

Dissernet and Self-plagiarism

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Abstract. Often authors re-use their previously published works when they prepare a new article, for example, at the next stage of the project. The authors do not see any violations in this, because they care about the completeness of the description of the conditions, methods, and results of the study. However, some Codes of ethics are very negative about the re-use of the text.

The experts of the website Dissernet negatively assess the use of fragments of texts from previously written articles by the author. Re-publication of the article also was recognized by Dissernet as unethical act. Limit these ethical standards of Dissernet the author's right?

According to the Civil Code of the Russian Federation, the creation of derivative works is one of the ways to realize the exclusive right of the author to the work. The way of creating a derivative work is entirely within the competence and responsibility of the author.

In the Civil Code of the Russian Federation the mechanism of simple (non-exclusive) licenses is fixed: any publisher can receive from the rightholder the simple license for publication of article, including without its processing. Publication of the article in several editions is one of the ways of realization of the right of the author to wide publication of the work. The ethical sphere can only include the obligation of the author to inform the publisher about the held or planned publication of the article in another edition.

Keywords: Ethic of Scientific Publications, Exclusive Rights, Derivative Work, Re-publication.

1 How Often Authors Re-use the Articles

Examples can be given where authors rely on their previously published works when preparing an article. The most obvious example is the preparation of articles at the next stage of the project. Since the reporting articles at different stages are linked by a common theme, the texts of the articles inevitably have intersections associated with the description of the context of the project (see **Ошибка! Источник ссылки не найден.**). The authors do not see any violations in this, because they care primarily about the completeness of the description of the conditions, methods, and results of the study [1].

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Authors also often resort to re-publishing the article, especially when the article was originally published in an edition with a limited audience. Re-publication occurs, in particular, when the article is translated into another language.

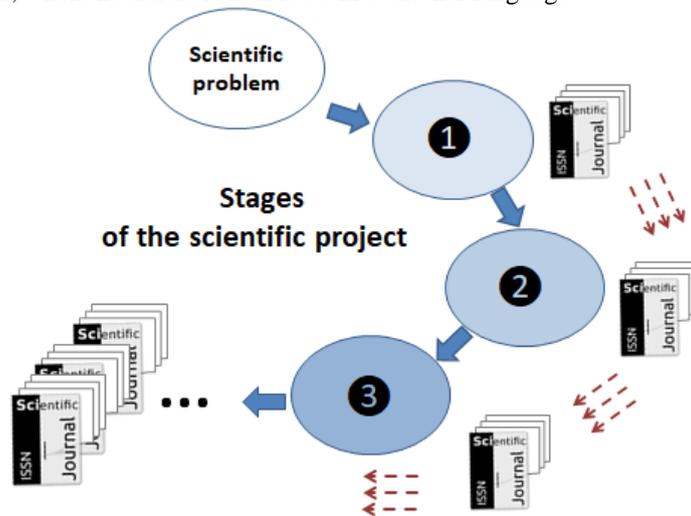


Fig. 1. Preparation of the articles at different stages of the project.

Some Codes of publication ethics give an unconditional negative assessment of the facts of repeated use of fragments of texts from previously written articles by the author. The re-publication of the article is also negatively assessed. Do such strict ethical assessments correspond to the current practice of preparing and publishing scientific articles?

It should be stated that today the Russian scientific community is under pressure to increase the number of published articles. Will the requirements to increase publication rates lead to the appearance of mass re-publications and duplication of materials previously written articles in new articles?

The answer to this question exists, and it is encouraging: the deformation of ethical principles in the scientific community has not happened. As a recent analysis of published Russian papers shows, most scholars are not drawn into the dubious competition of mechanistic reprints. Evidence can be found in the presentation of Yu. V. Chekhovich [2] – Executive Director of Antiplagiat company.

The company Antiplagiat investigated more than 4.3 million Russia journal articles, the full texts of which are available in the scientific library eLibrary.ru [2, slides 8–11]. Antiplagiat program selected articles in which the program found matches with previously written articles in volume of more than 80%. There were 145,168 such articles. It is easy to calculate that the number of articles with large volumes of repetitive text is only about 3.2% of the total number of 4.3 million articles studied.

Based on the data given in [2], we want to show how often the authors re-use the article.

The whole array of the articles in which repetitions of texts from previously published articles were found was divided into clusters. Each cluster included the original (earliest) article and its repeating copies. A total of 70671 clusters were discovered.

Now let's pay attention to which clusters dominate. It turned out that the number of clusters consisting of two articles is about 95.5%. The number of clusters consisting of three articles is about 3.8%, of four articles – 0.5%, of five articles — 0.08% and then there are very small values. But there were also "Champions of self-citation", noticeably out of line: found one cluster containing 16 articles and two clusters containing 17 articles. Thus, the authors 16 and, respectively, 17 times published almost identical article in different journals.

What are the conclusions from the conducted Antiplagiat company research [2]? First of all, it becomes apparent that most scholars do not resort to re-publishing or reusing large amounts of text from previously written articles. Among the repeated publications, the overwhelming majority are the publications of the article in the second journal. This fact is probably due to the existing tradition and quite reasonable, generally accepted in the scientific community considerations.

2 Reasons for Re-publication

It has been shown above that the large part of re-publications is in two editions. Here are specific examples when the re-publication of the article is justified.

In Keldysh Institute of Applied Mathematics Russian Academy of Science traditionally produces preprints. Since 2014, this operational serial edition has received ISSN, equating the status of preprints to the status of the journal (as a more usual type of scientific publication for an official) [3]. When placing the metadata of the edition in the eLibrary.ru the preprint gets the attribute "journal article", and in this case the scientific publication "Keldysh Institute Preprints" could well be included in the array of journal articles investigated by the Antiplagiat program.

It is known that many authors further publish their preprints in academic journals in order, firstly, to obtain additional evaluation by an external reviewer, and, secondly, to expand the readership. Authors, who initially publish an article in an Institute (University) Edition with a limited audience, do the same. Re-publication of an article in another journal is a natural way to convey the results of one's research to a wide readership.

Re-publication may occur as a result of the usual communication failure between the author and the editor. A typical scenario is this: the author sends the article to the journal, perhaps begins a correspondence with the editors, but then the communication is interrupted for reasons unknown to the author. After waiting two or three months and not receiving any information from the editorial Board about the fate of his article, the author sends the article to the second journal, while he cannot tell the editorial Board anything intelligible about the prospect of publication in the first journal. The article is successfully published in the next issue of the second journal. A year later, the article appears in the first journal, but the author has nothing to do but to expect criticism from the guardians of ethical standards for re-publication.

Here is another example. The author, who published the article in the journal, found a way to strengthen his results, clarify the conclusions, expand the scope of the results, etc. The re-publication of the article (extended article) is also a natural phenomenon, encouraged by the scientific community. Most likely, the author will change the title of the article to emphasize the new additions. The author can refer to the previous version of the article, for example, when applying for publication in a new journal. But it is hardly reasonable to demand from the author additional explanations or notes in the text of the article.

Even if such explanations appear in the article, the Antiplagiat program is unlikely to be able to recognize such a remark, since the form of the explanation in the text of the article is not canonized. If the article gets to the processing of the Antiplagiat program, the author risks falling into the cage of violators of ethical norms. And to justify the actions of the author would require a special procedure. The provision of certificates, as an attribute of bureaucracy, does not go well with the digitalization of public relations.

In our opinion, duplication of textual information in articles is a consequence of underdevelopment of forms of representation of scientific knowledge. But, unfortunately, there are no promises from the authorities of Russian science that would contribute to the development of the infrastructure of scientific knowledge. The focus on formal indicators of publication activity, expressed in the counting of published journal articles, does not contribute to the introduction of new forms of publications. A typical example: the reporting does not take into account scientific Internet resources, constantly developed by the authors. Such resources include, in particular, the “alive publications” [4].

The author of the alive publication posted on the Internet undertakes not only to constantly improve his work, but also to follow the events in the studied area and systematically reflect everything new in his online text.

The alive publication can be linked to a traditional journal article. At some point, the author can fix the time-slice of the alive publication, publish an article in the journal, and then continue to develop his work. Of course, all changes made by the author to the alive publication must be recorded. Having accumulated new, quite interesting facts and results, the author can re-publish another time-slice of his continuously developing work. Thus, the original work may give rise to a family of derivative works intended for publication in journals. The meaning of the appearance of such journal publications is clear: the author wants to get an assessment of the work from the reviewers of respected journals.

The Institute reports and reports for higher authorities do not take into account the alive publications, although they are very interesting to readers who want to get the latest, “fresh” information. It is journal articles that count by higher authorities, despite the fact that journal articles quickly become obsolete.

A new model of author-publisher relations will help to avoid duplication of articles. The paper [5] presents an open platform for the organization of peer review by the publisher of the Open Access journal of preprints of articles previously placed in the popular Open Archive arXiv.org. The author submits to the journal his article directly from arXiv.org. The journal reviews the article by its experts. Then the arti-

cle, which has been successfully reviewed and corrected on the basis of the received comments, is published again in arXiv.org. The journal assigns a DOI to the article and publishes only a link to such an article.

A similar relationship can arise between an author and several journals. If an article published in an open archive receives positive reviews from different journals, and only references to such work are published in the issues of journals, then there is no duplication of the text of the article in the journals. The author can be deservedly proud of the fact that his article received from several journals a kind of quality mark [6].

Back to the results of the research, that made the company Antiplagiat. The data on repeated publications in the work [2] are devoid of any ethnic coloring. Although to somebody it may seem a huge number of articles in which repetitions are found. However, it is worth noting that these articles have not yet been worked by experts. In [7, p. 50], written with the participation of employees of the company Antiplagiat, you can read the following statement about the role of the expert in the analysis of the results obtained by the program Antiplagiat:

“Conclusions about the integrity and correctness of self-citation in the audited document should be made by an expert ... And it is up to the expert to decide whether each borrowed piece of text is a legitimate borrowing. Shifting responsibility in decision-making from the individual to the system Antiplagiat, for example, by referring to a particular level of borrowed text identified by the system, is an unethical practice.”

It is likely that with a "manual" analysis, experts will not see ethical flaws in the republication of articles discovered by the program Antiplagiat. Most likely, this will happen in the most representative cluster, which contains articles published in two journals. Thus, the volume of "ethically incorrect" publications should be sharply reduced.

3 Dissernet Shapes the Editorial Policy of Scientific Journals

A few years ago, in Russia was launched an initiative project of a group of citizens — Dissernet [8]. The aim of the project was to identify the authors of dissertations, illegally using results of other scientists, illegally copying the texts of publications from other papers. Gradually, the Russian scientific journals were involved in scope of the project Dissernet. Dissernet began to apply the methods of text analysis to scientific articles published in journals. It was announced that scientific journals are now under the magnifying glass of the Dissernet [9]: the project website maintains a catalog of journals that, according to Dissernet, have signs of incorrect editorial policy.

Dissernet has published a list of signs of violations of publication ethics [10]. This list contains items where Dissernet formulates the attitude to citing "no according the rules". Dissernet introduces a special term – journal "carrying case": it is considered that the author, instead of the article, published a set of fragments of other articles, if the program Antiplagiat found of borrowing from other articles of the author, not decorated "by the rules". The journal directory on the website Dissernet demonstrates

the number of journal "carrying cases" discovered (see **Ошибка! Источник ссылки не найден.**2).

What is the citation "by the rules"? Dissernet refers to the special rules of the Higher Attestation Commission (HAC) design borrowing. However, there is no description of the "citation rules" in the normative documents of the HAC. The regulation of the HAC on the procedure for awarding academic degrees [11] in paragraph 14 indicates only the obligation of the scientist to indicate the author and (or) the source of the cited materials. Therefore, Dissernet experts may mistakenly recognize the repetition of material as an ethical violation. And further there is an occasion unreasonable to accuse the journal of carrying out incorrect editorial policy.

Диссеропедия научных журналов

Показывать на странице: 20 50 100 3000

Элементы 1—20 из 957.

Журнал	Специализация	К-во персон Диссернета в редакции	Рецензии от авторов	Найдено журн. кейсов	Найдено псевдо-науч. публ.	К-во персон Диссернета - авторов публикаций	К-во статей изъято	Город/ регион
Человек. Жизнь. И российское законодательство	Юридическая наука	1	Да	11	0	40	0	Москва
Advances in Law Studies	Юридическая наука	3	Да	3	0	0	0	Москва

Number of journal "carrying cases" detected

Fig. 2. The directory of journals on the website of Dissernet.

Dissernet demonstrates a very negative attitude towards the so-called "self-plagiarism". Dissernet finds a violation of copyright in this case. It is hardly possible to agree with such a position.

When an author uses other people's materials without reference to sources, he violates the copyright of the creators of the works. There is a classic case of plagiarism. But how should one treat a publication in which the author makes extensive use of his previous work? Whose copyright does the author infringe? A clear answer to this question could not be found. However, with complete certainty we can say that the author has the right to create derivative works and widely publish the results of his work. We see no reason to restrict the author in this right.

We are sure that the term "self-plagiarism" does not make sense.

Let us quote another excerpt from the document published on the website Dissernet [10, paragraph 3]:

"Despite the fact that self-replications of texts published in the forms of preprints, conference abstracts, abstracts and dissertations, as well as borrowing from an article into a subsequent monograph or from an article/monograph into a dissertation are not considered as a violation, however, authors are strongly recommended to report where and when the text or a significant part of it was firstly published"

The given excerpt shows that Dissernet does not consider as violation "self-replication" of the text in article from the preprints published earlier, abstracts of conferences, and also borrowing of texts of articles in author's abstracts, dissertations, monographs. The question arises: what are the reasons that do not allow Dissernet to consider as ethical correct the situation when fragments previously written journal articles are included into a new article? This situation Dissernet refers to ethically incorrect "self-plagiarism" without giving any reasonable arguments.

Dissernet again strongly recommends authors to report where and when the text or its fragments were published for the first time. In our opinion, the reader is not always interested in the chronology of the publication of the article. He is likely to be interested in the last version of the article, where the author has published the latest materials, possibly supplemented by new facts.

It should be remembered that there is a generally accepted mechanism for specifying the literature used in the form of a list of bibliographic references. This mechanism is mastered and successfully used by the authors in almost every article. However, the list of bibliographies for various reasons does not always reflect the chronology of publication of articles. If another chronological device is required, the scientific community needs to explain the purpose and advantages of such a device.

4 About the Impartiality of Dissernet

In conclusion, we turn to the declaration published on the website of Dissernet, explaining the status of the ongoing catalog of journals, which, according to Dissernet, may show signs of incorrect editorial policy [9]:

"We emphasize that our catalog does not give an ethical assessment or scientific characteristic of the journal, but only provides questionnaire information about it, which in the future can be used by bibliometric experts and the scientific community as a whole"

On the one hand, Dissernet tries to take the position of an outsider who does not interfere in the relations between the participants of the publishing process. Dissernet not says that unquestionable breaches of publication ethics were discovered: Dissernet only publishes data that may indicate violations.

On the other hand, the position of Dissernet cannot be called neutral. It is very similar to the statement of the authorities of Britain, which has become a political brand – "highly likely". After this statement authorities of Britain expect excuses of the accused party.

Editorial boards are particularly sensitive to reputational risks. Each editorial office sees its task in the selection of high-quality scientific articles that are interesting for the current readership of the journal. The editorial Board does not have the opportunity and, apparently, the desire to hold discussions with some outside observers armed with the Antiplagiat program. However, "highly likely"-style pressure can force editors to deny authors publication, perhaps to the detriment of their readers' interests.

Dissernet's policy is characterized by another quote, which, at first glance, refers to the particular technical issue of the inexpediency of duplication of publications [10, paragraph 3]:

"Duplication of publications not only creates unnecessary additional burden on editors and reviewers of journals, but also distorts bibliometric indicators and results of meta-analysis ..."

Perhaps it is the concern for bibliometric indicators and "meta-analysis" that makes Dissernet involve a large audience of researchers and editors of scientific journals in such a fascinating activity — to assess the quality of scientific products in terms of some formal indicators that give the program for analysis of text arrays such as Antiplagiat. In the struggle for the quality of such indicators, Dissernet, in our opinion, often forgets about the need to respect the rights of authors of scientific works.

5 Civil Code on the Protection of Intellectual Rights

Part IV of the Civil Code of the Russian Federation is devoted to the protection of intellectual rights [12]. There, in section VII "Rights to the results of intellectual activity and means of individualization", article 1225 defines the types of results of intellectual activity to which state protection is granted. The result of intellectual activity, in particular, is a work of science. One of the types of works of science is a scientific article written by the author according to the results of scientific research. The article is created for the purpose of its further publication in a scientific journal. The relationship between the author and the publisher is governed by the provisions of the Civil Code.

According to the Civil Code, the author (or employer) has the exclusive right to the created work. What exactly does the exclusive right to a work include? According to paragraph 1 of article 1270 of the Civil Code, the copyright holder may use the work in any form and in any manner not contrary to the law.

Paragraph 2 of article 1270 lists the following ways of using the work:

- reproduction of a work, that is, the production of one or more copies of a work or part thereof in any material form;
 - distributing the work;
 - translation or other processing of the work;
- etc.

Let's return to the ethical question of reusing the text of the article discussed above. In terms of the Civil Code, we are talking about the creation of derivative works as a result of the processing of the original work.

Processing is one of the ways of realization of the exclusive right of the author (right holder) to the work. The Civil Code of the Russian Federation does not regulate specific permissible methods and volumes of processing of a scientific work. The author himself decides what he should change in the article in order to convincingly explain to the reader his ideas and scientific achievements.

The author has no restrictions in creating derivative works based on the original work. No license agreement or even an agreement on the alienation of the exclusive right to a work shall deprive the author of the right to create derivative works. Paragraph 4 of article 1233 of the Civil Code states:

“Conditions of the contract on alienation of the exclusive right or the license agreement limiting the right of the citizen to create results of intellectual activity of a certain kind or in a certain area of intellectual activity or to alienate the exclusive right to such results to other persons, are insignificant”

Thus, with regard to future works, the Civil Code protects the author from contracts that infringe on the interests of the author. In the Russian Federation, the publisher or other authorities may not require the author not to create derivative works in the future.

Derivative works may reflect the author's new views on the subject of the research, clarify the tasks, correct or supplement the previously obtained results, etc. Derivative works should occupy a legitimate place in the space of scientific publications [13, 14].

Does the author have the right to publish an article in several journals? In our opinion, the current restrictions on the publication and distribution of the article violate the rights of the author (copyright holder) to publish his work. The publication of a work in several editions is a legal way to exercise the exclusive right specified in paragraph 11 of article 1270 of the Civil Code:

“(11) making the work available to the public in such a way that any person can access the work from any place and at any time of his / her choice (making it available to the public)”

It should be remembered that from the standpoint of the Civil Code, it is also permissible to publish the same article in different journals without revision on the terms of a simple (non-exclusive) license – in this way, the right holder has the opportunity to expand his readership, to acquaint the scientific community with the results of the study.

6 Conclusion

The analyze of the fairly representative array of scientific articles conducted by Antiplagiat firm shows that no more than 4% of authors resort to re-use of the text of the article in a new article. The vast majority of these authors make only one republication. This is in keeping with the tradition and reasonable desire of scientists to convey their results to a wide range of readers. Excessive hype and excessive attention to re-publications do not correspond to the level of importance of this problem for the scientific community.

The debate in the scientific community on whether it is ethical to publish an article in several journals is meaningless. The ethical sphere can only relate to the obligation of the author to inform the publisher about the publication of the article in another journal.

From the standpoint of the Civil Code of the Russian Federation the publication of an article in several editions is one of the natural ways enshrined in the law to realize the author's right to wide publication of the work.

References

1. Ermakov, A.V., Polilova, T.A.: Dissernet i avtoplagiat. In: Nauchnyi servis v seti Internet: Trudy XXI Vserossiiskoi nauchnoi konferentsii, pp. 329–338. IPM im. M.V. Keldysha, Moskva (2019). <https://doi.org/10.20948/abrau-2019-01>, last accessed 2019/12/04.
2. Chekhovich, Iu.V.: Kolichestvennyi analiz sluchaev samoplagiata v rossiiskikh nauchnykh publikatsiiakh (prezentatsiia), Programma 7-i mezhdunarodnoi konferentsii NEIKON "Elektronnye nauchnye i obrazovatelnye resursy: sozdanie, prodvizhenie i ispolzovanie", <https://conf.neicon.ru/index.php/science/overseas2019/schedConf/program>, last accessed 2019/12/04.
3. Nauchnoe serialnoe izdaniie «Preprinty IPM im. M.V. Keldysha», <https://library.keldysh.ru/preprints/>, last accessed 2019/12/04.
4. Gorbunov-Posadov, M.M.: Zhivaia publikatsiia. IPM im.M.V.Keldysha, (2011). Redaktsiia ot 01.05.2019, <https://keldysh.ru/gorbunov/live.htm>, last accessed 2019/12/04.
5. Gibney, E.: Open journals that piggyback on arXiv gather momentum // Nature. International weekly journal of science, <https://www.nature.com/news/open-journals-that-piggyback-on-arxiv-gather-momentum-1.19102>, last accessed 2019/12/04.
6. Polilova, T.A.: Nauchnaia publikatsiia v Rossii: intellektualnye prava. Preprinty IPM im. M.V. Keldysha, 56, 1–24 (2019), <https://doi.org/10.20948/prepr-2019-56>, last accessed 2019/12/04.
7. Kuleshova, A. V., Chekhovich, Iu. V., Belenkaia, O. S.: Po lezviiu britvy: kak samotsitirovanie ne prevratit v samoplagiat. Nauchnyi redaktor i izdatel. 4(1–2), 45–51 (2019), <https://doi.org/10.24069/2542-0267-2019-1-2-45-51>, last accessed 2019/12/04.
8. Dissernet Homepage, <http://dissernet.org/>, last accessed 2019/12/04.
9. Rossiiskie zhurnaly pod lupoi Disserneta, <http://biblio.dissernet.org/aboutb>, last accessed 2019/12/04.
10. Dissernet, Spisok i obieiasnenie priznakov nekorrektnoi redaktsionnoi politiki, <http://biblio.dissernet.org/prizn>, last accessed 2019/12/04.
11. Polozhenie o prisuzhdenii uchenykh stepenei, [http://vak.ed.gov.ru/documents/10179/0/842%20ot%2024.09.2013%20O%20poriadke%20prisuzhdeniia%20uchenykh%20step%25%20\(2\).pdf/d7f864d7-27b4-4be4-b69a-72adb7930a86](http://vak.ed.gov.ru/documents/10179/0/842%20ot%2024.09.2013%20O%20poriadke%20prisuzhdeniia%20uchenykh%20step%25%20(2).pdf/d7f864d7-27b4-4be4-b69a-72adb7930a86), last accessed 2019/12/04.
12. Grazhdanskiy kodeks Rossiiskoi Federatsii, http://www.consultant.ru/document/cons_doc_LAW_5142/, last accessed 2019/12/04.
13. Polilova, T.A.: About the license agreement for the work-for-hirepublication. Russian Digital Libraries Journal 22(2), 119–141 (2019), <https://doi.org/10.26907/1562-5419-2019-22-2-119-141>, last accessed 2019/12/04.
14. Polilova, T.A.: Ethical norms and legal framework of scientific publication. Mathematica Montisnigri, Vol. XLV, 129–136 (2019), ISSN 0354-2238, <https://doi.org/20948/mathmontis-2019-45-11>, last accessed 2019/12/04.