

What's so original?

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What's so Original? The Discourse on Education and Dishonesty in the Wake of a Technological Revolution

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TITLE: What's so Original? The Discourse on Education and Dishonesty in the Wake of a Technological Revolution

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“What kinds of creatures have we become, the men and women who inhabit our present? How do we understand ourselves, and how are we understood by those who would administer, manage, organize, improve, police and control us? What kinds of presuppositions about human beings are built into our practices of production and consumption, of pedagogy and reform, of pleasure and erotics? And what images, values, beliefs, norms do we employ when we think about, enact and assesses our existence?” We could have written this? It would pretty much have covered our first research interest. We would probably have narrowed it down to a concern about the identities of creatures that inhabit the system of education. Maybe we would have omitted references to pleasure and erotics being unsure about their importance for the object of our research. Instead we would have pointed out that our concern is identity in relation to what is often called academic integrity, academic misconduct, and academic dishonesty or in everyday language cheating.

As we write this Swedish media (Fagerström, 2005) has once again taken an interest in cheating based on reports from The Swedish National Agency for Higher Education (Högskoleverket, 2002, 2003, 2004, 2005). The latest report speaks of a steadily increasing number of disciplinary errands. With these numbers as a starting point the author has contacted Universities to find out about the present situation. According to the article three times as many students have already been caught the first part of 2005 at Lund University compared with the year before. Have students as suggested by McCabe and Klebe Trevino (1996) lost their sense of honour and become more interested in getting a degree than in how they get it? Have students become creatures who believe that cheating is a normal part of life as suggested by Baird (1980)? Searching the Internet with Google on 25th of July 2005 using “cheating” we find 5 430 000 hits. Repeating the search using “student” AND “cheating” we find 1 400 000 hits. That cheating attracts attention may be argued from the cheer amount of hits. That it is a social problem and a social dilemma for those who need to deal with it in

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education is suggested by media coverage, the presence of interest groups and networks, the presence of institutional policies on the subject, the vast number of articles on the subject in science journals and the reports on software and technologies to prevent cheating present among the hits. Drawing on personal experience we would also venture that it can be substantiated by how often we find that our colleagues discuss cheating. The largest increase in disciplinary errands in higher education in Sweden concern home exams. Students are accused of plagiarising and the raising number at Lund University, to take an example, is explained not by an actual rise in cheating but by the use of a new plagiary detection service called Urkund (Fagerström, 2005).

Student identity we suggest has become a social problem as media and research studies claim that almost everybody cheats on their exams and other assignments, not only undergraduates but at all levels of education. Substantial research questions our readiness to label student use of notes and summaries of texts as cheating and suggest other explanations (Ashworth & Bannister, 1997; Hunt, 2002; Randall, 2001). In a socio-cultural perspective artefacts play an important role for how and what we learn and thus for what kind of creatures we become. If we are to understand learning the development and use of physical tools are important concerns (Säljö, 2000). Databases, report generators, summarisers and word processors make it easy to find and compile texts. Many students use these opportunities the way we did when we formed the first part of our text. Anyone familiar with *Governing the Soul* by Nicolas Rose (1999) could recognise the first four sentences as the initial part of the first paragraph of the preface to the second edition. The off chance that we would have written something identical character by character is small and our credibility as researchers would more or less depend on our proper acknowledgement of Rose as our source. Using Copernic desktop searcher to search the web we got 59 hits for this particular passage. The citation was easy to find. Were we students and found out it is likely that we would have been classified as plagiarists which is one form of academic dishonesty as it seems to be understood in a current discourse on cheating. Little could be said that would reposition us from that malignant position (Nilsson, Eklöf, & Ottosson, 2005b). The possibility that we would have written something similar, supported by technology, thinking that it was our own original writing, is often treated as minimal. Is inadvertent plagiarism caused by fast methods like downloading from databases, copy and paste and report generation all that far fetched?

Our second interest then, is the impact technology may have on the way we work and what we perceive of as appropriate ways to do academic work in the wake of a technological revolution. It is often suggested that technology makes it easier to cheat because texts can be downloaded from the Internet (Auer & Krupar, 2001; Austin & Brown, 1999). Since students do not have to go through the time consuming task to copy by hand they are considered to be more likely to plagiarise. Copy and paste however is not just a nuisance supposed to incite students to plagiarise, it is also a practical application. In our case we scanned Rose's text and imported it using Optical Character Recognition (OCR) software, mainly, we must admit, to illustrate the problem. We only checked for the text afterwards. The point however is that technology provides a considerable help. Would we have needed to import a larger set of data from paper format this would certainly have been our way to do it. There are several benefits from using technology in research. It seems reasonable that these benefits in the end will have an impact on what we will call academic dishonesty, academic misconduct and for that matter cheating. A dilemma in our time seems to be how we should position our students and what positions they find are available to them when faced with charges of cheating.

The Aim of the Study

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The main purpose of this paper is to take a second step in a study of discourses on student cheating, this time using a socio cultural perspective on learning and artefacts. Looking at the minutes from disciplinary hearings and vice-chancellors rulings in disciplinary errands we want to study the discourse on cheating as it appears when institutions file complaints about "cheating". Specifically we are interested in student identity construction and what positions students find available to them. In an earlier paper (Nilsson, Eklöf, & Ottosson, 2004) we looked at the discussion on cheating in media and scientific journals. We asked ourselves what kind of dilemma cheating is taken to be and how the dilemma is framed. We argued that worries about cheating could be organised around four themes: technology, pedagogy, ethics and context. These themes appear as doublets and they are looked to both as a reason for cheating and as a means to prevent cheating. We did however not look specifically at the construction of the cheater.

We suggested, based on these data, that today's discourse on cheating has focused on the use of technology, one example being plagiarism in the form of downloading essays from databases or buying them from Term Paper Mills. A dominant student position in this discourse is that of the plagiarizer who uses modern tools to copy and paste. Teachers were positioned as insightful which they could prove by finding the originals, or less competent in their use of technology which they demonstrated by their unsuccessful hunt for plagiarizers who without a doubt are there. Proposed ways to deal with cheating also involved technology. It was suggested that technology provides ways to analyse texts and compare to students' style of writing and to scan databases for presumed originals. Students, as a group, were positioned as suspects. The suggested preventive measure was that the institution forces them into a mode of production where all their work is processed and purged from all suspicions. There is some debate on who should be considered competent in this case. Some regard technical solutions in the form of sites that offer plagiarism detection as effective and others as less effective, but also as blind alleys leading away from better ways of prevention.

We also suggested that cheating was constructed as a problem of learning. People turn to pedagogy in their discussion of cheating. It was suggested that cheating behaviour is caused by teaching strategies in education and that given assignments invite cheating. Students in this case are positioned as victims of practices that invite them to cheat. Teachers are positioned as causes of student cheating and part of a culture of reproduction of facts. They fail students by inviting them to copy, by giving too little supervision or by giving too large assignments. The remedy in this way to construct cheating would be to give students assignments that invite them to question different perspectives and pursue their own original views on different issues.

We further suggested that cheating and plagiarism was constructed as an ethical problem. It was argued that cheating can be explained by changing ethics among students, implying that they find cheating and plagiarising to be acceptable. Students were positioned as pragmatic consumers, who thought that downloading papers was just another way to cut corners and get the assignments done. The opposite way of constructing students was to position them as unaware of what is considered proper ethics in education and academia. They have a right to be socialised into these contexts. They need to be informed about rules for citing and taxonomies for paraphrasing, but also what the consequences of breaking such ethics are. In this case it is the institution and its staff that fail the students. Longitudinal studies suggest that students do become more clear on what is to be considered proper conduct and that those institutions that have a written honour code report less cheating (McCabe, Trevino, & Butterfield, 1999, 2001).

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A less travelled road is the one that presents cheating as a dilemma that educational institutions face, a dilemma primarily involving questions of what is special about academic or scholarly practices and how technology may influence practices. In this discussion students are positioned as victims or at least as strongly influenced by ethics and practices that may not belong to but at least are to be found in other practices. In such a perspective student attitudes and dispositions, let alone faculty attitudes and dispositions as measured in earlier research, can be construed as the effects of contextually different interpretations. What is brought out in this discourse is that the institution and its members can be seen as causing cheating. The importance of the institution making it clear what is meant by cheating, plagiarism, original and copy in its context is emphasised.

In two other studies (Nilsson, Eklöf, & Ottosson, 2005a; 2005b) we reported on identity management in disciplinary hearings in Swedish universities and discussed the impact of new applications on learning. In the first study we argued that the reasons and solutions argued in disciplinary hearing firmly positions a majority of students as cheaters or copy-and-paste plagiarists, whereas their teachers and educational institutions are positioned as in need of advice on how to prevent cheating. We also argued that the student position is malignant, meaning that it is very difficult for students to reposition themselves and appear as honest students. This further augmented our interest in student positions that are made available in talk about cheating and learning. In the second study we reported some preliminary thoughts about teachers' reactions to summarizers, report generators and conceptual mapping applications. The somewhat surprising result (to us at least) was that teachers saw these applications as possible to use to enhance learning rather than as applications that can support cheating.

In this second step we want to return to our study of the discourse on cheating but focus on the problem of identity and technology and how student make positions available to them as reported in minutes from disciplinary hearings and vice-chancellor rulings.

Earlier Research

There is a substantial interest in cheating, academic dishonesty and academic misconduct in scientific journals. In some cases cheating is referred to as a perennial problem (Larkham & Susan, 2002) but there is also a marked tendency to treat cheating as a novel threat substantially increased by the use of technology. Discussing plagiarism, perhaps the form most mentioned as cheating today, Kolich (1983) states that it "is a highly emotional subject, and the issue of how to deal with it seems muddled by moral confusion, apprehension, and general loathing" (p. 141). Alschuler and Blimling (1995) claim that the scope of the problem has been underestimated by the campus community. Cheating is the equivalent of urban crime. Gangs of students routinely steal, bootleg and sell answers to tests. Cheating has become a part of a collegiate culture that strikes at the core values of academic life. Students know the rules but make strategic decisions in a highly competitive academic game. There are substantial research conducted on cheating in different countries, in different stages of the educational system, in different subjects, on the importance of context, culture, technology and legal considerations to mention a few. The majority of the articles found by us however, do not report studies, instead like Kolich or Alschuler and Blimling they engage in discussions about cheating with suggestions about what should be considered to be cheating, what the nature of the problem should be considered to be, how to prevent cheating and how to deter students from cheating.

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Looking at references in most articles one gets the impression that earlier research on cheating has primarily been concerned with two issues. One has been to investigate (a) the extent to which students cheat and in what ways. Conclusions vary between suggesting that cheating has always been a part of student behaviour and that the increase that can be measured is small (McCabe & Klebe Trevino, 1996), to the opposite, that cheating is epidemic or almost epidemic (Haines, Diekhoff, Lebeff, & Clark, 1986). In the latter case there seems to be much agreement on the ways in which students report that they cheat. There is also an agreement on that the methods seem to be consistent but the tools are changing. The second issue has been (b) student attitudes towards and reasons for cheating, attempting to explain why students cheat. The conclusions suggest that students may hold beliefs such as "everybody cheats" (Baird, 1980) or "you never get caught" (Haines, et al., 1986), or that they need personal and social approval (Eve & Bromley, 1981) which is suggested to influence their behaviour. In research of the type described above, what cheating is, is not a problem and anyone that confesses to have engaged in the activities suggested in the surveys can be called a cheater.

Gradually researchers have begun to question the belief that cheating is one unitary concept, made sense of in the same way by different students or for that matter by students and teachers. Though a substantial part of students will admit to engaging in many of the acts classified as cheating by researchers, the motives for and seriousness attached to engaging in different acts vary among the students (Björklund & Wenestam, 1999; Franklyn-Stokes & Newstead, 1995; Newstead, Franklyn-Stokes, & Armstead, 1996).

Discussing studies that use attitude scales, Ashworth and Bannister (1997) claim that what

curbs the usefulness of studies of this nature is the presupposition that the meaning of cheating is relatively unequivocal, and comparable for the researchers and their subjects (teachers and students) who are all assumed to know what cheating "looks like". This assumption of consensus does not deal with the question of precisely how cheating is conceived and understood within the student world, and sets aside the possibility that it is a far more involved and complex issue than imagined. The setting up of meaningful attitude scales is seriously hampered currently by what is not known about the student perspective and experience – the specific behaviours which are classed as cheating; the hierarchies and typologies into which they are organised; the processes of moral evaluation involved when someone is discovered cheating; the significance of cheating for the way an individual is viewed by others; and the degree to which the particular context in which cheating occurs influences how that practice is understood and judged (e.g. the circumstances which mitigate certain prohibited behaviours).

Later Ashworth (1999) argued that it is important to bracket our understanding of cheating and not let our prior understanding determine what we think cheating may be for students. The concern of Ashworth and his colleagues is what type of phenomena cheating is to students and they argue a phenomenological approach to research on cheating. The conclusion drawn both in Ashworth and Bannister's study quoted above and a study on plagiarism by Ashworth, McDonald and Freewood (2003) is that we cannot assume that students have the same way of looking at what cheating and plagiarism is as their teachers. What is constructed as unethical collusion by representatives of the educational institution may very well be constructed as an ethical effort to support a fellow student in the life world of a student. What is constructed as plagiarism may very well be constructed as small steps on the way towards learning how to deal with different sources.

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Cheating, Plagiarism and Context

Ashworth, McDonald and Freewoods (2003) do not specifically question whether there is such a thing as academic dishonesty, cheating or for that matter plagiarism and whether this is a problem or not. The critique concerns the reification of these concepts. Earlier studies do not treat cheating as something that in itself is a construct perceived differently in different times and cultural settings. Thus the construction of the cheating student to a large extent is treated as unproblematic by those that measure the extent to which students cheat. Questions need to be put differently. Plagiarism, for instance,

is a notion specific to a particular culture and epoch, and is also understood in a variety of ways by individuals, particular attention must be paid to the putting of the phenomenological question, What is plagiarism in its appearing? (p. 257)

The authors orient to questions such as what kind of self the students construct, what discourses they find relevant, what their general orientations are to notions of plagiarism, how the situation affects relations to others and how it affects their ability to carry out the activities they are committed to. This way of framing the question would as we see it open other ways of looking at copy-and-paste plagiarism, mouse-click plagiarism, term-paper data bases and report generation to mention a few technical solutions that we (Nilsson, Eklöf, & Ottosson, 2004, 2005a) have covered in earlier papers.

The question of what cheating is has also been posed as an historical and cultural question. This historical and cultural sensitivity to concepts has been particularly important in discourse on authorship and plagiarism and could help inform research. Randall (2001) argues that modern technology and easily accessible sources may make it difficult for people to distinguish between their own thoughts and those of others. All texts are intertextual and involve some kind of repetition of earlier texts. This is exemplified through her quote of Hubert Aquin's claim that "the originality of a piece of work is directly proportional to the ignorance of its readers" (Randall, 2001, p. 235). If we had access to all texts the idea that something can be original would dissolve. Plagiarism should therefore not be seen as an element that belongs to the text. It should be seen as a pragmatic concept constructed in institutional discourse and therefore best studied in institutional practices. What is made sense of as plagiarisms in different historical and institutional contexts appear to be complex and dependent on history and context. Thus looking at plagiarism from a legal perspective Randall makes a distinction between plagiarism and infringement. While plagiarism is a crime against the author, infringement is a crime against the owner. Protection against infringement becomes an issue through the commodification of writing and the result can be seen in copyright laws that appear in the eighteenth century.

Looking at plagiarism from a pedagogical perspective Randall claims that the Greek concept Mimesis introduces a distinction between imitation in order to support learning and plagiarising in order to profit. Descriptions that point to the complexity of cheating and plagiarism can be found in many historical and contextual settings and are important categories used to position students. By comparison it would have been very different to position somebody as a plagiarist in Seventeenth Century University compared with today's universities. While the Greek students in Randall's example were expected to imitate to learn, the student in a seventeenth century university was supposed to pick a thesis to argue and defend and today's students are expected to defend their original research, not research carried out by others. Posing the problem this way differs from the way it is usually framed, that is, as a matter of universal ethical principles. Carpi (2003) seeks the roots of plagiarism in the Greek concept plagium, meaning fraud or wilful malice. Others like Moore Howard

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(1995) seeks the roots in the Latin word *plagiarius*, meaning kidnapper and suggests that it indicates the kidnapping of words as well as people. Thus the Roman poet *Martialis* is supposed to have protested against another poet's kidnapping of his words when that poet has read his poems in public as if they were his own. *Martialis* however is supposed to have made the distinction suggested by *Randall* between imitation and commercial gain. What *Martialis* said was that the other poet was free to read his poems but were he to pass them off as his own he had to buy them. Descriptions that point to the complexity of cheating and plagiarism and their dependence on history and context can be found in the works of many authors (e.g., *Constable*, 1983; *Foucault*, 1994; *Liedman*, 1999; *Rose*, 1993). This sensitivity to history and context is important to *Randall* as she looks at authorship and ownership today and she claims that it is highly unlikely that post-modern theory, new appropriation practices and technology may bring about post-ownership. As for post-authorship it may already be here.

The cheating student through this also becomes a construct produced in historically and culturally situated discourses. Such a dynamic and contextually sensitive view on plagiarism is presented by *Hunt* in articles that can be found both as drafts on the web not to be quoted, as papers and as published articles. *Hunt* (2003) claims that the “language we use in talking about this issue (in my experience 90% of the time), assumes that cheating is plagiarism: that plagiarism and cheating are crimes and should be punished in part for the deterrent effect” (p. 11). Most of the time concepts like cheating are conflated and placed into this frame (*Hunt*, 2003). While cheating implies a dishonest act, plagiarism in itself does not necessarily imply dishonesty. *Hunt* sees considerable problems in the way academia treats plagiarism and the assumption of originality that it is based on. This “bizarre modern (and, it's arguably, narrowly Western) emphasis on ‘originality’ in utterances runs counter to most language practice” (p. 13), he argues. He distinguishes between cheating, plagiarism and, building on *Bakhtin*, normal derivative discourse. Taking up your cell phone and getting the answer to an exam question from someone else is just plain cheating and so is the form of plagiarism exemplified by buying term papers. Unacknowledged sources and inadvertent copying he calls plagiarism. Most lectures he places as a form of plagiarism that can be considered normal derivative discourse. Rather than positioning students that plagiarise as cheaters *Hunt* argues that the “challenges of easier and more convenient plagiarism is to be welcomed”.

While several authors seem open to a historical and contextual understanding of plagiarism less is said about cheating. In earlier articles (*Nilsson, Eklöf, & Ottosson*, 2004, 2005a) we argued that cheating too must be understood in its context. The understanding of collusion presented in academic home exams may be different than the understanding in a commercial project. The understanding of copy- and paste will be different in preparing an academic report than in the preparation and editing of an editorial for a news paper. Cheating is sensitive to historical and situational context. Trying to take a look at your partner's hand in *Bridge* would certainly position you as a cheater, but trying to get ahead in computer games by using “cheats” will not necessarily position you that way.

History and context thus seem to play important roles for how concepts like academic dishonesty, cheating and plagiarism are constructed. Discourse analysis brings another approach to these issues taking the construction processes per se as a topic of research. *Randall* (2001) argues that

it is the principles of discourse analysis arising from the field of literary pragmatics that allow us to examine the presuppositions embedded in discourses situated in terms of their historical, cultural and aesthetic determinants. These discourses reveal the contextual conditions and foundations of plagiarism for various historical periods. (p. 10)

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Positioning and the Construction of a Cheating Student

Randall's method is to apply a transhistorical understanding to uncover governing judgements in the judgements of plagiarism. Our interest however is the identity of the cheater and plagiarist and how s/he positions her/himself and our transhistorical question concern how these positions are mediated by technology. We want to study the discourse on cheating as it appears when institutions file complaints about "cheating". Specifically we are interested in students' identity construction and what positions they find available to them. As we noted earlier cheating can be seen through several perspectives. Students that bring crib notes, collude, plagiarise and fabricate may be seen as aspiring professionals undermining academic standards and integrity. They can also be seen as learners trying to master specific cultures of learning. In disciplinary errands there is a close tie between the examination and labelling students as cheaters. Foucault (1991) argues that the examination in itself is a disciplinary institution serving purposes of qualification, classification and punishment. Following this line of argument we suggest that in disciplinary hearings actors produce storyline that allow them to distinguish between the honest and the cheating student.

Positioning theory provides a framework in the study of positioning of people in disciplinary hearings including the cheating students. From an interactionist perspective the cheating student becomes a deviant through the infraction of the rules for examination, rules that are written into the Higher Education Ordinance in Sweden, guiding the actions of disciplinary committees, and are embodied in research that position 50, 60 or a higher percent of the students as cheaters. Goffman (1990) uses the concept stigma to characterize how we categorize those who deviate negatively from a norm. Such a person is thus "reduced in our minds from a whole and usual person to a tainted, discounted one" (p. 12). Positioning a student as a cheater is likely to present such a stigma. Students may be suspected every time they hand in an exam. In role theory, labelling theory and deviance theory it is the stability of these positions and the brand they put into individuals that attract attention. Positioning theory takes an alternative route in its interest in malignant positions (Sabat & Harré, 1999, 2003). Such positions are often forced on a person. Harré and Moghaddam (2003) argue that since "acts of positioning create an ephemeral moral order in which a person's rights and duties can be enhanced but also in which they can be reduced, the question arises of whether this reduction is destructive of a person's basic capacities, and is thereby immoral" (p. 7). Positioning theory makes a distinction between a stable self1, our core identity, and self2, or our personas, that are dynamic identities on display in different activities. These identities are made available in storylines through our actions and are therefore dynamic and the distinction as we see it provides a productive way of looking at the production of identity in disciplinary hearings.

Since a malignant position reduces a persons rights the rights and duties for a person to reposition oneself deserves attention. As we see it studying disciplinary hearings thus suggests taking an interest in what positions are made available in these hearings. In a disciplinary hearing a student may look at the evidence and accept being positioned as a cheater, plead guilty to any charges and let the committee decide on a sentence. Alternately the student may look at the accusations for cheating, find them unfair and feel forced to attempt to reposition her/himself. In this case we are interested in how these rights and duties/obligations are interactively drawn on. What happens once the student is positioned as a suspect by the institution and that student is subject to deliberations about punishment such as warnings or suspension, disciplinary measures that are likely to impede on the student's results?

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Using positioning theory to study texts requires that they are studied for their practical and interactional role in discourse. Harré and van Langenhove (1999) assert that discursive processes “are made possible because people have certain skills and because rules allow for accounting for the joint actions” (p. 4). How are such storylines unfolding? What acts are being performed? What positions do people take up deliberately and what positions are they forced into. How do students accused of plagiarising another student's text account for likenesses to that student's text and what positions do they seek through their accounts.

Positioning theory suggests that the right to take up positions varies and that the knowledge of the rules of positioning and skills to apply these rules in discourse plays an important role in the distribution of positions. It may be hard to hear the act of a student who defends her/himself from allegations of plagiarism as an act of an expert witness on plagiarism with rights to determine whether a text was original or not. Positions such as that of being accused of cheating put constraints on what that student can meaningfully do. Positioning theory defines rights as demands placed by a person on other people while obligations are defined as demands put by other people on a person. Positioning theory takes an interest in the clusters of rights and duties/obligations that it considers make up positions. These rights and duties/obligations are both constitutive of the position and of the acts the positioned person is enabled to perform.

What are the rights that academic institutions have available to draw on when they want to position students as cheaters? How do they justify their claims? What are the obligations for these institutions if anybody should challenge such a malignant positioning? Conversely, what are the rights students can draw on should anybody try to position them as cheaters? What are the obligations for students who try to reposition themselves?

Our Data

The data we have used as background to our discussion are the annual reports on disciplinary actions compiled, categorized and commented by the National Agency for Higher Education. Disciplinary actions at Swedish universities are regulated through The Higher Education Ordinance (SFS 1993:100, Ch. 10). This ordinance stipulates that each university has to have a disciplinary board (§3) dealing with disciplinary issues such as accusations of cheating (§1). What is commonly labelled as cheating is in this ordinance defined as “by prohibited aids or other means attempt to deceive during examinations or when academic work is otherwise assessed” (§1.1). The disciplinary board or the principle of the university has the obligation to make decisions about warnings and suspensions, the two possible consequences of cheating or other misbehaving. Suspensions include being prohibited to take part in instruction, tests or other activities within a program or be prohibited to visit certain premises (§2). Suspension may not exceed a period of six months and shall normally take effect immediately after the decision. The students also have the right to appeal to the different levels of administrative courts all the way up to the Supreme Administrative Court (Regeringsrätten).

The National Agency for Higher Education is the authority that has the responsibility to supervise Swedish universities. The last four years the National Agency of Higher Education has produced compilations covering the decisions on disciplinary matter made by the disciplinary boards of Swedish Universities (Högskoleverket, 2002, 2003, 2004, 2005).

The preface to the latest report (Högskoleverket, 2005) mentions an interesting difference to previous reports. These contain all reported cases, but the report from 2005 only contains

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statistics and reflections. The argument presented is that the amount of errands has grown in such a way that a total compilation should be unwieldy. This means that the minutes of reported cases for 2004 are missing in the report. These minutes we have received as separate files from The National Agency of Higher Education. If you make a comparison between the amount of cases where disciplinary actions have been taken the last four years the increase of the amount of suspensions and warnings is over 250 %.

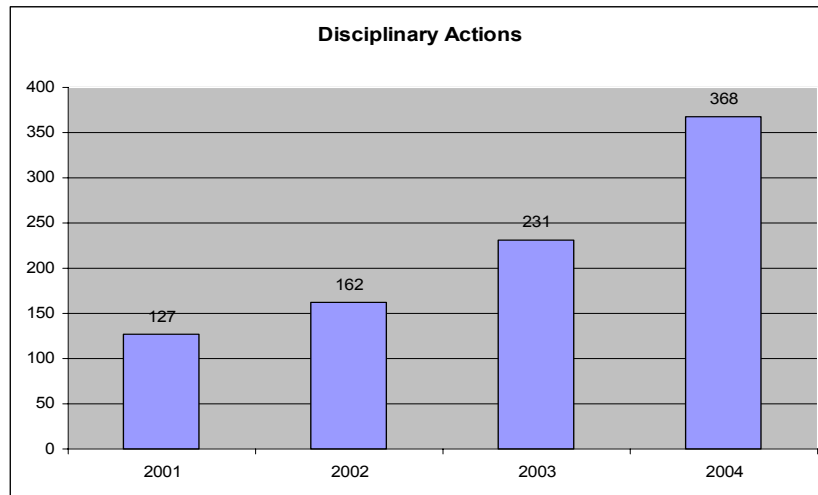


Figure 1: Amount of disciplinary actions taken during 2001 - 2004

A number of cases concern other kind of disturbance as sexual harassment, violent behaviour, running naked in the examination room etc. These cases are beyond the scope of our study but it can be noted that this kind of cases have not increased. It is obvious that it is the disciplinary actions that involve attempted deception that have increased.

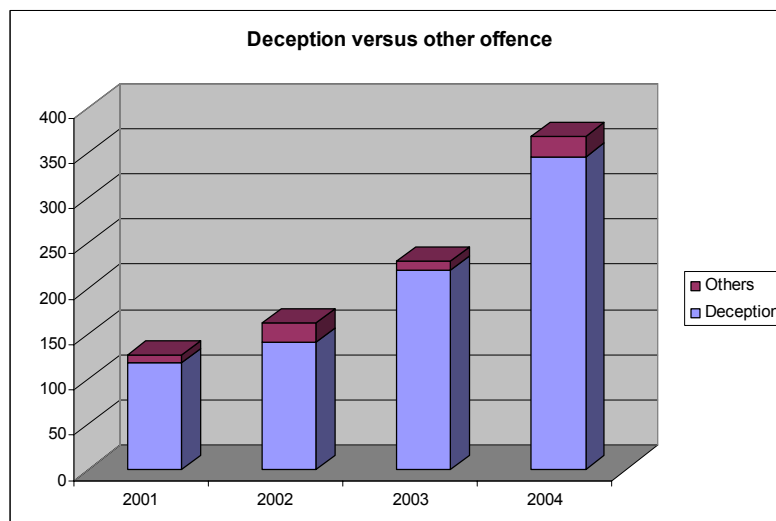


Figure 2: Deception as part of disciplinary actions

The National Agency for Higher Education uses a categorization where they distinguish between four different kinds of deception. The first group concerns the use of crib notes and other non solicited aids where an increase of about 180% can be seen between 2001 and 2004. The second category concerns different kinds of illegitimate cooperation. The amount of cases has doubled during the period. The last category concerns students who have been changing their test scores or forged the teachers' signatures. This is a small category and we can see a

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decrease during the period. The third category concerning fabrication and plagiarism is the one we have been concentrating on in our analysis. This is the category that has grown most during the period. In the 2001 report (events from 2000) crib notes, cooperation and fabrication/plagiarism is fairly similar in size. In the 2005 report (events from 2004) the fabrication/plagiarism has increased with over 550% compared to the 2001 report.

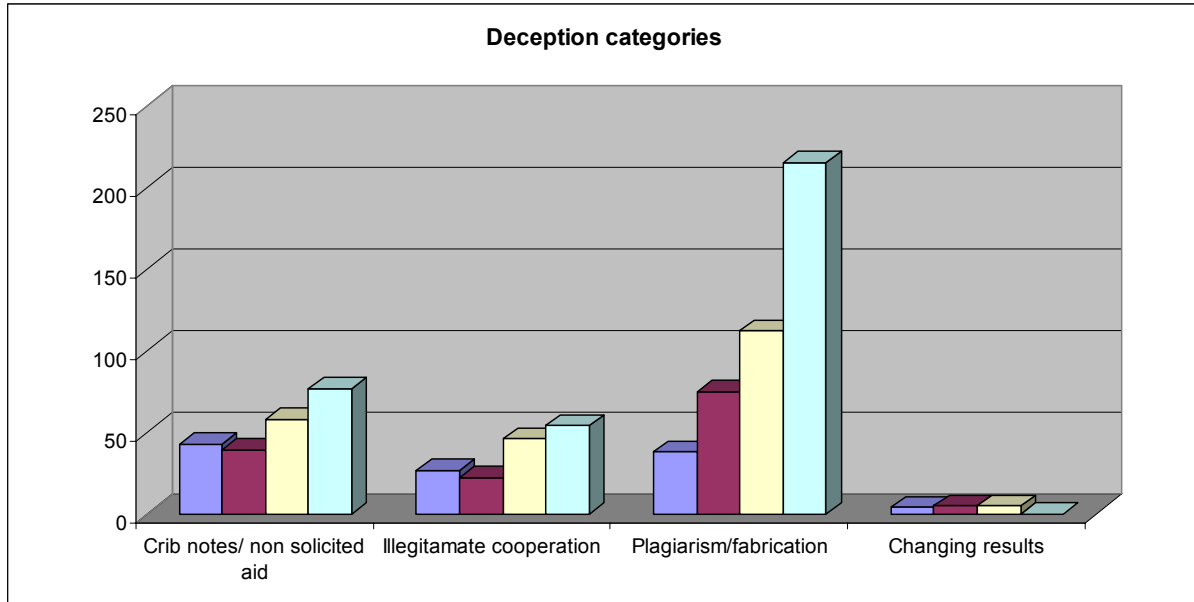


Table 3: Deception categories in The national agency's reports 2001 - 2004

The reports from the National Agency of Higher Education except for the report from 2005 consist of a compilation and the minutes from all disciplinary hearings. Material used in an analysis based on positioning theory usually consists of talk between one or several people. There are however examples of analysis of data consisting of dialogues and narratives from novels, newspaper reports and similar. Preferably we would have used recordings from disciplinary meetings. That kind of data has unfortunately not been available to us. Instead we use minutes from hearings. These summarize the hearings in a manner that follows the sequential order of the hearing but not necessarily the sequential order of documents that it is built on. 49 cases have been analysed and 4 are used in this article to illustrate how students position themselves. Some minutes are short and give little information but a substantial part report on the hearings in a manner where a representative from a department positions the students. The students react to the positioning made by Departments, teachers and other people involved in preliminary investigations. The disciplinary committee finally decides on how the student should be positioned. Through these minutes we can understand how positions are made available for students in disciplinary meetings and what clusters of rights and obligations make up these positions. We now turn to our cases.

Case 1: Stolen Original

Student Z together with another student K are positioned as having tried to mislead in connection with a solution to lab 4, in the course Real Time Programming at the Department of Technology. They are sentenced to six weeks suspension. The minutes hold a description from the department of the context of the exam and the actions of the students, a report from an expert witness, the statement from the student Z and the deliberations from the disciplinary committee. The first storyline concerns the description of the exam and the conditions that the students have faced. The students have been given the assignment to build a program. They

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have received a specification and a draft to start from. According to the preliminary investigation the assignment has been constructed in such a way that there is a large latitude for variation in the source code. About a hundred reports have been submitted. An almost identical copy of the solutions entered by another group has been found on Z's account. The likeness between these files is presented as a likeness character by character rather than a likeness in ideas. Technical evidence supports the claim that Z and K (and only Z and K) have had access to the account where the file has been found. Date stamps from the files establish a sequentiality to show that the files from the other group are the originals and the files in Z's account are copies. The use of date stamps are questioned by an expert witness but the technical evidence is accepted by the disciplinary committee that argues that they prove likeness, access and sequentiality. The students are positioned as misleading during an examination. They are repositioned from what we can call suspects to cheaters. Disciplinary hearings about Z and K are held separately. The voice of Z is heard in the minutes we are analysing. S/he states that

the likeness between the work of both groups can be explained by the fact that the students have worked together in other courses and think in a similar way.

Z does not dispute the likeness of the works submitted by her/his group and the other group. As a first move Z appears to be "doing particularisation" and turns likeness into a normal effect of working together. Likeness may be a sign of plagiarism but students sharing the same learning environment and being subject to the same literature, discussions and labs are bound to think alike and likely to produce the same code. Through this storyline Z makes available the position as a learner. A learner, Z suggests, has the right to solve problems the same way other students in their course do without being suspected of cheating.

A different account of what may have caused files similar (identical) to the other group to appear in Z's account on the server is presented in the following storyline where we suggest Z is "doing being victimised":

How the files have ended up in Z's account is unexplainable. But there might be an error in the FTP-client. K has made the material at home and has copied it on the University system. Furthermore Z has had troubles with the account. It is also possible that somebody else may have entered the computer during break. Z sometimes leaves the computer unlocked and somebody must have entered the computer and copied the material. ... Z does not have any reason to cheat. It has been very trying for Z both psychologically and physically.

The allegation that there are files that are almost identical to the solutions handed in by the other group in Z's account is treated as an almost natural phenomenon in computer work. Here Z tries to reposition her/himself as a victim. Z attributes this to errors in the FTP-client and a malfunctioning account. We suggest that this has the effect of evoking common knowledge about computers as unreliable. It is easy to become a victim of malfunctioning computers. The second act is "doing blaming". Z states that the computer is left unattended during breaks and that somebody might have used his/her. This is hearable as an attempt to draw on a contextual understanding of how computer labs are designed, how students work on the computers and what kind of security one can expect in a world of pranksters, cheaters and hackers. Z is suggesting that s/he is a victim of these practices because they make the accounts unsafe.

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This storyline reveals how the accused looks at the rights of several positions and her/his efforts to draw on them. As an accused s/he has a basic right to be heard. This right is used in attempts to be repositioned. Z's obligation is to show that the requirements for other suggested positions are met. Z meets these obligations in attempts to repositioning her/himself as a modern learner. As such s/he suggest s/he has the right to become heavily influenced by context, course design and others that s/he works with without being called a cheater. Z also meets the obligations in attempts to be repositioned as a victim. As a victim s/he has the right to be in position of other people's files through circumstances outside of her/his control. To reposition her/himself as a learner or victim Z provides arguments that modern learning practices and technical problems have caused the likeness or the access. A basic right suggested for the cheater is that the accusers prove intent. A person without intent should not be positioned as a cheater.

Case 2: Making Mistakes

V is a student who is positioned as accused of plagiarism. She has been using illicit aids in connection with an examination assignment in a course on web design. The preliminary investigation state that the assignment the students had to carry out was to produce a web site using HTML, Java script, Pearl and Photoshop. The investigation conducted by the head of the department quoted in the minutes reveal that V is accused of copying the code produced by another author as her own code making only minor adjustments. The likeness is treated as a likeness character by character rather than intertextual likeness through ideas. An included report from a teacher at the course states that the student sent the assignment to the examiner via e-mail. The student also sent a mail to get a confirmation from the department that the assignment had arrived. The narrative is detailed and includes details about the origin of the code and its author, the line of search and the existence of the code in text books. It is elaborate in its construction and provides information about why there were no communications about this assignment. Several positions are made available through the storyline. The examiner positions himself as competent through his knowledge of codes and sources of codes and the way he immediately realizes that the code is a copy and that "V in all probability could not have written it". How does V go about trying to position herself? V states that

she has tried to solve the assignment that she has been handed. She has read several books about Perl, html and JavaScript and tried to understand how you make a guest book. Her examiner has not explained to her that she could not solve it this way. She is not surprised that something was wrong in her assignment.

V positions herself differently. Her storyline is about how to try to solve an assignment with little help from her tutor. Her claim to have read several books on HTML, Java and Pearl trying to understand how to make a guestbook serves to position herself as an independent and hardworking student. The allegations that she has copied is treated as an act of learning. She does not enter into a discussion about copies and originals. Instead she says her examiner did not explain that the problem could not be solved this way. What might this way mean? She has copied source code from books and the net. Downloading scripts from the net or copying from books is a common practice for those who learn programming. It is a practice used by the authors of this paper to learn web coding. It represents an understanding of books and the Internet as resources for learning. In many cases the code is free and making minor arrangements makes it possible for people to learn how different parts of the code works. Coding becomes a form of experiential learning. She also positions her examiner. He has not explained to her that she could not do the assignment the way she did. Consequently she is not surprised that there are faults in her solution. She is neither a cheater nor an incompetent since

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she has solved the problem as she understood it. She was not informed about how the problem had to be solved so she is the victim of incompetence or sloppiness from the part of the examiner.

V firmly resists any positioning as a cheater that plagiarizes or uses illicit aids:

She is of the opinion that she has the right to make mistakes and be corrected. That is the reason she goes to school. If she has done something wrong it has not been by intention.

V shows surprise at the reaction from the university. Her opinion is that she has right to make mistakes and receive corrections. That is what school is all about. That is why she goes to school. V particularizes the examination as an event that is not about grading or normalization but about learning. There seems to be a conflict between the examiner's view of an examination and the student's as a learning event that may be rooted in different cultures. P positions himself as an examiner. When the assignment is delivered to him it is finished and ready for different acts such as grading or in this case reporting for disciplinary action. V's understanding may be revealed by her reference to going to school and her actions when she submitted the assignment. Written assignments at school are often written in a process where the teacher decides when it is good enough or finished. Such an understanding may explain a note attached to the diskette with the assignment saying "Thankful for a reply to V@hotmail.com" followed by a phone call a couple of days later when V checks that everything has been received and is okay. She is however met by a message that her examiner is on summer holidays.

V draws on her basic right as a suspect to be heard and we can discern some positions she finds available to her. She is firm in her belief that she should not have been accused at all. To reposition her, V enters a storyline holding the possibility to position herself as a learner. As a suspect she has the obligation to show that this is her position. She meets this obligation by providing arguments that define the learner position. She claims that a learner has the right to make mistakes, to get help, to be informed of mistakes and to treat learning as a project that ends when the examiner and the student agree on it. Her attempts to reposition herself also include the victim. She challenges the examiner's position as a competent expert. Instead she positions herself as a victim of sloppy tutoring and insufficient information. It is the accuser's obligation to provide evidence that a learner is something else in the context of her course than she thought it would be. If she has not been informed to the contrary she should have the right to reposition herself.

Case 3: The Ongoing Project

P is a student who is suspected for cheating on a partial examination. The preliminary investigation states that P has cheated through copying parts of a text from another author without recognizing that it was a direct quote. This is all information from the preliminary investigation included in the minutes. In this case the student was sentenced to a two months suspension from the fall term. The disciplinary board hearing was held in May (spring term). Normally the punishment takes effect directly after the hearing. What positions do P act as if they are available to him? In his statement he says that

he is going on a study trip but now it has been rejected. The text in question he neglected and it did not have relevance for the course. He would not have approved it himself.

The first part of his statement is hearable as an act of complaining where the student reacts to the fact that his study trip was rejected and now he can not go. Initially he positions himself

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as a victim. He makes two claims that may be tied to two different positions. He did not put a lot of work into the assignment because it was an irrelevant assignment. This is hearable as a complaint about being punished but also as a justification for his action to neglect the assignment. The neglect can be tied to another position, that of a professional. P knows what is relevant. He also knows what an acceptable standard for a paper of this kind is. He places himself in the position of the examiner and says that he would not have approved it in that position.

He has taken a PDF-file and copied in the text to work on it later. He was aware of the rules for writing essays: he has been to a course on methodology. Now however, it was a question of a "draft" and he thought that it was material that could be used later to work on. He has recently submitted his bachelor essay.

He continues positioning himself as an expert. He is aware of the rules of the game. The student's claim that the text he delivered was to be seen as a draft is hearable as a proof of his expertise. So is his displayed knowledge of how PDF-files can be downloaded and worked on to lift parts, paraphrase and summarize. So is his displayed knowledge about the project of scientific writing. Working on bachelor essays ideas and sketches are sent to the tutor now and again. He had taken a text that he intended to work on and saw it as a part of the writing process. His use of his delivered paper also serves a double purpose. A delivered bachelor paper is a sign of expertise and a sign that he does honest work.

P draws on his right as a suspect to seek other positions available in the particular situation. P does not dispute the likeness of his text to other texts. He starts a storyline that is an act of defining. As a suspect he has the right to describe the situation differently than how it has been described by the accuser. P challenges the description in the preliminary investigation that it is wrong to quote without recognition. He particularises the exam as a check point in an ongoing process rather than as a final stop. In such a process a learner has the right to leave half worked texts that contain copies without recognition. He positions himself as an expert with the right to determine how texts may be used in different stages of writing. To have that position accepted by the disciplinary committee he has the obligation to show he is qualified to give an expert testimony.

Case 4: Confessing Carelessness

H is positioned as suspected to have been trying to mislead at a home exam. The suspicions concern having plagiarised substantial parts of the assignment from two reports on the Internet and presented it as his own work. He is sentenced to six weeks suspension. The preliminary investigation shows that the students are given a menu of assignments to choose from. They have to choose two for the home exam. The teacher responsible for the course chooses one more assignment for the student to complete. The teacher got suspicions when he read the H assignment and placed a number of phrases on the Internet. As it turned out the phrases came from two reports that could be found on the Internet. The teacher emphasises that there has to be a large amount of trust in examinations through home exams. The instructions given to the students clearly stated that correct references were to be given should the students decide to use other material than the literature for the course. The investigation positions H as a plagiarist and as trying to mislead. What are the positions that H try to make available to him? H states that he

for some time had lead a turbulent life, but that things had settled down. The term however, had been very stressing for him as he tried to make up in his studies for what he had lost and to some extent succeeded. It was when he late one night was burning the

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midnight oil working on his home assignment that he must have confused what he had written with what he used as background material for the assignment. He was unaware of that so much of the original reports came to be cited word by word in his report.

H draws on his right as a suspect to present mitigating circumstances. He invokes social turbulence to position himself as a victim. It is hard to be a student and even harder to be one if you fall behind in your studies. This turbulence however has not led him to plagiarise. Victim of earlier problems he has been trying to get back on his feet and has studied hard to make up for lost time. It is not the intention to cheat or mislead that has caused him to incorporate so much of the reports he has used as background material. He invokes common knowledge from the academic community. Anyone must be familiar with how it is to work under stress, late at night, with large texts trying to make a coherent text that is your own. He is three times maybe four a victim: of his life, of falling behind and of having too much to do. Maybe he is also a victim of new techniques for working with texts that all too easily can make somebody confuse others' texts with your own.

Now later he understands that he has been careless and acted irresponsibly when he used the quotes and that he should have inserted quotation marks according to existing rules and templates.

H now turns. He has not been trying to cheat but he has been careless. He positions himself as somebody who has not been a responsible student but who now understands how important it is to follow academic rules for handling other texts.

H draws on his right as a suspect to present mitigating circumstances. Mitigating circumstances, if not removes intent, at least makes it a less dominating factor. It holds a small promise of repositioning. To be positioned as a victim H however has an obligation to present the mitigating circumstances in such a way that they help him in finding a new position. The vague allusion to turbulent life leaves the listener in the dark as to whether he himself has been the cause of this turbulent life or it is the effect of causes external to him. It is possible to be a victim and still a cheater. It is important that we understand that he is not alone in creating his later problems. Stress and heavy work loads is a part of terms caused by the increasing pressure in academy. Academy is positioned as demanding. These demands make it hard to check and double check. H now tries to play two sides of the game. If he can not convince the disciplinary committee that he has acted without intention to cheat he can admit to the deed but blame it on being irresponsible. He can claim that now he understands how he has faulted. This is hearable as an act of collusion. H acts together with the investigators to define how he has wronged, seeks forgiveness and hopes for forgiveness in the position as a repentant learner.

Dynamics of Positions in Disciplinary Hearings

Media as well as research tend to position students as cheaters. They report that students admit to cheating or at least to performing actions that are classified as cheating (Baird, 1980; Davis, Grover, Becker, & McGregor, 1992; Sheard, Dick, & Markham, 2002). To a varying degree depending on the type of action they also tend to take cheating lightly (Björklund & Wenestam, 1999; Franklyn-Stokes & Newstead, 1995; Newstead et al., 1996). In many cases this is taken to be a sign of moral crises (McCabe et al., 1999, 2001). There are several ways to frame identities that can contribute to an understanding of the construction of the cheating student. Given the many students who leave disciplinary hearings with a warning or suspension and the judgement that they have tried to mislead in the context of examination it

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seems reasonable to say that they are being stigmatized. The world will know they are cheaters. The sociology of deviance (Becker, 1963; Lemert, 1972) presents an interactionist version of this way of branding people. People interact with their environment to manage identities. One way an individual may come to internalise a deviant identity is through labelling in an appropriate setting such as a disciplinary hearing.

The increase in cheating as measured by the Swedish National Agency of Higher Education is to a large extent based on cases where students have plagiarised or collaborated. The understanding of plagiarism according to Rose (1993) is to a large extent built on the notion of the author and his work, a unique creative individual and her/his singular achievement. This is an understanding also nourished by educational institutions where “students are typically taught from the canon of major works by major authors” (p. 1). This however, according to Randall (Randall, 2001), is an understanding of plagiarism that is situated in a particular time. Rose (1993), instead drawing on Barthes and Foucault, argues that the author is a recent construction. The understanding of the modern student at least as it is expressed in discourse on cheating positions the modern student both as a creative author and as an individual whose work to speak with Merton (1965) rests on the shoulder of giants. The majority of sites on plagiarism stress this double nature and the importance to recognise the debt owed to other researchers. This is what students deliberately ignore according to much research.

Disciplinary hearings are in their efforts to position students not all that different to trials. Some positions often analysed as roles are defined through the moral order like judges, prosecutors and suspects. Like in most trials on copyright (Rose, 1993) the construction of the plagiarising student is tied to questions of likeness and access. This is also the line followed by the accusers who are former teachers, tutors and examiners but appear in these cases in other positions. It is also the line most often followed in the reasoning of the judging body, made up of the members of the disciplinary committee who are administrators, teachers and students but appear here in other positions. It is seldom the line followed by the students who appear here as suspects and most often leave as cheaters. Our four cases indicate that other positions can be sought and found by the students. These positions exist as possibilities that can be drawn on in the particular context. Far from just conceding to being a cheater students introduce storylines and engage in acts that make other positions available to them.

Positioning Oneself as a Victim

Groups such as the Centre of Academic Integrity position the academic community as a victim of such student practises as plagiarism. Cowen (2001) reverses this and claim that practices such as plagiarism cause students to be “cheated out of skills”. This places students as the victims of their own offence. The victim has a particular place in trials. They rarely exist as the suspects but it is entirely possible for them to try to take up that position. Harré and Slocum (2003) assert that claims to “have certain rights and the acceptance or undertaking of certain duties are basic self-positioning moves” (p. 125). A victim has certain rights but they have been violated. Ashworth, Freewood and MacDonald (2003) discuss this under students' rights to consume education. What can students demand from their institutions? In our cases we find the victims as suspects in disciplinary hearings. That the victim is a position that can be available is illustrated in all four cases. It appears to be available since all students present storylines supporting the position. H presents a storyline that can be seen as “doing blaming”. The file in Z's account has either been placed there by somebody who has used the account without permission or through technical errors in a client or a malfunctioning account. V presents a storyline that can be seen as “doing complaining”. The tutor has not given correct instructions. P can be seen to criticize the course for the

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construction of assignments. These three storylines all support versions of the events that use the influence of external factors to explain student actions. They are victims of negligence, incompetence or technical malfunction. If they are victims of a system that does not live up to their expectations as consumers, how can they then be cheaters? Surely, then there has not been any intent. H presents a different storyline. He “does mitigation”. What he has done he has done but because of personal social factors. His life has been turbulent. He has been under stress. H too is a victim, of his life and academic conditions.

Why the willingness to position oneself as a victim? Baudrillard finds the victim everywhere in modern society. The will to be a victim is a part of post modern culture. We are victims of consumer cultures, male dominance, unemployment, war. The position as a victim is clearly sought by the suspects and appears to be available to them. It holds the right to claim that somebody has wronged you or something has caused you harm. Positioning theory however makes a distinction between those actions that are logically possible and those that are socially possible in a context (Harré & Moghaddam, 2003). Harré and Slocum (2003) suggest that for “the most part the acknowledged possession of a right requires the acceptance by a person or an institution of a correlative duty” (p. 125). Students' storylines about personal stress, hard drive crashes and so on are of little help if they want to avoid the label cheater. It appears possible for suspects like Z, V and P to introduce storylines where they take up a position as a victim claiming that they have wronged but they have the obligation to show that they have been wrong in a way that counts as being wrong in this particular context. Biesta (2004) points to the problem of applying a consumer philosophy to education discussing e-learning. Education can leave no guarantee for delivery, it has to build on trust. To us it seems as if being a victim of poor instruction and unreliable systems in this particular context does not hold the right to be repositioned from a suspect or to avoid to be positioned as a cheater. The victims' first obligation is not to demonstrate that they have really suffered from these actions, but that it was their right not to suffer in this context.

The Right to be a Learner

That our way of learning changes over time as institutions develop and new artefacts appear is a common assumption in socio-cultural theories (Säljö, 2000). What it means to be a learner is often described in terms of being independent, responsible, problem oriented, critical and yet social. From the perspective of technology it also means being able to use information and communication technology to support learning. What technology means for students' conceptions of what is fair use of texts is not clear, according to Ashworth, Freewood and MacDonald (2003). This can be illustrated through interviews referenced in an article by Ashworth and Bannister (1997). One of their interviewees talks of a student who wrote an essay and copied most of it from books and referenced it. She said “then you start thinking, well where does plagiarism come into it? I know that's not plagiarism because you've referenced it, that's your loophole, but then is it her essay? Of course it's cheating.” It is easy to find sites that recommend that when in doubt students should choose to quote.

In our cases overzealous referencing is not the problem. Sampling, copying (Nilsson, 2002) and patchwork-writing (Benning, 1998; Moore Howard, 1995) is a problem. Being influenced by other writers and rearranging texts however is not constructed as cheating. In our cases students produce storylines that make the position as learner open to them. This can be seen in the case of Z who claims that s/he has appropriated a way of learning situated in collaboration that makes it likely that s/he will produce texts that are similar to other students'. Nilsson, Eklöf and Ottosson (2005b) and Barretta and Cox (2005) show that the limits for collaboration often are blurred for students. They collaborate to learn during the course and

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remain unsure about how much of what has been learned in discussions they can incorporate in their texts without being accused of plagiarism. V claims the right of a learner to make mistakes and have support in correcting them. Learning is supposed to be a continuously ongoing process and it is up to the student and the examiner together to decide when a goal has been reached. If a solution is not independent enough the examiner has to say so. P's storyline is slightly different. It suggests that he is engaged in process writing slowly working towards a goal. He knows that the text is unfinished and that text patches are left unreferenced, but this is partly how you write supported by the new technology and partly how scientific writing proceeds.

The problem of new forms of writing seems to be central to the issue of plagiarism. Holland (1993) points to the practices developed through hypertext. Additions are made and links are added, often without leaving traces or references to original authors. It leaves us with two forms of authors: those who write sentences and those who restructure material. Neither V nor P sees their writing as a violation of academic forms of writing. To both of them patchwork writing is an established way of working. We are also left with the issue of progression brought up by both V and P. V frames her work on the assignment as a progression in her learning. She provides a storyline that is an act of reflection on what learning is supposed to be. As in the previous section it is obvious that students seek out another position than the position as cheater. That the position as learner is available in disciplinary hearings should not present a surprise. It holds the right to claim that your acts are a part of an effort to learn. To successfully take up that position however, students have an obligation to prove that they learn in a manner that is academically kosher. This means knowing when to cite on a particular subject, when something is common knowledge, when a debt really is owed, how to quote in different styles to mention a few parts of the trade. To us it seems that being a believer in the right to make mistakes, the right to be influenced by the thought of your peers, the right to process write or the right to personalise your learning in this particular context does not hold the right to be repositioned from a suspect or avoid to be positioned as a cheater. Neither do storylines about the use of modern technology in writing. The learners' first obligation than is not to demonstrate that they have learnt but that it was their right to learn in such a way in this particular context.

The Right to be a Professional

One of the problematic assumptions behind cheating is the one that the students really know that the way they solve an assignment is an attempt to mislead those who will look at their assignments. Knorr-Cetina (1999) claim that the cultures of knowledge societies are epistemic cultures. In a given field they make up how we know what we know. The rules embodied in them create and warrant knowledge. The most important of these cultures is science. Knowledge of the rules that govern how knowledge is produced within any of these cultures is the hallmark of the professional academic. Epistemic cultures however appear differently in different historic contexts and different. MacDonald Ross (2004) points to the striking difference between analytical philosophy and almost all other disciplines in its almost deliberate avoidance of acknowledging sources. The professional should know what the rules are within her or his field of science. Issuing a warning to a student or suspending them is tantamount to claim that they should master these epistemic rules during their studies.

The students take a different approach to the availability of positions as learner and professional. Z and V make the position as expert available to them. They claim to know what it is like to go to school, to be a student, to use the software required and the infrastructure available to them. As experts they have the right to claim that they have extended knowledge

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about something and an obligation to display that relevant knowledge. The relevance of this knowledge for dropping the suspicion of cheating is what is disputed by the disciplinary committees or for the most part ignored. H positions himself as an expert on what it is to be a student. The expertise of Z, V and H is used to reposition them but can in this context only be used a mitigation circumstances. P follows another line of positioning. His claim is to be a professional with knowledge of the rules that make up the epistemic culture that has reported him. The storyline about being a bachelor and having passed a course on methodology serves to substantiate such a position. He is not only capable of citing and referencing correctly; he is also capable of assessing the quality of assignments and how they should be conducted. Claims to such knowledge is the basic right of a professional as is the knowledge how to show mastery.

That a student claims to be a professional may come as a surprise but given lifelong learning and double and triple exams it should not be all that surprising in today's academic life. The paradox that disciplinary committees assume such professional knowledge from the student when they decide that the student have been misleading but deny the student the recognition of that knowledge when they try to justify their actions strikes us as more surprising. It is obvious for us that some students, as in this case P, reach for a position as professional. In this context however, neither the storylines of exams nor storylines of attended courses will position students as professionals with rights equal to the professionals at the departments to assess what is within the limits of the rules in their epistemic culture.

The Repentant Offender

Subjection plays an important part in the formation of identity. Issuing warnings or suspensions are institutional methods of subjection. Subjection through institutional methods is not the only form. Foucault (1991) talks about self governing forms of subjection. In the disciplinary hearings the most common method and the one met in three of our cases involve different forms of re-framing the action that has been called misleading. This is done through seeking out positions where these actions can not be seen as misleading. In none of our four cases and very few of those we have analysed we find students that admit to have tried to mislead. Another option however, seem to be available. Like P, H admits to have copied and pasted and to have left out references. H colludes with the department and the committee in finding grounds for his sentence, maybe in hope for a milder treatment. He enters an act of confession. The confession is a self regulating device that Foucault suggests is equally important to institutional methods in the process of subjection. H does not pretend he was unaware of how his acts could be classified. He colludes to find another position as irresponsible and unaware of the severity of what he has done. As anyone who has done wrong he has the right to repent and seek forgiveness. H is sentenced to six weeks suspension which as a punishment is in the upper middle ranges. This suggests that in his case the repenting offender is not available to him. Is it ever available? In the cases used here it is not. The basic right of the repenting offender is to seek forgiveness through confession. We would suggest that the repenting offender in this case also have an obligation to show that what he repents is relevant. The position sought out by H is pursued with storylines about being careless confusing texts. That he has been irresponsible and careless hoping to get away with what he has done is not a viable excuse that can be used in the confession. What will it take? A confession of ignorance and understanding to late that he had done wrong.

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Identity and Technology

The title of this paper, "What's so original", is of course a play with words. We introduced this paper posing Rose's transhistorical questions about what kind of creatures we have become. How are students understood by the representatives of the institutions responsible for their development into academic professionals and how do they understand themselves? What are the rules of production they encounter in these epistemic cultures and what values and beliefs do they employ in their meetings with these cultures. Students go into disciplinary hearings as suspects and most of the time they leave them with a warning or a suspension labelled as cheaters. Cheating does not appear to be a unitary concept. Are there a new breed of students? While as many as 60-80% of our students may declare that they have committed acts that academia constructs as cheating, cheater is not an identity the students in our material subscribe to. The students seek out other positions they think are available to them within the context of the disciplinary hearing. We have discussed four positions: the victim, the learner, the professional and the repentant offender that are present in our four cases and many other cases we have analysed. These positions are situational identities related to special storylines about student work. No doubt other positions can be found and finding these positions should be an important enterprise for future research in an attempt to shed light on how today's students understand the rules of academic production.

There seem to be several frames that can be applied to the acts the disciplinary hearings call misleading and technology is one of them. So is there a new form of student influenced by technology? Technology does play an important part in the deliberations on what the students have done. It is not only that academia looks at practices like copy and paste, patch-writing and downloading foremost as means to cheat and remain indifferent to the many problems students encounter when they use technology. It is also that students see many of the possibilities that come with technology as valid solutions to their problems. The answer to the transhistorical question is that the rules of production in academia still appear to build on an understanding of authors, originals, plagiarism, paraphrasing, summarizing and referencing that will position many students as cheaters. In disciplinary hearings metaphors like copy and paste and downloading from the Internet stand for cheating. Students have another understanding largely coloured by their use of technology. They download texts to work on them but often confuse what is in the text, that is, the other author's original, and what is their text. This understanding of what has happened does not make them position themselves as cheaters. Were their fellow students in earlier decades more original in thoughts and writing?

Cheater appears to be a malignant position. Once suspicions arise students are at risk to lose the right to be victims of poor instruction, to be learners that learn through their mistakes, to be professionals that argue new forms of writing and to have professional opinions about what should be called common knowledge. The rapidly increasing number of warnings and suspensions suggest that these positions are unavailable to them. What is available to them is a position as cheater. This suggests that the rules and values the students deploy need to be studied rather than brushed aside in disciplinary hearings.

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