, don’t tell’ policy” (Bartlett & Smallwood, 2004, p. A8). However, inaction may lead those who have discovered plagiarism to experience a lingering unrest as to whether they have done the “right thing.” An Office of Research Integrity (1995) study provided some insight into whether whistleblowers regret their actions. For whistleblowers that experienced no negative actions, 86% would definitely blow the whistle again and a further 5% would

probably do so. Surprisingly, 60% of those who suffered one or more adverse actions as a result of their whistleblowing would do so again, and 15% probably would do so.

The focus of the remainder of this article is on providing advice to plagiarism whistleblowers. One particular piece of advice that resonates with us is to “do the right thing even though such action may place you at considerable risk” (Sprague, 1993, p. 131). However, we hope that the advice that follows will lessen these risks.

### BE AWARE OF WHAT CONSTITUTES PLAGIARISM

- Would-be whistleblowers should be aware of the Committee on Publication Ethics (COPE) definition of plagiarism. COPE provides guidelines to journal editors, including guidance on investigating suspected plagiarism. Within this guidance, COPE mention three types of plagiarism:

Clear plagiarism (unattributed use of large portions of text and/or data, presented as if they were by the plagiarist) . . .

Minor copying of short phrases only . . . ([e.g.] in discussion of research paper from non-native language speaker) With no misattribution of data

Redundancy . . . (i.e., copying from author’s own work) . . . . (Wager, 2011, p. 2)

- Also, the Committee on Publication Ethics (2008) published a guide entitled *What to Do if You Suspect Redundant (Duplicate) Publication*. This guide is useful for potential whistleblowers and editors alike.
- Note that COPE also provides guidance to editors on what action to take in light of different forms of plagiarism. If a journal is a member of COPE, it is worth pointing out the definition of plagiarism when contacting the journal editor and to explain why you believe the plagiarized text meets COPE’s definition. Alternatively, when journals are published by professional societies or associations these bodies are likely to have their own professional codes of ethics that include mention of plagiarism and the procedures that will be followed when allegations of plagiarism are made.
- If you are a plagiarism whistleblower, pointing editors to the COPE definitions of plagiarism should help reinforce that there are indeed generally held definitions of plagiarism. Such definitions are also useful to combat those who defend plagiarists by using arguments such as “[there is no] universally acceptable definition of plagiarism” or “attempting to pin this down is like catching smoke in a butterfly net” (see Green & Wenger, 2013).

### SOME ALLEGATIONS WILL BE TAKEN MORE SERIOUSLY THAN OTHERS

- Plagiarism of the works of others is more likely to be taken seriously by editors than is, say, plagiarizing of one’s own work, although editors do appear to be increasingly concerned about duplicate publication issues.

- Also, to use the language of the earlier COPE definitions, “clear plagiarism” is more likely to be taken seriously by others than is minor copying of short phrases. The cases of plagiarism that we have pursued tend to involve multiple paragraphs or much of entire articles being plagiarized from the works of others.
- Be cautious about reporting plagiarism that occurs in the Methods section of a publication. For many scientific processes, there is only one way to describe the approach taken. As a result, editors may overlook text with similar phrasing in methodology descriptions. For example, the Office of Research Integrity (ORI; 1994) of the U.S. Department of Health and Human Services noted that they “generally [do] not pursue the limited use of identical or nearly-identical phrases which describe a commonly-used methodology or previous research because ORI does not consider such use as substantially misleading to the reader or of great significance.”

#### DO YOU WANT TO GIVE THE PLAGIARIST THE OPPORTUNITY TO RESPOND?

- Consider carefully whether you want to give a suspected plagiarist the opportunity to respond to your allegations before progressing. Authors of plagiarized material may respond in different ways. Consider the example of duplicate publication and plagiarism in the medical field. Long, Errami, George, Sun, and Garner (2009) looked at responses from 60 “duplicate authors.” Of these, 28% denied doing anything wrong, 35% admitted that they had “borrowed” from previously published authors, 22% said they were coauthors who were not involved in writing up the manuscript, and 17% said they did not realize their names were on the article in question.
- One compelling reason to give a suspected plagiarist the opportunity to respond is that what appears to be plagiarism at first glance may have a straightforward explanation such as the original author changing his or her name (Errami & Garner, 2008).
- On the other hand, giving a suspected plagiarist the opportunity to respond buys them time to attempt to thwart your making the allegations known to others or to preemptively retaliate against you.
- In the event that a plagiarist does “come clean,” this may make it easier to proceed further by, for example, pursuing the timely retraction of a work that largely contains plagiarism.
- When contacting a suspected plagiarist, you should be clear about what wording you believe is plagiarized (and why). You should also give a reasonable deadline for a response so that they do not delay matters indefinitely.

#### BE PREPARED FOR THE THREAT OF LEGAL ACTION

- When an author is accused of plagiarism, he or she may choose to fight the charge and/or retaliate against the whistleblower. One way the author may fight the charge is by hiring an attorney. Usually, the attorney will initially compose and send a demand letter to those making the plagiarism accusations, asking them to withdraw the statements and apologize. If the requested conditions are not met, then the accused plagiarist may initiate legal proceedings alleging defamation.

- With respect to legal issues, you should have a clear idea of what support you can expect from your own institution. If you work for a college or university, it is not a given that your university will defend you if someone you have accused of plagiarism decides to file a lawsuit.
- Whistleblowers should be aware that they could be threatened with legal action, but they should also understand that truth is a complete defense to a defamation lawsuit. Carefully wording any allegations on plagiarism can lessen the likelihood of a lawsuit arising. Moreover, legal action is probably unlikely, as this would involve considerable cost and may well draw additional, unwanted attention to a plagiarist's conduct.

### DOCUMENTING PLAGIARISM ALLEGATIONS

- Before making allegations of plagiarism, you should take all steps necessary to ensure that the allegations are true and justifiable.
- Justifying plagiarism allegations is easier for word-for-word plagiarism, but it is more difficult for plagiarism of general ideas. Several approaches to verifying word-for-word plagiarism include plagiarism detection software and checking the work manually. The latter approach will often involve searching for individual sentences or phrases using an Internet search engine such as Google or Google Scholar.
- When using plagiarism detection software, you should be aware of the potential limitations of such software. For example, some plagiarism detection programs provide a numerical score (a “similarity index”) that quantifies the wording that is in common with other sources. A paper with a low score may still contain some serious plagiarism, as the source of the plagiarized text may be outside of the database that is being searched (Garner, 2011). Likewise, a similarity index will likely include some wording that is coincidental or that is not plagiarized (e.g., a reference list within a publication). Also, to make sure that your allegations are verifiable by others, you should consider asking a trusted colleague to see if he or she can duplicate the allegations. In such cases it is better to just give the colleague the allegedly plagiarized publication and have the colleague work from scratch rather than to provide the colleague with the sources that you believe were plagiarized.
- You should also make multiple backup copies of both the plagiarism examples (e.g., articles that contain plagiarism) and the sources where the text originally appeared. This is important, as the articles containing plagiarism may disappear from journal websites. (This has occurred multiple times with at least one predatory open access publisher, namely, the Academic and Business Research Institute.) Likewise, the sources of plagiarized content may also vanish over time, particularly if they are blogs and the like. Having said this, one way of searching for material that is not currently online is to use the Internet archiving site The Wayback Machine ([web.archive.org](http://web.archive.org)).
- Be wary of using licensed plagiarism checkers such as [turnitin.com](http://turnitin.com). This software is licensed for institutional use and for checking the work of students who are enrolled in your classes. To use the software for checking for plagiarism by a colleague could create legal problems. Given this, you may be better off using software such as WriteCheck or iThenticate, or making use of the manual method just described.

- You should document everything, not just the plagiarism allegations themselves. For example, institutional research integrity offices may prefer phone conversations that provide a degree of deniability regarding what advice they give. After engaging in such conversations, you should follow up with e-mails that reprise what you understood to be the key points from the conversation.
- In documenting plagiarism, you also need to decide how far you are prepared to go. If you find plagiarism in, say a single article, will you stop there, or will you widen your search to other publications by the same author(s)? In our experience, those who engage in plagiarism tend to do so in multiple publications; plagiarism tends not to be an isolated, one-off event.

### MAKING THE ALLEGATIONS

- To minimize the likelihood of legal action you should be careful how you phrase allegations and to whom you communicate those allegations. For example, it is preferable to write “Professor X has multiple passages in various articles that appear to be identical to those of earlier published scholars. Accordingly, we ask that you investigate whether or not plagiarism has taken place” rather than “Professor X is clearly a plagiarist.”
- Also consider whether you want to seek the support of those whose work has been plagiarized. You may find that some authors are simply uninterested in becoming involved in such matters, and others may even be flattered that their work was plagiarized.
- Do not expect that journal editors will necessarily be all that receptive to retracting work that contains plagiarism. Retractions point to shortcomings in the review and editorial processes, and editors may prefer that attention not be drawn to the publication of plagiarized work. This concern may be greater for predatory online journals, which earn their income from article processing charges and page fees paid by their authors. These journals want to maintain their income, so they may well be less likely to act on plagiarism charges that could potentially decrease their income.
- If allegations of plagiarism involve a college or university employee, do not assume that universities will look into allegations in a timely manner. Most universities have a multiphase process (Office of Research Integrity, 1993, 2000). Typically, a preliminary examination of the allegations occurs to determine if they are *prima facie* credible. If the allegations do warrant further examination, the next step is typically an inquiry to “determine whether there are sufficient grounds to proceed with an investigation, which can result in a finding of misconduct” (Loui, 2002, p. 530). After an investigation has occurred, a final decision is often made by a senior university official such as a VP for Research or by some body constituted to handle such matters such as a standing committee on scientific misconduct. Following a finding of misconduct or imposition of a sanction, the person accused of plagiarism can appeal, and the appeal process will entail additional time.
- Given the procedural steps involved, the university process for pursuing allegations of plagiarism often takes a considerable amount of time. In some cases this may be more than a year (Gantert, 2011). It may also be in the interests of a university to delay an investigation so that the allegations are less timely if they are reported in the media or if an alleged plagiarist is near retirement.

- Do not assume that universities will make public their findings when their investigation is over. If the complaint does not involve federally funded research, the university is likely to cite “employee confidentiality” as a reason for not disclosing the outcome of an investigation. If you complain about plagiarism within a doctoral thesis, the institution may treat the plagiarist as a student who is subject to the Family Educational Rights and Privacy Act. As a result, the outcome of any investigation will not be disclosed to the complainant.
- Universities may ask employees who are reporting plagiarism to remain silent about the allegations until any investigation is over. This may mean that, for example, you would not be allowed to discuss the allegations with journal editors. Or, if journal editors have retracted articles of someone you have made allegations about, then you may be instructed to not disclose that fact to others. This may prove professionally frustrating, as knowledge of this matter could affect other matters within your institution, such as whether a plagiarist is viewed as a credible person to serve on a promotion and tenure committee or on committees that evaluate research proposals for funding purposes.
- If plagiarized work was federally funded, the procedures followed will differ from research that was not funded by the government. The procedures followed (and the implications for the accuser and the accused) will also differ depending on the funding agency.

#### PUBLICIZING ALLEGATIONS THROUGH MAINSTREAM MEDIA OR ONLINE

- You should carefully consider the implications of speaking to the media, as to do so may increase the possibility of subsequent legal action. If you do decide to speak to the media, be thoughtful as to why you are speaking to the media and of your message.
- Do not assume that allegations themselves will be of interest to the media, or to higher education publications such as *InsideHigherEd* or *The Chronicle of Higher Education*. Higher education publications tend to publish allegations only when an investigation has been completed (e.g., by a university), or they may provide coverage if a plagiarism allegation is already mentioned in a mainstream outlet such as a daily newspaper. Newspapers themselves may be wary of publishing allegations of plagiarism, and are more likely to do so when the story has additional hooks. One example of this is publicity by the *Baltimore Sun* of plagiarism by a Towson University law professor who was also Chair of the Baltimore City Schools’ Ethics Commission (Green, 2013). Student newspapers may also be interested in publishing stories about plagiarism by faculty members. In some cases this has led to wider media attention (see, e.g., Sullivan & Hardner, 2013).
- Also, carefully consider what, if any, use you want to make of the Internet: Do you want to create a blog that highlights the plagiarism? Do you want to make a website such as *Retraction Watch* aware of any articles that have been retracted as a result of your whistleblowing?

#### CONCLUDING THOUGHTS

Making allegations of plagiarism is inherently stressful. One way of dealing with this stress is to seek support and advice from others who have made plagiarism allegations. Making plagiarism



allegations is a lonely business and one that few academics will go through. In our experience, those who have made allegations seem only too willing to talk about their experiences and offer advice and support. In particular, seek support from those who have made allegations to the same or a somewhat similar institution or journal, as this will provide you with insights into the complaint process itself.

Do not assume that you will be applauded for raising allegations. In particular, it is unlikely that colleagues and friends of the plagiarist will applaud your actions. Indeed, they may retaliate by examining your own published works, so it is not a good idea to report plagiarism if you yourself have ever committed research misconduct. Others may wish that plagiarism allegations be dealt with quietly, as publicity may adversely affect the reputation of the institution or journals where the misconduct occurred. Having said this, you should keep in mind the benefits of reporting plagiarism, namely, that this serves as a deterrent to others and helps maintain the integrity of the academic and scholarly record.

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