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PLAGIARISM AND VOICE IN THE AGE OF INFORMATION

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ABSTRACT

The purpose of this work is to explore the issue of plagiarism in various contexts relevant to the teaching of English composition. Since definitions of plagiarism vary by culture and by history, an account of its expression at various points in Western history has been offered. Preliminary findings linked the use of technology for the expression of ideas to cultural and legal definitions of plagiarism. In addition, our own time further complicates any desire to arrive at definitive notions of intellectual property because of information technology facilitating cross-cultural exchange of ideas. In this "Information Age," as it has been called, technology like the Internet further blurs legal and ethical definitions of the ownership of words.

Since plagiarism varies in definition by culture, a brief overview of cross-cultural teaching of English composition has been offered. This review concludes that plagiarism actually aids the learning process in some non-Western cultures, and that these cultures place less value on individual "voice" in writing than our own.

Concluding the work is a brief explication of postmodern contributions to the question of intellectual property, with some suggestions for future research.

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Chapter 1: History of the Concept

This work will examine the concept of plagiarism, in relation to intellectual property in general, within a number of contexts relevant to the teaching of composition. Many cultural and ethical assumptions support rights of intellectual ownership in America. As teachers interested in the development of students' social voice, we must take these assumptions into account in order to develop a competent practice.

Unfortunately, encounters with the cultural assumptions shaping our standards of intellectual property most often occur within a punitive context. Academic action against plagiarism is harsh, expelling students, marring academic records, removing professors from tenured posts. A fundamental price of American higher education is adherence to standards of intellectual property. Yet the standards behind such harsh academic punition are hardly set in stone. Cultural and historical forces have shaped and will shape our notion of intellectual property.

Today new technologies of information exchange complicate traditional punitive attitudes toward intellectual property in the classroom. Students can download whole texts and submit them as their own work. The virtual and digital nature of text on the internet ensures students easy access to billions of lines of pre-written text from which theft seems untraceable. In reaction to this technological advance, composition teachers often choose to increase their punitive skills, adapt their pedagogy to information technology, or combine these two efforts in some way. Intellectual property seems threatened by information technology like the internet. Yet technology seems to influence the concept of intellectual property.

Conceptions of intellectual property have, in fact, been very plastic over time. As technologies like the internet and the printing press have appeared, conceptions of literary propriety, the role of authors, even the interpolation of one's very identity, have been put into question. At the same time, legal discourse on the ownership of ideas and the words that express them has become more draconian.

The primary thesis behind this work is that technological advance itself reinterprets notions of intellectual property. The information age challenges composition teaching by placing more emphasis on protection of individual authorship at a time when technology for the exchange of ideas is providing people with intellectual forums having little regard to rights of intellectual ownership. This evolution aspires to global intellectual exchange, taking ideas and their expression outside of the marketplace to which they have been confined since the invention of the printing press.

Supporting any argument against plagiarism is the assumption that ideas can be owned. In his now classic text *Stolen Words*, Thomas Mallon traces this idea back through instances of the word "plagiarism," as far as Ben Jonson (Mallon 6). The Western history of the *concept* of plagiarism, however, claims a history all the way back to antiquity. In Martial, for example, we can see an acknowledgement of both superficial theft and literary imitation. From book one of his *Epistles*, Martial rants: "Rumor has it, Fidentinus, that you recite my little books in public just like your own. If you want the poems called mine, I'll send you them for nothing. If you want them called yours, buy out my ownership" (Bailey 61).

Credited with the first documented expression of the etymological root for our modern word plagiarism, Martial expresses a completely economic – and hardly ethical – outlook on textual attribution:

> You are mistaken, greedy purloiner of my books, in thinking that it costs no more to become a poet than the price of copying and a cheap length of papyrus. Applause is not to be had for six or ten sentences. You must look for private, unpublished work, poems known only to the parent of the virgin sheet [...] A well-known book cannot change author. But if you find one whose face is not yet smoothed by the pumice stone, [...] buy it. I have such, and nobody will be the wiser. (Bailey 91)

Here the author is hardly above using the same methods he condemns, considering only whether the purloined text is in danger of being forgotten.

In Horace, the crime of plagiarizing others is also condemned:

> And Celsus, too? He's been advised, and surely
> It's good advice for him, that he should write
> Out of himself and out of what he knows
> And stay away from those old writers he reads
> In Apollo's library on the Palatine.
> Someday the flock of birds might come back asking

To have their brilliant feathers given back

And the crow, stripped naked, is certain to be laughed at.

(Ferry 19)

Quintillian's *Institutes of Oratory* is best known for its introduction of a digestive metaphor for literary imitation in general. This particular trope prescribes proper selection of subject matter; warns against superficial theft; and describes the proper attitude of the scholar toward knowledge in general:

> We must return to what we have read and reconsider it with care, while, just as we do not swallow our food till we have chewed it and reduced it almost to a state of liquefaction to assist the process of digestion, so what we read must not be committed to the memory for subsequent imitation while it is still in a crude state, but must be softened and, if I may use the phrase, reduced to a pulp by frequent re-perusal. (Butler 13)

Writers like Francis Bacon and Joachim du Bellay will take up this metaphor again. Calling upon Horace, Ben Jonson references it in *Poetaster*, in which literary imitation is discussed among dining friends (Lowenstein 119-20).

The first thing that can be said of plagiarism in antiquity, then, is that it is best understood within a more general theory of literary imitation. Like modern conventions, classical literary theory considered literary theft a crime. It also described what parts of

texts may be owned, what parts may be appropriated, and where individual creativity belonged in a text.

White's 1935 study is still one of the most comprehensive surveys of attitudes toward plagiarism within the larger context of classical imitation. His pat description of the classical theory runs as follows:

> Such, then, is the classical theory of literary production. It encourages imitation, avoids independent fabrication, and holds the subject-matter of literature as common property. But it insists that imitation is not enough, and demands that individual originality be shown by choosing and using models carefully, by reinterpreting borrowed matter, and by improving on those models and that matter. (18)

Classical imitation held subject matter in a common ownership and defined "superficial" imitation as a violation of this communal ownership. The orator's (and student's) job under this theory was to replicate and transmit knowledge, bettering it without subverting it. In this theory, originality is nothing without imitation, and imitation is nothing without originality.

White portrays classical scholars as working under clean-cut definitions of intellectual property. The classical attitude toward imitation and theft is not as clean-cut as White would suggest, however. Whether one author's borrowing could be called theft or not was most likely a matter of personal opinion as much as public *doxa*. Terence

defends his plays from accusations of plagiarism using his prologues as a brief apologia. In *The Self-Tormentor*, for example, the first character we see says:

> The playwright wanted me to be an advocate, not to speak a prologue…. As for the charge put about by his enemies, that he has combined many Greek plays to make a few Latin ones out of them, he does not deny having done so, and declares that he is not ashamed of having done so, and means to do it again. He has before him the example of good writers, and thinks that he may be allowed to do what they did. (Duckworth 197)

Similarly, in *The Brothers,* the playwright excuses his borrowing from a Greek play by Diphilus called *The Synapothnescontes*: "Judge, therefore, whether this ought to be called a theft, or if it is not rather recovering what another's negligence has overlooked" (Duckworth 406).

Indeed, in antiquity the plagiarizer may be taken for a *preserver* of texts. In an age when no technology could guarantee the survival of printed works, authors who borrowed from their predecessors kept a lineage of ideas alive with their pilfering. In *The Saturnalia*, Macrobius' character Furius Albinus places no blame on Virgil for borrowing from older texts because he has preserved the best parts of them:

> My aim, he said, is to show the good use which Vergil has made of his reading of these older writers, to show you the flowers, so to speak, which

> he has culled from them all - the decorative passages which he has taken from various sources to give beauty to his work. But I am afraid that in so doing I may afford the unlearned or the ill-disposed an excuse to censure him; for they may charge the great man with the wrongful use of what belongs to another and overlook the fact that the reward of one's reading is to seek to rival what meets with one's approval in the work of others and by a happy turn to convert to some use of one's own the expressions one especially admires there. (Davies 385).

If classical "borrowing" may be distinguished from what we call theft today, it is because these authors saved certain texts from falling into historical obscurity. Today, technology accomplishes what imitation accomplished in the past.

The tradition in which we teach composition claims classical descent. However, is this classical stance toward intellectual property what we teach in the classroom? Certainly we encourage students to take on the dual task of developing an original voice while "ingesting" traditional wisdom. Does our assumption that ideas can be owned match up to the classical theory, though? Consider, for example, Seneca's attitude toward the theft of ideas, expressed in his famous seventy-ninth epistle: "He who writes last comes off best, for he finds words ready to hand and, if he arranges them differently, they have the appearance of being new: nor is he laying hands on what belongs to another, since words are common property" (Davies 520). Can any of us, like Seneca, really claim

that “words are common property” today? Certainly not: even if we can entertain this notion personally, we aren’t allowed to teach it in our classrooms.

The earliest Western expressions of correct and incorrect appropriation of subject matter form no part of our Western pedagogy. Although classical authors certainly recognized outright literary theft as a crime, their standards of punition withstood much more debate than ours. Teaching a return to classical values of intellectual property would break a significant number of rules in our university ethics handbooks. This consideration leads us to the question of how this Western tradition of imitation has come to place more emphasis on punition and originality than on preservation by means of imitation.

Classical imitation encountered difficulties in the 1600s when the invention of the printing press demanded that its standards be defined more clearly within capitalistic and legal contexts. Already by the 1500s, according to White, the classical theory was understood in different, confused ways. During the Renaissance, continental writers interpreted classical imitation as an excuse for outright theft. Speaking of Patrizio’s 1562 *Retorica*, White says that this text reflects "only the mistakenly narrow version of the classical theory of imitation set forth by such servile Ciceronians and Virgilians as Bembo and Scaliger; correct classical theory he never touches" (White 25). Renaissance interpretations of classical imitation depart from the noble intentions of their literary forefathers:

> All these critics commend imitation, tacitly or explicitly, save Patrizio and Castelvetro. Bembo and Scaliger, with their idolatry of Virgil and Cicero, and Vida, with his commands to steal and to disguise the booty, pervert the ancient principle into one of servility, even of dishonesty, with only Pico dissenting during the first third of the [16th] century. (White 30)

White no doubt exaggerates the nobility of the classical tradition he lauds in his study. White writes that "The Continental Renaissance exhumed the ancient principles, but, in its reaction against the dictatorship of medieval tradition, at first set up a new dictatorship of classical laws. Only by degrees were the safeguards for originality restored to their former prime importance" (201). However, we should remember that, in many cases, classical advice hardly safeguarded originality. As evident as classical pilfering is, it is still tempting to impose modern standards of originality onto historical traditions we hold dear. We may wonder, then, if these Renaissance critics were, according to our modern standards, *too* faithful to their classical predecessors.

According to White, authors like Pico, Vida, Bembo and Castelvetro, zealous to impose Aristotlean principles on everything scholarly, had interpreted their classical fathers' ideas about imitation according to the poetic representation of nature in general. Imitation, he says, involves writers, not nature. By contrast,

> The *mimesis* of Aristotle is a quite different process, variously interpreted as 'imitation' or 'representation' of 'ideal nature.' The *Poetics* as extant

> contains no treatment of the type of imitation inculcated and employed throughout Greek and Roman literature; Greek and Roman writers generally, on the other hand, ignore the Aristotelian *mimesis*. (6 n.2)

This confusion between poetic imitation drawing on other authors' works and poetic representation of the natural continued well into the 1600s. According to White: "Elizabethan literary theorists, like their Continental teachers, continually employ the word 'imitation,' without distinction, for following nature (*mimesis*) and for following other writers" (61, n.1). According to White, "English writers from Sidney to Jonson" restored the classical idea of imitation from medieval confusion (202). In this reading, Sidney spearheaded the restoration of a coherent view of poetic practice that distinguished imitation of nature from imitation of other authors.

Things probably weren't as clear-cut as White says, either in antiquity or during the Renaissance. A look at Castelvetro's *The Defense of Poets*, for example, understands poetic invention as starting with ideals found *outside* of nature. Castelvetro says that in order to "know which things the poet is obliged to borrow as they were or are, or as they are said or thought to be, and which he is free to imagine as they ought to be, we must draw a few distinctions. Some things are produced by nature and some are not" (Bongiorno 275). This distinction between what is and is not "produced by nature" distinguishes poetry from "history." Castelvetro's point is that painting can reproduce subject matter without interpretation, becoming historical; but writing loses its poetic nature by means of similar efforts. It is necessary to understand that Castelvetro includes

under "history" what we mean by plagiarism because a text is an historical event that cannot be reproduced poetically. Castelvetro bases poetry on Aristotle's requirement of plot. In his *General Theory of Poetry*, he asserts that "a poet cannot legitimately fashion a plot that merely reproduces that of another poet, and if he does the resulting work would be not a poem but a history or a piece of stolen property" (Bongiorno 42). Not only does Castelvetro understand the difference between imitation and representation of nature. He also recognizes theft when he sees it. What we have in Castelvetro is not a misinterpretation of classical imitation by imposed fidelity to Aristotle, but rather a different reading of Aristotle through fidelity to classical principles.

In fact, Sidney's literary guidelines in his *Defense of Poesie* compare well to Castelvetro's ideas. Poetry, Sidney claims, represents not what nature is, but what it ought to be. The poet, instead of imitating nature, "doth grow in effect into an other nature: in making things either better then nature bringeth foorth, or quite a new, formes such as never were in nature." The skill of the writer "standeth in that *Idea*, or fore conceit of the worke, and not in the worke it selfe" (Feuillerat 8). Therefore poetry is "an Art of *Imitation*" (9).

In these two author's conceptions of literary imitation, *mimesis* in a poetic sense imposes onto nature ideals not found in it, rather than merely represents the natural. In this imposition is the creative spark that indicates an author's originality. Pure representation of nature (as in painting) or of another author's work equally offend poetic standards, reducing poems to mere "histories," in Castelvetro's words; or divest a work of the author's "*Idea*," to quote Sidney.

Changes in standards of acceptable borrowing within Western literary imitation can hardly be reduced to a decline in ethical standards from antiquity to the Renaissance that was set right with the coming of the Elizabethans. Literary theft has been alternately condoned and condemned throughout history. With the advent of new technologies for the exchange of ideas, however, condemnation has become a more dominant standard within Western literary imitation. Ideas entered the marketplace with the invention of means of their exchange; as a result, literary standards themselves changed. According to White, accusations of plagiarism were sparse in the beginning of the 16th century. By "the third decade of Elizabeth's reign" things had already begun to change (White 60).

White's claim that the modern concept of plagiarism eluded the authors of 1500-1625 foreshadows the 1626 publication of the first dictionary. In this new type of text, the first metonymic representation of literary theft was written for a society getting used to new technologies of exchange, as well as new laws regulating this exchange. Dictionaries are commercial entities today, and have always been throughout their history. However, they have attained a reputation for being somehow more authoritative, more credible, than the balance of texts driven by profit motive. On this point, the lexicographer Jonathon Green quotes Murray's "Romanes Lecture" from 1900: the dictionary, Murray affirmed then, is "as fixed as the Bible or the Prayer Book" (qtd. on 128).

As much as the dictionary may seem like holy writ, however, lexicographers have not been immune to plagiaristic practice. In fact, plagiarism has always been stock and trade for dictionaries. Speaking of Thomas Blount's 1656 *Glossographia*, Green writes: "Lexicography is a continuum. The language does not reinvent itself every time a

dictionary is commissioned, and the idea that one borrowed from one's predecessors was surprisingly unworrying to these early compilers" (128).

Modern lexicography, he continues, hardly deviates from such practice:

> Today's lexicographers, writing for the mass market, rather than the limited community of scholars, tend to flourish statistics: more words, newer words, trendier words [...] all true enough, but the vast bulk were there in Johnson, just as his core vocabulary could be found in book after book, stretching back over the centuries. (Green 129)

Controversies over competing dictionaries as old as Milton echo accusations of plagiarism by Noah Webster as late as 1834. Publishing agents for dictionaries, Green recounts from personal experience, approach lexicographers like salesmen closing a deal (127-28).

For Mallon, the invention of the printing press was *the* major event in the history of thought on intellectual property: “The printing press, which changed the writer’s nature forever, cannot be ‘uninvented.’ For the last several hundred years – and surely it will be so for several hundred more – the writer has worked his hardest only when he felt there was the chance that his best sentences would stand as famous – and last – words” (238). The attitude Mallon places at the forefront of change in authorship notions during the Enlightenment – desire for recognition – is already evident in antiquity. However, some link between technology and cultural redefinitions of the concept of plagiarism is

undeniable. By the 17th century, the author was no longer required to preserve earlier texts *by means of imitation*. The printing press took over that job, and imitation changed as a result. As the most noble of reasons for pilfering fell by the wayside, the least noble – theft for fame or recognition – would fall victim to formalizations in intellectual property law.

Despite Mallon's claim that "The Writer, a new professional, was invented by a machine" (4), authors' rights figured hardly at all in the forefront of this new legal apparatus. The natural right of authors to sell copyright to their works had been debated in *Millar v. Taylor*, when the statutory time limits proscribed in the 1710 Statute of Anne gave way to authors' rights to their own creations. In 1774, perpetual author's rights to publishing were challenged in *Donaldson v. Beckett*, the House of Lords voting to limit an author's common right once again to a statutory term (Seville 14-15).[1]

The first legal disputes over the ownership of ideas solidified a solid legal apparatus directing cultural standards of intellectual property. White's reason for the evolving focus on author's rights is far removed from these material realities, however. He explains that "the chief reason for the developing tendency to censure imitation and to praise originality lay in the growing self-consciousness of English writers" (118).

[1] It is interesting to examine interpretations of copyright law today. Mallon, for example, speaks for the rights of publishers in England, calling these rights of "the writer." In a speech defending the right of open source code in July of 2002, Stanford Law professor Lawrence Lessig, likewise confusing the rights of authors with those of corporations, claimed that: "In 1774, free culture was born. In a case called *Donaldson v. Beckett* in the House of Lords in England, free culture was made because copyright was stopped." Defending the law that took publication rights from "authors and their assigns" in favor of statutory publication rights condemned to the marketplace, Lessig can actually claim that "Freed culture was the result of that case" <http://www.oreillynet.com/ pub/a/policy/ 2002/08/15/ lessig.html 19 Feb 2003>.

Like Mallon, White puts a psychological characteristic of authors at the forefront of changes in cultural attitudes toward the ownership of ideas. This is hardly tenable, considering that copyright law evolved in almost total disregard for author's rights, in favor of the new marketplace of publishers.[2] Authors' attitudes of desire for recognition, as Mallon puts it, or self-consciousness, as White puts it, were present in antiquity, even if print exacerbated such dispositions. More importantly for legal distinctions, however, the technology of exchange itself seems to have catalyzed change in notions of intellectual property. On this point, Joseph Lowenstein's study of evolving attitudes toward authorship in the 17th century (what he calls the "bibliographical ego") is more lucid:

> The idea of literary distinction, of bibliographic individuation, is no more a novelty than is the idea of plagiarism, to which it is linked; neither was invented by print culture. But the development of a literary culture of bourgeois connoisseurship and the heightening of sensitivity to practices that disrupt the canons of literary individuation derive a considerable charge from the material conditions of book production. (Lowenstein 68)

Lowenstein's idea is that new material conditions in the exchange of ideas have changed cultural standards of literary imitation. Technology, then, is a driving force in the changes

[2] Seville notes that, after the Statute of Anne and before *Millar v. Taylor*, authors' organisations already began to founder. With the solidification of copyright law, authors who organized to maintain rights of ownership were boycotted by corporate booksellers and their acolytes. Wordsworth, an advocate of perpetual copyright, worked with Serjeant Talfourd on the 1842 Copyright Act, encouraging its incorporation into American law as an effort toward internationalization (149-75).

that have made the classical standards we claim as literary tradition no longer tenable in the face of modern compositional ethics.

Today prohibitions against plagiarism are part of an ethical code that the teaching of composition must both enforce and perpetuate. This code is part of a cultural-historical process that bears further examination. In America, plagiarism is an ethical matter, if not an outright moral one. To demonstrate this, chapter 2 will look at a case of plagiarism by one of America's most famous moral leaders, Dr. Martin Luther King, Jr. The contradictory reactions to this one case attest to the strong cultural embeddedness of values of intellectual property.

Chapter 3 will examine the role of information technology in cases of plagiarism in the composition classroom, and the continuing influence of technology in evolving definitions of intellectual property. In particular, the internet has widened definitions of what ideas can be owned, down to the "words" that Seneca once considered common property.

Chapter 4 will examine how the teaching of composition according to Western notions of intellectual property fares in cultures with different ideas of what is owned and what is communal. Our model for this examination will be ESL education in India and China.

Finally, Chapter 5 will examine the future of the concept of plagiarism in a world theoretically redefined by postmodern views of the subject. I will consider a postmodern reading of what social voice may become in an age where the ownership of knowledge no longer defines us as individual subjects.

Chapter 2: Martin Luther King, Jr.

Martin Luther King, Jr.'s relationship with the academic preservation of his work dates back to 1964. Five months before he would accept the Nobel Peace Prize, King wrote a letter to Boston University, naming them the "Repository of my correspondence, manuscripts and other papers, along with a few of my awards and other materials which may come to be of interest in historical or other research." King's decision to give Boston University some of his papers would be challenged by his widow, Coretta Scott King. In a 1994 trial, the jury decided that King's letter, although not a formal contract, nonetheless made a "charitable" gift of some of his papers. The court upheld the university's right to this gift (Coretta Scott King v. Trustees of Boston Univ. 420 Mass. 52, 647 N.E.2d 1196. 1995).

The bulk of King's papers, however, remained in his possession after 1964. Shortly after King's assassination in 1968, Coretta Scott King created the King Center in Atlanta. Today the Center is the largest repository of primary texts by King, as well as other authors involved in the civil rights movement. In 1984, the Martin Luther King, Jr. Center for Nonviolent Change conceived the idea of putting together an edition of King's papers. The scope of such work demanded a research institute unto itself. In 1985 Coretta Scott King asked Dr. Clayborne Carson, an historian at Stanford University, to head the King Papers Project. Not a repository in itself, the Project coordinates research requests on King's papers in conjunction with Stanford University and Atlanta's King Center. Today the King Papers Project claims to be "one of only a few large-scale research ventures focusing on an African American" <http://www.stanford.edu/group/King/>.

Around 1988, during its review of King's early papers – in particular his doctoral dissertation from Boston University – the Project discovered certain patterns of textual appropriation in King's early work that seemed inappropriate by academic standards. During the next two years, accusations of King's plagiarism would circulate among academics, reporters, and interns involved with the King Papers Project. At the end of 1989, London's *Sunday Telegraph* published the first news of King's plagiarism. In the following month, another article appeared in *The Spotlight*, an American right-wing publication of Lyndon Larouche's Liberty Lobby. By the end of 1990, both the *Wall Street Journal* and the Rockford Institute's *Chronicles* prepared and published stories on plagiarism in King's dissertation.

During this time, King Papers Project chair Clayborne Carson prepared the first scholarly statement on King's questionable composition practices. According to *New Republic* writer Charles Babington, by the time the Project published its 1991 article in the *Journal of American History*, Carson seemed to have been covering up, or at least delaying the publication of, news of King's appropriations, which he may have "known about since 1987" (Babington 10).

A summary of the Project's research published in 1991 noted "King's characteristic selective use of appropriated passages," further describing this "use" as "King's characteristic tendency to rely on unacknowledged secondary sources in his explications of the works of major intellectuals" (King Papers Project 24-25). The Papers Project Committee documented numerous questionable appropriations, especially in King's doctoral dissertation. Paul Tillich's *Systematic Theology* was a primary source for

King's dissertation, and several passages by King appropriate words, phrases and whole sentences from this work. The Committee estimated that in "the second chapter of the dissertation, which is devoted to the methodologies of the theologians, only 49 percent of the sentences in the section on Tillich contain five or more words that were King's own; the other sentences were at least in part quoted or appropriated from source texts without citation" (King Papers Project 26).

King's plagiarism was not confined to primary sources, however. The Committee revealed that King also appropriated from another doctoral dissertation on the same subject. In 1990, the *New York Times* ran an article comparing the two works. It stated that in "his 1955 doctoral thesis [...] Martin Luther King, Jr. mentioned secondary literature that had been helpful to him, including another doctoral dissertation on Tillich written three years earlier by Jack Boozer, like King a graduate student at Boston University. King appropriated many passages from Boozer's dissertation without footnoting them" (DePalma A10). In his book Stolen Words, Thomas Mallon likewise noted that King did "mention" Boozer's dissertation in his bibliography; but he also copied certain configurations of words (8). Like King's work, Boozer's dissertation had been written for Boston University, for the same professor that chaired King's dissertation committee, L. Harold DeWolf (King Papers Project 27).

In its research on King's plagiarism, the Committee had also discovered questionable appropriations in King's secondary sources. As it turned out, King was not the first Tillich scholar to appropriate passages from *Systematic Theology*. Boozer himself copied from Tillich, presenting his appropriations as commentary *on* Tillich, just

as King had done. Another of King's secondary sources, an article by John Herman Randall, Jr. called "The Ontology of Paul Tillich," is itself plagiarized from Tillich. Again, the questionable appropriations are presented as an explication of Tillich's thought. King plagiarized this source in turn (King Papers Project 27-29). Apparently, Tillich was known as a difficult theorist, and this might have influenced these scholars' decisions to appropriate rather than explicate. As the Committee noted, the "practice of closely paraphrasing difficult theological and philosophical texts is not unusual among scholars" (King Papers Project 26).

In deciding what weight to give King's plagiarism, the Committee would inevitably influence public opinion of King as a social leader. Its publicized evaluation of King's motivation *vis a vis* evidence of his apparent violation of academic ethics, then, was guided by a definition of plagiarism composed especially for the occasion.[3] At a press conference in November of 1990, King Papers Project chair Clayborne Carson defined plagiarism as "*any* unacknowledged appropriation of words or ideas" (DePalma A1). The Committee judged King's academic conduct as inappropriate by its own definition because substantial unacknowledged appropriations of words from primary and secondary sources were evident in King's writing (DePalma A10).

Two years after research on his early academic papers had begun, Martin Luther King, Jr., had been condemned by his own posthumous research institute for plagiarism. However, he would not be judged totally guilty for his crime. The balance of the

[3] Carson later cited Boston University's 1953 regulations for dissertation preparation (King Papers Project 31). My point here is that even a decision to select these regulations was guided by judgments of a much broader scope. Unlike Carson, Boston University had no trouble in declaring King's appropriations plagiarism, by their own published standards (see New York Times, "Boston U. Panel Finds Plagiarism by Dr. King" 11 Oct 1991, late ed.: A15).

Committee's evaluation of King's plagiarism would consider the intentionality behind King's actions. At the November 9th press conference, "Carson said that Dr. King had been sufficiently well acquainted with academic principles and procedures to have understood the need for extensive footnotes," yet he insisted that King had "acted unintentionally" (DePalma A1). In the summary of the Project's research, released the next day (and published eight months later in the *Journal of American History*), the Committee described in more detail its stance toward the criterion of knowing intent in King's case:

> The available documentary evidence does not provide a definitive answer to the question whether King deliberately violated the standards that applied to him as a student. The King Project found no direct evidence that King was aware of any ethical deficiencies in his compositional practices or felt any concern that his compositions might violate academic rules. (King Papers Project 31)

King's plagiarism could perhaps seem unintentional to the Committee because he acknowledges elsewhere in his dissertation the *intention* to cite correctly, but fails to "abide by it consistently" (Papers 1:348, King Papers Project 31). Despite the Committee's claim that "the purpose of the King Project's research was not to investigate the appropriateness of King's citation practices," the issue of King's intent persists.

King's plagiarism apparently so clashed with academic standards that the Committee wondered how King's dissertation committee could have let his writing pass. The Committee could not explain how the obvious plagiarism of King's dissertation nonetheless "met the expectations of his readers" – that is, his doctoral committee (27). They reported vaguely that "Although the failure of King's teachers to notice his pattern of textual appropriation is somewhat remarkable in retrospect, they judged King's papers in the context of his effort to explicate the ideas of others" (30). Early drafts of the dissertation were marked for King's failure to cite correctly and for his appropriation of Tillich's words. Despite the fact that King did not correct all the errors pointed out in the early drafts, the dissertation was approved (30).

It has been easier to excuse King's plagiarism within the context of his academic performance than with reference to his role as a social leader. Assessing the impact of public knowledge of King's appropriations, one of King's first biographers, Rutgers University professor David Lewis, wrote in 1991 that "the damage to young people is incalculable, I fear" (82). Echoing the confusion of the King Papers Project leaders, Lewis calculated the implications of King's plagiarism to the world at large:

> If, as I believe, Dr. King was neither uncertain of his actions nor unclear about their implications, how is his plagiarism to be explained? Having already admitted the problem's ultimate inexplicableness, my question to myself is obviously rhetorical. As knowledge is collective and incremental, however, some heuristic purpose may be served by an

> attempt to explain why I find no satisfactory explanation for the conundrum. (Lewis 82)

As we follow Lewis along his quest for the truth behind King's actions, King is described as an adulterer and a plagiarizer, with more moral gravity placed on the latter (81-84).

Another King biographer and advisory member of the King Papers Project committee, David Garrow, blamed the institutional context in which King worked. King merely used regurgitation tactics learned from an unfamiliar culture to play a game he didn't fully understand. According to Garrow, King "absorbed the lesson that comprehensive regurgitation, rather than individual originality or creativity, was the accepted academic style at Boston University's School of Theology" (89). Tillich's difficult, theoretical writing was also to blame: since "King was not fully sure of his ability to cope successfully with the dense and heavy theological jargon, his falling back on what he wrongly thought a safe strategy within the parameters of BU's academic style is again understandable, although not excusable" (90). King's insecurity was also a factor. According to Garrow, King was, "in those Boston years first and foremost a young dandy whose efforts to play the role of a worldly, sophisticated young philosopher were in good part a way of coping with an intellectual setting that was radically different from his own heritage and in which he might well have felt an outsider" (90). In Garrow's account there is no doubt that King's plagiarism was a crime; but there were extenuating circumstances: insecurity, difficult texts, confusing institutional standards. For Garrow, everything turned out fine in the end, however. The Montgomery bus

boycott of 1956 "transformed" King into the leader known to be moral and above such crimes (90-91).

Later we will see a contrary explanation for King's plagiarism: rather than using learning techniques that were unfamiliar to him, King employed tactics that *were* familiar to him, but in a context that did not understand him.

As for the issue of intentionality in King's dissertation plagiarism, Garrow refutes the idea that there is no evidence of knowing intent. He writes that "a careful reader of the public statements made by King Project staff members can easily conclude that those who have spent the most time comparing the two manuscripts [Boozer's and King's] likewise have few private doubts about the question of knowing intent" (Garrow 87). Garrow is the most vocal Committee member on this point. However, as we have seen, he still finds reasons to excuse King's plagiarism. More dramatically, Garrow claimed that Coretta Scott King's protest of the deposit of King's papers at Boston University might indicate that she knew King plagiarized and did not share her late husband's "absence of concern as to what careful scholarly review of his student writings might reveal" (Garrow 87).

We could engage Garrow's claim here, asserting that King's widow could just as easily have sued Boston University in order to consolidate ownership of her late husband's papers around the research complex she had created and developed over the previous twenty years. However, the catalogue of explanations behind King's plagiarism already shows us something valuable about the rhetorical situation itself. What we can see in the collective apologia for King's appropriations is that, where there is a consensus

that plagiarism is a crime – even a moral outrage – there are also many different reasons for King – a moral leader – to have committed this crime. While no systematic explanation may ever be accepted by the public, these conflicting explanations still have a certain quantitative effect, as a *copia*, of sorts.

We should, rather, focus on the bare fact of paradox that characterizes debate about King's plagiarism. To authors like Garrow, Lewis, and Carson, King's appropriations seem worse in light of his life as a social leader. The goal of their rhetoric on King's plagiarism, then, has been the preservation of his moral stature *and* the notion of intellectual property. Within this rhetoric, King's moral stature must survive accusations of plagiarism, just as our value of intellectual property must survive King.

Yet, as much as King's defenders and detractors alike agree on this moral/criminal dimension of plagiarism, neither has given a very accurate picture of the extent of the crime. Remarkably, much of the literature on King's plagiarism, especially that written by the King Papers Project Committee members, focuses exclusively on King's 1955 doctoral dissertation and other graduate school papers. According to these sources, King's plagiarism occurs in "substantial parts of [his] doctoral dissertation" (DePalma A1); "in graduate school" (Lewis 81); "in his graduate school term papers and doctoral dissertation" (Garrow 86); or in "many of the papers, including King's doctoral dissertation" (King Papers Project 23). From these statements, one can easily form a picture of King as an ambitious and promising student driven to the act of plagiarism by the heightened pressures of graduate research.

In fact, plagiarism is a pattern in King's writing back to 1948, as far as the Papers Project has been able to collect his writings.[4] The earliest example collected by the Papers Project is a paper called “Ritual,” written for Walter R. Chivers when King was an undergraduate at Morehouse College. King got an A on the paper, with the following comment from Chivers: "Learn to do two things: (1) Proof read and correct your ms. before submitting it; (2) How to document and check your references" (Papers 1:127). In this first example, King plagiarizes six different sources. The Papers Project Committee documented twenty-five instances of plagiarism in what must have been a ten to fourteen page paper (fourteen pages in the reproduction), from single sentences to entire paragraphs.

A review of King’s papers from his undergraduate days onward shows that King relied on plagiarism as a standard writing practice. Graduating from Morehouse College, King entered Crozer Theological Seminary in 1948, continuing to plagiarize most of his material for his writing. During this time, plagiarism seems to be the rule for King’s composition habits, rather than the exception. Far from being unfamiliar with correct citation practice, King quotes and paraphrases correctly during his undergraduate years at Morehouse. Between 1948 and 1955 King’s papers demonstrate complete competence in both in-text and bibliographical citation method of the period, with some exceptions, mostly in terms of content, rather than form.[5]

American Historical Association scholar John Higham claimed in 1991 that, “By the time King wrote his [1955] doctoral dissertation, his copying had become more

[4] This earliest example may date from as early as 1946 (Papers 1: 127).
[5] For example, misquoted words or wrong journal titles (cf. Papers 1:129,163,273).

restrained" (Higham 107). In fact, King's plagiarism got much bolder *after* 1950, with whole paragraphs, appropriated virtually word for word, appearing alongside in-text citations from the same sources. Sometimes the appropriations are prefaced with phrases like: "His argument may be summarized thus:" (Papers 2:414) – but these examples are rare.

King had left Crozier Theological Seminary for Boston University in fall of 1951, and continued to plagiarize at the same consistent pace for his graduate courses. The only drop off is between April of 1952 and May of 1953. During this time, King wrote an essay for L. Harold DeWolf, called "Reinhold Niebuhr," without plagiarizing. King continued to compose on his own during his 1952 summer courses and throughout the academic year of 1953. In May of 1953, in a paper called "A Comparison and Evaluation of the theology of Luther with That of Calvin," King once again resorted to plagiarism, and continued to appropriate until his graduation in 1955 (Papers 2:139ff).

. It is difficult to excuse King's consistent reliance on plagiarism by reference to the difficulty of a few of his source texts. As Garrow writes in defense of King: "he was by no means fully at home with the dense and often abstruse theological texts that he was assigned to master" (89). King's papers reveal that he did not plagiarize only the difficult authors he cited; he plagiarized almost *every* author he cited.

Nor can we accept Garrow's claim that:

> Any argument that King simply carried over from one context into a second the learning style he had acquired in the first, without appreciating

> or understanding that what he was doing was both academically inappropriate and ethically improper, is so unrespectful of both King's impressive intelligence and the top-notch undergraduate training to which he was exposed at Atlanta's Morehouse College as to be highly implausible. (Garrow 88)

That undergraduate "training" prevented King from plagiarising is hardly likely, considering that King's plagiarism extends into his days at Morehouse. On the contrary, plagiarism *was* a learning style for King, and it helped him succeed in multiple academic environments consistently and, ethics aside, effectively.

As we have seen, King has also been excused by implicating his professors in some sort of complicity with his plagiarism. For example, Lewis claims that it is "quite implausible" that King's dissertation committee professors could have been ignorant of his plagiarism. He suggests, rather, that there is "another, singularly sinister implication" to King's plagiarism: King's professors knew about his plagiarism and passed him anyway – out of racism. According to Lewis, King's Boston University mentors employed a double standard for black students; and King, "Finding himself highly rewarded rather than penalized for his transparent legerdemain, […] may well have decide[d] to repay their condescension or contempt in like coin" (Lewis 84-85).

Lewis' claims make sense only with reference to King's dissertation, the last of his plagiaries. Any complicity of his teachers would have to be argued within the context of *all* of King's plagiarism, which extends over his entire college career, as far as the

King Papers Project has been able to collect. In other words, the supposed complicity of King's 1955 dissertation committee would have to include the complicity of every teacher King had had since 1948.

The facts show, rather, that no one noticed King's plagiarism. Teacher comments on his papers at Crozer, for example, show no indication that citation was a part of their criteria for grading (Papers 2:230, 211, 181, 257, 251, 243, 236, 263, 268, 313, 335). One exception to this is a paper King wrote during his senior year, called "Book Review of A Functional Approach to Religious Education by Ernest J. Chave." Commenting on this paper, King's professor George Washington Davis, whose classes King took during the last two years of his time at Crozer, writes: "you should give complete bibliographical details in listing date, author, etc." (Papers 2:354). In this paper there are only two quotes from the source text, one quoted and one appropriated. Although the first appears in quotation marks, neither is cited at all, and there is no bibliographic citation for the reviewed book. It is equally possible that Davis' comments were directed at either the quoted passage or the plagiarized one. The balance of teacher comments on King's papers indicates that his appropriations went unnoticed.

During the writing of King's Boston University dissertation, however, Dr. S. Paul Schilling noticed that King "almost exactly quoted" a passage by Tillich. He asked for "needed corrections" to be made to the draft. According to the King Papers Project, the dissertation was passed by the committee, despite the fact that "King did not correct all the errors pointed out by Schilling (King Papers Project 30; Papers 1:335).

Such gross oversight would lead some to implicate King's Boston University professors in his dissertation plagiarism. To say that King's major professor, L. Harold DeWolf, would have been complicit in King's plagiarism, however, seems unlikely in light of a letter DeWolf wrote to King shortly after completion of his doctorate in 1955. In this letter, DeWolf recommends King for a college teaching position. Considering the risk involved in working such a job after violating academic ethics in order to secure it, DeWolf's recommendation seems either bold or foolish, if he indeed knew of King's plagiarism. DeWolf would have been offering King a job he was sure to lose (Papers 1:557).

The phenomenon of King's plagiarism presents America with an ethical paradox not as easily resolved as the limited scholarship on the subject would lead us to believe. King is generally considered an American moral leader. This aspect of King's status has and will easily survive all the evidence of his unethical composition practice, just as it has survived the substantial evidence of his extramarital affairs (Abernathy 1989, Garrow 1986). But nothing about King's accomplishments has facilitated any revision of our code of compositional ethics. Plagiarism is an ethical, even moral, issue. Even King's accomplishments fail to justify plagiarism as a means to an end, just as they fail to justify adultery. King scholars have tended to justify the ethical person of King at the expense of his performance as a student. However, debate over King's plagiarism does give us some idea of how deeply rooted American values of intellectual property can be. As John Higham wrote in 1991: "The greatest modern American spokesman for rights failed a test

of responsibility, from which no historian can grant exceptions without compromising the integrity of his own vocation" (109).

That King should stand doubly guilty of the crime of plagiarism for being a moral leader indicates the ultimate dimension of crimes against these values. According to the scholarly confusion of tongues, King was alternately ignorant, intelligent, vengeful, or insecure. Instead of taking sides within this debate, we should merely recognize that King's plagiarism has created discussion in America not just of textual appropriation, but of character and morality as well. Outrage over King's plagiarism shows us that the concept of intellectual property aspires to a universal application proper to morality itself. Moral ideas are ideas of conduct that benefit all human life. Yet many Americans expect from a communicator of these communal truths that morality itself should bear the mark of intellectual property – in short, of ownership. King's plagiarism and the debate surrounding it lead us to the following question: can the idea of intellectual property, which has developed through both historical and cultural influences, be applied universally?

Keith Miller has suggested that Martin Luther King, Jr.'s plagiarism be evaluated in consideration of the culture in which King was born. Black and white accusations against King, Miller writes, downplay the social leader's greater effort to present a message of truth to a society unwilling to listen to marginalized voices. According to Miller, King created a public persona adequate to the task of confronting white society; plagiarism may have been just one part of King's public formation. Miller says that denigrating King's character because of his textual appropriations "would not elucidate King's

remarkable ability to mine and to weld other writers' discourse as he fashioned the distinctive and powerful alloy of a philosophical self that eventually became a national icon" (75).

King grew up within a sermonic culture that gave blacks hope by subverting political prohibitions against literacy itself. Miller writes that it was "because of the elder King's mastery of a highly oral pulpit tradition begun during slavery, when blacks were prohibited from learning to read" that King found his direction as a moral leader (77). Sermonic tradition, Miller points out, is an oral culture in which copying constitutes proper writing practice. Black oral culture, he goes on, borrows because it did not know the print culture that created the commodity of words: "Folk preachers borrow partly because their oral culture fails to define the word as a commodity and instead assumes that everyone creates language and that no one owns it" (77-78).

More recently, Michael Dyson has explained King's plagiarism in the following terms:

> King spoke much the way a jazz musician plays, improvising from minimally or maximally sketched chords or fingering changes that derive from hours of practice and performance. The same song is never the same song, and for King, the same speech was certainly never the same speech. He constantly added and subtracted, attaching a phrase here and paring a paragraph there to suit the situation. (143)

As for King's academic writing, Dyson notes that "it is one thing to argue that King's habits of verbal borrowing drew from cultural practices […] and another to argue that King simply carried these habits into the academic arena" (147). Dyson builds a catalog of psychological explanations for King's motivations as a plagiarizer. He says that King wanted first and foremost to be a successful pastor; and for that he needed a white education. According to Dyson, King's "genius for mastering the white world through mastering its languages, and for portraying so compellingly the pained psychic boundaries of black life, may derive from the tortured memory of his sore temptation on an isolated battlefield of conscience where he wrestled with, and failed, himself" (153). Drawing on King's personal life – including his marital infidelity and alleged homosexuality – Dyson explains the leader's motivations in personal, rather than cultural terms.

One value of Dyson's approach is that we can imagine Martin Luther King, Jr. in realistic terms, as a real person with real shortcomings. His dismissal of the clash between King's sermonic roots and the academic world, however, likewise dismisses the cultural discrepancy in power that the creation of King's public persona attempted to rectify. As a discourse, prohibitions against plagiarism have supported hegemonic notions of ownership in real social institutions. The ownership of words is not a universal value; neither is the valuation of social voice. (As we will see in Chapter 4, the moment we enter into debate about whether or not either of these notions *should* be universal, we can no longer claim ideological neutrality).

With these ideas in mind, we may ask whether regarding Martin Luther King, Jr.'s plagiarism as a crime is to completely erase the notion of civil disobedience from memory. As a "real person," King may seem like one of us, with faults and shortcomings fit for personal identification. As a symbol of social liberation, however, King has entered the discourse of history; and this discourse still has power.

With or without his shortcomings, King figured in a social renegotiation of power through the spoken word. This renegotiation changed certain standards of ownership in American society forever. As Americans, we judge King's plagiarism from the perspective of a society that treats words as commodities. This same society has also treated human beings in the same way. To rehistoricize King in increasingly psychological contexts, as many authors have done, is to forget the power King wielded in his words; to forget the power of the social discourse of which he was part; and to forget the power of discourse as such.

Chapter 3: Plagiarism in the Information Age

As we have seen in Chapter 1, cultural and historical values have determined the current legal and social status of intellectual property. The case of Dr. Martin Luther King, Jr.'s plagiarism shows that for Americans the attribution of knowledge is ultimately a moral matter. In the "information age," as it has been called, new technologies of intellectual exchange further mold notions of intellectual property. Today, with the Internet, knowledge, it seems, is often a mouse-click away. And yet the Internet is often depicted as a chaotic and infinite "cyberspace" threatening to swallow up the individual voices guaranteeing knowledge's truth value. This chapter will build upon our earlier thesis that technology determines prohibitions against plagiarism by examining the impact of the Internet on intellectual property law as it applies to the composition classroom.

In "Plagiarism and Textual Ownership in the Digital Source Environment," Mirow and Shore noted that:

> Technologies that dramatically alter the reader/writer relationship have weakened the sense of textual ownership and thus exacerbated the age-old problem of plagiarism, creating new temptations and risks. In higher education, new ways of accessing and using resources are challenging the generally accepted notions of academic integrity, full disclosure, and collegiality, which pose several dilemmas for education. (41)

The authors had defined issues of plagiarism, writing, and technology in 1997, only two years after Microsoft decided to develop its first piece of Internet software.

In 2003, information technology still seems overwhelming. Commenting on an advertising campaign by AT&T, Karla Kitalong observed in 2000 that digital technology is often marketed especially for the overwhelmed. In her article "'You Will': Technology, Magic, and the Cultural Contexts of Technical Communication," she points to a need to "acknowledge how frequently complex technological processes are portrayed as magical" (289). Magical views of technology form part of a cultural rhetoric that connects the public to its rapidly changing world. Kitalong is addressing practical concerns for an audience of technical communicators. However, she supports her argument with William Covino's more theoretical view on the impact of rhetoric surrounding information technology: "magical" portrayals continue to have rhetorical effect in a society that embraced science long ago (289). A wider use of cultural media conditions "relationships between people and technology," Kitalong says. Americans are using such media-modeling to arrive at some coherent conception of their "agency in connection with those normative technological relationships" (290).

Those of us on the cusp of the Information Age, who still conceive of information technology in its difference from print media, should listen to Kitalong's advice about being wary of "magical" portrayals of this technology. While the Internet, for example, may not render print media obsolete, it does change our reliance on print materials as a means for understanding the world. The most obvious aspect of this change is the actual

pace of information exchange possible today. Nowhere is this clearer than in printed media *about* information technology. Books about Internet languages like HTML and XML may become completely obsolete a year after publication, while the information they contain appears free on the web. Graphic design majors attend courses on hypertext language that last longer than the applicability of the skills they learn, while web tutorials disseminate the same information at no charge. By the time anything is printed about the Internet, it has become irrelevant to what has already happened *on* the Internet.

In 1999, the Modern Language Association introduced a standard format for citing web pages, referring to electronic sources by their print equivalents (online journal, online book, etc) (Gibaldi 1999). Although MLA has released no complete online style sheet, numerous tutorial websites have appeared containing most of MLA's style sheet guidelines (see http://owl.english. purdue.edu, for example). Information technology, it seems, has the capacity to outpace print media and the educational methods relying on it.

More theoretically, information technology like the Internet seems to redefine our relationship to knowledge itself. In many cases, "hypertext" has been opposed to "linear" text, under the assumption that our way of reading directly influences our way of thinking. Writing on this attitude in "The Link, and How We Think: Using Hypertext as a Teaching and Learning Tool," Sarah Feldman comments that "Any perceived fragmentation or chaos instigated by hypertextual links is only problematic when viewed from a print-centric vantagepoint" […] "In an age of information overload," she writes, "linearity may no longer be viable, or even preferable." Hypertext, she goes on, "aligns with the human mind's natural inclination to associate" (154). Non-linear thinking,

Feldman writes, shows us that information "cannot necessarily be organized as rigid identities." Rather, information in non-linear formats, technology shows us, is valued instead for "its *connection* to other information" (155). The Information Age, then, juxtaposes opposing ways of thinking, defined in terms of "linear" or "non-linear" cognition. In his article "Notes Toward an Unwritten Non-Linear Electronic Text, 'The Ends of Print Culture,'" Michael Joyce notes that hypertext is not just one more way of expressing the same ideas. Reading through hyperlinks actually changes the ideas themselves: "For it is not merely that the reader can choose the order of what she reads but that her choices in fact become what it is" (par. 13).

The overlap of print text with visual media may augment hypertext's influence on the reader's cognition and thought. Writing on the influence of computer technology on the scholarly edition, Julia Flanders describes "visuality" as "a dangerous thing": "'seeing for oneself' doesn't have quite the self-reliant ring for a Spenserian knight that it does for a modern consumer of images" (303). The Internet mixes print media with images such that logical connections must be constructed from several sensory modalities at once. The web uses hypertext languages like HTML "not to indicate the structure of documents, but to force them to appear in a certain way" (303-04). As the Internet distances us from traditional, single-mode reading practice, it also changes our way of synthesizing what we read into knowledge.

However tempting it is to oppose hypertext to "linear" thinking, the two concepts may form a continuum based on common deductive principles. In "Interpretation as Rhetoric," David Bordwell notes that classical rhetorical logic based on the enthymeme

has always been completed by an audience's own imposition of premises "never set forth in the argument"; film and other visual media take advantage of this logical structure by presenting an audience with images prone to identification (Bordwell 480-83). Effective communication in the Information Age is likely a matter of mixing hypertext and linear elements (Johnson-Sheehan & Baehr 2001:29).

The gist of arguments about "linear" vs. "nonlinear" thinking is not that there is a different world out there to understand; rather, our way of understanding is changed by innovations in technologies we use to understand the world. At the same time that information technology renegotiates traditional ways of perceiving the world, it seems to also affect the way in which we transmit knowledge to students. Studying children's hypertext reading habits, Lawless et al. found that "The manner in which an individual collects and sequences information may have a profound effect on what and how well he or she learns the information contained within a given hypertext" (281). As we educators evaluate the effect of information technology in its difference from older pedagogical media, we should also consider the difference between our sensibilities and those of our students, who have grown up entirely within this new age of information.

Within the magic of the current technological craze that seems to put "information" at our fingertips, educators bringing technology into the classroom need an awareness of what separates information from knowledge. Information can be copied; knowledge must be transmitted through action (like teaching). Writing is not just a skill for self-expression; it is a transmission of knowledge. As the Internet has complicated reading practice, multiplying its cognitive modalities, and tantalized students with easy

access to information fit to assignments, should the composition classroom continue to transmit a traditional writing practice by traditional means? As our contact with websites, chatrooms, and other virtual interactions has increased, physical rhetorical situations like the composition classroom are losing dominion over the transmission of knowledge. Online courses, for example, reduce the teacher-student relationship to the most minimal form guaranteeing the student's curricular progress. Prohibitions against plagiarism form part of this minimal contact required by universities. For many Internet-savvy students, plagiarism is a last obstacle in the path toward a fully cut-and-paste learning style.

For these students, the Internet often provides an easy escape from the production of knowledge. Cases of plagiarism seem to have increased since the advent of the Internet. After a four-month investigation into Internet cheating, the University of Virginia dismissed forty-five students and revoked three graduate degrees, according to the *New York Times*. Physics professor Louis Bloomfeld accused over a hundred students of copying assignments using the Internet, after his own software discovered similarities among student papers (A24). Similar reports have become commonplace in the last few years (Bartlett 2001, Beck 2001, Kopytoff 2000, Keller 1998).

According to Robert Mahon, one solution to the problem is the "guilty until proven innocent" method ("Got Plagiarism," 5). Plagiarism is a "game" that professors should play, after getting their "mind right" about the issue (4). Mahon urges educators to "forget all the grandiose hypothesizing as to the whys and wherefores. Ignore the ethical ins and outs, and, not by the way, forego any sentimentalism about your opponents and

the problems and temptations they face. To win you need to maximize the plagiarist's risk and minimize your work." (4-5).

Another less dramatic suggestion comes from a recent book by Robert Harris, called The Plagiarism Handbook, in which he gives several classroom exercises on the subject of plagiarism designed to build teacher-student trust at the beginning of a semester. Harris' assumption that definitions of plagiarism are not as clear as the rules of a game transforms issues of textual appropriation into a rhetorical situation both teacher and student can share, rather than an uneven playing field fostering classroom antagonism.

Although there is surely a type of intellectual pilfering that will always be recognized as theft, we educators should not be too hasty in forming iron-clad notions of students' sensibility toward textual ownership in the Information Age. Information technology may cloud students' perceptions of correct attribution methods. Agreeing with educators that plagiarism is on the rise due to "conveniences of the electronic age," Sara Burnett writes about what she calls "a somewhat foggy understanding among some students of what intellectual property is" (6). "Not all plagiarism is intentional," she says: "Educators admit that sometimes, students just aren't sure how to credit Internet sources--or don't even know if they need to. So they often decide to skip it altogether" (7). Plagiarism, Burnett maintains, can happen among well-meaning students. Others may "simply believe that if it's on the Internet, it's there for the taking" (7). The "magical" ability to take possession of information or music with a mouse-click seems to have changed students' ideas of what is and is not subject to ideas of ownership.

Some scholars, however, claim that any change in such sensibilities is due to youth, not technology. In her article "The Plagiarism of Generation 'Why Not?'" Deborah Shaw argues that increases in plagiarism may be due to the questioning of authority characteristic of the 1960s. As a result, "the Yankee work ethic appears to be a dying concept. Many of my students don't regard hard work as a positive thing. They want to complete tasks quickly; they think short cuts are clever and adequate" (4). Shaw cites increased competition for college admissions as another factor driving students to unethical academic practice. In these troubled times, she goes on, "acts of student dishonesty are, if we can look at them that way, cries for help" (6).

So far we have seen that some scholars believe that the Internet has changed the relationship between reader and text. For students, the Internet complicates textual attribution in the classroom. If information technology can make scholars reconsider the reader-writer relationship as such, we should certainly be careful in estimating the Internet's impact on the relationship between our students and the words we ask them to produce. While we examine the difference between standards of attribution generated in the print age and emerging debate on intellectual property in the Information Age, we should not lose sight of the difference between our sensibility toward issues of intellectual ownership and that of our students. Unlike us, our students may not have the opportunity to come to terms with the "magic" of information technology by reference to more traditional forms of intellectual exchange. We who educate from a "cusp" perspective have the unique opportunity to step back and examine the assumptions used to alternately demonize technology and the youth that use it.

The prohibition of plagiarism is supported, for example, by the assumption that compromises in intellectual property rights are opposed to a correct form of transmission of knowledge. To many of us, this statement stands without question, and by some sensibilities, may not be questioned. The main fault of the plagiarizer, it is said, is turning the transmission of knowledge into a purely economic exchange, papers for grades, without ever *producing* knowledge. With digital technology, even rote memorization is a step up from the contempt for knowledge that Internet pilfering represents. The plagiarist of the Information Age reduces the production of knowledge to mere "cut and paste."

The idea that plagiarism offends not only the educator but education itself is older than the technology that throws it into relief. Teaching composition at Pennsylvania State University in the early 1980s, Augustus Kolich wrote in *College English* that "plagiarism cuts deeply into the integrity and morality of what I teach my students, and it sullies my notions about the sanctity of my relationship to students" (145). Plagiarists must be punished, Kolich goes on, because the emphasis on "independent thinking" is a "foundation of our moral code" (145). Yet plagiarism is not a matter of enforcing clear-cut rules students already understand: "I think that most of us want to believe there is a deep, perilous chasm of moral distinctions between the cut-and-paste paper and the plagiarized essay. And to us there may be no question of difference. But where we often see valleys and mountains, students sometimes see thin faded lines drawn in chalk on a hard, concrete surface" (147).

According to Peter Shaw, who did a short study of plagiarism in 1982, plagiarism must be judged, both privately and institutionally. Institutional judgments are far more

important than private judgments (such as out-of-court settlements). Plagiarism threatens "the moral climate of literature," Shaw says. Its prohibition should be enforced by "society at large," looking out for any violations of "literary norms." After institutions move to reassert "literary standards," it becomes possible "for the general opinion quietly to settle most cases of plagiarism by itself" (336-37). Shaw prefers psychological definitions of plagiarism. For him, any apologia for plagiarism that questions definitions of the word "contains an admission of wrongdoing. Those accused do not actually deny that plagiarism took place; instead, they suggest that extenuating circumstances should make us hesitate to render judgment" (328). Institutions should not hesitate, Shaw argues, to uphold educational standards by official condemnations of what is most likely a psychological "reluctance" to admit that there is a problem (332).

From these points of view, twenty years ago, information technology could only have exacerbated an educational offense already caught between the rhetorical cogs of definition and policy.

By 1989, Vassar University professor Colton Johnson could predict terrible things on the technological horizon. Speaking about plagiarism in an interview with Thomas Mallon, Johnson claimed that digital technology could only make things worse: "Any time you want Professor So-and-So's essay on X, you can get the whole text, and at the press of a button it's yours" (qtd. on 98). Johnson's prediction might suggest that technology itself nurtures the urge to steal. However, the paper mill sites currently flourishing on the web find correlates in the "black market in themes" that flourished in

the 1890s (Veysey 299). Magazines like *Rolling Stone* have advertised paper mills in their pages since the 1970s, according to Mallon (90).

The plagiarist may find a ready ally in information technology; but so does the scholar. Johnson could not also predict that digital text retrieval would become standard research practice.

The Internet does seem to change something about knowledge that has less to do with education than authorship itself. According to *Washington Post* writer Robert Boynton, the Information Age means:

> nothing less than the Napsterization of knowledge – the notion that ideas (like music) are little more than disembodied entities, "out there" in the ether, available to be appropriated electronically in any way users wish. As a result, the line between the hard-won insights that are produced by solitary scholarship, and the quotidian conclusions that collaboration yields, has been blurred. What now constitutes honorable behavior is an open question. (B1)

Reacting to the "plagiarism scandal at the University of Virginia," Boynton questions plagiarism-detection measures that substitute for academic honor codes. This honor code, Boynton goes on, is part of the educational process itself. He says: "If professors have a foolproof way of catching cheating students, then what is the point of having an honor code?" Boynton claims that questions about the need for citation do not come from lazy

cheaters. He says they come "from the conscientious, confused students who simply don't understand what the standards for honorable work are any longer. And who can blame them? They've grown up listening to 'free' MP3 files, studying copyrighted articles their teachers photocopy and distribute without permission, buying bootlegged videos on the street" (B1). In the age of information, the assimilation of knowledge resembles the downloading of free files that landed Napster, Inc. in court in 1999.

If the Internet hasn't created the urge to steal, it has confused our notions of ownership. In comparing plagiarism to file downloading, many critics depict the Internet as a chaotic space filled with pieces of knowledge whose truth-value is suspect because of a lack of definite attribution.[6] As we will see in Chapter 5, the confusion about authorship derives support from critical trends having little to do with technological development (the so-called "death of the author" argument advanced by postmodern thought).

For now I would simply like to advance the claim that plagiarism in the information age is best understood as a renegotiation of policies of ownership, rather than a change in definitions of theft. In doing so, we describe our exigency in material, rather than purely psychological or cultural terms. Information technology does redefine our sensibility toward intellectual property in so far as the law regulates proper use of this technology by first defining ideas in terms of their stealable units. The notion of an

[6] In 2002 Napster's case was somewhat strengthened by their observation that the companies suing them for copyright infringement had never bothered to formally register copyrights to most of the works they claimed to own: "In a strange turn of events, Napster now questions whether plaintiffs, who are responsible for at least 85% of all music sales […] actually own the rights to artists such as Elvis Presley, Nirvana, the Beatles, Jimi Hendrix, Michael Jackson, and, of course, the Grateful Dead" (Re Napster, Inc., Copyright Litigation, United States District Court 191 F. Supp. 2d 1087 21 Feb 2002).

inherent gap between word and idea – from Plato to de Saussure – means that the law can only protect the knowledge we educators value by throwing a net over its symbols.

Two recent legal episodes seem to demonstrate that words are no longer common property, as Seneca said. In November of 2001, a California district court dismissed a lawsuit brought by actor Kevin Spacey against an individual who registered the domain name "kevinspacey.com" on the Internet. Although Spacey's name was being used for commercial purposes without his permission, the court denied him any claim to it. Spacey lost possession of his name in cyberspace under a precedent referring to domain names in general, with no regard to an individual's right to his or her *own* name (Spacey v. Burgar, 207 F. Supp. 2d 1037; 2001 U.S. Dist).[7]

By contrast, Coca-Cola, Inc. wrested their name www.coke.com away from an aspiring "cybersquatter" who registered the domain in an effort to sell it back to the company for an inflated price. The company was protected by new legislation dealing specifically with Internet domain name registration. Signed by President Clinton in 1999, the Anticybersquatting Consumer Protection Act prevents individuals from "trafficking in, or use of a domain name that is identical or confusingly similar to a trademark or service mark of another that is distinctive at the time of the registration of the domain name[…] with the bad-faith intent to profit from the goodwill of another's mark" (Anticybersquatting Consumer Protection Act of 1999).

Under the 1999 law, Coca-Cola, Inc. regained right to ownership of its name in cyberspace because it was protected from those who register domains for the sole

[7] The judge's ruling referred to Cybersell, Inc. v. Cybersell, Inc., 130 F.3d, 9th Cir. 1997: 414, 419-20.

intention of making profit off of their future sale. Since then the company has filed lawsuits against anyone who has registered domain names of any metonymic derivation of "Coca-Cola," including a non-profit fan group registering the name "vintagecocacola.com." (Balderama 2000)[8] In these two legal disputes, the word, and not the idea, was protected as property.

This principle applies to the best use to-date of information technology to *control* plagiarism: Internet plagiarism detection services. Websites like turnitin.com and plagiarism.org have been used for the past few years to compare student compositions to a database of similar assignments in order to root out plagiarized papers. Describing turnitin.com, Michael Bartlett said that:

> The company then checks the contents of the paper against its database by page, paragraph and even sentence, he said. The professor then gets an annotated version of the paper, and if any portion looks like it came from another source, it is color-coded and matched with either the address of the Web page where it came from, or the name of the book, if applicable. (NWSB01249002)

At first thought, the databases created by Internet detection services seem like any typical database an online business uses in its daily operation. However, the creation of a

[8] See also http://arbiter.wipo.int/domains/ "The Coca-Cola Company v. Masud Osman Case No. D2001-0618**.** And The Coca-Cola Company v. Spider Webs Ltd Claim Number: FA0111000102459, National arbitration forum < http://www.arb-forum.com/>. Another injunction between Coca-Cola and William S. Purdy, Sr., took place in U.S. District Court of Minnesota in 2002 (Civil No. 02-1782 ADM/AJB).

repository of individually authored texts does raise some interesting legal questions. More theoretically, such a database is interesting because it resembles a huge repository of knowledge, without its contents ever being used *as* knowledge.

As database detection services continue to expand, some have challenged their use of student compositions in service of economic interests. Andrea Foster wrote in the *Chronicle of Higher Education* in 2002 that database sites like turnitin.com may be violating students' rights. She claims that these sites commonly collect assignments "without students' knowledge or consent" (Foster A37). John Barrie, creator of turnitin.com, responded to Foster's claim. He justified his company's use of student papers on the grounds that students' "work is not distributed elsewhere" (Foster A39). Barrie's argument currently holds legal weight. At the time of this writing, no one has accused any Internet detection service of violating students' intellectual rights. However, according to Foster, the University of California at Berkeley has refused to subscribe to turnitin.com in order to avoid potential legal problems (Foster A38).

There is another concern about Internet plagiarism detection services: some may be working with Internet paper mills to boost their overlapping business interests. As Sara Burnett notes: "Some college officials […] fear there may be a danger in using such plagiarism-detection Web sites. It is possible, some say, that the detection sites are linked to online paper mills, and that papers a faculty member submits to be 'checked' may eventually be put up for sale – and eventually purchased by other students" (Burnett7). The American Federation of Teachers reported in June that the creators of www.plagiserve.com and www.edutie.com, two plagiarism detection services, also ran paper

mill sites (<http://www.aft.org/publications/on_campus/ may_june02/ tech_notes. html>). In an interview with the Plagiarism Resource Site (run by University of Virginia whistle-blower Louis Bloomfeld), the creators of the two services, Oleksiy Shevchenko and Maksym Lytvyn, admitted to having run paper mill sites. However, they claimed that they had "decided to make amends" by later developing the detection services (<http:// plagiarism.phys.virginia.edu/links. html>).

Information technology aids prohibitions against intellectual theft in a paradoxical way. Educators safeguarding the transmission of knowledge have had to rely more and more on laws that can only apply to units of its expression. At a certain point in the legalistic schism between word and idea, prohibitions against plagiarism reinforce the contempt for knowledge behind a plagiarizer's motivation, but within the prohibiting institution itself.

It is difficult to develop prohibitory policies in reference to crimes based on shifting definitions. However, we must consider the Information Age as a challenge to standards of intellectual ownership, rather than a threat to our definition of theft. The "property" of intellectual property in the information age is the word itself. So far, plagiarism detection services are our best option for catching Internet plagiarism. Yet, in using these services, we may be appropriating our students' intellectual voices – as property – without their consent.

We often fault the plagiarizer for treating the transmission of knowledge as a mere economic exchange. However, the Information Age's first attempts at using the Internet to stop plagiarism – at "fighting fire with fire," so to speak – only reinforce this

attitude in our educational institutions. We may even ask whether subscribing to a commercially successful database made expressly for the data transfer of students' compositions without these authors' permission "Napsterizes" knowledge as much as students' use of paper mills undoubtedly does.

Chapter 4: Plagiarism and ESL Education; Culture

We have seen that the notion of intellectual property is renegotiated through the use of information technologies like the Internet. The concept of plagiarism, at base, is an affront to education because it reduces transmission of knowledge to mere economic exchange, without the student ever producing knowledge. For teachers of writing in particular, the student who plagiarizes fails to learn the art of writing with individual voice as a member of a community with particular political participation. As composition teachers, we have the opportunity to foster social voice in students. Today's world is not only currently challenged by new technologies, but also by new political unions. The teaching of composition can help develop social voice in a difficult time. But how can students ever learn to contribute their voice to society if they treat education like an exchange of assignments for grades?

Information technology, as we have seen, gives us a glimpse of a new world. The Internet is a potential political forum for new ideas. As Americans, we may see the free exchange of ideas as a sign of democracy itself. And yet, for Westerners, it seems, such a free exchange means very little if we must give up the ownership of software, music, and writing. This price, to Western social voices, seems much too high. But the Internet is an international phenomenon, and one nation's ideas of what constitutes proper exchange are bound to conflict with another's. The form that global intellectual exchange will ultimately take is still unknown. For our purposes, the Internet's relation to pedagogy leads us to the question of the relation of our ownership-driven values to other cultures. If the Internet is influencing our ideas of intellectual property, and it is also becoming a

global exchange of ideas, then some global notion of intellectual property may emerge from the Internet. We may glean some idea of what this global notion will be by examining the success of Western intellectual property standards as they are transmitted by composition pedagogy to other cultures.

James Berlin has suggested that all teaching is ideological. Rhetoric, he writes in "Rhetoric and Ideology in the Writing Class," is created by ideology, not the other way around: "Ideology is here foregrounded and problematized in a way that situates rhetoric within ideology, rather than ideology within rhetoric" (734). For Berlin, once we naturalize ideology, it appears neutral, normal: "Ideology always carries with it strong social endorsement, so that what we take to exist, to have value, and to be possible seems necessary, normal and inevitable – in the nature of things" (736). No composition pedagogy, he continues, is devoid of ideology. He notes that current-traditional rhetoric, operating under "positivistic epistemology," supported socially-stratified power relations in 19th century college education in America (737). Berlin's notion is conspicuous in the teaching of composition to non-native speakers of English – English as a Second Language or ESL. ESL educators have often noted that the difficulties foreign and immigrant students have with Western writing assignments sometimes reveal deeper cultural clashes. ESL education highlights assumptions embedded in Western composition pedagogy that often go unquestioned and unexamined by American students.

In the 1960s, the fledgling field of ESL education explored differences in rhetorical patterns of thought and writing in a number of cultures. "Contrastive rhetoric," as it was

called, aided ESL educators in conveying Western composition practice to non-native students. The first major attempt to come to terms with contrastive rhetoric came from Robert Kaplan, in his 1966 article "Cultural Thought Patterns in Intercultural Education." For Kaplan, "Logic […] which is the basis of rhetoric, is evolved out of a culture; it is not universal" (2). According to Kaplan, if rhetoric differs from culture to culture, and rhetoric mirrors the process of thought, then insight into foreign writing practice reveals differences in cultural thought patterns. As his article continues, various logics are represented with arrows indicating the way in which writers from different cultures proceed from one logical step to another. Russian rhetoric, for example, is represented by a dotted and shifting arrow-headed line. "Semitic" writing is represented by a complete zigzag. A spiral symbolizes "Oriental" rhetorical thinking. In Kaplan's analysis, English thought is represented by a straight line. While attempting to represent cultural rhetorics in their difference, Kaplan represents them as unique identities that all differ in one common way from English (14-16). Hence the first attempt of ESL to come to terms with culturally-variable rhetorics – Kaplan's diagrams – identified these rhetorics with various racial lineages, under a rubric that also identified their common deviation from an English-based model.

In her article "Twenty-five Years of Contrastive Rhetoric: Text Analysis and Writing Pedagogies," Ilona Leki discusses the slow progress ESL has made in the study of contrastive rhetoric. According to Leki, Kaplan's work, which was more "intuitive than scientific," was nonetheless "valuable in establishing contrastive rhetoric as a new field of inquiry" (123). Part of the reason Leki says that "little progress" was made in

contrastive rhetoric in the 1970s is that Kaplan's pioneering study lent itself more toward current traditional, text-based pedagogy and less to process-oriented approaches (123-25). Complicating such study even more is the fact that papers used for contrastive rhetorical analysis have more often than not been taken from contexts in which the writer was supposed to function in a different culture, and adopted unfamiliar rhetorical practices in order to function in a novel environment (134).

In her own work, Leki has taken advantage of ESL exposure to contrastive rhetorics in order to question assumptions behind American pedagogy. Unlike Kaplan, she finds that writing and thought from non-American cultures highlight aspects of her own pedagogy that go unquestioned before American students. In her article "Good Writing: I Know it When I See It," Leki examines the assumption that "good writing" is defined clearly for students. On closer examination, she says, specific criteria for "good writing" are "context bound" (24). In a survey of ESL students' ideas of the grading criteria to which they were bound, she found that "[i]n general, the students talked about the criteria used by English teachers as though those criteria were disconnected from the real world and only applied in the English class" (30). Giving a set of essays to college professors across the curriculum, Leki found the most contradictory assessments given to a single group of essays, applying unclear criteria under common general headings like organization, logic, coherence. Although teachers often agreed on general requirements, they differed wildly when asked to define these requirements in more specific terms:

> The student and faculty commentary on these essays makes it evident that, although these groups may well be able to agree on certain criteria for "good writing" and may even use the same words to describe those criteria, behind explicit standards of clear organization, appropriate vocabulary, effective introductions, and strong conclusions lie implicit understandings of those terms. This implicitness and perhaps undefinability of these standards precludes the possibility of simply agreeing on a definition of good writing and teaching it once and for all, as we might follow a cake recipe. We have an obligation to our students to make our standards as explicit as possible, while realizing at the same time that even with explicit criteria for good writing, there is much that will remain implicit and, therefore, difficult for our students to comprehend and respond to. (40)

For Leki, the valuable ignorance that non-native students bring to the composition classroom illuminates certain assumptions about "correct" writing practice that evade scrutiny when presented to Americans.

Cultural differences in writing practice extend to issues of plagiarism as well. Composition teachers frequently confront non-native students on issues of textual ownership. It may be tempting for American educators, raised with multicultural "melting pot" ideals, to accommodate foreign composition practice by easing standards of intellectual property. However, by doing so, we necessarily fail to educate non-native

students about the rules of the Western academy. Writing about her experience teaching freshman ESL students at a community college, Lise Buranen notes that "questions about plagiarism are intricate and convoluted enough in a monolingual, mono-cultural classroom, but in the multicultural settings in which increasing numbers of us teach, they become further complicated by the differences in cultural assumptions or expectations of both students and teachers" (66). She says that composition teachers should not be deterred by assumptions of cultural difference that go with the multicultural classroom. Buranen relegates to "urban legend" the idea that students from different cultures have a different idea of what plagiarism is (67).

Buranen's insistence that non-native students always understand what "cheating" is rests on the assumption that what is at issue are definitions of theft, rather than definitions of ownership. We should definitely be wary of students who want to take advantage of us, and be hesitant to believe that they have no personal definition of plagiarism. However, this wariness should not blind us to the more general notion that in upholding laws against theft, we ideologically reinforce standards of ownership that vary by culture. When Buranen writes that "Assumptions about what constitutes plagiarism *or* 'ownership of text' may or may not be exclusively or even predominantly a matter of culture, but cultural difference can serve to further muddy some already murky waters," we can see that plagiarism – that is, theft – and ownership are not two separate issues in her argument (65, my italics).

Buranen guides her analysis of "cheating" in the ESL classroom with an evaluation of current ESL practice. She suggests that educators should rely more on students' personal development as writers and less on mechanical, formal compliance. In the past, she says:

> Too much attention was centered on grammatical and formal "correctness," very narrowly and rigidly defined (topic sentences at the beginning of every paragraph, strict five-paragraph essays, etc.) and reinforced by "skill and drill" exercises in a computer lab, and too little attention, frequently none, was devoted to what the profession has been affirming for more than thirty years as the real work of a writing class: the generation of ideas, the recognition of audience and purpose, the communication of meaning – in short, the development of competent and confident writers. (74)

For Buranen, the process of writing ("generation of ideas," "recognition of audience," etc.) may be subsumed under a more general category of a writer's "development." Buranen no doubt serves the community of composition teachers well in advising us to be wary of students who would take advantage of our multicultural goodwill. However, we should realize that by encompassing the entire "process" of writing under the "development of competent and confident writers," she colors her pedagogical ideal with Western ideologies privileging individuality as final rhetorical cause.

Individuality seems more cultural than ideological. Just as every culture surely recognizes theft as a crime, there must be some global valuation of social voice. Although some societies continue to repress the free expression of individual ideas, the Information Age presents us with some hope that the type of liberal exchange represented by the Internet will soon reach the entire globe. Yet this hope itself establishes individuality within the realm of social prescription, rather than mere cultural valuation. Individuality taken as a prescriptive ideal establishes this particular cultural characteristic as ideology.

Pedagogy necessarily represents culture. For American students, this may be obvious in the content of certain assignments, but for non-native students, paper topics, discussions, and the teacher-student relationship itself all represent culture. Culture for the ESL student is represented by the educational institution: its policies, its politics, and its pedagogy. In her article "Representing culture in the ESL writing classroom," Linda Harklau claims that "instructional practices representing culture in the classroom continually tread a thin line between informing students of cultural norms that will further their L2 writing development and ability to function as L2 writers in academic contexts, and prescribing and enforcing dominant cultural norms in and through writing" (110). With second language (L2) students, writing not only describes culture as a content; it also creates cultural norms in the practice of its instruction. Harklau says that ESL educators are conspicuous "cultural brokers" (110). As many other second language scholars have pointed out, she goes on, writing assignments often construct student identity through discourse (117). This construction of social identity through writing instruction is perhaps more obvious in ESL education because of a tendency noted in the

literature to homogenize the “foreign” student, when actually there are many different ESL students: immigrants, exchange students, visiting scholars (Leki, 1992, Vandrick 1995). Assignments that ask students to describe the difference between American culture and “your culture” may further alienate immigrants from the culture they struggle to make their own (117-18).

One of the most conspicuous assumptions of Western composition pedagogy is that individual voice signals a writer’s maturity and credibility. This assumption surfaces in many areas of our practice, from the *bildungsroman* storyline we find in writers like Dickens to the scholarship that guides our writing centers. In his article "The Idea of a Writing Center," Stephen North subsumes the entire process of writing under the creation of the writer. His "axiom [...] is that we aim to make better writers, not necessarily – or immediately – better texts" (441). Writing center tutors, North says, "must measure their success not in terms of the constantly changing model they create, but in terms of changes in the writer" (439). The process of a writer’s maturity, then, guides all other relevant aspects of the writing process.

No doubt many non-native students come to value individual voice through American composition ideology as well. Min-zhan Lu’s essay "From Silence to Words: Writing as Struggle" has become a classic reference for both writing center and ESL scholars because it links the process of writerly maturity to social struggle in general. Lu’s teaching practice in America as a composition teacher helped her come to terms with the "silence" she experienced after her mother's death. Her mother, Lu says, "had devoted her life to our education," even though this Western-styled education "had made

us suffer political persecution during the Cultural Revolution" (437). Lu's mother gave her works of English literature by Dickens, Hawthorne, Bronte, and Austen in order to break through the political indoctrination of Communist education. Lu writes that, as a youth, school defined her "as a political subject" (441).

Developing a voice of her own through reading and writing, Lu maintained this other political subjectivity only with continual effort: "I assumed that once I had 'acquired' a discourse, I could simply switch it on and off every time I read and wrote as I would some electronic tool" (443). But, as she writes, an "internal conflict between the two discourses continued whenever I read or wrote" (445). For Lu, the development of social voice in the classroom may be a matter of calling students' "attention to voices that may seem irrelevant to the discourse we teach rather than encourage them to shut them out" (447). Here Lu advocates the development of Burkean agency established by identification and division as extant in a circulating discourse. Her essay more generally supports a "melting pot" view of composition as developing a multicultural exchange of equally-represented views. Lu's "struggle" supports the idea that America can liberate individual voice from political repression through democratic values. In Lu's essay we find an attempt to reconcile American writing instruction with democratic ideals. Individual voice in this essay is instrumental to the political and personal liberation of the writer. Individuality itself is a part of the ideology supporting American pedagogy; and this pedagogy in turn reinforces the political unions that guarantee individual freedom. This *bildungsroman* view of the writer as a maturing individual searching for "voice"

characterizes many of the assumptions Western composition pedagogy brings into the classroom *as ideology*.

Applying Berlin's claims to ESL education, Sarah Benesch claims that no pedagogy directed to other cultures can be ideologically neutral. In her article "ESL, Ideology, and the Politics of Pragmatism," Benesch points out how ESL education makes this idea conspicuous: "at the level of educational policy, there are political factors influencing ESL composition in higher education, such as placement procedures, assessment, academic credit, and access to content courses" (709). Reviewing the English for Academic Purposes movement (EAP), Benesch notes that many scholars have recommended that ESL students feel free to express their native rhetoric within the American academic system. Under pragmatist ideals of reforming the university around respect for other cultures, she says, EAP paradoxically shifts the onus to the student, who must ultimately conform to academic standards in order to pass courses. What Benesch calls the "accommodationist strategy" of EAP actually enforces the ideology of individuality under the guise of ideological neutrality (709-12). Likewise, Carol Severino writes that "Emphasizing individualism in writing pedagogy is a particularly Western, or more specifically, American, cultural and political bias; it is neither ideologically neutral nor culturally universal" (182). Seeming to represent ideological freedom, values of individuality easily present themselves as devoid of particular ideological stance.

There is an inherent contradiction between the *bildungsroman* model of writing and "melting pot" ideals of multicultural representation. American composition pedagogy

demands social voice not as just an inherent political right, but as a prerequisite for rhetorical truth.

In "The Classroom and the Wider Culture: Identity as a Key to Learning English Composition," Fan Shen relates his experience studying English literature in America. Coming from China, where individual voice is downplayed in writing, Shen had to adapt to American ideology valuing individual identity in order to succeed in his studies. In Chinese culture, Shen writes, "Both political pressure and literary tradition" downplay the individual voice to the extent that students commit "reversed plagiarism" – "willfully attributing some of my thoughts to 'experts' when I needed some arguments but could not find a suitable quotation from a literary or political 'giant'" (460). Shen's first-language rhetorical practice demanded this downplaying of the 'I' in order to express ideas credibly. For Shen, Chinese rhetoric is not merely a product of a political lack of democratic values. Rather, this rhetorical tradition establishes truth in a different way from Western practice. During his time in the U.S., Shen became exasperated with American writing instruction that reduced the writing process to discovery and glorification of the "Self": "To me, idealism is the philosophical foundation of the dictum of English composition: 'Be yourself.' In order to write good English, I knew that I had to be myself, which actually meant not to be my Chinese self. It meant that I had to create an English self and be *that* self" (460-61).

Like Min-zhan Lu, Shen "struggled" to write with the American "voice." However, unlike Lu, who formed her identity from the values behind American writing practice, Shen came to America with a "Chinese identity already fully formed." (462). As Shen

says of Lu: “Her Chinese self was severely constrained and suppressed by mainstream cultural discourse, but never interfused with it” (462). Despite the advice Shen received about writing – to just “be yourself,” – the more Shen continued to “be” his Chinese self, the more difficult his studies became. His solution, ultimately, was to “create an English self” by understanding and accepting “idealism the way a Westerner does” (461). In order to write like a Westerner, Shen had to first accept Western ideology. Shen’s struggle, then, did not resemble the *bildungsroman* model of the maturing writer caught between a true self and forces repressing it.

In 'Good Writing' in Cross-Cultural Context, Xiao-ming Li gives a portrait of Chinese composition and assessment that agrees with the goals of American pedagogy, but not the means. In a study of Chinese students' writing and the assessment of Chinese composition teachers, Li reproduces a piece of writing that one teacher, named Mr. Zhang for the study, praised highly:

> Ever since I can remember, I could see the river flowing in front of me. The river came quietly from the horizon, turning and twisting, making a detour around our small village, and then flowed quietly into the distance. We, as country boys, did not have a playground as city kids did, so the river was our paradise. *When winter was gone and spring came, the ice and snow melting, the earth waking up and seeds sprouting* the willow trees on the river bank showed green, and their branches danced with the spring breeze [...] *Not a thread of clothing hanging on our bodies*, we

> jumped into the river one after another with loud splashes. We competed in diving or, divided into two groups, fought in the water until our parents came and yelled, "Time to fill your stomach." [...] We came in flocks to catch fish in the waterweeds. With good luck, sometimes everyone caught a string of fish to show off to their family. The long faces of the parents would then relax for a while. (35-36)

The italicized portions of the text represent "four-character phrases, known as proverbs" (130). Mr. Zhang gave the student writer credit for combining "emotional expression with the narration, creating a piece that not only has a strong flavor of rural life, but is permeated with your love for your hometown and people." The paper, Mr. Zhang goes on, "draws from both the colloquial and the classic poetry and proverbs, and the language is simple and natural, demonstrating good literary grace" (36). The inclusion of proverbs as part of the student's sentences, which Westerners might call plagiarism, elicits positive assessment.

A different teacher, Mr. Yu, speaks more generally of the Chinese conception of self-expression:

> We think that writings should have "personality," should come from self and express the author's unique understanding and genuine feelings, yet the "self" in the West is in our view a small "self," and what we are talking about is a big "self." That is, through one's personal observation,

> discovery, and understanding, the writer should produce works that will contribute to the life and future of the nation and its people, to the health and progress of society [...] If "self-expression" is elevated to the main function of writing, the social function of writing will be weakened, and we run the danger of encouraging the student to wallow in decadent and unhealthy sentiments. We want students to produce writing that can inspire others, and at the same time, enable themselves to think more positively about life, to love life and have more confidence in life (34).

There is little difference between Mr. Yu's impression of the goal of Chinese composition teaching and our own. However, the "self-expression" Yu deplores is what pedagogical trends like Expressionism require for both truth and a writer's maturity.

The struggle to become a writer with a unified self is a Western struggle. Shen's strategy of "creating" a self may sound dishonest and insincere to Americans who value "voice" as a prerequisite for proper rhetoric. For some cultures, however, it is precisely this authorial voice based on individuality that cannot be owned. This notion may perplex Westerners, especially when it is put into practice by appropriating others' words.

An illuminating debate on the issue of plagiarism and culture took place in 1993 and 1994 between two Hong Kong composition teachers. In those years, Glenn Deckert and Alastair Pennycook exchanged a series of articles in the *Journal of Second Language Writing*. In an effort to determine the level of awareness among his students of plagiarism, both its definition and its status as a crime, Deckert distributed a

questionnaire to 239 students at Hong Kong Baptist College majoring in "biology, chemistry, math, and physics" (133). The questionnaire gathered personal information about the students, identifying them by the sections of a course that they were taking. In this questionnaire, Deckert gave the Chinese students a definition of plagiarism: "A simple definition of 'plagiarism' is the bad habit of taking the words or ideas of another writer and including those words or ideas in your own writing as if they were your own" (145). Deckert then asked the students to review six representations of student writing based on a sample source, ending in the following summary question: "Look at the one or more writing samples you rated as having 'a great amount of plagiarism.' Then indicate below which *one* of the samples is the *worst case of plagiarism*." (147). Decker's questionnaire ended with a section called "Why Is Plagiarism Wrong," which asked students to describe plagiarizers using words ranging from "innocent," "inexperienced," and "accurate" to "deceitful," "foolish," and "stupid" (147). Full of value judgments, the questionnaire still failed to elicit any consensus on the part of Deckert's students concerning definitions of the crime.

In his 1993 article, Deckert begins with the null hypothesis that "L2 writers who engage in plagiarism as conceived in the West are often committing an offence akin to an unintended rudeness or impropriety in a social interaction resulting from the failure to grasp the prevailing social mores" (132). From the questionnaires, Deckert claimed that his Chinese students did not understand the gravity of the issue:

> The term *plagiarism* generally conveys the notions of cheating and dishonesty, or carelessness in the use of sources. The writing of ESL students in Western contexts, however, seems often to be other than blatant misrepresentation or carelessness. To allege that these second language (L2) writers are engaging in outright plagiarism in their academic writing appears to be overly harsh. (131)

Deckert is more concerned with the fact that his students do not accept his characterization of plagiarism as a "bad habit" than with their divergent opinions on what should be owned. Yet, all statistical calculations come down, ultimately, to the operational definitions from which they calculate. As Deckert himself admitted in 1994, establishing a definition of plagiarism in terms of his students' perceptions was the most difficult part of his study ("Author's Response," 286). However, for him, this difficulty only reinforced his position: "Granted, one's underlying assumptions may seem somewhat amiss in the early stages of inquiry, but one is hardly to be faulted for these in the initial steps of exploration" (287). He equates the "students' lack of agreement about what was unacceptable writing" with a "lack of familiarity with the very notion of plagiarism" that "poses the greater threat to the validity of this portion of the study" (288).

Responding to Deckert's study, Alastair Pennycook noted that while Deckert "is right in some senses that students cannot recognize plagiarism, his basic premise that plagiarism is clear and objectifiable and can therefore be easily recognized is much more

open to question" ("Complex Contexts," 277). Behind Deckert's statistical methods, Pennycook finds an ethnocentric bias (279). For Pennycook, it is not a matter of making students aware of the gravity of their indiscretion by Western standards. Rather, what is at stake is making Western teachers aware of the values their practice enforces under the pretense of some universal sensibility toward the concept of ownership. In its zeal to uphold Western standards of intellectual property, Deckert's study may actually be "dismissive of Chinese practices of learning" (278).

Pennycook refuses the assumption that plagiarism inhibits learning. In his commentary, students cannot be instructed in Western academic policy by merely classifying non-Western writing practice as deviant. For Pennycook, Deckert portrays the Hong Kong students as ill prepared for Western academia, without recognizing that they come to Western universities with academic practices of their own: "Nowhere is there consideration of the possibility that these institutions are not prepared for the students that come to them" (279-280). Pennycook shifts focus from deficiencies in students' adaptation to Western learning practice to the institutional refusal of a cultural learning practice that translates into the English world as unethical.

Distributing Deckert's questionnaire to the English Center at Hong Kong University, Pennycook obtained data from faculty matching Deckert's student responses.
The faculty responding to the study were just as unable to reach a consensus on plagiarism as Deckert's students. Replicating Deckert's findings with a different population – the authoritative one – Pennycook confirmed the study's reliability even as he shattered its validity. He concludes that:

> The variation in responses suggests that plagiarism is by no means as easily recognizable and objectifiable as Deckert claims; and [...] the remarkable similarity between students' and teachers' responses suggests that, rather than students' being unable to recognize plagiarism, they are, by contrast, fairly astutely aware of the complexities of the issue. (278)

As in Leki's study of what "good writing" means to teachers across the curriculum, Pennycook discovered that specific standards of the academy did not hold up to close examination.[9]

For Pennycook, Deckert's study keeps alive assumptions behind colonial education itself. In Pennycook's postmodern approach to the question of cultural variations in notions of intellectual ownership, discourse itself is an exercise of power. Deckert's discourse, he goes on, is in itself an "excuse for cultural imposition" (280). Considering the colonial roots of Hong Kong composition teaching, Pennycook finds it "unsurprising, then, that in the context of doing academic work in a 'culturally intrusive' second language, students may return chunks of the language more or less as they found them" (281).

[9] Differences in faculty opinions may also be accounted for by reference to Toulmin's system of "field-dependent" and "field-invariant" argumentation. See Toulmin, Stephen. The Uses of Argument. 1958, 39-43. Applying these ideas to Pennycook's appliction of Deckert's study, we should keep in mind that field variance means precisely that plagiarism cannot be defined across the curriculum. Whereas Deckert used the questionnaire to contrast students' confusion with a definitive faculty policy, Pennycook used it to mirror variance among faculty definitions with Deckert's students' responses.

In his 1996 article “Borrowing others' words: Text, Ownership, Memory, and Plagiarism,” Pennycook relates the question of textual ownership to linguistic ownership in general: "When does one come to own a language sufficiently that to say something 'in one's own words' makes sense?" (202). "All language learning,” he says, “is to some extent a process of borrowing others' words" (227). Postmodernism raises "serious questions for any notion of individual creativity or authorship" (209). Therefore, he writes, "We need […] to theorize a notion of agency or voice in order that we do not reduce subjectivity to nothing but a product of the discursive" (209, n.2). The history of Hong Kong education, Pennycook points out, shows that colonial educators have opposed memory and textual borrowing to “correct” writing practice since the 19th century (219-20). In Chinese culture, however, copying respects the original author, whose words the student cannot better (223-224). Interviewing "Hong Kong Chinese students at the University of Hong Kong who had been 'caught' plagiarizing," Pennycook highlights the confusion between colonial prescription and native rhetorical practice:

> Some students pointed to what they saw as the hypocrisy and unfairness of the system in which they were required to do little more than regurgitate ideas but always required to do so in a foreign language. It was also suggested that there was a degree of hypocrisy in lectures where it was evident that a lecturer was doing little more than reproducing chunks of the course text (with their good textual memories, students were very good at spotting this) and yet never acknowledged the source. If they took close

> notes, memorized them, and rewrote them in an exam, they could be accused of plagiarism. Another student directly confronted the strict attitudes to borrowing from other texts since it failed to take into account what students learned. Perhaps, she suggested, this was a teacher's problem not a student's. (225)

Pennycook's ultimate point is not that plagiarism is unidentifiable. Rather, in different cultures, plagiarism can have different functions, including learning itself (226-227). Pennycook's results refute Deckert's claim that non-Western students are ignorant of the importance of the social rules they break by plagiarizing. The students Pennycook interviewed show that Western prohibitions based on the value of individual voice translate into Chinese culture as impropriety.

Pennycook offers a broad, yet incisive outline of the relationship between English language teaching (ELT) and colonialism in his 1998 book English and the Discourses of Colonialism. He writes that colonial rule dictated the methods of English language teaching, and ELT was conceived primarily in terms of how it would benefit English rule (19-21):

> I want to argue that ELT theories and practices that emanate from the former colonial powers still carry the traces of those colonial histories both because of the long history of direct connections between ELT and colonialism and because such theories and practices derive from broader

> European cultures and ideologies that themselves are products of colonialism. In a sense, then, ELT is a product of colonialism not just because it is colonialism that produced the initial conditions for the global spread of English but because it was colonialism that produced many of the ways of thinking and behaving that are still part of Western cultures. (19).

Pennycook twists the notion of individuality when he writes that the construction of the Self is consistent, even dependent upon, construction of the (colonized) Other. The two are part of the same discourse of power (19-20, 147).

The domination of other cultures characterizes colonial history as much as the glorification of the colonizers, according to Pennycook. He points out that, during the 19th and 20th centuries, the English language was praised for contradictory reasons: first, for its pure heritage that could be traced back thousands of years; and second, for its ability to absorb the words of other languages. The first point, Pennycook goes on, established English speakers as natural global rulers, while the second qualified this right of rulership as essentially democratic (133-146). As Pennycook writes:

> Although both claims - that 80 per cent of English could be foreign and that the language can be traced back over 8,000 years - seem perhaps most remarkable for the bizarreness of their views, they also need to be taken very seriously in terms of the cultural constructions they produce, namely

> a view of English as some ethnically pure Anglo-Saxon or Aryan language. (141)

According to Pennycook, ELT discourse resembles colonial discourse when cultures with a history of imperialism create student identity through unexamined assumptions of cultural identity. Referring specifically to Kaplan's diagrams, Pennycook relates such an instance from personal experience:

> I had an interesting conversation with an Anglo-Australian woman who used the family name of her Chinese husband. An assignment she had done for a lecturer in a distance learning programme (the lecturer knew only her name and had never met her) had been returned with a long explanation (including once again Kaplan's diagrams) of how Western writing was linear and clear and that she was still writing in the circular Chinese style. The Chinese name on the title page of the assignment had triggered a whole set of beliefs about culture, thought and learning. And when I discuss these constructs with my students, I find many of them, particularly those from East Asia, nod in recollection at textbook diagrams, circles drawn on blackboards, scribbles at the ends of essays, all repeating the same cultural construct of colonialism. (161)

Pennycook is not alone in his observations. In his 1989 book Masks of Conquest: Literary Study and British Rule in India, Gauri Viswanathan shows how the canon of English literature was created in order to maintain British control over Indian education.

Colonial education in India under the East India company mediated two different policies of population control. Before the Charter Act of 1813, Viswanathan writes, governor-generals controlling British interests in India developed civil structures alternately embracing and excluding Indian culture. Conflicts between so-called "Orientalism" versus "Anglicism" characterized the period of 1740-1780.

The Charter Act of 1813, which extended rule of the East India company over India by twenty years, involved the company in the education of Indian people and eased restraints on missionary work among the native population. Education after the Act took advantage of the bureaucracy that previous governor-generals had created in order to stratify the Indian population into loyal groups of civil servants representing colonial rulers to the population at large (23-26). Educational requirements were established for entrance into this civil service. These requirements were designed to mediate between missionary and secular education, the former being seen as too confrontational to serve colonial control. Missionary work was allowed to the population under the Act, despite worry among the officers of the Company that the introduction of Christianity would interfere unduly with the native religion and lead to revolt like that in Madras in 1806 (23-38). Education in India after 1813 represented Anglo culture to the populace without confronting the colonized people on religious grounds. As Viswanathan puts it: "The tension between increasing involvement in Indian education and enforced

noninterference in religion was productively resolved through the introduction of English literature" (38).

Describing the introduction of English studies in India, Viswanathan writes that "Grammar was not taught separately but alongside the reading of texts, which consisted of parsing, memorization, and recitation" (46). Colonial education served the pragmatic interests of colonial officers rather than pedagogical interests:

> Unaffected by Baconian ideas of educational reform and indifferent to the "words" versus "things" controversy raging in England, the British administrators [...] gravitated intuitively toward a classical approach to the study of language and literature as an end in itself, resisting implicitly utilitarian pressures to enlist literary study as a medium of modern knowledge. (46)

Those representing the missionary effort opposed the teaching of literature in India. Utilitarians like Bentham thought poetry masked a word's true meaning. Evangelicals thought poetry encouraged sensuality instead of understanding (47). Behind the "words and things" debate, Utilitarians and Evangelicals developed political stances out of literary sensibility.

For Viswanathan, the colonial history behind English literature's formation as a pedagogical canon disappears from view when curriculum is seen as a "melting pot" for various cultural identities. He argues that:

> the main issues in curriculum will remain unaddressed as long as the debate continues to be engaged by appeals to either universalist or relativist value, religious identity or secular pluralism. Until curriculum is studied less as a receptacle of texts than as activity, that is to say, as a vehicle of acquiring and exercising power, descriptions of curricular content in terms of their expression of universal values on the one hand or pluralistic, secular identities on the other are insufficient signifiers of their historical realities. (167)

Viswanathan echoes Harklau's concern over "assimilationist" rhetoric that diverts attention away from pedagogy's creation of student identity with emphasis on the student's personal journey toward discovery of personal identity.

Post-colonial criticism shows that individuality founds the Western ideology that composition pedagogy reproduces in foreign contexts. In his article "Plagiarism and Ideology: Identity in Intercultural Discourse," Ron Scollon points out how this ideology is also reproduced domestically. Scollon claims that "Treatments of academic plagiarism tend to presuppose a common ideological ground in the creative, original, individual who, as an autonomous scholar, presents his/her work to the public in his/her own name" (1). This "common ideological ground" goes all the way back to Enlightenment philosophy. The notion of a unified author, Scollon says, is supported by Kant's distinction in *Science of Right* between ownership of material text and ownership of

discourse. According to Scollon, Kant's distinction founded the "conduit" model of communication educators have used to understand language (3-5). This "sender-message-receiver" model of language, he goes on, drew support from the empirical philosophy of Locke (19-22).

For Scollon, Western understanding of language based on scientific philosophy is itself a discourse of power. He writes that "the concept of plagiarism is fully embedded within a social, political, and cultural matrix that cannot be meaningfully separated from its interpretation." What Scollon means is that plagiarism is not a unitary *thing*. It is, rather, a group of assumptions about the self and communication that determine "who should or should not have the right to use discourse to create individual, autonomous voices in society." Scollon suggests that the right to "write as unified biological persons who always represent themselves in a straightforward and sincere way" is made concrete through the discourse of prohibitions against plagiarism (23).

Our value of social voice becomes ideology when presented through pedagogy as a prerequisite for rhetorical skill. Nowhere is this more evident than in the pedagogy Westerners present to non-native speakers. Even the most benign guidance toward discovery of individual identity through writing can seem like cultural imposition when individuality is taken for an ideologically neutral, universal good. James Berlin has pointed out that even expressionist pedagogy, with its personal, almost fanciful descriptions of the writer in search for the self, masks an ideological stance with pretenses to neutrality:

> This rhetoric thus includes a denunciation of economic, political, and social pressures to conform – to engage in various forms of corporate-sponsored thought, feeling, and behavior. In indirectly but unmistakably decrying the dehumanizing effects of industrial capitalism, expressionistic rhetoric insists on defamiliarizing experience, on getting beyond the corruptions of the individual authorized by the language of commodified culture in order to re-experience the self and through it the external world, finding in this activity possibilities for a new order. For expressionistic rhetoric, the correct response to the imposition of current economic, political, and social arrangements is thus resistance, but a resistance that is always construed in individual terms. (743-44)

The postcolonial theories reviewed in this chapter add an important dimension to our examination of plagiarism as a cultural and historical process complicated by new technologies and differences in conceptions of ownership. Postmodernism often subsumes postcolonial theory within a larger and more convoluted theoretical framework. However, Pennycook points out that:

> The postmodern and poststructuralist critiques of the notion of originality [...] tend to operate at a certain level of philosophical abstraction. There is another side to postmodernism, however, which tends to deal in more material changes […] we may see the death or the demise of the author as

> a product of changes in communication in societies dominated by electronic media. (“Borrowing,” 215)

In the next chapter we will briefly explore the influence of postmodern thought on academic policies on plagiarism.

Chapter 5: Conclusion

In a recent compilation of postmodern perspectives on plagiarism, Gilbert Larochelle wrote in his article "From Kant to Foucault: What Remains of the Author in Postmodernism," that "[t]o plagiarize is to translate in a negative mode, because legitimacy is absent. Nontranslatability of the work by the author, for postmodern thinkers, leads to the disappearance of originality and of plagiarism by reason of a lack of responders to whom one is prejudicial" (129). The issue of plagiarism easily links the two fields of study by means of the so-called "death of the author" argument from Roland Barthes' 1977 work *Image, Music, Text*. The gist of this argument, which has been restated through so many authors that it can hardly be called Barthes' anymore, is that the process of reading depends little on an author's identity. So little, in fact, that s/he is "dead" to the reader, who creates a reading out of associations more directly linked to the reader than to the writer.

But the true "death" lies in the reader's construction of authors of text by means of text itself. To the extent that language is understood interpersonally, it is shared; and this sharing means that no author can own language. As Socrates says in the Gorgias: "if men had not certain feelings, each common to one sort of people, but each of us had a feeling peculiar to himself and apart from the rest, it would not be easy for him to indicate his own impression to his neighbor" (83). Instead, individual authorship is constructed out of language used communally. Who authors are – deduced from readings of text – is as subjective as interpretations of what they write. The "death of the author" argument

challenges the notion of stable authorial identity, with differing levels of success. As Mallon writes:

> Still, academics remain curiously willing to vaporize the whole phenomenon of plagiarism in a cloud of French theory. When I spoke to one audience of professors in 1990, their questions, sometimes hostile, tended to concern why I hadn't addressed concepts like Roland Barthes' "death of the author," and the possibility that there is *no such thing* as originality. I didn't address such matters because they seemed to me then, as they do now, absurd. The professors don't really believe these theories, either. They're the type who can't sit on the university's parking-regulations committee without getting into a discussion of nurture vs. nature, but if they catch someone pilfering their own bibliographies, you can count on a cry of bloody murder, not an invitation to hermeneutics. (243)

Mallon's view of postmodernism does little justice to the theory. Postmodernism applies to the issue of plagiarism not in some nebulous, "cloudy" way, but as a specific attack on language's ability to convey absolute truths. First and foremost among these dubious truths is the identity of an author as constructed by readers s/he may never meet. According to the postmodern perspective, authors exist as real people but also as "subjects" constructed by language. Larochelle shows that, just as the Enlightenment

philosopher Kant distinguishes between a book's creation and the material conditions of its publication, authors reap profits from the sales of texts without owning their interpretations ("From Kant to Foucault," 121-24). Writers write and own works, to be sure; but, as subjects, they exist only as another text constructed by the reader.

Foucault makes it clear that authors are constructed through language inexactly, like any other object. Objects "of discourse," he writes, do not "suddenly […] light up and emerge out of the ground." They are created with language that relies on relational elements to create meaning. The meaning of authorship must also be created "under the positive conditions of a complex group of relations" (1133).

Language, then, does not signify us; it constructs us. Postmodernism continues an ancient rhetorical tradition not of questioning the existence of truth, but rather describing the real failure of language to represent it the same way for all language users.

The postmodern relationship between reader and writer, then, is one in which the writer has little control over the associations readers make when reading. At first, this notion seems to be common sense. But the controversial postmodern "death of the author" is nothing more than a *reductio ad absurdum* of this concept, with the added proviso that absurdity is the norm, not an exception.

Although inexact, Mallon's statements do point to an important rift within the discipline of English. While our most theoretical courses deal with the postmodern notions of intertextuality and authorship, our most pervasive practice – the teaching of composition – penalizes students for taking others' words without giving credit. By requiring freshman students to take composition courses, the university expects all of its

students to acquaint themselves with standards of textual ownership under ethical codes that the discipline of English questions in other contexts.

Confronting the composition classroom with technologies that challenge authorship and ownership, the age of information makes the postmodern "death of the author" argument relevant. As we have seen, information technology has sparked lively debate on issues of intellectual ownership in legal, commercial, and social contexts. In some ways, the postmodern philosophy of the "death of the author" heralded real changes in the material exchange of ideas that American courts, corporations, and universities now face. Larochelle reminds us, however, that "it is difficult to see how the law can function concretely from the principles of postmodern philosophy" ("From Kant," 129).

Ironically, one of the greatest obstacles to creating a forum for civil debate on postmodern ideas of ownership within the academy is postmodern writing practice itself. Rebecca Moore Howard's clashes with the academic community at large show how postmodernism undermines itself by suggesting proper pedagogy in subversive language. During the 1990s, Howard advocated a method of student writing that postmodernism and the Information Age seemed to sanction. Bringing attention to different forms of plagiarism and authorship in "Plagiarisms, Authorships, and the Academic Death Penalty," she defended "patchwriting," or synthesizing fragments of other sources into an edited but cut-and-paste document.[10] The bulk of her article is dedicated to finding a place in academic policy for this writing practice, which she calls "[w]riting passages that

[10] For more on the specifics of patchwriting, see Howard, Rebecca Moore. "A Plagiarism *Pentimento*." Journal of Teaching Writing 11.3 (1993): 233-46. She has also written a general treatment of plagiarism titled Standing in the Shadow of Giants: Plagiarists, Authors, Collaborators Greenwood, 1999.

are not copied exactly but that have nevertheless been borrowed from another source, with some changes" (799). Students who patchwrite are inexperienced "with conventions of academic writing, instruction in quotation and source attribution" (799).

According to Howard, patchwriting is a strategy that postmodernism puts in a positive light because academics "patchwrite all the time […] with presumably more aplomb than the students whose papers are so often castigated for plagiarism or academic dishonesty" ("Howard Responds," 859). Here Howard calls on Pennycook's postmodern view of language use in general, in which ""[a]ll language learning is to some extent a process of borrowing others' words" ("Borrowing," 227). However, linking patchwriting, which she says may have "positive motivations" ("Plagiarisms," 788), to an absence of familiarity with correct attribution begs the question of what its place in academic policy or even process writing pedagogy could be. Responding to Howard's article, Barbara Welch writes that "[p]atchwriting is practiced by students with meager reading ability who can't even decipher a good newspaper […] should it be encouraged, even in drafts?" (857). Welch's argument reminds us that while patchwriting may not be plagiarism, its inclusion within the writing process also includes the deficiencies for which it compensates. Howard has agreed that, while taking advantage of a practice already familiar to students, using patchwriting in the composition classroom must eventually give way to introducing students to academic standards ("Howard Responds," 860).

In "Sexuality, Textuality: The Cultural Work of Plagiarism," Howard more broadly describes plagiarism and authorship within a postmodern perspective. From a catalog of descriptions of authorship and theft that use sexual metaphors, she concludes that:

> The very notion of plagiarism is both product of and reproducer of sexual preference and gender ontology [...] Authorship in all its forms is attributed to the masculine, and plagiarism threatens that gender by bringing it into proximity to the female. Authorship is not only masculine, but it is also compulsorily autonomous, hence compulsorily heterosexual. Because collaboration is feminine, it is not authorship (485).

While Howard shows the reader metaphors for textual theft that use sexuality as a vehicle, her examples do not necessarily demonstrate that masculinity and femininity is what is at stake in descriptions of authorship. When she cites Shipherd's metaphor about "erect" writing, for example, virility is at issue, not sexual identity (477). Her catalog of sexual metaphors for plagiarism (including “whoring” and “rape”) does not necessarily indicate that prohibitions against plagiarism are based in some general truth about men and masculinity. Rather, these metaphors beg the question of the particularity of the sexual assumptions supporting them. Before we agree with Howard that the notion of strength necessarily connotes masculinity (477), we should consider that these metaphors merely reflect their authors' individual notions of sexuality. To see these metaphors for plagiarism as supported by a *correct* discourse on masculinity is to authorize these metaphors' slanted assumptions as correct.

Howard's strategy to conversely define collaboration as feminine, then, hardly escapes this discourse by completing the binary structure of its argument (485). Claiming

that "hierarchical gender and sexuality" are "integral to our fundamental concept of plagiarism" (486), merely reproduces the notion that hierarchy has any real relationship to sexuality. If plagiarism has been sexualized according to hierarchical notions of gender, then sexuality itself has first been fantasized as hierarchical. Choosing the underside of this discourse as her subject position, Howard reinforces the fantasies and sexualization dependent upon it. Likewise, Howard's suggestion to "quit using the term *plagiarism* altogether" (489) infects the word itself with the sexual connotations imposed on it. According to this argument, the only way to get rid of the sexualization of plagiarism is to repress the word itself. This is hardly a postmodern strategy, if we associate postmodernism with the idea that no word contains its associations.

Like many postmodern authors, Howard argues from a "toolbox" of ideas under a playful textuality that ultimately alienates wider audiences. She has thus been attacked by critics with little sympathy for theory. Commenting on Howard's "Sexuality, Textuality" article, Stephen Goode writes: "Howard wields jargon deftly, but she can hardly write a clear sentence" (4). Reducing her argument to the claim that "Plagiarism is a sexist term," Goode represents Howard to a larger public in the following words: "She calls upon her colleagues to engage in a 'revisionary/revolutionary' effort to demand less originality!" (4). Similarly, in a March 2000 edition of the National Review, Jonah Goldberg presented a hasty summary of Howard's essay: "She believes that prosecuting plagiarism runs against the political aims of teaching English" (http://www.nationalreview.com /goldberg/ goldberg.shtml). Neither Goode nor Goldberg have the critical savvy to understand Howard's argumentative stance, instead losing themselves in her diction.

Howard's arguments are much more open to the meat grinder of critical commentary because of their postmodern presentation.

The debate surrounding Howard's appeals for student "patchwriting" and her "sexualization" of plagiarism show that postmodernism gives license to concepts that alienate wider audiences. If such writing makes little headway in discourse among academics, we should also expect little influence of postmodernism on university policy makers.

Yet postmodern attacks on authorship raise many issues that are important to the teaching of composition. As long as postmodernism is given voice in the university, authorship is subject to academic debate that questions university standards. With the advent of information technology and legal redefinitions of trademark law (including the recent extension of copyright), we can see that this debate is hardly closed. Current instability in policies on authorship may shift the onus of this institutional debate to students via debatable prohibitions against plagiarism. Reduction of conflicting definitions of textual ownership to the deliberate intellectual theft acknowledged since antiquity only obscures the relation of postmodern theory to our practice.

In its materialist applications, postmodernism forgoes philosophical abstraction for tangible critiques of power relations. In Fragments of Rationality, Lester Faigley argues that "[t]he institutional setting has a great deal to do with why the adjectives 'honest' and 'truthful' are reserved for personal narratives that are potentially embarrassing and even damaging to the writer" (129). For Faigley, behind assumptions that writing is a process of getting in touch with one's true self through a confessional process of writing, power

relations determine pedagogy. In the process approach, the student getting in touch with her true self is really playing an institutional game of "confession" that reifies the power of the teacher as confessor. Drawing on Foucault's History of Sexuality, Faigley claims that this power relation figures as a prerequisite for truth itself (129-30). Faigley asks "why there has not been a large-scale crisis of postmodernity in composition studies" (206). He says that, just as counterculture has become common fashion, the "radical beginnings of the process movement were also domesticated" (225). He suggests that "[a]sking students to write narratives about the culture in which they participate is one way of allowing them to explore agency and to locate themselves within their culture" (218). This culture, populated by electronic media that redefine the relationship between author and reader, doesn't subsume individual identity as much as open up a multiplicity of identities, overwhelming students with too much agency. But this multiplicity should not alarm us: "The multiplicity of subjectivity is not necessarily a thing to fear because in classrooms it fosters discursive richness and creativity. But it does require theorizing and, if teaching practices are to be involved, new metaphors for the subject" (230). Like Howard, Faigley embeds his ultimate suggestions for academic policy in theoretical terminology. Arriving at some awareness of the relationship between power and pedagogy, we still have no idea what “new metaphors” will help students understand agency in a culture steeped in information technology.

Not all postmodernism revels in subverting tradition. Some scholars, in fact, use postmodern theory to reclaim it. In Rhetoric Reclaimed, Janet Atwill outlines a postmodern approach to problems of subjectivity innate to the liberal arts / humanistic

tradition itself. Atwill argues that rhetoric must be conceived as a “technē” with no necessary relation to specific cultural norms in order to preserve its ability to subvert social relationships in the name of justice. This technē is a “productive knowledge” older than the Humanist tradition inaugurated by Quintillian. This later tradition conceives of subjectivity in a circular relation to virtue such that each is determined by the other. Productive knowledge, by contrast, defined rhetoric as an "art" without defining the subjective prerequisites of the rhetor: "What is at stake in a technē is neither subjectivity nor virtue [...] technē is defined against the forces of necessity, spontaneity, experience, chance, compulsion, and force; it is often associated with the transgression of an existing boundary – a desire for ‘more’ that challenges or redefines relations of power" (7). Although described by Aristotle and the pre-Socratics, productive knowledge is no longer recognized within the Humanist tradition of liberal arts education as the basis of Western epistemology because "it is defined against virtually every distinguishing feature of traditional Western humanism" (7). Humanism's characterization of virtuous subjectivity as the final cause of rhetorical education, Atwill argues, transforms "a specific, historical subject into a universal form" (23). Under the liberal arts tradition, rhetoric "remains committed to the production of a normative subject" that reproduces "specific cultural values" rather than transforming them (29). Humanism creates subjectivities based on cultural values that have become so "naturalized" through this educative practice of reproduction that they masquerade as the effect of this subjectivity rather than its cause. The most serious implication of this process is that social justice in subversive forms is excluded from the social relationships prefigured by humanistic subjects. The humanistic

subject's "virtue" lies in the exclusion of other subjectivities, rather than their democratic inclusion, all within a humanistic rhetoric of democratic values. For Atwill, postmodernism is a fitting strategy for an age in which rhetorics of virtue are used to perpetuate unjust social relationships, or "bad-faith contracts" (207-212).

As a critique of power, however, postmodernism questions the right of institutions like the university to structure the transmission of knowledge. The first obstacle it must overcome is the consistent reduction of debate about ownership to excuses for theft. The incredible historical, legal, and moral contexts plagiarism calls on in its entrance into rhetorical policy debate will only be clarified when postmodern theory based on materialist, post-colonial scholarship expresses itself clearly to an audience that is willing to listen.

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