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Outdated Notion?

Teaching Plagiarism as Theft

Since 2023, librarians from the University of New Mexico and The Ohio State University have given several presentations on "Outdated Research Notions," which are guidance that is provided to students, or shared understandings about research practices, that are no longer effective. This article, along with the companion piece "Outdated Notion? Teaching Scholarly Articles as the Gold Standard," by Adrienne Warner and Alyssa Russo, provides an overview of an "outdated notion" that has generated significant discussion among presentation participants. We share these as way to generate conversation among librarians about approaches to teaching key information literacy concepts and skills.

The "Plagiarism as Theft" Metaphor

Teaching students about plagiarism is a key focus for many academic librarians.[1] Within the academy, the plagiarism as theft metaphor is commonly used.[2] Plagiarism is often referred to as "stealing" or a "crime." For example, the website of the University of Akron's Office of Student Academic Success Tutoring Services states, "*Just as stealing money or a car is a crime, presenting ideas or words as if they were your own is a crime*" (emphasis added).[3] In this description, plagiarism is not considered to be *similar* to a crime but rather an actual crime. Likewise, investigations into potential cases of plagiarism often mimic the format and language of legal proceedings.[4]

There does not appear to have been a significant discussion of the plagiarism as theft metaphor within the library and information science literature. However, scholars in legal studies and writing studies have raised concerns about the accuracy and harm of describing plagiarism as theft. This article encourages librarians to critically consider these concerns. However, I want to clarify that I am not suggesting that librarians stop teaching students about plagiarism or stop discussing plagiarism as a serious issue. My argument is that shifting our language about plagiarism may encourage more productive conversations with students about why it is important to provide attribution. I would also like to note that this essay is focused on plagiarism, not copyright infringement. Although these terms are sometimes used interchangeably, they are not the same.[5]

Key Concerns: Plagiarism as Theft

The first concern I want to highlight is that understandings of plagiarism in the United States are based on a Western, capitalist view that "assumes that everything of value can be

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owned, bought, and sold and that ideas, knowledge, and art are created by individuals who have the rights of ownership."[6] However, students from non-Western backgrounds may have very different understandings. While describing plagiarism as theft is common, this does not mean that it is the only option for characterizing plagiarism.

Second, at least in the United States, it does not appear that the description of plagiarism as "theft" or "crime" is legally accurate. For example, on the website of the Cornell Law School, it is noted that "plagiarism is not illegal in the United States in most situations."[7] Legal scholars, including Stuart P. Green and Bryan L. Frye, have explored whether plagiarism actually fits the legal definition of theft or crime. In a 2002 article, Green stated that "plagiarism never has been, and probably never should be, prosecuted as theft."[8] Likewise, Frye argues that, unlike copyright infringement, "plagiarism is not a legal wrong … it is neither a tort, nor a crime."[9] Although descriptions of plagiarism often refer to it as the stealing of another's "words" or "ideas," Green argues that plagiarism would meet the legal requirements to be considered theft only if it is recognized that the "property" that is being "stolen" is *credit*, rather than the words themselves. Even then, Green acknowledges that the argument that credit is a type of property that can be stolen is "less than airtight."[10]

More important than the question of whether plagiarism meets the legal standard for theft is the question of whether describing plagiarism as theft makes sense to students. Stefan Senders describes asking students to define plagiarism and getting answers acknowledging plagiarism as "theft" and "stealing."[11] However, Senders argues that, even though most students are familiar with the metaphor of plagiarism as theft, "many of them *don't believe*" (emphasis added).[12] Senders asserts that one reason for this may be that students have grown up in a time in which many people do not consider actions such as illegally downloading music to be wrong. Beyond this, however, Senders states that "even for the students who think stealing is wrong, and I mean *really wrong*, plagiarism doesn't look like *normal theft*" (emphasis added).[13]

Generally, when a thief steals an item, they are taking something that another person wanted to keep and depriving them of the use of that item.[14] However, as Amy Robillard notes, scholars see their works as "*contributions* rather than as objects to be stolen; we *want* others to use our work" (emphasis added).[15] And thieves are generally stealing items that they consider to be of worth, but the words that students plagiarize are ones they "frequently don't want or care about, or even hold onto for long."[16] The idea that stealing someone's "words" is theft does not align with how we typically think about theft. Even if we move beyond the idea of plagiarism as the stealing of "words" and consider it to be the stealing of "credit," as Green has argued, it may still be difficult for students to recognize this as constituting "theft." As Green states, for some, "the rather abstract idea that *X* can 'steal' credit owed to *Y* seems far removed from the familiar notion that *X* can steal *Y's* car or television set."[17]

This is not to say that students do not understand the idea of giving credit. Yet, as Senders notes, in most cases, it is difficult to make a convincing argument that an author is losing credit, or suffering any type of harm, when a student uses their work because "students and 'authors' do not participate in the same economy."[18] The original author is rarely going to ever know that a student has taken their "credit." There are, of course, other types of harm that come from a student committing plagiarism. However, students likely recognize that, in most cases, the original author is not actually losing anything when a student uses their work without citation.

Another criticism centers around the idea that theft does not fully capture what it is that we really consider to be wrong with plagiarism. For example, Frye states in an article, "I explicitly authorize plagiarism of this article."[19] However, in discussions of this article during presentations, many participants indicated that if a student copied from this paper without providing a citation, *it would still be plagiarism*. Compare this to the case of stealing a car. If Kia gives Tucker permission to use her car, and explicitly stated that she had done so when asked by the police, we would think it was wrong if Tucker was prosecuted for theft. However, in the case of the student using Frye's words without attribution—though Frye had explicitly given the student permission to do so—many would still consider it to be a case of plagiarism. Likewise, most librarians would likely agree that if a student copies artificial intelligence (AI)–generated work, this would still be considered plagiarism, even though an AI tool is not a person and cannot be harmed by the student's "theft." Thus, there is a limit to the adequacy of the theft metaphor in capturing what we mean when we are talking plagiarism.

The next concern is that the plagiarism as theft metaphor makes it seem as if identifying plagiarism is as simple as recognizing that taking someone else's car without permission is theft. But this is not true.[20] As Sarah Eaton has noted, "We all think we are talking about the same thing when we say the word, 'plagiarism,' but that isn't necessarily the case."[21] In presentations on plagiarism with experienced instructors and librarians, in which I provide specific scenarios and ask participants to determine whether it is plagiarism, there is always debate. Likewise, descriptions of plagiarism in writing guides or institutional policies often leave room for significant disagreements in interpretation. Frye recalls reading through the plagiarism policy at his institution and thinking that it was "hard to imagine how any student attempting to follow this policy could possibly be anything but 'unsure'" about what constitutes plagiarism.[22] Identifying which actions do and do not constitute plagiarism is simply not as clear as the plagiarism as theft metaphor implies. Is incorporating feedback from a peer, copying the structure of someone else's essay, or reusing your own work for different classes plagiarism? In a 2021 study, Stephanie Crook and Jerome Cranston ask students to indicate which of these actions, and several others, constituted plagiarism, and they found significant uncertainty in the students' responses.[23] And even if something like incorporating feedback from a friend could be considered plagiarism, would we really consider this to be an example of "theft"?

Another issue is the potential for the plagiarism as theft metaphor to contribute to an adversarial relationship between students and instructors. In the metaphor, students are (potential) criminals and instructors must play the role of the "plagiarism police."[24] Or, as Senders notes, the teacher may end up playing the roles of "investigator, police, judge, and finally (perhaps) executioner."[25] If students primarily see instructors in these terms, then it is difficult to imagine how students and instructors can develop positive relationships.

My final, and most important, argument is that the plagiarism as theft metaphor is not supportive of student learning.[26] By treating students as thieves even for first-time "crimes," we prevent students from being able to make mistakes. However, "mistake-making is arguably the very essence of learning."[27] In other areas, students are allowed to get things wrong. In fact, it is understood that they *will* get things wrong. Yet we often expect students to get it right the first time when it comes to the complicated norms of plagiarism. Moreover, by teaching plagiarism only from a punitive perspective, emphasizing theft, it can prevent

students from seeing the value of citations. Students may struggle to see, as Robillard has argued, why we consider it to be important that we "pass on" the work of others, rather than "passing off" someone else's work as our own.[28] Likewise, Barbara Fister has noted that students "don't learn why citations are useful because they associate them almost exclusively with the possibility of making mistakes and the threat of punishment."[29]

Reconsidering Plagiarism as Theft

For all of these reasons, I encourage librarians to reconsider their use of the plagiarism as theft metaphor. Given its prevalence, it does not seem likely that there will be a significant shift in how plagiarism is depicted across the academy in the immediate future, and I certainly do not expect that all librarians will agree with the arguments I have put forth. However, for those that are open to reconsidering the plagiarism as theft metaphor, a first step could be to have conversations exploring the different perspectives among the librarians and staff within a specific institution about the value or harm of the metaphor. This could possibly lead to changes in the descriptions of plagiarism on the library website or in instructional resources. Librarians could also try to start conversations with instructors about the use of the metaphor.

In conclusion, I wish to reiterate that I am not arguing we no longer teach students about plagiarism. However, we do not have to label our students as criminals in order to teach them the importance of giving credit and accurately representing their own scholarly or creative contributions. ⚹

Notes

1. I would like to acknowledge Natalie Hill and Laura Tadena, "Under Pressure: Rethinking How We Tech Plagiarism" (ACRL 2021 virtual conference) as significantly contributing to my beginning to think critically about the ways in which librarians teach and talk about plagiarism.

2. Amy Robillard, "Pass It on: Revising the 'Plagiarism Is Theft' Metaphor," *JAC* 29, no. 1/2 (2009): 412.

3. "Resources About Plagiarism," University of Akron, accessed February 7, 2025, https://www.uakron.edu/tutoring/bwc/resources-for-students/resources-about-plagiarism.dot.

4. Stefan Senders, "Academic Plagiarism and the Limits of Theft," in *Originality, Imitation, and Plagiarism: Teaching Writing in the Digital Age*, ed. Caroline Eisner and Martha Vicinus (University of Michigan Press, 2008): 197–98.

5. Brian L. Frye, "Plagiarize This Paper," *IDEA: The Law Review of the Franklin Pierce Center for Intellectual Property* 60, no. 2 (2020): 294–327.

6. Lea Calvert Evering and Gary Moorman, "Rethinking Plagiarism in the Digital Age," *Journal of Adolescent & Adult Literacy* 56, no. 1 (2012): 35.

7. "Plagiarism," Cornell Law School Legal Information Institute, accessed February 7, 2025, https://www.law.cornell.edu/wex/plagiarism.

8. Stuart P. Green, "Plagiarism, Norms, and the Limits of Theft Law: Some Observations on the Use of Criminal Sanctions in Enforcing Intellectual Property Rights," *Hastings LJ* 54 (2002): 241.

9. Bryan L. Frye, "Plagiarism Is Not a Crime," *Duquesne Law Review* 54 (2016): 141.

10. Green, "Plagiarism, Norms, and the Limits of Theft Law," 228.

11. Senders, "Academic Plagiarism and the Limits of Theft," 196.

12. Senders, "Academic Plagiarism and the Limits of Theft," 196.

13. Senders, "Academic Plagiarism and the Limits of Theft," 196.

14. Teddi Fishman, "'We Know It When We See It' Is Not Good Enough: Toward a Standard Definition of Plagiarism That Transcends Theft, Fraud, and Copyright" (4th Asia Pacific Conference on Educational Integrity [4APCEI], University of Wollongong, New South Wales, Australia, September 2009), 2.

15. Robillard, "Pass It on," 407.

16. Senders, "Academic Plagiarism and the Limits of Theft," 197.

17. Green, "Plagiarism, Norms, and the Limits of Theft Law," 235.

18. Senders, "Academic Plagiarism and the Limits of Theft," 197.

19. Frye, "Plagiarize This Paper," 316.

20. Frye, "Plagiarize This Paper," 308; Stephanie Crook and Jerome Cranston, "Punished but Not Prepared: An Exploration of Novice Writers' Experiences of Plagiarism at University," *Canadian Perspectives on Academic Integrity* 4, no. 1 (2021): 40–69.

21. Sarah E. Eaton, "Plagiarism Witch Hunt Causes Harm," accessed March 7, 2025, https://drsaraheaton.com/2024/01/07/plagiarism-witch-hunts-cause-harm/.

22. Frye, "Plagiarism Is Not a Crime," 146.

23. Crook and Cranston, "Punished but Not Prepared," 40–69.

24. Rob Jenkins, "Toward a Rational Response to Plagiarism," *The Chronicle of Higher Education,* August 14, 2011, accessed March 7, 2025, https://www.chronicle.com/article/toward-a-rational-response-to-plagiarism/.

25. Senders, "Academic Plagiarism and the Limits of Theft," 204.

26. Crook and Cranston, "Punished but Not Prepared," 40–69.

27. Crook and Cranston, "Punished but Not Prepared," 43.

28. Robillard, "Pass It On," 426–27.

29. Barbara Fister, "Learning Why, Not How," *Inside Higher Ed*, August 8, 2019, accessed March 7, 2025, https://www.insidehighered.com/blogs/library-babel-fish/learning-why-not-how.