Justine
(Justine is a Bryn Mawr Student)

Spring 1996

Introduction:
Professor Sasaki recognized that Justine, a Bryn Mawr sophomore, had plagiarized her final paper for his class. He brought the matter before Honor Council, Honor Council reached consensus on a suspicion of violation, and the matter was sent to an Honor Code Jury.

Fact Finding I:
The jury convened, headed by the chairperson Petra, and began the trial procedure by bringing in Justine, her support person Beth, and Professor Sasaki.

Professor Sasaki began the fact finding session by telling the jury about the events surrounding Justine's paper. He assigned a ten page research paper on a topic of the student's choice to be due at the end of exam week. Justine's friend had dropped off her paper at his office before it was due. Although her paper had a complete bibliography, it contained no quotations, footnotes, or references. He judged that 90% of it had been lifted from other texts. While Professor Sasaki felt this was clearly a case of plagiarism, he stressed to the jury that Justine had made no attempt to conceal her sources.

Justine spoke next. She said she left school early, wrote the paper at home in Calcutta, and faxed it to a friend who dropped it off at school. She had only two days to write and had tried to complete it as quickly and thoroughly as possible. She went to the university library near her home and typed up notes from the books she could procure. Then she went home to write up the paper. She admitted that most of the paper consisted of "paraphrasing" from the books, since she had little first hand knowledge of the topic she chose. She finished an hour before the paper was due and never had a chance to look over it. She stressed that this was not her best work.

The jury decided that before they could reach consensus on a statement of violation, they needed to compare Justine's paper to the books she had plagiarized. At this point, a member of the jury, Naomi, contracted an illness and was unable to participate in the rest of the trial procedure. The jury broke at this point so that several jurors could work on finding the plagiarized portions of the paper.

For three and a half hours, Petra and two members of the jury, Tuna and Steve, sat down with the three books cited in Justine's bibliography and compared them with her paper. The jurors found that 10% had been copied word for word from the books; 75% had been copied almost directly, but with a few words omitted or changed; and 13% had been roughly paraphrased with sentences that had been combined or restructured. About 2% of the paper seemed to be her own. The jury reconvened, and Petra, Tuna, and Steve presented the new evidence to the jury. The jurors felt that the level of plagiarism was far greater than Justine admitted and they wanted an explanation. Thus, Fact Finding II was called.

Fact Finding II:
The jury presented Justine and Professor Sasaki with the new evidence and asked Justine to explain it. Jurors could not understand why Justine said it was not her best work when it was not her work at all. She claimed that she was so hurried and stressed while writing it that she did not know what she was doing. She gave the jury a copy of the notes she had written while in the library in Calcutta. The jury looked them over, but did not see any connection between them and her paper. Justine said she never had a chance to use them in the final draft. Justine also presented the jury with the two papers she had written previously for Sasaki's class. They were both poorly cited and on one, Professor Sasaki wrote that Justine needed to cite her sources. Sasaki said she had informed the class as to how to cite a paper but Justine, whose attendance had been spotty, must have missed the class. Justine added that she had missed classes due to illness. Then Justine, Beth, and Sasaki left the room.

The jury agreed that Justine violated the honor code; however, a discussion arose as to whether or not this was an act of "gross" plagiarism. Because the honor code states that in cases of gross plagiarism, a student is usually separated for at least a semester, some jurors were uncomfortable about reaching consensus to "gross" plagiarism if that automatically entailed separation. But the fact that Justine plagiarized 98% of the paper weighed heavily on the jury and they decided that there was no other option than to call it "gross." They reached consensus on a statement of violation:

Statement of Violation:
Justine violated the honor code by committing an act of gross plagiarism on her final paper in Professor Sasaki's course.
Circumstantial:

Justine and Beth met with the jury to discuss the circumstances surrounding Justine’s violation. She had been taking five classes for financial reasons. Sasaki’s class, The History of Scandinavia, was outside her Russian major, and she struggled with it. She toiled under her work load and dropped a team sport and other activities to concentrate on her academics. Due to extenuating circumstances, she never took freshman English; she had never written a research paper, nor had she learned to cite. Because the American system of citation is very different from the British system used in Calcutta, she said that she was not familiar with the citation techniques that Prof. Sasaki expected her to use. She also said she had a lot of personal problems and an illness that hurt her performance throughout the semester. All these factors had put her behind in her work. Her parents had purchased a plane ticket for her months in advance and this ticket required that she leave 5 days before the end of exam week. She could not change the ticket, so she decided to leave early and write the paper in Calcutta. She could not write on the topic she had previously chosen because the availability of books in the library in Calcutta was limited. She had less than two days to research the new topic and write the paper before it was due. When asked whether she considered the work to be plagiarized, she said that now that she really understood the term, she could see how it could be called plagiarism.

Jury Deliberations:

The jury’s three goals in the composition of Justine’s resolutions were: Education, Repairing the breach of trust and Accountability (ERA).

The jury deliberated for many hours about what resolutions would be appropriate for Justine. After the first day of deliberation, one juror, Lisa, felt she needed to leave the jury due to personal problems not connected with the trial. This meant that two jurors, Lisa and Naomi, would be considered standing outside of consensus. Because only two jurors can stand outside consensus, it became extremely important that the jurors achieve unanimity.

The jury debated whether or not separation would be beneficial for Justine. Some jurors felt that separation was inappropriate because Justine did not intend to cheat. Others felt that it was more punitive than educational. Others referred back to the Honor Code which stated that only in very unusual cases would someone not be separated for gross plagiarism. These jurors felt that while Justine’s circumstances were unusual, they did not warrant plagiarism. Some jurors voiced concerns that Justine did not seem to understand the gravity of her violation. Other jurors who had served on previous trials before felt it would be unfair not to separate Justine because they had separated others who had done the same thing. Different jurors were concerned this relied too heavily on precedence. Everyone felt Justine needed a massive dose of education, not only how to cite a paper, but how to conceive of the process.

These issues remained unresolved and the jury decided to focus on whether or not Justine should fail the class. This raised another set of issues. Many jurors were worried about Justine’s accelerated course load. Some felt that because Justine had not completed the requirements for the class, she should fail. Other jurors felt that in principle she should fail, but this decision should be left to Professor Sasaki. Some jurors were concerned that it would be unfair to others in the class not to fail Justine.

The jury had difficulty coming to an agreement because many jurors’ feelings regarding failure of the class rested on whether or not she should be separated. One juror, Gabrielle, felt very strongly that Justine not be separated and fail the class because this was overly punitive. The jury looked to other abstracts for guidance. They discussed other resolutions and whether or not these would fulfill ERA. Still, the jury could not find a set of resolutions they could reach consensus on.

Petra consulted Professor Sasaki. He said that even if Justine failed the paper, she could receive a B- or 2.3 or 2.7 in the class. He said it was the jury’s decision, not his, as to whether or not she should fail the class.

When the jurors learned that Justine could pass the class with a B-, they rethought their positions. Since most of the jury felt that in principle she should fail the class, the overwhelming feeling was towards failure. Gabrielle was still hesitant so the jury discussed other options. They talked about writing another research paper, meeting with Professor Sasaki, writing a letter to the authors of the books she plagiarized, or writing a letter to the community. The jury discarded the last idea, but they felt the first three dealt with ERA concerns.

At this point, Gabrielle said she was comfortable with immediate separation and failure of the class, in addition to the three resolutions above. The jury tentatively agreed to the resolutions. After 24 hours of contemplation, the jury reconvened and reached final consensus on the following resolutions:
Resolutions:
1) The jury suggests that Justine fail the paper and the course.
2) Justine will be immediately separate from the Haverford community for the remainder of the semester.
3) During her separation, Justine will write a letter regarding her violation to the authors of the works from which she plagiarized.
4) Also, during her separation, she will read a book about how to write a research paper, after which she will write an historical research paper on a topic of her choice.
5) Upon her return, Justine and Professor Sasaki will read over her paper and discuss what she has learned from the experience.

Professor Sasaki, Justine, and Beth were called in and Petra read the resolutions aloud. Sasaki said he agreed with the resolutions, with the exception of the letter to the authors who would probably only be mystified and confused. Despite this concern, the resolution remained in place. After a moment of silence, the trial was ended.

Discussion Questions:

1. Do you agree with the jury’s decision?

2. What do you feel constitutes “gross plagiarism?”

3. Other comments?

Note: If you have further comments or questions about this abstract, Honor Council offers the opportunity for you to discuss this abstract with an actual juror from the trial. Please contact the Honor Council Chair for more information. If you have general comments about this or any other abstract, please contact your Honor Council Representative.