Tuna

Honor Council Abstract Spring 1994

Introduction:

Tuna, a second semester senior, was confronted by Professor Beezie, her Economics Professor, after handing in a final paper which Professor Beezie suspected was plagiarized. Honor Council was contacted and reached consensus that a trial was necessary.

Fact Finding:

Professor Beezie spoke first. She said that the paper that Tuna turned in had been on a topic which she would not have approved if Tuna had spoken to her about it in advance, as students in the class were supposed to do, but that she would have accepted it anyway. However, the footnotes in the paper were confused and inadequate. Several parts of the paper which were not footnoted were, Professor Beezie believed, beyond the knowledge of most of the students in the class, including Tuna. She believed that these sections of the paper should have been footnoted. Furthermore, the citations which did exist did not appear to make sense. Only three of the four books cited were available in Magill Library. Professor Beezie had checked these books out and looked up the citations. None of the pages cited was about a topic which had anything to do with the sections of Tuna's paper that were footnoted. Professor Beezie was also suspicious of a reference in the paper to an "accompanying graph." There was no graph attached to the paper. On the basis of these suspicions, Professor Beezie had contacted Tuna and asked to speak to her about the paper. Tuna had come in to speak with Professor Beezie and, since she did not receive answers she considered adequate, Professor Beezie asked Tuna to contact the Honor Council Chair.

Tuna spoke next. She began by saying that she had not plagiarized the paper. Her computer had crashed just before the paper was due, and she had been able to retrieve only part of the paper. Since the due date was approaching, she had to reconstruct the missing parts of the paper from whatever notes she could find and from memory. She believed at the time that she had done this adequately, but looking back it seemed possible that some of the footnotes may have been attached to the wrong places in the paper. Also, since the footnotes themselves had been damaged she had guessed at the page numbers in some cases. She thought at the time that the guesses were correct, but again it seemed now that she might have been wrong about some of the page numbers. She apologized to Professor Beezie for any misunderstanding that had been caused.

Members of the jury had a number of questions for Tuna. The first had to do with the source which was not available in Magill Library. Tuna did not remember where it came from, but she said she did not think that it was from Haverford or Bryn Mawr. Tuna explained also the reasons she had not gone to speak with Professor Beezie after the paper
was damaged. She had been intimidated by Professor Beezie and she was concerned that she was doing badly in the class and did not want to talk to the professor. She agreed that it was possible to interpret her inaccurate footnotes as plagiarism, but emphasized that it had not been done maliciously and that she had simply been caught up in the race to get the paper in on time.

Professor Beezie was unconvinced by Tuna's story. She said that much of the paper exhibited a very nuanced and complete understanding of highly technical concepts which Tuna, a science major with little background in Economics, would be very unlikely to know about, let alone be able to express with such clarity and grace. The paper, she said, would have been outstanding work from a senior major and she doubted that someone with so little background in the subject could have such a complete mastery of the topic. She asked Tuna a series of questions about specific passages in the paper which had not been cited, wondering how this technical information had become part of Tuna's "general knowledge." Tuna's answers varied. In some cases, the information had come from high school classes, in others from television programs, other classes, museum tours, having studied a subject since third grade, books she had read, or conversations with her parents, among other things. After going through the entire paper, Professor Beezie said that she continued to believe that Tuna had plagiarized all or most of the paper and expressed her feeling that the paper "read like an encyclopedia article." Although she could not be sure of where it came from, she was certain that Tuna had plagiarized it from somewhere.

Jury Deliberations:

The jury quickly came to consensus that Tuna had plagiarized the paper. Tuna had essentially confessed to inventing the page numbers on several of the citations. This alone, the jury felt, was grounds for finding that plagiarism had occurred, since Tuna knowingly submitted a paper with incorrect citations. For this reason, the jury was able to come to consensus on the following statement of violation:

Tuna violated the Honor Code by plagiarizing parts of her paper.

After further discussion, the jury agreed that the plagiarism was more extensive than simply incorrect citations. Several sections of the paper were, in the jury's opinion, clearly too technically complex for Tuna to have understood them. Additionally, the writing of the paper was very concise and well-crafted in parts, while in the beginning and at the end the writing seemed to lose this focused clarity and to be more wordy and imprecise. With the exception of two sentences at the end of paragraphs which seemed to be "filler" in that they did not add anything to the substance of the argument, the heart of the paper had none of that imprecision. Additionally, a member of the jury with background in Economics said that the technical concepts contained in the paper almost certainly could not have been understood and expressed so clearly by someone with so little background in Economics as Tuna. This led the jury to believe that substantial segments of the paper were plagiarized in what one juror called "a crude cut-and-paste
job." The jury therefore consensed on a modification of the original statement of violation. It now read as follows:

**Tuna violated the Honor Code by plagiarizing large parts of her paper.**

The jury then turned to the question of whether they could find Tuna in violation of the Honor Code for lying to the jury. Several members of the jury were strongly opposed to finding this violation. They did not believe that there was any specific instance that could be pointed to where there was enough evidence to find that Tuna had lied. The circumstantial evidence was enough to establish that Tuna had plagiarized her paper, but they did not believe that the evidence proved that Tuna had transgressed any community standard with her statements to the jury. No one on the jury was strongly in favor of finding this violation and the jury agreed that it could not find a second violation.

**Circumstantial:**

Tuna returned (Professor Beezie did not attend this phase of the trial) and the statement of violation was read to her. She accepted it, but insisted that she had not intentionally plagiarized and that she had only plagiarized in the sense of making inaccurate citations. Tuna was asked if she wanted to suggest any resolutions. She suggested that she could write a letter to the community, rewrite the paper or do community service. She very much wanted not to fail the class, since it would mean that she could not graduate on schedule.

**Deliberation on Resolutions:**

The jury quickly came to consensus that Tuna had to fail both the paper and the class. The jury was sympathetic toward Tuna, whose bad luck in losing her paper just before it was due had apparently led her to panic and hand in a plagiarized paper. The jury was sorry that four years of work toward a degree would be vitiated by a single mistake, however serious. But the jury also recognized that it had no choice but to suggest that Tuna fail both the paper and the class. Simply failing the paper without failing the class would leave Tuna no worse off than had she failed the paper honestly. That would not be fair to the other members of the class who had done honest work, nor would it be a sufficient sanction for Tuna. Also, the issue was raised that since Tuna was a senior she should know better than to do something like this. Accordingly, it was agreed that Tuna would fail both the paper and the class. However, there was little sentiment among the members of the jury for separation. Although the Honor Code states that "plagiarism will normally result in separation" the jury felt that in this case it was justified in finding extenuating circumstances. Tuna was clearly distraught about the entire situation and the jury sympathized with her. Also, she had completed nearly four years of honest work and the jury felt that she was sincerely attempting to repair the breach of trust. Accordingly, it was decided that she should not be separated. The jury then discussed additional resolutions. It was decided to also require that Tuna rewrite the paper in consultation with Professor Beezie. The final resolutions were as follows:
1. The jury suggests that Tuna fail both the paper and the class.

2. Tuna will be required to rewrite the paper in consultation with Professor Beezie.

The resolutions were presented to Tuna, who had little comment other than to point out that failing the class would prevent her from graduating on time. The jury said that it recognized this but that the seriousness of the violation required that she fail the class. Tuna had little else to say, and the jury adjourned for 24 hours of rest and reflection.

During the 24-hour period, Professor Beezie approached the Chair and presented a copy of an article that she had found in the Encyclopedia Britannica which contained the entire text of Tuna's paper. In light of the new evidence, the jury was reconvened and the trial began again.

Fact Finding II:

The jury met again with Tuna and Professor Beezie. Tuna was presented with the copy of the encyclopedia article and asked if she could explain the fact that her paper and the article were identical to each other. She could not, and the second fact finding period ended quickly.

Jury Deliberations II:

The jury was disappointed and distressed that its sympathy for Tuna had apparently been so misplaced. It was now apparent that Tuna had been lying throughout the trial. The jury discussed amending the original statement of violation to reflect the fact that the entire paper with the exception of the conclusion and the first three sentences had been copied verbatim, but it chose instead to simply reconcense upon the original statement of violation:

1. Tuna violated the Honor Code by plagiarizing large parts of her paper.

The jury then turned to the question of whether to find a violation in the fact that Tuna had lied to the jury. The jury felt that it could find this to be a violation because the fact that Tuna had lied to the jury, as a representative of the community, further breached the community's trust. Furthermore, the fact that she had lied indicated an unwillingness to take responsibility for her actions. Accordingly, the jury quickly agreed to another statement of violation which read as follows:

2. Tuna violated the Honor Code by lying to an Honor Code jury.
Circumstantial II:

Tuna and Professor Beezie both attended the second circumstantial phase of the trial. The new statements of violation were read to Tuna who responded that, after reflecting upon the second fact finding session and the appearance of the encyclopedia article, she had realized what had happened. She explained that she had recently purchased a copy of the electronic Encyclopedia Britannica and put it onto her computer. When her computer crashed, the files had gotten mixed together as well as being severely damaged. When she was looking through what remained of her files after her computer had crashed, she had, she said, apparently mistaken the encyclopedia article for her paper.

Professor Beezie then spoke. She said that she found Tuna's story "completely unbelievable". She had, she said, no doubt that Tuna had plagiarized the paper and that when Tuna had revealed that she had the electronic encyclopedia on her computer it had cleared up the final mystery. She had not understood how anyone typing the article into a computer could have blindly included the reference to an "accompanying graph." But the existence of the electronic encyclopedia cleared up even this final mystery, she said. It was easy to imagine that someone could copy a block of text and never realize that it included a reference to a nonexistent graph.

The jury was somewhat taken aback by Tuna's new explanation of events and had several questions for her. They wondered how it had happened that in looking for the paper she had found the encyclopedia article so completely intact. She responded that it had been damaged as well, but that she had been able to reconstruct it. The jury also wondered why, when Professor Beezie went through the entire paper (which Tuna now admitted to not having written) in the first fact finding session and asked Tuna, in over a dozen specific passages, to recount how the technical information had become part of her "general knowledge", she had not only been able to account for how she learned the information in each and every case, but had also not noticed that the entire "paper" that was being reviewed was, in fact, an encyclopedia article. She responded that she had looked at the paper so often during the fact-finding session that she had come to believe that it was hers. It was only when she reflected upon the appearance of the encyclopedia article that it occurred to her that she must have turned in the electronic encyclopedia article by mistake. There were no further questions, and the second circumstantial period ended.

Deliberation on Resolutions:

The jury was stunned by Tuna's statements and everyone agreed that they were fantastically untrue. After discussing Tuna's statements, the jury found that there were very few direct contradictions. However, they were able to agree upon several specific instances in which Tuna had contradicted herself in her statements in the first fact finding period and the second circumstantial period.
The jury felt now that Tuna clearly should be separated, both because there no longer seemed to be any extenuating circumstances and in light of the second statement of violation. The jury quickly consensed upon separation and agreed on the following resolution:

3. **Tuna will be separated from the community for one semester.**

The resolutions were presented to Tuna, who had no comment. The next day the jury came to final consensus and the trial came to an end.

**Administrative Review:**

Tuna appealed to the Dean of the College and to the President. Both upheld to jury's decision.

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**Questions**

Please put responses in the abstract response box in the mailroom

1. What do you think of the jury's decision in this case?

2. Do you think that the fact that Tuna was a second semester senior should have played any role in the jury's decision to have her fail the class?

3. Should lying to a jury be considered a violation? If so, under what circumstances? What do you think of the jury's decision not to find such a violation after the first fact-finding period and its decision to find one after the second? Do you agree with the first decision? The second? Both? Neither?