Plagiarism in Higher Education: Between Tolerance and Application of the Law
السرقة العلمية في التعليم العالي: بين التسامح وتطبيق القانون

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Abstract:

The current paper attempts to demonstrate the extent to which the legal procedures and measures that were issued by the decree **N° 1082** on 27th December 2020 to diminish and deter plagiarism are applied by university teachers. To this effect, the present paper attempts to determine whether university teachers' reaction to plagiarism when they are examiners differs from their reaction to that same issue when they are candidates. In order to solve the aforementioned problematic, an online questionnaire was addressed to teachers from the university of Mostaganem Abdelhamid Ibn Badis and the university of Tiaret Ibn Khaldoun. The collected data were analysed through a descriptive analysis which involved a T-Test. After analysis, the findings indicate that there is no difference between university teachers' reaction to plagiarism when they are examiners and when they are candidates. in other terms, in both aforementioned cases the legal procedures and measures against plagiarism are not applied.

Keywords: Plagiarism; university teachers; legal procedures and measures; descriptive analysis; T-Test.

الملخص:

تحاول الورقة الحالية دراسة مدى تطبيق الإجراءات والتدابير القانونية الصادرة بمرسوم رقم 1082 بتاريخ 27 ديسمبر 2020 للحد من السرقة العلمية وردعها من قبل أساتذة التعليم العالي. لهذا الغرض ، تحاول هذه الدراسة تحديد ما إذا كان رد فعل أساتذة الجامعات على السرقة العلمية عندما يكونون ممتحنين يختلف عن رد فعلهم تجاه نفس المشكلة عندما يكونون مرشحين. من أجل حل الإشكالية المذكورة أعلاه ، تم توجيه استبيان عبر الإنترنت لمعلمي جامعة مستغانم عبد الحميد بن باديس وجامعة تيارة ابن خلدون. تم تحليل البيانات التي تم جمعها من خلال تحليل وصفي تضمن اختبار T . بعد التحليل ، تشير النتائج إلى أنه لا يوجد فرق بين رد فعل أساتذة الجامعات على الانتحال عندما يكونون ممتحنين وعندما يكونون مرشحين. بعبارات أخرى ، في كلتا الحالتين ، لا يتم تطبيق الإجراءات والتدابير القانونية ضد السرقة العلمية.

كلمات مفتاحية: سرقة علمية؛ أساتذة الجامعة الإجراءات والتدابير القانونية ؛ التحليل الوصفي؛ اختبار T .

Jel Classification Codes: XN1, XN2.

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1. INTRODUCTION

Behavioural acts of cheating, stealing, kidnapping and claiming someone else's work is as old as man himself. These acts are imbedded in one's self and in order to overcome these unscrupulous behaviours a set of ethical moral values are put into order, namely honesty, integrity, law abiding and others. Unfortunately, these moral values are barely seen in the majority of today's Algerian universities where plagiarism has become one of the most effective ways of magister/PhD graduation, university recruitment and university accreditation.

The fact of dealing with the issue of plagiarism in higher education can be considered as one of the most over-studied topics. Indeed, most research conducted on the aforementioned topic dealt with investigating the reasons behind students' and researchers' use of plagiarism rather than providing an effective solution that diminish this academic scourge. In this regard, researchers firmly believe that plagiarism can be seen as a two-edged sword. The first issue that pushes the majority of students to plagiarise is due to their unfamiliarity with the notion of plagiarism. The second issues, on the other hand, is the negligence of the university towards plagiarism in terms of implementing modules that raise students' awareness and knowledge about the topic and applying severely the penalties on whoever commits plagiarism according to the internal regulation of the university. Therefore, the current paper attempts to sensitize Algerian students' awareness against plagiarism.

2. Algerian Legal Procedures and Measures against Academic Plagiarism

The Algerian Ministry of Higher Education and Scientific Research issued the decree N° 1082 on December 27th, 2020 which determines the legal regulations and procedures against academic plagiarism. The decree came into effect on the same day whereby it repealed the former decree N° 933 dated on July 28th, 2016. Accordingly, the overall aim of the decree can be concluded in the following points: (i) to provide a plain definition of the term plagiarism and to elucidate its different types, (ii) to establish procedures that prevent plagiarism during PhD training and scientific research activities, and (iii) to review the procedures of examination of researchers' work to prevent scientific plagiarism and impose the penalties accordingly.

In this regard, the Ministry of Higher Education (2018) defines academic plagiarism as any work done by a student, research teacher, university hospital research teacher or permanent researcher, or by whoever participates in an act of constant falsification of results or fraud in the required scientific works, or in any other scientific or pedagogical publications (Decree 1082, chapter 02, article 03). The legal procedures and measures taken against the act of plagiarism is not restricted to the Algerian university, it is a global issue which is not tolerated in any university. Indeed, Dougherty (2018) asserts that: "The United States federal government defines plagiarism as "the appropriation of another person's ideas, processes, results, or words without giving appropriate credit"" (p. 61) on the other hand, "the European Science Foundation speaks of plagiarism as "the appropriation of other people's material without giving proper credit" (Dougherty adds).

There is a fine line between the Algerian legal regulations and that of the American and the European one against plagiarism. They are all effective in diminishing and deterring such unethical behavior. However, the only problem that prevents the Algerian one from being that effective is because of the lack of the application of the penalties. Indeed, Gabrielle Levy (2017) who covers politics for U.S. News & World Report asserted that "Harper Collins will stop selling a 2012 book penned by Monica Crowley, a conservative commentator who was tapped by President-elect Donald Trump for an administration post, after a CNN investigation found portions of the book were plagiarized." (para, 01) after a thorough investigation held by the CNN, the investigators found that the book of Crowley (2012) entitled 'What the (Beep) Just Happened' contains nearly 50 examples which are taken from different sources where the author fails in citing them. Similarly, another political figure, Franziska Giffey; German Minister for Family Affairs, Senior Citizens, Women and Youth; faced plagiarism allegations in 2019 after her PhD thesis was evaluated by the Free University of Berlin. Within the same context, Shermin Voshmgir, a blockchain innovator, faced serious charges in 2020 as she was accused of plagiarizing large parts of her thesis. In this case, Döring (2020, para 06) asserts that "Despite obvious copy-pasting of whole sentences, she claims to merely have cited the content incorrectly. While this may be true for some parts, the existence of sentences that were completely copied from other authors suggests something else."

In Algeria, the Ministry of Higher Education and Scientific Research asserts in its official website https://www.mesrs.dz/universites that:

> The Algerian university network comprises one hundred and six (106) higher education institutions spread over forty-eight wilayas (48), covering the entire national territory. The network consists of fifty (50) universities, thirteen (13) university centers, twenty (20) national and ten (10) higher schools, eleven (11) higher teacher training colleges and two (02) annexes. (para, 01)

Thus, even though Algeria has more than a hundred higher education institutions, it is unfortunate not to hear or read about plagiarism detection in Master dissertations, PhD theses or other scientific publications let alone the legal regulations and penalties taken by the disciplinary council against the violators. Indeed, these scientific works are serious matters, as they enable the researcher to graduate, get recruited or accredited a higher rank. Furthermore, recent studies show that a great number of students and teachers researchers confess that they plagiarized in some point in their academic career. In this regard, Wagdy Swahel (2021), an expert on higher education, science, technology innovation, and knowledge economy, asserts in a published article on *University World News - African Edition* on 25th February 2021 entitled _New measures for fighting scourge of academic fraud_ that:

> Algeria has the fourth-highest rate of research retractions of the 10 Arab North African countries, after Libya, Egypt and Tunisia, with 0.0350% of papers published by researchers between 1996 and 2018 ending up being retracted, according to a recent press report based on figures derived from Retraction Watch, an independent website that tracks academic papers that have been officially declared false. (para, 03)

Another study conducted by Abdaoui (2018) shows that 103 students from the Department of English at the University of 8 Mai 1945, Guelma (Algeria) have actually committed plagiarism. In this case, Abdaoui (2018) asserts that:

> As indicated by the results from the survey, the use of the Internet and digital sources, laziness, low academic self- esteem, and limited knowledge of citation and paraphrasing are the major causes behind students' plagiarism in the department of English. (p. 386)

In a similar study conducted at the University of Saida by Makhlouf & Mehdaoui (2016), the latters assert that "Algerian university English teachers believe that their students had different reasons for plagiarism but they mostly plagiarize because of their bad command of the language and easiness of plagiarism." (p. 111) However, these recent studies did not provide an effective solution to fight plagiarism or at least make students aware of the legal regulation held by their institution in case they plagiarize.

Turning the other cheek on the regulations against plagiarism and not execute the penalties on those who plagiarize can be considered as one of the most encouraging causes of plagiarism in higher education. However, some Algerian universities apply the legal regulations to fight plagiarism and punish those who commit it. Zaghlami (2016), in an article on *University World News - African Edition,* asserts that in University of Abbas Laghrour Khanchela the disciplinary council downgraded the dean of the faculty of social and human sciences and two other researchers for committing plagiarism of articles taken from international journals. The dean and researchers got eventually excluded from pedagogical activities for four years.

In another university, Zaghlami (2016, para 04) reported that "in Biskra at Mohamed Khider University – which has nearly 40,000 students – a PhD thesis defended in the department of architectural sciences was suspected of illegal reproduction of several chapters from another thesis on micro-climates in urban public spaces." In addition to that, two PhD theses were annulled because of plagiarism. What is highly disturbing, in the aforementioned cases, is that even though the accused researchers are caught and

punished for plagiarizing, the administrations did not reveal their names so that they make an example of them.

3. METHODOLOGY

The current paper aims to tackle the extent to which Algerian university teachers apply the legal procedures and regulations issued by the decree N° 1082 on 27th December 2020 when examining a scientific work (a Master dissertation, PhD thesis or other publication activities). Therefore, the research design, instrument and participants, and the statistical data analysis of the collected data are elucidated below.

3.1 Research Design

The study conducted was designed as a survey in which the researchers administered an online survey to a sample of population in order to describe their attitudes, behavior, opinions or characteristics regarding plagiarism. It sheds light more on the experience of the population in relation to the aim of the study and less on the individuals per se. Indeed, the research at hand is a survey study since it scrutinizes Algerian teachers' experience with plagiarism. Specifically, how they would react when detecting plagiarism in other researchers' scientific works, viz. Master students, PhD students or colleagues.

3.2 Instrument and Participants

As asserted earlier the data collection tool adopted in the current study is an online questionnaire. The latter was directed to teachers of higher education during the academic year 2020-2021. The researchers asked to participants to answer the online questionnaire by sending a mass email to teachers from the university of Mostaganem Abdelhamid Ibn Badis and the university of Ibn Khaldoun Tiaret.

In this regard, the questionnaire comprises close-ended questions which aims at collecting quantitative data. Respectively, the questionnaire is divided into three sections; the first section is concerned with the university affiliation, scientific rank and experience. The aim of this section is to investigate whether universities detect plagiarism and apply punishments on the plagiarists and to examine whether the scientific and rank of participants help in detecting plagiarized work. Next, the second section deals with participants' experience with plagiarism detected in researchers' works and the procedures and measures taken by the participants in order to solve the problem. In this section, the researchers seek to study how serious the participants are with plagiarized works and to which extent they apply the legal measures against plagiarists. Finally, the third section deals with participants' opinions towards their use of plagiarism during their academic career. In this section, the aim is to reconnoiter whether the participants actually commit plagiarism and whether they accept that their academic research be checked by a plagiarism software, namely Plagiarism Detector Pro.

As indicated in table 01, the majority of the participants are teachers from University of Tiaret Ibn Khaldoun which is estimated with 55.6%) whereas the University of Mostaganem Abdelhamid Ibn Badis is estimated with 44.4%.

Table 01: Participants' university Affiliation

University Affiliation	Frequency	Percentage
univ-mosta	16	44.4
univ-tiaret	20	55.6
Total	36	100.0

3.3 Findings and Discussion

The data that were collected from the online-questionnaire were analyzed with a descriptive analysis using the software IBM SPSS version 25 in order to prove or deny the hypothesis of the current research. The latter indicates that statistically there are mean differences between the answers of university teachers as examiners, in this case, they are asked if they tolerate plagiarism or not and as candidates where they are asked to pass their academic research works for plagiarism check using the software Plagiarism Detector Pro. In this regard the table below presents the following percentage.

Table 02: Plagiarism detected by the participants acting as examiners

Plagiarism Detection	Frequency	Percentage
Yes	26	69.4
No	10	30.6
Total	36	100

According to table 02, the majority of the participants, estimated with 69.4%, declare that they have detected plagiarism when they examined other researchers' work. This is a vivid confession that plagiarism in omnipresent in both universities.

Table 03: The procedures taken by the participants towards the plagiarists

procedures	Frequency	Percentage
Strictness	2	5.6
Tolerance	24	66.7
Total	26	72.2

According to table 03 only two participants showed strictness when it come to the procedures taken against the plagiarist which is estimated with only 5.6%. The strictness lies in presenting a report to the administration against the plagiarist and apply the legal measures issued by the Ministry of Higher Education and Scientific Research. On the other hand, the majority of population who detected plagiarism showed tolerance towards the plagiarists which is estimated with 66.7%. The variable of tolerance can be seen in two different dimensions: (i) the examiner discusses the situation with the supervisor in order to postpone the viva day so that the candidate correct or omit the plagiarized passage (ii) Ignoring the situation and allow the candidate to submit/defend his research.

Table 04: Plagiarism committed by university teachers

Plagiarism Committed	Frequency	Percentage
Yes	4	11.1%
No	27	75%
I don't know	5	13.9%
Total	36	100

As indicated in table 04, only 11.1% of the population admitted that they have committed plagiarism. This shows that even teachers at higher education commit plagiarism and 13.9% declare that they have no idea whether they have committed plagiarism or not. However, the majority with 75% claim that they did not commit plagiarism in their academic research projects.

Table 05: participants' approval/disapproval of plagiarism check

approval/disapproval	Frequency	Percent
Disapprove	17	47.2
Approve	19	52.8
Total	36	100

Table 05 presents 47.2% of the population which they did not accept their scientific work to be examined by plagiarism detector software, whereas 52.8% agreed and sent their research projects to be examined. In this context, and according to Table 03 which deals with teachers' reaction toward plagiarised works when they are acting as members of the board of examiners and which procedures they undertake against the plagiarists and Table 05 which deals with the approval/disapproval of the teachers when asked to present their academic works for plagiarism check whereby in this case they are acting as candidates. Therefore, according to both tables (03 & 05) the T-test shows that we have a Mean score of 0.306 and standard deviation of 0.467. Thus, in order to know the significant difference between teachers' reaction to plagiarism when acting as examiners and their approval/disapproval for plagiarism of their academic works a T-Test was conducted for each variable which resulted the value of *T* **3.924** with

different freedom 35 and Sig value 0.000 which is lower than **0.50**. Therefore, we concluded that there is no difference between the aforementioned two cases.

4. CONCLUSION

As indicated by the findings from the questionnaire, there is no difference between university teachers' reaction to plagiarism when they are examiners and when they are candidates. in other terms, in both aforementioned cases the legal procedures and measures against plagiarism are not applied. To put it differently, teachers' tolerance against plagiarism, their unfamiliarity with the notion of plagiarism, or the influence of social factors threaten the integrity and the credibility of the scientific research in general and the reputation of the university specifically. This negligence towards the application of the legal procedures and measures will only encourages researchers to plagiarize more and more because there is no punishment.

Accordingly, besides sensitizing teachers and students about the dangerous outcomes of plagiarism and raise their awareness about the ethical values that a researcher must possess is the strictness and the severity of applying the legal procedures and measures against plagiarism by prosecuting the plagiarist to the full extent of the law. In addition to that, expose the violators to set an example and preserve the integrity and credibility of the Algerian scientific community.

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