Chapter XLIV
Plagiarism, Ghostwriting, Boilerplate, and Open Content

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ABSTRACT

This chapter explains to business people, administrators, and educator/trainers what plagiarism is and is not, and explores authorship ambiguities such as ghostwriting, templates, boilerplate language, collaborative/team writing, and open content. It argues that two key features of plagiarism are the intent to deceive and lack of consent from the original author(s). Furthermore, whether the environment is an academic or work environment plays an important part in determining whether plagiarism has occurred, because academic settings impose stricter standards on borrowing. However, if both the original author and the borrowing author are aware of the origination of words and consent to their re-use, and the issue involves template or boilerplate language, or incorporates acknowledgement of influences, help, or collaborative contributions, it does not constitute plagiarism. Clarifying differences in standards and expectations of the academic and workplace environment will help business people better understand the ethical boundaries for practices of acknowledgement and attribution.

INTRODUCTION

The workplace thrives on transforming the ideas of others into a new-and-improved version of the old. Without imitation and influence, society would never advance. Yet the line between acceptable and unacceptable borrowing, as is the case with plagiarism, has become more and more blurred. Today hardly a day goes by when the news does not include some reference to plagiarism. The purpose of this chapter is to explain to business managers, administrators, educators, trainers, and executives what plagiarism is and is not, and to explore the nature of this highly public issue and business-related ambiguities in authorship such as ghostwriting, use of templates, boilerplate language, viral marketing, "rubber stamp" correspondence, collaborative/team authorship, and open content. Clarifying the differences between the academic and the workplace environment and the standards and expectations that each encounter will help business people better understand the ethical boundaries for practices of acknowledgment and attribution.

BACKGROUND

Plagiarism has come to be such a trigger word for the media that it comes close to murder or kidnap-

ping in the sense of outrage that the accusation conjures up. This may be because the word "plagiarism" comes from the Latin word "plagiarius" meaning "kidnapper, seducer, or plunderer," in the sense of a literary thief. However, the concept developed its roots in an age when the idea of the solitary author took on an almost mystical importance in the late Renaissance, fed even more in the centuries to follow by the pervasive philosophy of John Locke's theory of "possessive individualism," applied to property law, and extending the idea of property to written products. Copyright law had its origins at the same time that such legal and philosophical theories developed, and since the lawmakers deemed a writer's written work product as physical property, the two realms of law became intertwined. Several good sources for examining the development of this phenomenon are Woodmansee and Jaszi's (1993) compilation of essays, *The Construction of Authorship: Textual Appropriation in Law and Literature*, and Eisenstein's (1980) seminal work.

Copyright Infringement vs. Plagiarism

Although copyright infringement is not the same thing as plagiarism (one is strictly a legal violation, the other an ethical and/or moral violation that incurs academic censure), the two terms take on the same sinister dimensions in media exposure. Since the latter term carries the more menacing connotation, even though it is not actually even a crime, *plagiarism* seems to get the most press. This is unfortunate, because notions of writing as a solitary activity have changed, notions of copyright law are being challenged, and certainly, the idea of a written product as a fixed and permanent piece of property has changed. These changes are hardly more apparent than in the virtual workplace. Nevertheless, to compete in global society, we must be aware of the current notions that are prevalent, even if they are not ideal or outdated.

"Plagiarism" in the most common sense of the word, means to claim some piece of writing is one's own when it is not. The Council of Writing Program Administrators (WPA) (2003) developed a statement that includes a definition of plagiarism to help teachers of writing in colleges. They define plagiarism in this way: "In an instructional setting, plagiarism occurs when a writer deliberately uses someone else's language, ideas, or other original (not common-knowledge) material without acknowledging its source. (p. 1)" This definition, developed in 2003 by writing program administrators well aware of the changes in writing practices, copyright law, and nature of written products, represents a current understanding of how plagiarism is viewed among writing teachers and intellectual property scholars in academia. Plagiarism is a deliberate act intended to deceive others of its originality.

Common Knowledge

The WPA statement on plagiarism specifically exempts material that is common knowledge from having to be cited. However, the term "common knowledge" is open to interpretation, and determining whether something is common knowledge depends in large part on context, purpose, genre, and audience. Within academic circles, common knowledge may be one of two types:

1. general cultural knowledge of which anyone in that cultural context with a high school/secondary school education is expected to be aware, or
2. discipline-specific knowledge, knowledge that anyone in a specific discipline, discourse community, or organization would be expected to know, such as typical jargon, common metaphors, seminal works or breakthroughs in the field.

General cultural knowledge is generally the same thing as "commonsense-expert knowledge" (Elin-Door, 2006), while discipline-specific

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