

**ACADEMIC PLAGIARISM AND SELF-PLAGIARISM
AS ELEMENTS OF VIOLATION OF ACADEMIC INTEGRITY**

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АКАДЕМІЧНИЙ ПЛАГІАТ ТА САМОПЛАГІАТ ЯК ЕЛЕМЕНТИ ПОРУШЕННЯ АКАДЕМІЧНОЇ ДОБРОЧЕСНОСТІ

У статті проведено дослідження порушень академічної доброчесності таких, як “академічний плагіат” та “самоплагіат” як її складові елементи. З’ясовано, що етимологічно поняття “академічна доброчесність” складається з двох слів “академічна” і “доброчесність”, що робить його етично-науковим поняттям, а такі види порушення академічної доброчесності, як академічний плагіат, самоплагіат, фабрикація, фальсифікація, обман, хабарництво відносять його до правової категорії. Поняття “академічна доброчесність” пов’язане з науковою порядністю, у тому числі навчальною, та має певну область дотику з правом інтелектуальної власності. Дотримання академічної доброчесності науковцями і освітянами стосується не лише моральних принципів та захисту інтересів інших осіб, а й пов’язане з честю і гідністю особи, яка дотримується принципів академічної доброчесності, сприяючи формуванню її ділової репутації у науковій та освітній діяльності.

Проведено співвідношення понять “плагіат” та “академічний плагіат”. Розуміння поняття “плагіат”, що зафіксоване в Законі України “Про авторське право і суміжні права” істотно вужче, ніж розуміння академічного плагіату в освітніх законах. Водночас сфера застосування поняття “плагіат” набагато ширша, ніж “академічний плагіат”. Академічний плагіат обмежується об’єктами, колом суб’єктів та сферою застосування. Виділено характерні ознаки законодавчої дефініції поняття “академічний плагіат”, які в сукупності утворюють юридичну конструкцію академічного плагіату. З’ясовано, що поняття “самоплагіат”, закріплене в Законі України “Про освіту”, має англomовне походження і вперше з’явилося в США як студентський жаргон. Жоден нормативний акт зарубіжних країн не містить поняття “самоплагіат”, а для вітчизняного законодавства воно є нововведеним і викликало чимало дискусій у науковому середовищі.

Обґрунтовано необхідність введення поняття “самоплагіат” до вітчизняного законодавства. Потреба в закріпленні поняття “самоплагіат” була викликана глибокою кризою академічної доброчесності в науковому та освітньому середовищі. Самоплагіат знижує довіру до наукових результатів, вводить в оману науковців, які використовують праці з самоплагіатом та сприяє необґрунтованому збільшенню результатів досліджень, що впливає на конкурентоздатність науковців в отриманні фінансової підтримки для досліджень, при працевлаштуванні тощо. Визначено, що збільшення інформації у попередніх наукових дослідженнях не завжди є самоплагіатом. Повторний аналіз раніше опублікованих даних може бути зумовлений технологічним прогресом, новими науковими розробками, появою нових наукових теорій та ін. При вдосконаленні своїх попередніх праць необхідно розмежовувати старі та нові дані, чітко визначати актуальність їх використання.

Ключові слова: академічна доброчесність; плагіат; академічний плагіат; самоплагіат; освітній процес; Україна.

ACADEMIC PLAGIARISM AND SELF-PLAGIARISM AS ELEMENTS OF VIOLATION OF ACADEMIC INTEGRITY

The article examines such violations of academic integrity as “academic plagiarism” and “self-plagiarism”. Since the concept of “academic integrity” etymologically consists of two words “academic” and “integrity”, it makes it an ethical and scientific concept, and such types of violations of academic integrity as academic plagiarism, self-plagiarism, fabrication, falsification, deception, bribery refer it to the legal category. The concept of the “academic integrity” is associated with the scientific integrity, including the teaching integrity, and correlates to some extent with the intellectual ownership. The observance of academic integrity by scholars and educators refers not only to the moral principles and protection of the interests of others, but also to the honor and dignity of a person who adheres to the principles of academic integrity and contributes to the formation of his/her business reputation in science and education.

The relationship between the concepts of “plagiarism” and “academic plagiarism” has been elucidated. The understanding of the concept of “plagiarism” contained in the Law of Ukraine “On Copyright and Related Rights” is significantly narrower than the understanding of the academic plagiarism in the laws on education. At the same time, the scope of the concept of “plagiarism” is much wider than the scope of the concept of “academic plagiarism”. Academic plagiarism is limited to objects, a range of subjects and the scope. The characteristic features of the legislative definition of the concept of “academic plagiarism” are highlighted, which together form the legal structure of the academic plagiarism. It has been found that the concept of “self-plagiarism”, reflected in the Law of Ukraine “On Education”, is of English origin and first appeared in the United States as student slang. No regulatory enactment of foreign countries contains the concept of “self-plagiarism”, it is newly introduced in the national legislation and has already caused a lot of discussion among scholars.

The necessity of introducing the concept of “self-plagiarism” into the national legislation is substantiated. The need to consolidate the concept of “self-plagiarism” was caused by a deep crisis of academic integrity in the scientific and educational environment. Self-plagiarism reduces the trust in scientific results, misleads scientists who use the work with self-plagiarism and contributes to an unjustified increase in research results, which affects the competitiveness of scientists in obtaining financial support for research, employment, etc. It has been determined that adding information to that in the previous scientific research is not always self-plagiarism. A re-evaluation of previously published data may be justified by technological advancements, new scientific developments, the emergence of new scientific theories, etc. When improving one’s previous work, it is necessary to distinguish between the old and the new data and clearly define the relevance of their use.

Key words: *academic integrity; plagiarism; academic plagiarism; self-plagiarism; educational process; Ukraine.*

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Introduction

The scientific and technological progress, the development of international relations and international cooperation leads to significant changes in the socio-economic, political and scientific spheres, introducing new concepts and terms in the Ukrainian language. At the same time, there is a problem of their uniform interpretation, as well as the appropriateness of the use of these concepts and terms.

The relevance of the research topic is primarily due to the fact that in 2017 the Law of Ukraine “On Education” and later the Law of Ukraine “On Higher Education” defined the concept of “academic integrity” and identified the main types of academic integrity violations, which the participants in the educational process can resort to. In particular, “academic plagiarism” and “self-plagiarism” were classified as violations of academic integrity. At the same time, the concept of “self-plagiarism” is completely new and still unknown to the law, which has caused a lot of discussion in the scientific community. And the concept of “academic plagiarism” is often identified with the concept of “plagiarism”, which is quite erroneous, because the concept of “plagiarism” is directly related to copyright infringement, while the concept of “academic plagiarism” has more ethical and educational character.

An unambiguous interpretation of these concepts, as well as an understanding of the negative consequences for people whose scientific works may contain plagiarism and self-plagiarism, will help reduce the cases of academic integrity violation, which is topical for the national science and education (Andreescu, 2019). This is due to the fact that with the rapid development of computer technology and open access to the intellectual achievements there is a rapid increase in cases of unscrupulous borrowing and use of other people’s works, including an increase in recorded cases of plagiarism, falsification and fabrication of results by scholars, undergraduate and postgraduate students.

Therefore, we can see the relevance of the study of violations of academic integrity, in particular, “academic plagiarism” and “self-plagiarism”.

An analysis of recent research. Recently, more scientific papers and materials are being published examining the issue of the academic integrity and responsibility for its violation in scientific and educational processes, which has caused a crisis of academic integrity and an increase in the number of recorded cases of its violation (Scott, 2017). A particular attention was paid to the study

of academic integrity, the peculiarities of plagiarism and the newly introduced term “self-plagiarism”. Our study contains a comprehensive approach to understanding the concepts of “academic integrity”, “plagiarism”, “academic plagiarism” and “self-plagiarism”. A considerable attention is paid to the etymology of these concepts and their relationship, as well as maintaining the academic integrity; therefore, we will outline the main trends in the scientific research of academic integrity.

Scholars from various fields both in Ukraine (V. Zub (2014), A. Kovalova (2013), Ye. Nedohibchenko (2017), H. Ulyanova (2015), V. Fedorenko (2016a, 2016b), etc.) and abroad (C. Carter and C. Blanford (2016), S. Scott (2017), B. Stitzel, G. Hoover, W. Clark (2018), M. Roig (2010), M.S. Garfinkel, J. Bailey, G. Pavela and others) studied the topic of observance and violation of academic integrity.

The principles of academic integrity were first described in the article “Teachers and Academic Integrity” in 1997 (Synthesis: Law and Policy in Higher Education, edited by G. Pavel), which reveals ten principles of academic integrity. The scholar V. Khmarsky, studying the American experience of academic integrity, draws attention to the essence of the academic integrity, which contributed to a better understanding of the etymology of the concept and confirms the urgency of the problem of maintaining the academic integrity, topical not only in the Ukrainian science, but also in foreign doctrines.

In our opinion, the definition of the term “plagiarism” proposed by H. Ulyanova, who considers plagiarism as a “social, ethical and legal category”, is more successful. Ye. Nedohibchenko’s article “Academic Integrity: Constituent Elements” is quite interesting, in which the origin of the concept of self-plagiarism and its essence are studied. No less interesting is the work of V. Bakhrushin “Academic plagiarism and self-plagiarism in science and higher education: the legal basis and the global experience”, in which he makes distinction between copyright protection and academic plagiarism.

Analyzing the reference literature on academic integrity revealed some gaps in the scientific and theoretical understanding of such instances of academic integrity violation as “academic plagiarism” and “self-plagiarism”, as well as in definition of certain areas of their application, which necessitated this study.

The purpose and objectives of the study. The purpose of the article is to study and generalize the essence of the concepts of “academic plagiarism” and “self-plagiarism” and to analyze the problems of academic integrity violation.

The objectives of the study are: to clarify the etymologies of the terms “academic integrity”, “plagiarism” and “academic plagiarism”, as well as to determine the nature of the origin and essence of the concept of “self-plagiarism”; to correlate the concepts of “plagiarism”, “academic plagiarism” and “self-plagiarism”; determine their meaning in scientific publications; demonstrate the

differences between plagiarism and academic plagiarism, specify the application of the concept of “self-plagiarism”.

Resonant examples of academic integrity violation and definition of the concept of “academic integrity”

V. Fedorenko claims that the problems of ensuring the proper level of academic integrity in Ukraine are gaining more and more public resonance. There is a noticeable intolerance on the part of the scientific community and the society as a whole to plagiarism in scientific works, including scientific qualification works both master and PhD dissertation papers. The scandal with the wife of the former Deputy Prime Minister Vyacheslav Kyrylenko, Kateryna Kyrylenko, has aroused a great public interest. The scholars of the Ukrainian Language and Information Foundation with the National Academy of Sciences noted in 2017 that her doctoral dissertation contained 26% of the borrowed text, and 142 fragments of the text were copied from the works of other authors. Vyacheslav Kyrylenko, in turn, called the accusations against his wife aimed at discrediting him (“[Huchni istoriyi z plahiatom](#)”, 2018).

Former Verkhovna Rada Speaker Volodymyr Lytvyn was also accused of plagiarism. He was accused of plagiarism several times: in 2002, the American political scientist Thomas Carothers recognized his own article ‘Civil society. Think again’ in Lytvyn’s ‘Civil Society: Myths and Reality’. The Ukrainian historians O. Tolochko and N. Yakovenko accused Lytvyn of using their scientific works in his three-volume History of Ukraine, and the political scientist O. Haran claimed that Lytvyn used in his article whole pieces from the former’s book. As a result, O. Haran wrote an article about Lytvyn’s plagiarism, where he collected accusations against him (“[Huchni istoriyi z plahiatom](#)”, 2018).

Such examples of academic plagiarism and violation of academic integrity by high-ranking officials, as well as Ukrainian scholars are not uncommon, caused by the flourishing of nihilism, corruption, deliberate and unconscious violations of law, young scientists and students’ ignorance of the concept and principles of academic norms in general. Such situation is typical not only of the Ukrainian science and education, but also of highly developed EU member states, where the legislation in the field of copyright and educational process is more developed, and the level of legal and ethical awareness is higher. In particular, striking examples of violations of academic integrity are observed in such countries as Germany and Hungary.

In Germany, there was once a so-called “Karl-Theodor zu Guttenberg affair”. In the doctoral dissertation of the youngest Minister of Defense in the history of Germany, K.-T. zu Guttenberg, 72.7% borrowings were found. After a hearing on this public issue in the Bundestag, on March 1, 2011, K.-T. zu Guttenberg was forced to resign from all his posts and soon leave Germany with his family. And in 2012, the Hungarian President P. Schmitt was forced to resign after Semmelweis University of Budapest withdrew his doctorate for plagiarism.

P. Schmitt defended his doctoral dissertation at this University back in 1992 (Fedorenko, 2016a, pp. 11–12). Charges of plagiarism were also proffered against German President Christian Wulff, Romanian Prime Minister Victor Ponta and others.

In Ukraine, in contrast to the developed western countries, the plagiarism of the first persons of the government has not yet caused any punishment. However, in the scientific community there are cases of prosecuting scientists for violating the academic integrity and withdrawing their academic degree in court, which in itself is a positive step in the development of the legal and ethical consciousness of the scientific community. The first Ukrainian precedent of withdrawing a scientific degree in court took place on November 16, 2012, when the Shevchenkivsky District Court of Kyiv upheld the claim of Serhiy Rudenko, the Deputy Dean of the Faculty of Philosophy of Taras Shevchenko National University in Kyiv to the specialized scientific council of the said university on the cancellation of the resolution to award Ksenia Vasylenko (also known by the penname “Sonya Koshkina”) the degree of Candidate of Sciences, as plagiarism was found in her dissertation (Zub & Demyanenko, 2014).

Despite the fact that today the scientific community increasingly demonstrates intolerance of plagiarism in science and education, especially when academic dishonesty is demonstrated by politicians and statesmen, the problems in combating academic integrity violations still outweigh the achievements. Often such situations are the result of ignorance of the principles of academic integrity, responsibility for its violation, as well as an ambiguous understanding of the concept of the “academic integrity”. In connection with the above, there is an urgent need to clarify the etymology, the nature of the origin and essence of the concept of “academic integrity”.

Etymologically, the concept of “academic integrity” consists of two words “academic” and “integrity”. The English philosophers Jeremy Bentham and George Moore believed that virtue was the opposite of selfishness, it was a duty, and the German philosopher Gustav Radbruch “called virtue a positive moral quality, the high morality of a particular person” (“Kompleks moralnykh obovyazkiv”, n.d.). “Virtue is the desire to do something for the benefit of others, for the sake of the society. A virtuous person is one who is not guided by his own goods and benefits, but is subject to humanness, decency, and justice” (“Ponyattya dobrochesnosti”, n.d.).

As noted by H. Broslavska, virtue is a philosophical concept, a deep concept, because it combines morality, selflessness, competence with a large number of abilities (competencies) and so on. If we consider the components of the concept of “virtue”, it is goodness and honesty, which are mandatory elements of a highly moral person (Broslavska, 2018). We consider it appropriate to agree with the definition of integrity by H. Broslavska and to add that virtue is not

only about the moral principles and interests of others, but is directly related to the reputation and honor of a person who is virtuous in his/her activities.

The concept of “academic integrity” has been widely used in the doctrine of foreign countries. In particular, V. Khmarsky, studying the American experience of academic integrity, draws attention to the essence of the academic integrity and notes that “academic” comes from the word “Academy”, known since antiquity as the name of the IV century BC school in which Plato lectured, and the corresponding adjective is used to denote what is associated with the highest level in the field of science or art – the academic level, academic theater, etc., as well as a synonym for the term “academic” – academic group, academic leave, etc.; “Integrity” comes from the late Latin words “integer”, “integrare” (integrate) or “integritas” (integrity) – the vast majority of words with this root refer to mathematics, and only the term “integrity” is an exception, because out of its three interpretations the first place is taken by “moral purity”, “decency”, and only then – “integrity, completeness” and “quality or condition of inviolability” (Broslavska, 2018). The existence of similar terms in foreign doctrine indicates that the observance of academic integrity is relevant throughout the world, and its violation entails significant negative consequences not only for the scientific community, science and education, but the society as a whole.

The principles of academic integrity were first set out in the article “Teachers and Academic Integrity” in 1997 (Synthesis: Law and Policy in Higher Education, edited by G. Pavel). It mentions ten principles: affirm the importance of academic integrity; cultivate a love of learning; treat students as independent persons; create an atmosphere of trust in the classroom; encourage students’ responsibility for academic integrity; formulate clear expectations for students; develop fair and relevant forms of evaluation; limit opportunities for academic dishonesty; challenge academic dishonesty when such cases occur; help define and maintain common university standards of academic integrity (Tsentrakademichnoyi dobrochesnosti, n.d.).

The beginning of the development of academic integrity in Ukrainian science and education should be considered the adoption of the Code of Ethics of the Ukrainian Scientist in 2009 at the general meeting of the National Academy of Sciences of Ukraine, which defined the general principles of the scientific work, emphasizing that “the scientist is morally responsible for consequences of his/her activities that can affect the development of mankind, nature conservation and spiritual and cultural heritage ...” (“Etychnyy kodeks”, 2009). It is difficult to disagree with this statement (Nedohibchenko, 2017).

We believe that the adoption of the Code of Ethics of the Ukrainian Scientist was a significant step forward to further consolidate the definition of the “academic integrity” at the legislative level, which included such components as academic plagiarism and self-plagiarism. It took the legislator nine years to improve the regulations in the sphere of science and education, and in 2017 the

concept of “academic integrity” was defined for the first time at the legislative level in the Law of Ukraine “On Education”. Prior to that, no normative document disclosed the concept of “academic integrity”, or contained it at all. Later, this term was reflected in the Law of Ukraine “On Higher Education”.

Therefore, in accordance with Art. 42 of the Law of Ukraine “On Education” and Art. 1 of the Law of Ukraine “On Higher Education”, the academic integrity is a set of ethical principles and statutory rules that must guide the participants in the educational process during training, teaching and scientific (creative) activities to ensure confidence in learning outcomes and/or scientific (creative) achievements (“Pro osvitu”, 2017). At the same time, the Laws of Ukraine “On Higher Education” together with the Law of Ukraine “On Copyright and Related Rights” also contain certain tools to prevent violations of the academic integrity.

The consolidation of the concept of “academic integrity” at the legislative level has determined the development of the entire national education system, where academic integrity is now a legitimate requirement, the value of which is to build confidence in learning outcomes and scientific achievements. Part 4 of this article also identifies the main violations of the academic integrity that can be resorted to by participants in the educational process, in particular: academic plagiarism, self-plagiarism, fabrication, falsification, cheating, deception, bribery, biased evaluation (“Pro osvitu”, 2017).

From the above we can conclude that the concept of the “academic integrity” etymologically consists of two words “academic” and “integrity”, which makes it an ethical and scientific concept, and such types of violations of academic integrity as academic plagiarism, self-plagiarism, fabrication, falsification, deception, bribery makes it a legal category. In our opinion, academic integrity is both a scientific/educational and ethical/legal concept that is related to scientific decency, including educational decency, and has a close connection with the intellectual ownership. The observance of academic integrity by scholars and educators refers not only to the moral principles and protection of the interests of others, but also to the honor and dignity of a person who follows the principles of academic integrity and contributes to the formation of his/her reputation in science and education.

Definition of “academic plagiarism” and “self-plagiarism”

The legislator introduces a new concept of violation of academic integrity, such as “self-plagiarism”, which has caused a lot of discussion in the scientific community. This is due to the fact that the concept of “self-plagiarism” is new to the legislation of Ukraine and is not reflected in the Law of Ukraine “On Copyright and Related Rights”. Moreover, Ye. Nedohibchenko (2017), having studied a number of laws and regulations on secondary education and higher education in such countries as Germany, Great Britain, the United States, Canada, etc., argues that the concept of “self-plagiarism” has not been detected in any legal act. The

large explanatory dictionary of the modern Ukrainian language also does not contain the definition of “self-plagiarism”.

Etymologically, the concept of “self-plagiarism” consists of such parts as “self” and “plagiarism”, so to clarify the essence of the concept of “self-plagiarism” and to avoid ambiguous interpretations, we propose to analyze the concepts of “plagiarism” and “academic plagiarism” and compare them with the concept of “self-plagiarism”. Every researcher who considers the problem of plagiarism in one way or another, notes that this phenomenon is ancient and is associated with the emergence of writing (Kovalova, 2013), as well as transnational and universal, because the use of plagiarism is, without a doubt, a problem of many universities of the world (Ryzhko, 2016). However, the figure of the author, according to Roland Barthes, emerged only in the New Age, when the society began to consider the benefits of a “human personality” (Romantsova, 2018).

In accordance with Art. 50 Part 1 paragraph c of the Law of Ukraine “On Copyright and Related Rights”, plagiarism is the publication, in whole or in part, of someone else’s work under the name of a person who is not the author of this work. A. Stefan notes that the legislative definition allows to identify the following three characteristic features, which together form the legal structure of plagiarism: illegal use of someone else’s work; indication of the name of the person who is not the author of the used work; promulgation (publication) of an object that is a complete reproduction of someone else’s work or which includes someone else’s work (works) or a part (parts) thereof (Shtefan, 2016).

In our opinion, the definition of the concept of “plagiarism”, which was proposed by H. Ulyanova, who considers plagiarism as a “social, ethical and legal category” and gives the following definition: “it is a complex socio-ethical, legal phenomenon in the field of intellectual ownership, which can be considered as: infringement of the copyright of the creator of the original text; abuse of the right to freedom of creativity by a person who commits plagiarism; violation of the rights of consumers of intellectual/creative activity; violation of the public order (interests of the society and the state) – in cases where authorship is given public importance” (Ulyanova, 2015).

Thus, the concept of “plagiarism” simultaneously contains two categories: the socio-ethical and the legal ones. The legal is related to the observance of copyright, and the socio-ethical to the observance of the academic integrity. In turn, the concept of “academic plagiarism”, in addition to these two categories, also includes a scientific category, as its scope is much narrower and relates to the publication of scientific (creative) results.

In accordance with Art. 42 Part 4 of the Law of Ukraine “On Education”, academic plagiarism is “the publication (partial or complete) of scientific (creative) results obtained by others as if a result of their own research (creativity), and/or reproduction of published texts (published works of art) of others authors without indication of authorship” (“Pro osvitu”, 2017). A similar wording is contained

in Art. 69 Part 6 of the Law of Ukraine “On Higher Education” (“[Pro vyshchu osvitu](#)”, 2014).

By analogy with A. Stefan’s definition of the characteristic features of the legislative definition of “plagiarism”, we propose to identify the following characteristic features of the legislative definition of the “academic plagiarism”, which together form the legal structure of academic plagiarism: a narrow object of academic plagiarism, i.e. mainly scientific results; scientific (creative) results are obtained not only as a result of creative activity, but also as a result of conducting relevant research, including scientific; a limited number of subjects that can involve academic plagiarism and a limited number of objects, the results of scientific (creative) research which can become objects of academic plagiarism, namely: scientists, graduate and undergraduate students and other educators; misuse (publication) of such results may be complete (a full reproduction of someone else’s scientific (creative) results) or partial (publication of scientific (creative) results, which include someone else’s work or part thereof), indicating the name of the person who is not the author of the mentioned scientific (creative) result.

It follows from the above that the concept of “plagiarism” contained in the Law of Ukraine “On Copyright and Related Rights” is significantly narrower than the understanding of academic plagiarism in educational laws. At the same time, the scope of the concept of “plagiarism” is much wider than the scope of the concept of “academic plagiarism”. The academic plagiarism is limited to objects (results of scientific (creative) activity and research), range of subjects (scientists, graduate students, undergraduate students, etc.) and areas of application (scientific and educational). It is important to note that the academic plagiarism should not be equaled to copyright infringement.

V. Bakhrushin in his article “Academic plagiarism and self-plagiarism in science and higher education: the legal basis and world experience” identifies significant differences between the copyright protection and the academic plagiarism, which are as follows ([Bakhrushyn, 2018](#)): 1) protection of copyright and related rights relate primarily to the personal intangible and tangible ownership of copyright and related rights, while the rules on academic plagiarism are aimed not at them but at those who violate the academic integrity; 2) the academic plagiarism is considered a violation of the ethical norms of the academic community, while a copyright infringement is a delinquency; 3) the requirements for academic integrity provide for the provision of correct references to the actual authors of the works, and not to persons who may be the copyright owners; 4) the copyright has a limited validity period and after its expiration the use of the work is allowed without the consent of the authors or their successors and without payment of appropriate remuneration. But this does not eliminate the need to refer to the authors. Lack of proper references is a major feature of academic plagiarism.

In addition, according to Art. 52 Part 2 of the Law of Ukraine “On Copyright and Related Rights”, the subjects of copyright and/or related rights may apply to the court or other competent authorities to protect their rights. But the law does not provide for the possibility of bringing violators to justice without recourse to the subjects whose rights have been violated (Bakhrushyn, 2018). Moreover, Art. 433 Part 3 of the Civil Code of Ukraine directly excludes ideas, processes, methods of activity or mathematical concepts as such from the objects of copyright, but it should not prevent their identification as academic plagiarism in cases of lack of proper references to real authors in academic works (“*Tsyvilnyy kodeks Ukrainy*”, 2003).

Thus, when it comes to the relationship between the concepts of “plagiarism” and “academic plagiarism”, they should be correlated as “the whole” and “a part”. Academic plagiarism is a type of plagiarism and is an instance of the violation of academic integrity in the scientific community.

Etymology and the origin of the concept of “self-plagiarism”. The appropriateness of using the term “self-plagiarism”

The Law of Ukraine “On Education” defines the concept of “self-plagiarism” as the publication (in part or in full) of their own previously published scientific results as new scientific achievements. The same definition is duplicated in the Law of Ukraine “On Higher Education” (“*Pro osvitu*”, 2017). At the same time, it is interesting that the concept of “self-plagiarism” is not contained in any other legal act, including the Law of Ukraine “On Copyright and Related Rights”. In addition, this concept is new not only for legislation but also for scientific doctrine. The large explanatory dictionary of the modern Ukrainian language also does not define “self-plagiarism”.

From the above it is obvious that the legislator applies the concept of “self-plagiarism” only to scientific results, while the world practice extends it to other activities, in particular, creative activity. Ye. Nedohibchenko studied a number of laws and regulations on secondary education and higher education in Germany, Great Britain, USA, Canada and other countries. However, the concept of “self-plagiarism” is not contained in any of their normative acts (Nedohibchenko, 2017). The term “self-plagiarism” is of English origin and first appeared in the United States, however, no glossary defines the term. Ye. Nedohibchenko claims that the concept of “self-plagiarism” belongs to the student jargon (Nedohibchenko, 2017).

Unlike the concept of “plagiarism”, which has a socio-ethical and legal category, the concept of “self-plagiarism” is scientific and educational and is directly related to scientific (creative) results and violations of the principles of the academic integrity by duplicating the publication. The introduction of the concept of “self-plagiarism” is necessary precisely for the proper observance of the academic integrity, because self-plagiarism reduces confidence in the results of scientific results, misleads scientists who use works that contain self-plagiarism

in their research. In addition, self-plagiarism contributes to an unreasonable increase in the author's scientometric indicators, which negatively affects the competitiveness of scientists, in particular in obtaining funding for research, employment.

M. Roy in his article "Plagiarism and self-plagiarism: What the author should know?" states the following: A key feature of all forms of self-plagiarism is the existence of significant overlaps between publications, and most importantly, the lack of a clear indication of the relationship between the various duplicates or relevant documents. Due to this the word "concealed" should always be added to these symbols (for example, a concealed duplicate publications, etc. As with the traditional forms of plagiarism, the probable cause of self-plagiarism is the desire of authors to increase the number of publications in their legacy (Roig, 2010).

Self-plagiarism should include also duplication of scientific results, duplication of publications, editing or supplementing data, submission of results contained in previous work in reports on the implementation of scientific projects, data editing, re-analysis of previously published data without reference to previous publication of this data etc. It is important to note that the increase in information on scientific research may make it difficult or impossible to interpret it correctly, as the data may be incomparable, relate to non-identical objects, and so on. Re-analysis of previously published data may be due to technological advancements, new scientific developments, the emergence of new scientific theories and others. When improving their previous work, it is necessary to distinguish between the old and the new data and clearly define the relevance of their use.

Since according to the Law of Ukraine "On Education", the concept of "self-plagiarism" applies only to scientific works, it does not apply to the reproduction of other works, nor does it apply to the reproduction of scientific results in non-scientific publications. It follows that the term "self-plagiarism" should not be used in cases of failure to provide references to information about the author's scientific results, which have previously been published in non-scientific sources, including social networks, media, educational and popular science publications.

Conclusions

As a result of the study, it can be argued that the concept of "academic integrity" etymologically consists of two words "academic" and "integrity"; it is a scientific/educational and ethical/legal concept; it is related to scientific decency, including educational decency, has a certain relation to intellectual ownership. The observance of academic integrity by scholars and educators refers not only to the moral principles and protection of the interests of others, but also to the honor and dignity of a person who follows the principles of academic integrity and contributes to the formation of his/her reputation in science and education.

The understanding of the concept of "plagiarism" contained in the Law of Ukraine "On Copyright and Related Rights" is significantly narrower than the

understanding of academic plagiarism in laws on education. At the same time, the scope of the concept of “plagiarism” is much wider than the scope of the concept of “academic plagiarism”. Academic plagiarism is limited to objects (results of scientific (creative) activity and research), range of subjects (scientists, graduate and undergraduate students, etc.) and areas of application (scientific and educational). Thus, the concepts of “plagiarism” and “academic plagiarism” should be correlated as “the whole” and “a part”. Academic plagiarism is a type of plagiarism and is an integral part of the violation of academic integrity in the scientific community.

We propose to highlight the following characteristic features of the legislative definition of the “academic plagiarism”, which together form the legal structure of academic plagiarism: a narrow object of academic plagiarism, namely: misuse of creative, mostly scientific, results; scientific (creative) results are obtained not only as a result of creative activity, but also as a result of relevant research, including scientific; a limited number of objects that can involve academic plagiarism and a limited number of subjects, the results of scientific (creative) research which can become objects of academic plagiarism, namely: scientists, graduate and undergraduate students and other educators; misuse (publication) of such results may be complete (full reproduction of someone else’s scientific (creative) results) or partial (publication of scientific (creative) results, which include someone else’s work or part thereof); indication of the name of the person who is not the author of the mentioned scientific (creative) result.

It has been found that the concept of “self-plagiarism”, which is reflected in the Law of Ukraine “On Education”, is of English origin and first appeared in the United States as student slang. No regulatory enactment of foreign countries contains the concept of “self-plagiarism”, and it is newly introduced in the Ukrainian legislation and has caused a lot of discussion in the scientific community. The need to consolidate the concept of “self-plagiarism” has been caused by a deep crisis of academic integrity in the scientific and educational environment. It is determined that adding information to previous scientific studies is not always self-plagiarism. A reevaluation of previously published data may be justified by technological advancements, new scientific developments, the emergence of new scientific theories, etc. When improving one’s previous work, it is necessary to distinguish between the old and the new data and clearly define the relevance of their use.

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