



PANIC AND PLAGIARISM: AUTHORSHIP AND ACADEMIC DISHONESTY IN A REMIX CULTURE

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Introduction

In ten years of attending faculty meetings and colloquia and reading administrative memos, directives, and student policy manuals, I have rarely if ever heard anyone address plagiarism as anything other than a problem. Those of us who teach tend to focus on how frequently plagiarism occurs rather than on its historical and cultural contexts. Indeed, we tend to speak about plagiarism as a simple matter of morality, of justice, or (sometimes) mercy; students plagiarize because they are lazy, stressed, or dishonest, and teachers must be either proactive, creating assignments that discourage plagiarism, or reactive, ferreting out and punishing the offenders.

Figuring out ways to “catch” plagiarist-students and even finding ways to develop assignments in the hope of preventing plagiarism, while worthwhile pursuits, are not enough, as many who are writing about the muddy, even problematic, notions of intellectual property, textual ownership, and academic integrity have revealed. In both theoretical and practical ways, our contemporary culture makes such issues even muddier. That is, as we drown in a sea of information, print-based and electronic, and work through even larger questions of authorship, identity, autonomy, and subjectivity posed by poststructuralist and cultural studies theories, we are forced to “examine our own assumptions and lay bare the misconceptions and fuzzy definitions that derive from a dearth of inquiry into the nature of the beast that we want to tame” (Buranen and Roy xix).

This essay synthesizes and builds on current scholarship that attempts to do the work to which Buranen and Roy refer; however, I first consider a question of exigency. That is, are we indeed facing a rise in academic dishonesty, and specifically in plagiarism, and is it, as some suggest, related to the influence of new media in classrooms and the culture at large? William Hannay’s alarmist essay draws on Donald McCabe’s extensive research on academic dishonesty to propose that “it is undeniable that the internet has

become the single greatest tool for academic dishonesty ever made available to high school and college students” (172). Hannay notes that cut-and-paste copying is just physically easier to do than the “more difficult crime” of plagiarizing in longhand, and that the “few clicks of that devilish little mouse” make plagiarism easy and, at least implicitly, more tempting. He goes on to cite one of McCabe’s surveys in which “10% of college students admitted to Internet plagiarism in 1999,” a number which “rose to around 40% in 2003” (172).¹ Throughout his essay, Hannay’s diction is revealing, as he associates plagiarism with immorality and criminality, and his attitude is widely shared.

Whether or not instances are increasing, I acknowledge a real need to deal with academic dishonesty, along with general alarm about the use of the Internet to facilitate cheating: some of the calmest of essays on the subject portray technology as having “exacerbated the age-old problem of plagiarism, creating new temptations and risks” (Mirow and Shore 41). Rebecca Moore Howard, who writes extensively about issues of plagiarism, describes a “sense of impending doom” that “hangs over the academy as the specter of ‘internet plagiarism’ threatens to undo the entire educational enterprise” (“Understanding” 3). A cursory search of US library holdings reveals more than 400 books dealing with academic dishonesty catalogued since 2000, with titles including such wording as “Ravages of Plagiarism” and “The Plagiarism Plague,”² and written for audiences from elementary school students³ to

¹ A possible explanation for this rise could be the relative newness of the Internet in 1999. I finished my bachelor’s degree in 1998, and had only begun using email and buying books online the year before. I used the Internet for research for the first time in the fall of 1997. Even more, Bob Brown and Dennis Emmett’s “Explaining Variations in the Level of Academic Dishonesty in Studies of College Students: Some New Evidence” [*College Student Journal* 35.4 (Dec.2001): 529–39] and Scanlon and Neumann’s article in the May/June 2002 issue of *Journal of College Student Development* (See Alex Kellogg’s summary here: <http://chronicle.com/free/2002/02/2002020101t.htm>), both raise questions about the validity of research that reports a general rise in academic dishonesty *at all* over the last few decades.

² I am forced to neglect much of the fascinating theoretical work dealing with notions of authorship, plagiarism, and feminism, specifically the lines of reasoning that critique rape and disease metaphors that run rampant in discussions of plagiarism and those that consider the female writer as excluded from authorship for so long that the Romantic Author construct does not apply to her. R.M. Howard offers a fascinating discussion about plagiarism and the body, including the linguistic propensity to couch plagiarism in terms of illness in “Sexuality, Textuality”; Sarah Robbins’s study of the erosion of the authorial voice of an eighteenth-century woman writing for children is also compelling, as is Lunsford’s work on feminism and intellectual property.

³ Though I do not have the space in this paper, the fact that these texts exist (along with articles about the prevalence of “plagiarism” among elementary school students) prompts me to wonder if elementary-age students are developmentally sophisticated enough to grasp the notion of plagiarism, especially given that professor-types often cannot agree on what it is. Further, what

academics and university administrators. At least two serious scholarly journals, *Plagiarism*, which began publication in 2006, and the *International Journal for Educational Integrity* devote their content to academic integrity and the broader issues of textual ownership and intellectual property. James Purdy titled his 2005 essay, in part, “Technology and the *Visibility* of Plagiarism” (emphasis added), implying that what technology has done is to make everyone more aware of the problem. “New technologies,” he writes, “heralded simultaneously as promoting and thwarting plagiarism, continue to keep concerns surrounding plagiarism in the forefront of the collective academic psyche” (275). Howard further contends that “the biggest threat posed by Internet plagiarism is the widespread hysteria that it precipitates. With an uncritical, oversimplified understanding of intertextuality, teachers subscribe to plagiarism-detection services instead of connecting with their students through authentic pedagogy” (“Understanding” 12). She therefore suggests that teachers who resort to playing detective to their student text-burglars become practically complicit in the continued prevalence of plagiarism in the classroom.

Hysteria seems to be the historical response to major textual shifts, including the most recent technological revolution. As Howard notes, just as “expanded access [to text]” is often assumed to be the “primary” cause of the increase in plagiarism, textual revolutions throughout history have also “incited cultural fears” (4). For example, Plato feared that writing would cause a decrease in human memory function, and history has documented the upheaval caused by the printing press, widespread literacy, and compulsory education.

Situated in view of a new trend in legal studies—law students doing research through a compendium of “massive” services that archive a list of databases of some 200-plus printed pages—Legal Research and Writing professor M.C. Mirow wrote in 1997 about what he considered a major cause of the supposed upsurge in plagiarism. Mirow and P.J. Shore suggested that students are essentially confused. They astutely recognize, so early in the digital era, that digital technology “set[s] up a new relationship between writer and text ... mak[ing] manipulation of the text easier and displac[ing] established methods of linear writing” (41). The simple act of placing someone else’s work in the digital medium, on a screen, with “sophisticated tools” at the writer’s disposal, makes the text “mutable,” able to be “manipulated and transformed”;

kinds of assignments are elementary students being asked to do that would lend themselves to plagiarism, and how developmentally appropriate could such assignments be? Howard’s work on patchwriting as a developmental step for adult writers surely suggests that the copying behaviors of young children are an acceptable part of the learning process, rather than a signal that elementary schools are dens of word thievery.

nevertheless, the text still looks like the student's text, it "*appear[s]* to become the 'property' of the new writer" (41, emphasis added).

The authors speculate about the ethical lapses which must, then, occur as a result of this easy access to text: the "ease with which students can download texts into their own writing, the quantity and quality of data available to them, and the seeming secrecy that computer-aided plagiarism provides are strong temptations to transgress established ethical standards" (42). The authors conclude that an "inexperienced writer may sincerely believe that he or she has produced sound scholarship that in reality is only a haphazard assemblage of apparently-related materials" (42). Thus, Mirow and Shore raise a number of relevant questions. First, they claim that "the point at which someone else's text becomes the writer's is unclear" (42). Second, once the original text has been "manipulated" and "transformed," it is questionable whether or not it ceases to be that original text at all. Third, in a digital environment it is uncertain whether a patchwork of others' writing can be considered scholarship (or, at the very least, academically useful). And finally, they briefly engage in a disappointed assessment of database research in which the student researcher becomes a player in the academic economic market, where "contemporary law students serve as mere word brokers between legal database vendors and their professors" (42). These questions point to two important cultural trends: the shifting notion of authorship and the commodification of text. In what follows, I examine these two (at times intertwining) theoretical threads and then offer some conclusions and practical applications to help answer the question of what to do about plagiarism in the academic context.

I. Authorship and Ownership

What does it mean for a text to be one's own? Some scholars discussing intellectual property and authorship invoke its cultural history in order to decry any idea that the Author is a fixed entity. Drawing parallels between Eastern notions of collective authorship and Western history, C. Jan Swearingen is one scholar who challenges the notion of a fixed author subject. She begins with the Ancient Greek context in which Aristotle's contemporaries were encouraged to imitate other great rhetoricians (indeed, Aristotle writes a great deal about *mimesis* in his works). Turning to Augustine of Hippo, she argues that he would have discounted the notion of a human Author from whom original meaning flows (23); for Augustine, truth is not independent from God, and so truth must be sought, not created. Protestant Reformer Martin Luther, himself a prolific writer, was opposed to strict copyright laws, Swearingen writes, fearing that they would stanch the free exchange of human learning, which (and Augustine

wrote of this as well) was a gift of God to all people, to be shared openly for the “common good and betterment of all mankind” (20). Shakespeare scholars, too, have long documented his heavy borrowing from plotlines, characters, and even phrasing in the folk literature of his time, and works hoping to “expose” Shakespeare as an outright plagiarist surface from time to time.

Building on the work of Woodmansee and Jaszi, McLeod, and Rose, Andrea Lunsford conjures up the specter of the “lonely scribbler”—as much a creation of the Romantic imagination as the texts themselves—who was “singular, originary, autonomous, and uniquely creative (in a word, ‘original’),” but who “effectively hid from view the largely collaborative and highly dispersed nature of most creative endeavors, from art, drama, literature, and film to scientific experimentation and discovery” (“Rhetoric” 529). Claiming to pinpoint a rather specific cultural moment in which the idea of a single author who owns his words and ideas became fixed, she writes that William Wordsworth, among others, helped make the philosophical claims of his contemporaries⁴ into legal ones, arguing for an extension of the then-limited copyright law laid out by the Statute of Anne in 1710. The 1710 statute was, according to historians, enacted in order to stabilize the rights of booksellers, who at the time were also publishers, and who generally owned the rights to all books they published and sold, their authors having “relinquished” those rights. The law’s extension was an attempt to protect the economic rights of writers, and Western copyright law has been largely based on this later statute ever since, including its romantic notions of the original-author/genius (Lunsford and West, “Intellectual Property” 388–89).

The essential ideology of Young and Wordsworth remained the essence of modern authorship, until contemporary theories and the digital revolution began dismantling it. Lunsford and West consider poststructuralist theory “chief among the forces” that have reshaped our sense of authorship and textual ownership, as these discourses have proposed that “knowledge is a cultural production, one that can never be attributed to a stable, knowable, singular agent” and which have “interrogat[ed]” the notion of the “sovereign self” (391). Exemplary here is Roland Barthes’s conception of textuality and authorship, in which the writer’s authoritative power no longer resides in originality, but in his ability to “mix writings, to counter the ones with the others, in such a way as

⁴ Specifically, the philosophy espoused by Edward Young in his 1759 “Conjectures on Original Composition,” which claimed a writer’s “works” became his property and created his place as Author. Young’s thesis is similar to William Hazlitt’s in his work on imagination and genius and their links to originality, and both point to Shakespeare as the epitome of genius through originality.

never to rest on any one of them”(146). In the absence of a unified self, he must then draw from a “ready-formed dictionary, its words only explainable through other words” (146), a cultural consciousness that exists in the realm of language. What he is able to create, then, is not a text, not a “line of words releasing a single ... meaning,” but a “multidimensional space in which a variety of writings, none of them original, blend and clash.” What remains is “a tissue of quotations drawn from the innumerable centers of culture ... from which he draws a writing that can know no halt” (Barthes 146).

Indeed, the Romantic author-genius is dismantled, in some fashion, throughout postmodern thought, as is the classical rhetorical triangle of *ethos*, *pathos*, and *logos* which has become instead a “contextual circle,” including “Vygotskian concepts of the developing speaker’s internalizing language through the voices of other speakers and Bakhtin’s assurance that the world is always half someone else’s”—ultimately “something more like a multidimensional blob, with speakers, hearers, and texts shifting, overlapping, incorporating, and being incorporated dialogically” (Roy 60). In Bakhtin’s own words, texts are “filled with others’ words, varying degrees of otherness or varying degrees of ‘our-own-ness’” (89), further situating the author in a shifting space.

Another compelling postmodern understanding of author and text again challenges the classical reader-text-author triangle as a transaction among discrete entities. Instead, text becomes “a surface upon which meanings can be produced” (Birch, qtd. in Howard, “Understanding” 9), authorship becomes “textual production” (9), and the reader becomes a complicit constructor of meaning. Ultimately, then, readers and writers are “always collaborating with text” (9), a system that copyright historian Mark Rose sees as a function of cultural production in general. Here, writing becomes “always a matter of appropriation and transformation” (qtd. in Howard 9), an idea that compositionists, echoing Barthes and Bakhtin, have applied as well, “asserting that writers work from their own ‘unaccountable collections of incompatible ideas, beliefs, and sources’” (9).⁵

⁵For the purposes of clear citation, I should note that the phrase in single quotes is James Porter’s. I thought it an appropriate choice here, though I did access the original works that Howard draws on, to incorporate her version of them. Though it’s rather clumsy to cite within citations, I wonder at the rule of scholarship that prefers quoting the original source over the quoted. As scholars build on each other, they create new and different versions of the texts from which they write. In this paper, so concerned with matters of the intertextual, I am reusing others’ words a great deal, and I often prefer the newly-situated version of text over the “original.”

Certainly this revised notion of text as a *space* of possibility rather than of captured meaning resounds when we consider text in light of the digital revolution. If the work of contemporary theorists was not enough to challenge the Romantic conception of the author, the growing influence of digital media and Web culture has certainly done so, as media philosophers Mark C. Taylor and Esa Saarinen postulate: “Electronic telecommunications technology subverts authorial property rights by creating texts whose ownership remains obscure. In this way, the net displaces the notion of the solitary creative genius that has governed our understanding of authorship for over two centuries.” Though this shift is threatening “to the very foundation of individual identity,” they assert, it “must be embraced, for it provides remarkable opportunities for creative renewal” (“Pedagogies” 7).⁶

II. Remix Culture

This “creative renewal” has taken many forms, each one further complicating (or, we might eventually argue, attempting to eliminate) matters of authority and authorship and intellectual property. DJ Danger Mouse’s 2004 experimental *Grey Album*, a mashup of Jay-Z’s *The Black Album* and The Beatles’s *The White Album*, problematizes not only the textual and authorial elements of the classical triangle, but the reader’s position as well. The mashup genre provokes questions of authority—who is the composer? and what, exactly is the medium?—since the music is essentially synthetic. But, the *Grey Album* became the touchstone for “Grey Tuesday,” a protest arguing⁷ for the application of Fair Use guidelines to Web-distributed music, and, as Davis Schneiderman theorizes, each download brought the audience into active participation in the work itself. Even more, the collaborative nature of the project “move[d] beyond mere articulation of a radical anti-Authorial position toward an active conscription of the *audience*—complicit in the success of the ‘illegal’ endeavor” (Schneiderman 201). The audience member, then, just in the act of downloading, becomes “an absent collaborator no less important for her ability to be manipulated and cut-up in the process as that of the ‘source texts’

⁶ According to Howard, who draws on the work of copyright historian Mark Rose, even some formalist critics reject a foundational role for the autonomous author: Northrop Frye observed in 1957 that copyright obscures the conventionality of literature, the mimetic nature of composition. Though the individual author, promoted from pygmy to giant, took center stage in the modern textual economy, the giant sources and the accumulation of knowledge were not banished from the drama of authorship (“Plagiarisms” 793).

⁷ “Grey Tuesday” refers to February 24, 2004, when web users were invited to download the *Grey Album* on nearly 170 websites, resulting in 100,000 downloads and “cease and desist” letters from record companies (Schneiderman).

themselves” (201). This collaborator position, according to Schniederman, blurs the lines of communication even further, since the author/creator, text, and reader all exist at once in the same space and are able, essentially, to switch back and forth between subject positions: “Here, the source texts resonate beyond the position of mere raw material, becoming, with the audience, integral and constitutive of the material processes of transfer” (201).

Media theorist Lev Manovich’s work proposes that the phenomenon typified by the *Grey Album* signifies not just a shift in authorship, but a shift in culture. New media, transforming as it does “previous forms of collaborative authorship” also “systematically pioneer[s] new types of authorship, new relationships between producers and consumers, and new distribution models.”⁸ Manovich describes several variations of the contemporary, technologically-saturated author construct, including the collaboration of user and software or user and production company in the design process, allowing a user “to feel like a ‘real artist,’” who can quickly “create a professional looking work by selecting from a few menus.” Drawing on Barthes’s notion of text as a “tissue of quotations,” Manovich applies new author constructs beyond “the creators’ memories of what they previously saw, read, and heard,” to elements from the “databases of media assets” to the universe of words, images, sound, and video that are available on the Web (sec. 3).

Because, Manovich argues, “electronic music and software serv[e] as the two key reservoirs of new metaphors for the rest of culture today,” the term “remix” has been widely applied to all types of compositions, but no “proper terms equivalent” to the idea of remix actually exist in other media. He proposes that “appropriation” and “quoting,” though similar, cannot capture the

⁸ These phrases are taken from the introductory section of “Who is the Author.”

My use of Manovich’s work becomes, in a sense, a metaphor for the very shifts in cultural production that he signals. That is, Manovich publishes a great deal of his work on his own website, all downloadable for free and in Microsoft Word format, so that it is editable and can be copied. Because of the nature of the work that he does, he is continually revising and remixing his own essays, so that bits of the essay quoted above re-appear in a recent piece, “What Comes after Remix?” (2007). Further, all of his essays, though fascinating, thoughtful, and well-documented, are not the polished stuff of academic journals, and have the distinct feel of works in progress. Nonetheless, each essay remains posted on the webpage, and even if it is revised or reworked into another essay, is not subsumed by that new essay. None of the essays are paginated, and each one has both a referential hyperlink name and an essay title (visible when the work is open). So, as a student and researcher building on Manovich’s work and “sampling” it for the purposes of my work, how do I cite his non-paginated, two-titled essays? One important point that I have incorporated above finds its way into both the 2002 essay on authorship and the 2007 essay that focuses on remix. To which do I give credit?

function of remix, which is a “systematic re-working of a source” rather than either wholesale borrowing of a work or “inserting some fragments from old text(s) into the new one,” respectively. Significantly, Manovich sees “appropriation” as an artistically significant act, especially when, as in “the case of Duchamp’s famous urinal, the aesthetic effect here is the result of a transfer of a cultural sign from one sphere to another, rather than any modification of a sign” (sec. 6).

Manovich also speculates about the acceptance, at least in artistic terms (perhaps not so in an economic context), of remix, appropriation, and sampling (which he likens to quoting and considers the new collage) in music and art but not in many other spheres of cultural production, namely writing. This fact seems suspect for Manovich, given our current place in the information age: If the “World Wide Web [has] redefined an electronic document as a mix of other documents,” then, despite any efforts to hold fast to Romantic notions of author and text, “remix culture has arrived” (sec. 7).

In his conclusion, Manovich contends that the creation of cross-disciplinary terminology will in turn create a space for the acknowledgement of the various forms of “operations” that characterize authorship in a digital culture: “menu selection / remixing / sampling / synthesis / ‘open sourcing’.” Aligning the “multiple variations and combinations” that exist across the culture—“mixing, sampling, and synthesis” in music; “intertext, paratext, and hyperlinking” in English studies; and “montage, collage, and appropriation” in visual art—becomes a means for legitimating each as a new form of authorship. For Manovich, then, by re-envisioning the creative process, the Romantic author does not die, but instead becomes as remixed as his creation. Manovich’s final sentence is revelatory here, citing Ulf Poscardt, author of *DJ Culture*: “however much quoting, sampling and stealing is done—in the end it is the old subjects that undertake their own modernization. Even an examination of technology and the conditions of productions does not rescue aesthetics from finally having to believe in the author. He just looks different” (qtd. in Manovich).

Ultimately, then, the Author has been constructed, deconstructed, diffused, and, most recently, remixed to the extent that previously held notions of authorship, Romantic and poststructuralist included, are no longer sufficient to describe authorship as it exists in contemporary culture. If, as digital culture suggests, production equals authorship, and everyone and no one are authors at the same time, it is no wonder that plagiarism has become so difficult to define and address in academic settings.

III. Commodification and Collaboration

Both parallel and tangential to this discussion of remixed authorship and its subsequent problematizing of plagiarism is an argument that has been building in the work of many scholars who see the traditional notion of authorship as rooted in the urge to commodify everything, including text and ideas. Since Andrea Lunsford builds on much of the same theoretical premises that I have already discussed, her work is a helpful place to begin. Reminiscing about an earlier time in her work with Lisa Ede when they dreamed of a fairly Utopian composition space in which “some kind of subtle but powerful rebalancing act might be possible,” she describes imagining that they “would simply work with others to demonstrate the degree to which all discourse is produced socially, and growing recognition of this fact would break the hierarchical binary so firmly entrenched: solitary, original authorship = powerful, privileged, and good; collaborative, shared authorship = ‘uncreative,’ transgressive, and bad, very nearly a ‘crime’ of writing” (“Rhetoric” 530). For Lunsford, the dream of accepted collaborative models was deferred by economic forces⁹ in the culture at large and even in the academy, which in so many other ways was embracing theoretical notions of intertextuality, the death of the author, and the constructivist reader.

In one way, Lunsford observes, the fact that her dreamt-of space was only realized for a short time can be attributed to the “powerful appropriation of the ‘author’ construct in the legal and corporate worlds,” since copyright law privileges “the solitary and sovereign ‘author’ and does not recognize “work produced as a ‘true collective enterprise,’” or “works that are not ‘original,’” or works that are narrowly construed by the law as “the basic ‘components’ of cultural production” (530). She laments the expansion of “‘author’s rights,’” which have “effectively [kept] a great deal of cultural material out of the public domain and further restrict[ed] the fair use of copyrighted works” (532). Lunsford is certainly not arguing that we abandon copyright protection for authors, but she is seeking a balance between the rights of an individual author to be compensated for his or her work and the rights of the public to benefit from that work, which was, she argues,¹⁰ the original intention of copyright law. Even more disturbing is the current trend in which corporate entities “assume the mantle of authors,” thereby actually limiting the legal protection

⁹ Lunsford does briefly acknowledge other “challenges” to the Utopian collaborative construct, including those from “poststructuralist theory, the electronic revolution, and women’s (particularly women of color’s) modes of collaborative practice” (531), but her essay is resoundingly focused on the economic situation that has stifled pure collaboration.

¹⁰As does Kelty, and Woodmansee and Jaszi (on whose extensive work many have based their understanding of current trends in copyright law).

given individual authors and instead usurping protection that could be afforded to the “true collective enterprises” she imagines. Lunsford’s image of “the Italian government ... trying to copyright the Tuscan landscape” is exemplary of copyright protection run amok (532).¹¹

Of course, the economic and legal construct of the author shares the same roots as the historical emergence of authorship—a “bid” by “eighteenth-century European writers ... for the legal right to reap financial rewards for their intellectual labor,” which was “a particular cultural moment in response to particular social and economic pressures” (Lunsford and West 389). Edward Young’s influential work helped to construct the author on both fronts, suggesting that the author’s original genius would both inspire “the world’s reverence” and afford him proprietary rights over his “works,” which, in becoming his “sole property,” make him an author (Young, “Conjectures”). Some scholars, such as Christopher Kelty, observe the issue of intellectual property as “fundamentally an issue of economics” (37), at least in terms of historical trends. Echoing Lunsford, Woodmansee and Jaszi, and others, Kelty identifies the creation of the idea of intellectual property with the inception of copyright law: “The set of issues associated with piracy, double dealing, and the propriety of printers (more than authors) was responsible for bringing into being the modern notion of a reliable, printed book, associated with a single author, and printed by a single publisher for a limited length of time” (38). And, he reminds us, this construction of authorship was a powerful ideological, legal, economic, and cultural shift that “required a great deal of cultural and social work to be brought about” (38). Indeed, the cultural upheaval necessary to enact this shift still resonates today, both in terms of its hold over the economic and legal side of authorship and in terms of the cultural shift signified by the ushering in of the information age.

For Young, ownership is what distinguishes Authors from writers: “Property alone can confer the noble title of an *Author*, that is, of one who (to speak accurately) *thinks*, and *composes*; while other invaders of the Press, how voluminous, and learned soever, (with due respect be it spoken) only *read*, and *write*” (§ 44). And so, the position that Young articulated evolved into what one historian calls “the cult of originality,” which further influenced the formation of copyright laws at the turn of the nineteenth century in England, which in turn

¹¹ DeVoss and Porter discuss the irony of “copyright monopolist” Disney corporation having built its kingdom through “remixing”: according to Lawrence Lessig, Mickey Mouse’s predecessor, Steamboat Willie, was actually based on Buster Keaton’s “Steamboat Bill,” and all of the major fairy-tale animated films were based on folk stories in the public domain.

influenced the formation of copyright laws on the continent and in the US (Lunsford and West 389).

There are distinct differences, though, between the copyright precedent established in the US Constitution and the European sense of an author's moral right to own his work. Article 1.8.8 establishes the right of Congress to "promote the progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." The effect of this article is to create a "delicate balance between the public's need for information on the one hand, and, on the other, the nature and extent of the rights necessary to induce creators to produce work" (Lunsford and West 389), which the authors see as elusive and inherently paradoxical, since the "reciprocity" envisioned here is difficult to manage in an open market in which information is increasingly commodified and distribution controlled by corporate entities.¹²

And yet, Lunsford's Utopian vision of a "true" collaborative space may be more possible in the realm of the digital. For instance, the concepts of intertext and paratext, while rooted in print, have been translated into the digital realm. Along with intertext and paratext, Manovich invokes hypertext, the mashup phenomenon, filesharing, and remixing—all new media spins on traditional media, which makes Lunsford's concept of the pure cooperative both tangible and obsolete at the same time. These aspects of new media further complicate the concepts of authorship and originality, and in turn, problematize a traditional conception of intellectual property and plagiarism.

IV. Intertextuality and IText

Rebecca Moore Howard, building on the work of Cheryl Geisler, et al., considers the expansion of the poststructuralist intertext into IText, which is based on "connectivity and relationality," and is defined as "information technologies with texts at their core," such as "PDAs, email, and hypertext" ("Understanding" 10). Intertextuality's emphasis on the mosaic text is reified in the form of IText, as Howard illustrates in an example of an article published in

¹² Some examples might include the K-12 textbook market, which increasingly assigns authorship to publishing companies who give credit to contributors. Lunsford and West also remind their academic audience of journal publication contracts in which the journal often owns copyright, not the scholar, or of the photographer who was sued for remixing one of his own photographs, since the publication held the copyright. Mass media corporations also have been rushing to copyright everything they produce, even attempting to force freelance writers to give up their copyrights (390).

Web format, including links to relevant stories and a place for reader commentary. Further, the Web interface, and any production that fits the definition of IText, by extension, “functions as a powerfully visible” illustration of intertextuality, as “readers’ work with seemingly stand-alone texts is deliberately interactive as we turn to Google for further information on the topic, source, or author” (10).

Indeed, an attempt to trace the origins of the concept of “intertextuality” provides us with a metaphor for the theory itself. The term is attributed to Julia Kristeva, but she introduced it in an essay on the writings of Mikhail Bakhtin in 1969, and it was glossed again by Roland Barthes in 1973.¹³ Since then, it has been reworked and reinvented by Genette, Hutcheon, Riffaterre, and others, and variously applied by scholars from literary theory to medicine. This process, coupled with the materiality of its application on the Web, echoes Howard’s contention that “it is no longer possible to control access to text, and it is no longer possible to imagine that writers do not draw copiously on other texts, both consciously and unconsciously” (11).

Of all forms of IText, hypertext in particular forces us to reimagine authorship yet again. Hypertextuality demands the interactive participation of the reader, as do other forms of IText, but hypertext is both interface and textual production, with its existence as a creative product in the foreground. Further, as Peter Holland explains, the path of the reader’s construction of the text is often invisible, and the text never feels “finished.” This relationship between reader and writer “enables us to reconsider the whole notion of the intellectual status authorship confers, not least since it creates two types of author/editors, refusing to distinguish between the two: those who write sentences and those

¹³ In doing background reading on the concept of intertextuality, I came across this link in a web search: http://www.polity.co.uk/content/BPL_Images/Content_store/Sample_chapter/9780745631219%5C001.pdf. It is a sample chapter from Mary Orr’s book *Intertextuality: Debates and Contexts*, but I had to do a bit of investigation in order to figure out its authorship and origins, since it was listed in my search results only under its chapter number: 1. For me, this was a striking illustration of how the Web reinvents the author construct. That is, Mary Orr’s name is nowhere in the PDF document, but the document itself is a photocopy of a chapter from a conventionally printed book, posted as an advertisement for the book by its publisher. But, catalogued as it is by Google apart from its context (the publisher’s website, which includes laudatory reviews and an author bio), it has no real authorship in that screen space. On the other hand, the Web, with its potential for public exposure, offers Orr the opportunity for creating the “world’s reverence,” in Young’s terms—I would not have read it if I had not found it on the Internet—thus reaffirming her public status as author. In another apt irony, this entire chapter deals with the question of which theorist (Barthes, Bakhtin, or Kristeva) gets the credit for the concept of intertextuality.

who restructure materials” (qtd. in Howard, “Plagiarisms” 791). In sum, “hypertext makes visible what literary critics have theorized: the cumulative, interactive nature of writing that makes impossible the representation of a stable category of authorship” (792).

In an even broader sense, the information revolution, of which the Web is the most obvious metonymy, has expanded our dictionary of cultural consciousness, in Barthesian terms, to beyond “immense.” Pull any thread from any one piece of writing, and our interconnected Web culture provides links to an infinite number of other writings, other voices, that literally “know no halt.”

According to Danielle DeVoss and James Porter, the short-lived Napster phenomenon is a similar signal of this shift in the concept of authorship, intellectual property, and the culture at large. Their discussion of Napster and its implications for composition theory and the classroom pulls together, in a sense, the threads I have been following and provides a space to begin applying the broader discussion to the classroom.

Napster, for DeVoss and Porter, functions as a metaphor for the entire shift in textual production that the digital era ushered in, a new paradigm which conceives of writing as “weaving digital media for distribution across networked spaces for various audiences engaged in different types of reading” (179). In this shift, which is also, of course, typified by IText, hypertext included, “writing is ... also audio and video ... and the delivery of multimedia content via the Internet and the Web. And writing is chunks of tagged text and data floating within databases and underneath the Internet in P2P spaces” (179). The result, then, is that writing becomes both public and private at the same time, as the potential audience for work “published” on the Web is worldwide, but the actual audience may be only those few who are able to sign in as “friends” to one’s MySpace page.¹⁴

The reconception of writing and of text forces us to reconsider the author and authorship again in several ways. First, postmodern theory

¹⁴ Changes in copyright law have made it possible for a work to be copyrighted through the action of “fixing in a tangible medium” (Kelty 41), so that no registry of copyrighted works exists, thus, everything authored becomes, in a sense, copyrighted and published. “In the era of the internet,” Kelty observes, “every written word on every web page in existence” can be owned, and, I would add, in the era of corporations claiming ownership of so much, the “default condition of writing [has changed] from being public property to being the property of an individual” (42). The glaring paradox here, of course, is the sense that in an ostensibly free-access medium such as the Internet, what is *published* certainly seems *public*. Indeed, as Kelty also observes, “the act of ‘publishing’ a text has become more notional than practical, for anyone with access to the Web and a bit of HTML under his or her belt” (45).

challenges Young's romantic notion of the original genius at the same time as the public space of the Web enthral all writers with the promise of Authorship, reifying Young's image of the author as one who reveres himself and thus inspires public awe.¹⁵ Further, Lunsford's dream of the pure collective is possible, given the openness of the Web. The original Napster exemplified this quality of the Web as "a space for free filesharing and for consumption not framed by costs and fees but by an ethic of open distribution and collaboration" (DeVoss and Porter 182). There are many groups, whom DeVoss and Porter call "cyberlibertarians," who are working to preserve the Web as a space for "public welfare" in which free speech is paramount, access is open but privacy is protected, and the participants are "critical" and "involved" (192). Events such as the Grey Tuesday protest exemplify some of what such groups hope to achieve. On the other hand, the resounding death of Napster reinforced the fact that our digitized world is ever controlled by economic forces, and that writing, as Young envisioned, is always an economic act. Despite Napster's populist nature and its inherent challenge to conventional ideas about intellectual property, in the end, its emergence and demise reinforced the fact that "our society takes the idea of ownership seriously, although within a spectrum of culturally, historically, and politically motivated ways" (182).

Even more, the Napster phenomenon illustrated the same difficulty that Mirow and Shore noted in their essay: the difficulty of deciding "what is owned in spaces where information is freely and openly shared" (DeVoss and Porter 185). In an ideological sense, if all text is intertextual, and a hypertext composition is rewritten every time it is reread and thus remapped by the participant editor/reader-writer, how do we account for who owns ideas? DeVoss and Porter describe an "emergent culture of young people (mostly) who live in (and, at times, create) networks encouraging widespread sharing and distribution of digital material" (184). For them, the conflict between cultural production as commodity production and cultural production as collaborative, creative endeavor, finds its forum on the Internet. And since the Web functions as both "a mechanism for delivery of goods to market" and as a

¹⁵ Nicholas Rombes, in "The Rebirth of the Author" (<http://www.ctheory.net/articles.aspx?id=480>), links the two dynamics (the author concept and the material-economic pressure) together, asserting that the new onslaught of authors, self-publishing on the Web, has come to the academy with a vengeance. He suggests that academic writers have rushed to publish their work on the Web because they are, in part, enthralled by the lure of the public author persona, and the economics of scholarly publishing make the idea even more appealing: "The crisis of the scholarly publishing subsidy system portends an enormous shift wherein the discredited author concept is resurrected. Rather than the utopian dream of collective, collaborative authorship that many theorists first saw in hypertext and blogs, we see instead the proliferation of *auteurs* vying for public space in the public sphere."

“public living space,” questions of ownership and authority become even more convoluted (185).

V. Plagiarism and Pedagogy

As DeVoss and Porter, Lunsford, and Howard all assert, these questions and difficulties have a direct impact on the classroom, concerning matters of academic integrity and plagiarism, specifically. If intertextuality precludes originality, then the entire idea of textual ownership is problematic, at best. The cyberlibertarian vision of the Internet as “cultural commons” again challenges our concepts of intellectual property. If writing is “fundamentally collaborative, fundamentally social, and fundamentally reliant on an existing repertoire of ‘texts’ (broadly defined) existing in a community or culture” (DeVoss and Porter 193), then who can be identified as the author? Taylor and Saarinen push this “dilemma for the postmodern teacher” further: “If all writing is rewriting, then how is it possible (not) to detect plagiarism?” (*Imagologies*, “Pedagogies” 7).

Ultimately, given the multiple forms of text that can be created in the digital environment, given the various constructs of the author throughout the history of composition, we must concede that authorship cannot “be bounded into stable, antipodal categories” (Howard, “Plagiarisms” 793). Indeed contemporary contexts allow for and simultaneously critique many forms of authorship, including those that are “mimetic, autonomous, or collaborative” (793), or as Manovich posits, even selective (as in modular, menu-based creations). Consequently, we cannot construct our understanding of plagiarism based on a single construction of authorship. That is, the pedagogies and policies related to plagiarism that I invoked at the outset are based on the notion of students as authors in the Romantic tradition, and, in general, our approach to dealing with plagiarism assumes it to be a moral issue rather than a pedagogical one, strictly speaking. In Roy’s terms, plagiarism as general concept “assumes the concreteness of texts, the reality of authorship, of both words and ideas, and a well-defined role of the reader as receiver of the message. No disappearing subject here, no creative transaction between reader and writer, or reader and text, no negotiation of meaning, no indeterminacy of text” (Roy 56). That is, while much of contemporary textual and pedagogical theory directly challenges this assumption of concreteness, we teachers continue to expect students to fill the traditional role of author and continue to act on definitions of and enforce policies about plagiarism based on that traditional construct.

Another disconnect occurs when we consider that throughout the academic world, we have not agreed on one firm definition of plagiarism; despite this, our policies tend toward the firmly punitive, refusing to take into account the ways that students act out the forces at work in our contemporary culture. One informal study illustrates this concept: In a random survey of colleagues from many different disciplines at her university, Alice Roy was able to determine that instructors generally think of plagiarism as either taking something or misrepresenting something, in other words, a problem that involves the reader and the author, whom she terms the “dupe” and the “thief,” respectively. None of the faculty members responding to her survey, however, offered a response relative to the text in a plagiarized-paper-transaction: “No one invoked the authenticity of the text itself or the integrity of the message, things that might be damaged or undermined by plagiarism” (59). That is, each of the instructors polled envisioned the plagiarized assignment as a transgressive transaction between writer and reader, and not as a text to be assessed and evaluated.

Another point that Roy’s informal poll illustrates is that plagiarism policies often lump together several different types of writing that could be considered plagiary. Howard cautions instructors to recognize that what we call “plagiarism” could actually be any one of several different writing behaviors, including “insufficient citation; failure to mark quotations; failure to acknowledge sources; and taking brief strings of discourse from a source and patching them, verbatim or slightly altered, into one’s own sentences” (“Sexuality” 487). None of these behaviors accounts for intention. Surely, the traditional concept of plagiarism as theft must include the intention of claiming someone else’s work as one’s own. Plagiarism could be defined, then, in Howard’s terms, as the “reader’s awareness of unacknowledged but significant intertexts,” but she qualifies this definition by pointing out that difficulty still remains in “drawing a line between the intertextuality that the vanguard reader always (and should) detect if the text is to be fully appreciated, and the transgressive intertextuality for which the gatekeeping reader must initiate punitive measures” (“Understanding” 9).

We must, then, evaluate our own attitudes and behaviors. Though many academics engage in research and publication with, for example, poststructuralist theories as a given, these theories may not shape our teaching, as such. If the author has died, has the related construct of scholar/researcher died with him? If writing has become the list of digital and textual productions that DeVoss and Porter enumerate, then, arguably, teaching must follow suit, especially since teaching, as a dynamic, shifting, and intertextual enterprise, is more suited to the digital revolution than traditional, fixed, alphabetic writing.

Taylor and Saarinen imagine a “global classroom,” connected in digital space, that “explodes the foundations of educational institutions.” In this classroom, in which such fundamental trappings as time and space are “transformed” and “restructured ... the master teacher is no longer a ‘man of letters’ but becomes a purveyor of images who steals the show. The best students know how to trade purloined images” (*Imagologies*, “Pedagogies” 1). While this vision of teacher and student (as celebrated plagiarist) is extreme, it is realistic to consider that, if the traditional communication triangle is fundamentally changed, then the relationship between teacher, student, and content must follow suit.

In terms of plagiarism, perhaps much of academics’ current hand-wringing is related to a growing apprehension about the uncertainty of our own positions as scholars, individual authorities to be consulted, quoted, cited. We are forced, then, to acknowledge our own reliance on the intertext and to see our own scholarship as a mosaic, as Barthes’s “tissue of quotations.” Often our classroom practices are at odds with our plagiarism policies: how many instructors borrow at will for their classroom lectures, often citing haphazardly or not at all? How many also strain the edges of fair use guidelines for the sake of classroom needs, thereby sending the implicit message that copyright law can be liberally construed?

VI. Plagiarism and Practice

If we cannot define ownership, authorship, plagiarism, or even text in a stable and fixed way, the practical matter of deciding how to “deal with” plagiarism becomes even more muddled. In what remains, I would like to pursue some practical thinking as it pertains to each in the group of behaviors characterized as plagiarism; this will, in turn, offer some thinking that will address the disconnect between theory and teaching practice when it comes to intellectual property. Along the way, such discussion leads inevitably to insights about our role as teachers in the twenty-first-century classroom.

Howard suggests that plagiarism as a concept could be abandoned altogether. If intertextuality is “connective, relational,” and, ultimately, “inescapable,” then “appropriation of text” is also “an inescapable component of writing” (“Understanding” 9). Within this framework of composition and creation, “not only is originality a chimera, but so is citing one’s sources” (Howard, “Sexuality” 474). In English studies, of all disciplines, it has become common to “believe that the textual work required by the discourse of plagiarism is impossible” (Howard, “Sexuality” 474). For example, one scholar argues that, in order to completely acknowledge our sources, we would need to

construct a “device of citation” including “a full (and necessarily impossible) history of the writer’s subjectivity” (Stewart qtd. in Howard, “Sexuality” 474). Another scholar concedes the “simple truth ... that I couldn’t begin to name all the sources of my own theoretical thinking” (Rankin qtd. in Howard, “Sexuality” 474).

Howard’s first answer to this dilemma is to begin dismantling the notion of plagiarism by separating it into related categories, which she labels fraud, insufficient citation, and excessive repetition (“Sexuality” 488). I would like to take up the category of fraud, since one could argue that our entire discussion of authorship and textuality does not apply to instances of wholesale misrepresentation. Behaviors that would come under the heading of fraud would include purchasing pre-written papers from paper mills or other sources or in any other way deliberately misrepresenting sources of information in a work. I think, though, that much of what we have already discussed is, indeed, applicable to instances of fraudulent writing, at least in terms of helping explain why students engage in it and what can be done to prevent it.

1. The “Business” of Pedagogy

First, I would like to return to the thread of economic forces that have shaped and challenged notions of authorship. The current cultural trend, as I discussed above, is to view texts and ideas as commodities, and authorship as a matter of ownership. This trend spills over into the academy in several ways, not the least of which is a view of grades and academic prestige as commodities, marketable because of the emphasis on education as a vocational prerequisite. More education, it seems, is the way to “make it in the information age” (Callahan 214), and in this system, students compete for spots in “brand name” colleges (198), further competing for the most marketable designer degrees. As students vie for and secure places in the best schools, from pre-school to graduate school, many students and their parents resort to all kinds of unethical behaviors, believing that the ends justify the means. Indeed, many students will argue that, if everyone is cheating, ethical practices actually put one at a disadvantage, and in this way, secondary schools and colleges have fostered “greed, materialism, and excessive competition” (204).

In this system, then, plagiarism can easily be regarded as an acceptable mode of achieving success, as many students “have divorced academic integrity from authorship such that choices about writing come down to issues of quality. Students base their choices specifically on which site of authorship—that which resides within themselves or that which resides online—will provide the better

product for gaining a college degree” (Ritter 26). Further, for students who regard a diploma as a “proof-of-purchase certificate” (26), buying term papers is just logical, similar to buying “a chair, a compact disc, or a ticket to the theater, as something [students] have paid good money for and can now call their own” (Lunsford and West 399). Kelly Ritter also observes this attitude among students, relating some of her students’ opinions which allude to the idea that buying papers online (specifically) and cheating (in general) are justified if they provide a way to meet educational requirements, especially when those requirements seem to them to be arbitrary or useless or if teachers just have not taught them to write well enough. In these cases, students see themselves as justified in seeking “outside sources of support that both better meet their needs and promise to provide a greater return on their educational investment” (Ritter 40).

The classroom as economic space, with writing conceived as capital, is further perpetuated by “authoritative voices from outside our classroom,” including “deans, colleagues from other academic disciplines (especially those not writing-intensive in nature), and company bosses and board members” who become “‘sponsors’ of our students’ literacy,” in that they become the forces which “demand certain kinds of learning and which that learning also benefits” (Ritter 32).

For Ritter, online paper mills are a strikingly visible example this entire system, since they function as “stratified systems of opportunity and access” that also perpetuate “struggles for competitive advantage” (39). In other words, if our composition classrooms urge students to “realize their own subjectivities by establishing rights to ownership” of text through writing that mimics the scholarly model, we both reify the Romantic construct of authorship and reinforce the transactional model of education in which student writing becomes a “form of property that is commodified into grades and test scores they trade for admission, degrees, jobs” (Lunsford and West 398). Lunsford and West further assert that even an “alternative” method of evaluation in the writing portfolio ultimately strengthens the notion that knowledge is a commodity to be packaged and marketed. And, such alternative methods stand alongside the most conservative forms of standardized testing in creating knowledge as commodity: “by the time students reach the university, they necessarily will have run the gauntlet of state-mandated and college achievement tests. In short, they will have been normed, ranked, queued up, top to bottom: they will know their places and occupy them by virtue of ‘owning’—and being owned by—their particular scores” (399).

Though faculty often claim to see the academic system differently—the college degree is “an intangible intellectual achievement” (Ritter 26), and the classroom is much more than just vocational training—the reality may be quite different. In many ways, as writing provides cultural capital, composition classrooms become a seat for production of the “practical” skills necessary for doing academic work and preparing for employment in the marketplace. Education is regarded as a “business ... of accessing and trading knowledge packages, accumulating and using them for advancement toward grades, graduation, admission to graduate or professional school, jobs, promotion, tenure, and so on” (Lunsford and West 399).

Lunsford and West reassert that many classrooms, especially composition classrooms, are complicit in perpetuating this market-driven model of education, despite our supposed belief in authorship, authority, and ownership of intellectual property as “constructs that are threatened by theoretical arguments and practical demonstrations in scientific and technological arenas” (399). Put simply, our jobs depend on it. We have, collectively, “a deep and abiding investment in knowledge as a product to be traded in the academic marketplace.” As teachers, we “embody an important kind of ownership” over the knowledge we “[sell] ... to student consumers” (399). Our reaffirmation of the Author-genius as scholar, producing an original take on the existing work in our fields, which is certainly more an intertextual model than a Romantic one nonetheless, allows us to “move up in prestige, power, and even financial gain” (399). We further our careers and inspire reverence in our public—our students—by “laying claim to pieces of intellectual property, evidence that authorizes in direct proportion to number (and origin) of degrees and published documents—material traces of intellectual labor commodified” (399). Building on Lunsford and West’s argument, I am not suggesting that teachers are not knowledgeable or that the general academic requirement of challenging scholars to continually produce new scholarship is without merit, and I am especially not suggesting that teachers are not worthy of what we work hard to earn. What Lunsford and West suggest, and what I would second, is that academics, intentionally or not, in agreement or not, “extend the practice of claiming knowledge as marketable property” (399):

Teachers operate under a tacit assumption that we somehow own the knowledge on which we build CVs and which we “give” to students or “rent” to others, who must cite us as the autonomous authors who have created and thus necessarily control what we claim to know? The academy’s nearly compulsive scholarly and teacherly attention to hypercitation

and endless listing of sources are driven, for the most part, by the need to own intellectual property and to turn it into commodities that can be traded like tangible property, a process of alienation that is at the heart of copyright doctrine based on the abstract concept of “work.” This process is self-perpetuating, of course, when we cite others with the expectation that our own “intellectual property” will be acknowledged similarly elsewhere. (Lunsford and West 399)

2. *The “Materiality” of the Text*

Of course, recognizing our own complicity could simply lead to more cynicism. What we need are options for remedying what many see as a crisis in the classroom. One possibility involves rethinking our conception of students as authors. Bruce Horner’s work is helpful in its exploration of the idea of the student writer *as* or as *disqualified from* the role of Author. First, Horner, relying on Marxist theory, discusses the need to “recognize writing as a social material practice,” especially in terms of including this notion both alongside and against the traditional concept of Author (508). The academy, he argues, is resistant to this revision (or, even, inclusion), since educational institutions depend on the constructed autonomous author to differentiate the “work” of writing from the “art” of writing, and composition classrooms in particular set up “debilitating” contradictions for student-writers. The contradictions emerge even in the best intentioned pedagogical practices, including those that aim for “practical,” preparation for students’ later academic demands and/or vocational demands, those that focus on “personal” writing (which often then lead to the “real business” of academic writing), process-emphasis approaches, and even expressiveist practices that attempt to allow students to pursue writing for their own purposes and on their own terms. In each case, the binary between student writer and Author emerges precisely because the space of the classroom ignores the social and material nature of writing. For example, both what is “practical” and what is “personal” are “socially inscribed,” neither “inherent nor universal” (509), and classroom writing demands situated in this way construct the pretence that the student writer is autonomous, when, in truth, his or her writing is already inscribed by the terms of the academy. Even more, both practices reinforce the notion that what is personal and what is academic are mutually exclusive, and the practical approach in particular actually removes power from the student writer, since the autonomous Author could, perhaps, re-envision the societal demands that are already encoded for the student writer. Finally, Horner argues, the “problem of the ‘process’ or expressiveist pedagogies thus

lies in their denial of the material, social, and historical operating not only within and outside the classroom, but also, and more significantly, within as well as outside student consciousness” (513).

Horner’s argument is pertinent to our study in its investigation of the ways in which our classrooms, both composition and other, relegate students to the “work” of writing—writing as practice, as preparation, as pre-inscribed creation—while continuing to expect the original art-product of the solitary author. Though Horner does not offer anything more practical than a caution to avoid either “consigning” students “and ourselves to the ‘low’ labor” of the composition classroom or “promoting students’ accession to an authorial status we know to be problematic” (526), his entreaty to “place all our work in the material and social historical process, resisting dominant definitions of our work” and “investigat[ing]” this situatedness with our students, “confronting and revising those practices that have served to reify the activity of writing into texts and authorship” (526) is important.

In a broad sense, this approach to pedagogy, at the very least, reminds us that the classroom is grounded in the material, the social, and the historical, and that these forces are what shape our students’ writing. Lunsford and West also prompt writing instructors to consider that our role as authority, even as curriculum designer, reinforces the economic and material boundaries of the classroom as our “own[ed]” space. Where Horner is cautionary about our tendencies to pre-write our students’ composed lives, Lunsford and West remind us that our assignments for students (in the sense that we create assignments based on our own understandings and biases), our feedback to them (“imposing our own rhetorical conventions and even our own ideas into their work”), and our reuse of their work can amount to the kind of “appropriation” we so despise in student compositions (398).

For the sake of application, then, we can see Horner’s and Lunsford and West’s cautions here as a starting point, a challenge to design curricula that engage students in the creative function of writing as textual production without the potentially punitive responsibility of having to establish themselves as originary Authors.

3. “Policing” Plagiarism

As we begin conceiving of a redesigned curriculum, we should also confront the fact that much of what we do in monitoring and policing plagiarism is complicit in perpetuating the commodified education that so many of us find problematic. In the most extreme sense, “If there is no originality, there is no

basis for literary property. If there is no originality and no literary property, there is no basis for the notion of plagiarism” (Howard, “Sexuality” 487). Though we may choose to reexamine plagiarism by component and develop concrete strategies for addressing it, we must concede that, to some extent, “solitary, originary authorship has never described how any writer composes; instead ... it is an ideal constructed and promulgated for economic purposes” (487). If we concede that the “morality of intellectual property” and, conversely, the immorality of plagiarism originated in order to “justify economic interests,” if vilifying and punishing plagiarists is essentially “a means of consolidating capital” (Howard, “Understanding” 9), then acting as the plagiarism police loses much of its appeal. Even more, Howard extends this argument to suggest that punishing plagiarists, at least in some senses, feeds into the economic machine of contemporary education in which many teachers would rather not participate.

When we, for example, subscribe to plagiarism detection services, we buy into the hysteria surrounding “this new revolution of textual access,” closing ourselves off from its possibilities. This hysteria, too, has been “deliberately fueled by commercial plagiarism-detection services.” By simply cutting and pasting students’ papers for the sake of ease, for the quick response, and all for a price, we “have averted the very critical thinking that we fear our plagiarizing students are depriving themselves of” (Howard, “Understanding” 8), and we have very literally bought into the system that perpetuates commodification of knowledge and thought. Plagiarism detection sites such as Turnitin.com can be viewed as entities of “industrial managerialism in the academy” on one hand, and as profiteers on the other hand, “offer[ing] (for a fee) the means to assuage the fear that they peddle” (8).

James Purdy has focused on evaluating “policing” sites such as Turnitin.com, and he comes to the conclusion, as others have, that teachers hoping to catch plagiarists might just as well google a unique string of words from the composition. More importantly, though, he concludes that teachers can get caught in a game of sleuthing that robs them of time that should be devoted to “providing substantive, constructive feedback” (290). Teachers must, he cautions, “take a step back to consider the role writing technologies they [students] use play in their writing processes and consider how we as teachers—rather than hunters, police officers or super sleuths—can pedagogically address these technologies” (291).

4. “Fair Use” Guidelines and “Teaching” Plagiarism

Perhaps, then, another possibility for practically confronting authorship, ownership, and even plagiarism comes in the form of engaging our digital culture on its own terms. DeVoss and Porter see the Napster phenomenon and its subsequent revelation about students’ general orientation toward notions of intellectual property as an opportunity to revise the way we approach teaching about plagiarism. They advocate for using legal fair use guidelines as a structural metaphor for pedagogy. Rather than being indignant about students’ changing ethical principles, they have acknowledged the “deep confusion as to what is ‘right’ when using the words and works of another,” especially in a digital environment in which “chunks of text—both text-as-code and text-as-content, not to mention myriad other creations, such as audio and video files—can be copied and digitally moved into a different context and a new document” (182). Unlike Mirow and Shore’s essay, in which the student is depicted as fundamentally confused and even lured-in by the temptation of cut-and-paste composition, DeVoss and Porter legitimate the idea that “the lines between one person’s work and another’s become electronically blurred through linking practices and by scripting and coding approaches” (182). That is, this pedagogical approach does not *assume* an *a priori* dishonesty or even misunderstanding. It provides a space in which remixing, appropriation, patchwriting, and even piracy could be allowable, even “useful and productive” (193), a space in which the line is blurry not because students are ignorant of what is right or appropriate, or because digital text somehow contains inherent temptations to plagiarize, but because digital media has, in fact, blurred the line.

This pedagogical approach, after acknowledging the possibilities for teaching in what has previously been narrowly construed as plagiarism, thus invokes the principle of Fair Use as its center. If copyright law is needed in order to strike a balance “between (a) creating a system of incentive by rewarding the author’s labor and (b) encouraging benefits to society from the flow of information that can stimulate new ideas, inventions, and creations” (DeVoss and Porter 185), then students can be taught to approach writing with these standards in mind.

DeVoss and Porter argue that entire institutional policies must change to reflect the changing nature of textual production and its implications for plagiarism. But, in the microcosm of the classroom, teachers can invoke Fair Use doctrine as an approach to helping students understand not just how to cite sources and make acknowledgements, but why this is necessary and appropriate. This approach becomes even more compelling when we consider that students’ compositions are increasingly public, if not published, and the

line between the ethical notion of plagiarism and the legal notion of copyright infringement becomes much less distinct than before.

As DeVoss and Palmer's system illustrates, the most important pedagogical step we can take is to develop new ways of teaching that engage students in thinking about all of the issues that the most recent body of scholarship raises about plagiarism and intellectual property. One such approach involves engaging students in overt discussions of ethics and values. Especially for those teachers who cannot release the notion of plagiarism as immoral, and for the inevitable situations in which plagiarism is intentional fraud, Ercegovic and Richardson recommend that teachers become familiar with the work of Lawrence Kohlberg on the development of moral reasoning and identity. In this way, teachers at every level can engage their students in discussions about values and ethics through instructional activities that are most appropriate for that age group. For younger students, they recommend the creation of a "climate based on trust, respect, and caring" to be the foundation for "teaching units on academic honesty to be practiced consistently across all classes." For college level students, the curriculum would be more centered on "moral dilemmas" and "informational literacy projects" that represent different majors. For graduate students, Ercegovic and Richardson point out that research suggests a reduction in plagiarism with age, but students should still be engaged in "problem-based learning and ethics," including an adaptation of some helpful structures in medical education that could be widely applied (313).

Julianne East engages students in values-based discussions of plagiarism as well, but she begins by acknowledging that many students "differentiate between cheating, which they perceive in terms of a premeditated attempt to deceive, and plagiarism, which they perceive more as a failure to follow required institutional procedures," which she finds a "useful distinction." Like Howard, East advocates "abandoning the term plagiarism" in favour of creating a supportive "learning environment for those who are trying to master academic conventions" and "encourag[ing] more awareness in those acculturated and familiar with how to avoid transgressions" (119).

East and others see students' uses of all forms of plagiarism, except for intentional fraud, as pedagogical opportunities. That is, if we use students' habits as emergent writers as scaffolding opportunities, we may be able to help reinforce sound attribution and acknowledgement practices, rather than simply jumping to the conclusion of plagiarism. Engaging students and teachers in discussions of the scenarios above has led, for East, to "much discussion about

how copying can be a learning strategy, what is appropriate copying and how authorship is defined” (120).¹⁶

The notion of “emergent-student-authorship” (Thompson) creates a space for the scaffolding of student writing through acknowledging students’ use of patchwriting, which can function as a way to help students “find a voice and gain a sense of community membership” (Howard, “Plagiarisms” 796). Emergent academic writers “engage in patchwriting when they are working in unfamiliar discourse” and “when they must work monologically with the words and ideas of a source text” (796). Along these lines, organized imitation activities and “structured collaborative summary-writing” (796) can provide teachers a way to use students’ habits of patchwriting, which might otherwise be considered plagiaristic, as a pedagogical tool.

Other representations of this pedagogical orientation include Celia Thompson’s essay charting the work of two students as case studies that exemplify the ways in which academic writing assignments, especially for students who are beginners in a given field or at a given level, can themselves *create* the struggle between an authoritative voice and a borrowed one. That is, both of the students whom Thompson studied wrestled to find their own voices while attempting to situate those voices alongside the work of those with more authority (namely, published authors). Both students and their writing tutors commented about the inevitable paradox in academic writing between the creative and original and the seemingly under-researched or under-supported. Borrowing from the authority of others, students are often puzzled by their teachers’ urging to be more original, or, venturing out into autonomous space, they are cautioned to buttress their ideas with the work of those with more authority.

Thompson finds the beginning of a solution in the potential of patchwriting as a teaching tool: “Conceptualising academic writing (and indeed all writing) as a form of patchwriting that is dialogically and intertextually constructed” allows teachers and students freedom from the “paralysing concept of authorship as singular and unitary, which so often serves simply to block constructive ways of dealing with questions of knowledge production, writer development and textual ownership.” In acknowledging students as emergent academic voices, as “subjects-in-process-and-on-trial, engaged in

¹⁶ For the sake of time and space, I have not dealt with the place of some international students who, on coming to North American universities, may have little sense of the notion of “intellectual property.” For a compelling and helpful discussion, see Julianne East’s work on this topic.

forms of intertextual knowledge production, we are able to offer a way forward for emergent-student-writers” (Celia, “Authority”)

Sarah Robbins speculates as well about instructors’ use of texts that parallels the patchwriting of students. Hypothesizing about an occasion in which she might choose a textual excerpt for a course pack, she recommends that the “(re)presentation of this text in the new context” should model her “belief in writing as collaborative,” and thus should include “an explanation to my students about where and how the piece was originally published, why I have chosen it for use in the class, and how reading this selection now in its new republication space represents a kind of collective rewriting—a redistributed authorship” (168).

This modeling, then, would serve as a basis for approaching patchwriting with students, allowing for a student to borrow “text from an Internet term paper site, then rework it a bit for a section of her ‘own’ paper without signaling that process,” as a learning step. Though this action would not be received “uncritically,” as if the student were “a free-ranging author taking advantage of the still relatively open access of the Internet to ‘use’ material there,” it would not have to be considered plagiarism. Instead, Robbins recommends asking the student, as she herself did in explaining her borrowing of reading material for class, to “write critically about why she selected the text she appropriated, how its initial publication site (including its audience, purpose, and other rhetorical elements) was similar to and different from that of her ‘own’ paper, and how she imagined her use of the borrowed text revised it rhetorically” (169). In this way, the student is given an opportunity to engage with her behavior, her writing, and her position as emergent author, and the teacher is able to align her pedagogical practice with her theoretical beliefs.

If, as Kelly Ritter argues, students often plagiarize because of a “lack of confidence in their own writing and research skills” (Ritter 26), we must engage them both in writing activities that scaffold their acquisition of academic voices (however influenced by the larger social consciousness) and in activities that engage their critical thinking about matters of academic integrity. If students’ patronage of paper mills, as Ritter’s research suggests, is due also in part to their disconnection from the writing curriculum, we must work to create collaborative spaces and “bridge[s]” for students in which their confidence in writing is bolstered, but in which they also have opportunities for “invest[ing] themselves in the process of developing and writing about their own ethics and values” (31). Unlike the recommendation of Ercegovac and Richardson, then, which advocates for the use of an external theoretical set of values, Ritter’s pedagogy forces students to engage with their own values. And, like many

others, Ritter stresses the need for such pedagogy to be imbedded in the curriculum as a preventative measure rather than as a reactionary one.

Sandy Darab uses a similar set of assignments, requiring students to read research related to plagiarism and academic dishonesty and complete analytical and response assignments after their reading. The conclusion of her action research based on this set of assignments suggested that while “it cannot be inferred that raising awareness of ethics will result in students internalising these values, as part of their own moral code ... it can be argued that the level of academic skills students developed in this unit will equip them to be ethical in their academic practices, if they choose to enact them” (110).

Celia Thompson envisions yet another student-engagement activity in which students confront “the notion of textual ownership as dialogically and sociohistorically produced.” Such an activity would form the basis for “the kind of pedagogical framework through which the co-constructed and ongoing nature of text/knowledge production and emergent student authorship can be explicitly experienced; a framework that allows for the circulation and negotiation of textual authority.”

Sarah Robbins’s work, which traces the revision, through publication, of an eighteenth-century primer, *Lessons for Children*, by British author Anna Barbauld, takes up the question of plagiarism through addition and emendation, through the obscuring of the voices of other writers, especially female writers. Though she does not specifically recommend it as a unit of study for students, her case study has the potential to further engage students in thinking about textual ownership and intellectual property as culturally situated. Coupled with a dynamic inquiry and discussion into parallel processes in today’s digital environment, such a study could offer an engaging counterpoint to the work of Manovich or the phenomenon of Grey Tuesday. Ultimately, Robbins’s work reiterates the Fair Use pedagogy of DeVoss and Porter, stressing the need to “develop more sophisticated models for recording patterns of appropriation, even while resisting excessive protectionist moves that restrain fair use” (168).

Lunsford recommends other pedagogical practices along these lines, including Linda Adler-Kassner’s use of portfolio assessments and service learning projects and Candace Spiegelman’s argument “for making the tensions in current students’ conceptions of ownership central to the composition classroom” through peer writing group discussions and definition-activities (“Rhetoric” 534). It only makes sense for students to become engaged in the discussions of which they are the subject, discussions that are continually occurring, with them at the center, but from which they have been excluded for

so long—issues of authority, textual ownership, and intellectual property, along with intersecting ethical concerns.

Finally, we must also recognize that, despite our attempts to account for the massive and tangled discourse that surrounds textual ownership and plagiarism and the many pedagogical possibilities that could help to address the “problem” in the classroom, we will still often be faced ultimately with having to address the plagiarized assignment. Rebecca Moore Howard offers some important guidance here. First, we must consider context:

- Is the student experienced in the discourse of the discipline in which he or she is writing?
- Has the student been introduced to the textual conventions of the discipline? (Some disciplines, for example, have a considerably higher tolerance for and expectation of students’ recapitulating their sources—whether in paraphrase, summary, quotation, or patch writing—than do others).
- Is the student working from sources assigned by the instructor? (In such cases it is unlikely that he or she intended to deceive). (797–98)

Once we have considered questions of context, we must also consider our position as the reader, since “the meaning of a text does not, in fact, reside in the text, but in the interplay of text, intertext(s), writer, social context—and reader” (798). Ultimately, we must consider whether it might be necessary to “revise definitions of plagiarism to account for the contingent nature of authorship and its constituent discourses; to account for the collaborative nature of writing; to allow authorial intention as a factor in the adjudication of student plagiarism; and to postulate positive value for patchwriting” (798). If, indeed, we have exhausted all such lines of inquiry and possibilities and we still determine that a student has intentionally committed fraud (such as purchasing a paper online or submitting as his own an entire essay written by another person), we can then feel justified in carrying out appropriate punitive measures. Howard offers a helpful “proposed” policy to use as a starting point, a comprehensive policy that does more than delineate punishments (797–800).

Ultimately we must also concede that, if, as Lev Manovich so persuasively argues, remix culture is here to stay, the digital revolution may shift our discussion of all of these issues—intellectual property, textual ownership, plagiarism, and even our traditional formats for citation—to the point that our reexaminations must be reexamined. Indeed, if “print-based

citation systems are breaking down under the sheer weight of information, much of it unattributed and unattributable, available on the Internet and the hypertextual World Wide Web” (Lunsford and West 399), and if our digital economies eventually make educational institutions’ now-proprietary access to “knowledge products ... readily accessible to anyone, anywhere, anytime,” we will find ourselves confronting questions even larger than those raised at the outset of this discussion. Lunsford and West, in a rather apocalyptic series of questions, wonder what we will do when “the producers of such knowledge, the Romantic ‘authors’ or even ‘author functions,’ are so widely dispersed as to be invisible, parceled out in so many ways and through so many different hands that ‘ownership’ cannot be fixed?” What if, they ask, “the forces ... associated with electronic technology effectively destroy old systems of the ‘right’ to copy” (399)? Some might argue that we’re already there, at least in the larger culture, as Grey Tuesday and the persistence of filesharing, even after the legal death of Napster, signal. If nothing else, these possibilities force us to consider that continual reflective practice is the soundest course, as opposed to staying firmly entrenched in obsolete methods, or giving in to anxiety and resorting to the latest “quick fix,” or simply ignoring the situation altogether.

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