

Plagiarism and Technology: Education for Ethics as an Instrument for Fighting Academic Fraud

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Abstract

Plagiarism is an ancient practice. Not even its prohibition is able to contain it. In a globalized, highly competitive world, the technology and the facilities to access information from it may be contributing to the practice of academic fraud. It must be considered that plagiarism is an ethical and legislative ethical transgression, an act of dishonesty that seeks to gain some advantage for the individual. This kind of fraud is an attack against the evaluation process in the teaching-learning dynamics. With this in mind, training seminars for ethical academic conduct were introduced to the neophytes of FACTHUS Law Course in 2015 to discourage plagiarism. With a methodological outline that included bibliographical, telemetric and field research. The content and structure of the workshops were developed, as well as an analysis of the results that allowed verifying the effectiveness of the proposal, being able to minimize the occurrence of fraud in the Law course of FACTHUS in comparison to the school period that preceded the student access to Higher Education and also during the semester.

Keywords: Plagiarism, Education, Ethic, Academic conduct, Assessment.

Introduction

Nowadays, the Internet and other technological tools are present on the daily routine of all the actors involved in social relations that are developed through the Higher Education Institutions. It is a scenario with many colors, plurality, speed and facilities that are not always properly used by students, teachers, educational counselors, and educational managers, among others. In a context dominated by ideologies that continually develop, alter and reconstruct socio-economic-cultural regulation, there is a massive diffusion of concepts that refer to the notion that expanding consumption patterns is the way to achieve happiness. And only those who manage to excel achieve happiness. This ideology typical of the consumer society also spreads, especially among the younger ones, the need to obtain immediate results. This is compounded by the lack of time typical of the globalized system. Nonetheless the universities, aim to improve performance in assessments, vices acquired during elementary and high school (Cola, plagiarism, etc.) and lack of knowledge about how to do academic work can contribute to the practice of fraud In evaluations become seductive.

However, it is a dangerous seduction, given the lack of time, it offers a quick response to the individual's need, but it does not allow the professor and the Higher Education Institution to know him better and thus, when necessary, to reorient the Teaching-learning process. Plagiarism is an ethical-legislative problem (RAMOS, 2012), since it is prohibited by law and has motivations that do not justify adherence to this dishonest practice. The Faculty of Human Talents (FACTHUS), concerned with the risks of evaluation processes that do not reflect the academic reality and jeopardize the formative process of its students, introduced in its 1st Period of Law Course, in 2015, the Project "Redescobrimo o Direito"Rediscovering the Law.

The overall objective of the project was to verify that with the introduction of ethics training workshops in the initial series of the Law course, as well as promoting incentives for responsible intellectual production and elementary notions of scientific methodology, it would be possible to discourage practice of plagiarism and the misuse of technology by students. The hypothesis was that with this pedagogical strategy it would be possible to reduce the occurrences of the practice of plagiarism among neophyte students in comparison to the numbers verified in the pre-university stages, especially in High School.

1 Right to education with a high standard of quality

Education is a process of primary importance for those who aim to reach a level of development that goes beyond the capitalist interests. It is not enough to stand for a structured educational system only supporting the expansionist ideals of the knowledge production of the population will be possible to achieve sustainable economic growth, increase per capita income, improvement of employment level and respect of the international community. Education must also provide, and above all, human development.

According to Freitas et al. (2015, p.33):“The right to education is envisaged in the Federal Constitution as a social right, which, in addition to being a public interest, promotes equality among citizens without discrimination, thus fostering the development of the person and the skills necessary for the exercise of citizenship as well as the qualification for the job market.”

Therefore, it is not possible to justify the existence of a model of formal education focused solely on economic development and that in its process distances itself from the demands of an education that prepares the individual for life.

Quality poses a great challenge to Brazilian education, especially if we observe the provision of article 206 of the current constitutional text when establishing that education should be taught based on the following principles:

I - Equality of conditions for access to stay in school;

II - Freedom to learn, to teach, to research and disseminate thought, art and knowledge;

III -Pluralism of ideas and pedagogical conceptions, and coexistence of public and private educational institutions;

IV - Free public education in official establishments;

V - Assessment of school education professionals, guaranteed by law, career plans, with admission only by public competition of tests and titles, to those of public networks; (Amended by EC-000.053-2006)

VI - Democratic management of public education, according to the law;

VII - Guarantee of quality standard.

VIII - National professional minimum wage for professionals of public school education, under the terms of federal law. (Added by EC-000.053-2006)

With this basic principle, to discuss a high quality level of education requires thinking in evaluation processes committed to the real development of the learner. This constitutional tutelage turns education into a goal to be pursued, something that can not only be measured by objective notes, supported by outdated "examination" processes. Contemporary education requires processes that enable the student to become protagonists of his or her learning. Thus, quality is not something that can be conquered and checked only with a summative evaluation model, concerned with pre-established standards and that acts as a factor of exclusion.

2 Technology and fraud in academic assignments: a necessary reflection

Properly assessing school performance is fundamental to the achievement of the provisions contained in article 2 of Law 13,005 / 2014 (PNE), which established the following national education guidelines:

I - Eradication of illiteracy;

II - Universalization of school attendance;

III - Overcome educational inequalities, with emphasis on the promotion of citizenship and the eradication of all forms of discrimination;

IV - Improve the quality of education;

V - Training for work and citizenship, with emphasis on the moral and ethical values on which society is founded;

VI - Promotion of the principle of democratic management of public education;

VII - Humanistic, scientific, cultural and technological promotion of the Country;

- VIII - Establishment of a target for the application of public resources in education as a proportion of Gross Domestic Product - GDP, which assures the fulfillment of expansion needs, with quality and equity standards;
IX - Valuation of education professionals;
X - Promotion of the principles of respect for human rights, diversity and socio-environmental sustainability.

As seen in the legislative guidelines, the goals for Brazilian education not only target the access to it, but also improve the quality of the students' achievement. According to Garcez (1998), there is a perception of an examination in which "accountability" occurs. We do not see the concern with the content and the teaching-learning process of the student, as required in the conception of mediator evaluation. This summative model stimulates competitiveness. In this context of mistaken evaluation, summative, the new technologies take the role of facilitators for the student who seeks a fast result, committed with only goals that were imposed to him and not with his learning. The teacher's lack of time often makes it impossible to thoroughly correct the assignment. This situation worsens with the student's ease of access to the means to commit plagiarism, especially the internet, which offers text-ready simulators / compilers (RAMOS, 2012). In the Educational Services website, for example, there is the offer of jobs ready, without any concern about a possible punishment. On the homepage, the following statement* is recorded:

In this section we offer some ready monographs of administration, marketing, management, law, literature, tourism, biology, pe, computers science, natural science and engineering, which have been designed to meet your needs. All ready monographs, discussed in this section were prepared by our team, so there is no risk of finding the same READY MONOGRAPHS on the Internet. We give full guarantee of the exclusivity of the ready Monographs exposed on this site. Through our exit control, we know exactly if the Monograph was or was not marketed to your city.

This acquisition of academic, as well as illegal, jobs is immoral. It can be done by the student aiming, among other purposes, to meet the requirement of presenting a Course Completion Work at the end of the undergraduate courses in order to circumvent the evaluation process and obtain personal advantage.

In Brazil, another website that facilitates a practice of plagiarism is "Lero-lero", which on its home page records the following message†:

The Fabulous "Lero-lero" Generator v2.0 is capable of generating any amount of empty, long-winded text, ideal for thickening a master's thesis, impressing your boss, or preparing speeches that can cure audience insomnia. Simply state any pompous title (as suggested below) and the number of phrases desired. Voila! In two nano-seconds you will have a text - or even an entire book - ready for printing. Or, if you prefer, make copy / paste to a text editor to format it more sophisticated. Remember: appearance is everything, content is nothing.

Although it is a result of the clipping of material associated with the keywords indicated in the research, most of the time the generated text does not allow identifying the extraction source, which makes it difficult to classify the conduct as plagiarism. In the academy there is great difficulty in proving the occurrence of fraud and punishing students who adhere to the practice. The use of files that include paraphrase, insertions and changes in the original text, among other subtle techniques, is an additional complicated factor. Fraud and plagiarism are more common than is imagined, and the passivity with which institutions and society treat cases of academic dishonesty only encourages this practice (PAPPAS, 1993).

3 The Project Rediscovering the Right and the need to train for academic conduct committed to ethics

3.1 Academic fraud in legal science courses

Regarding the challenges of higher legal education in Brazil, academic fraud is a broad spectrum problem, beyond the limits of legal veto and evaluation of learning and requiring reflection that also observes the ethical and legislative guidelines for the educational context.

Krokosz (2012, p. 11) warns that "in the artistic and commercial field, copyright is protected by law and any kind of reproduction can be questioned and submitted to the judicial review."

* Available at: http://www.travel-prontos-escolares.com/monografia_pronta.htm-. Accessed April 4, 2015.

† <http://www.lerolero.com.br>

According to Green (2004), there are two basic criteria that define fraudulent behavior: the first involves the violation of a prescriptive, compulsory, regulatory and behavioral rule, considering that the rule must be fair and applied fairly. The second criterion requires that the rule, when violated, offers some advantage for the violator. In this way, in its juridical conception, fraud has as subjective element itself, which is characterized by the will to deceive, aiming to gain advantage.

The act of fraud is characterized by the intention to injure or deceive in order to obtain profit (NUCCI, 2003), thus being something that is illegal and immoral.

It is important to remember that the moment for the law courses in Brazil are in a moment of crisis. A unique number of colleges were installed in the national territory without, however, observing the necessary criteria of quality as a reference to be pursued.

According to Ramos, Vieira and Ferreira (2016, p.7):

Currently, Brazil has more than 1,300 law schools. According to the Federal Council of the Bar Association, the number is higher than all legal courses in the world, which would reach the mark of 1,100 universities in 2010. This is a frightening number, but coupled with the poor approval ratings of the graduates of the National law in the Examination of Order, which does not exceed the average of 20%, seems to point to a collapse in higher legal education.

The Examination of Order, an evaluation applied by the Brazilian Bar Association to law graduates who intend to practice law, is characterized by being a classificatory evaluation, extremely criticized. The Order Examination is a complementary instrument to the regulation carried out by the Ministry of Education (MEC), which has as one of its main indicatives the results of the National Examination of Student Performance (ENADE). Moreover, the comparison between the results of the one that exercises the professional regulation (OAB) and the concepts of the MEC, there are huge discrepancies Ramos, Vieira and Ferreira warn (2016, p.8) that are not lacking: “[...] inconsistencies in the comparison of results between the Examination of Order and ENADE. A study carried out by Portal Terra found that some of the worst institutions according to the 8th unified exam in 2012 were in the classification of the National Student Performance Exam with concept 4 (the maximum is 5)”.

Apart from the data not permitting an objective conclusion, the existence of a crisis in higher legal education has been the subject of intense debate in the literature. Situations such as the approval of an eight-year-old boy in the “vestibular” process of a legal education institution (IBCCRIM, 2008) have contributed to an increasingly concrete concern with the need to embrace the goal of quality education. Something that academic fraud compromises, therefore, a serious teaching-learning process cannot allow evaluative methods with distorted results, obtained with the mechanisms that defeat the evaluation.

3.2 Plagiarism and education workshops for ethics, introduction to scientific methodology and academic writing

Although the plagiarism conduct in Brazil may in some circumstances be classified as a crime against intellectual property, criminal law prediction is not able to achieve the complexity of plagiarism in the academic arena. The reality of educational institutions goes far beyond authors and copywriters as agents of fraudulent conduct. Explains Krokosz (2012, p.13):

If plagiarism involved only authors and copywriters, citations and references would be sufficient to prevent their occurrence.

However, there are situations in which the writer delivers a formally benign job, with correct citations and references, but which was done by a friend, bought from knowledge pirates (people or companies who sell scholarly works).

Academic fraud has plunged into a cultural universe that facilitates and encourages its practice. The facilities present in technology and mass media serve as propellants for the increasing occurrence of plagiarism in academia. In this sense, Moraes (2007: 92) asks: “[...] why should a student strive to write an academic paper if there are already sites that sell ready-made articles, as well as monographs, dissertations and theses on any subject ordered? Moreover, why worry about plagiarism if the teacher, who is often negligent, does not even have time to carefully correct the work presented to him?”

The Project Rediscovering the Law started from the premise that the few discussions in Brazil about academic fraud demonstrate that would occur repeatedly in classrooms and that, although it constitutes a negative element for the formative process, it has been observed as a socially accepted (PIMENTA, 2008).

Although there is a legal prohibition, the imposition of some penalty to the offender is rare (RAMOS, 2012), which may encourage the adoption of reprehensible academic behavior (HERKENHOFF, 1996). However, the cause may also be related to other circumstances, especially the absence of a training process that prepares the student for responsible intellectual output. The project Rediscovering the Law, which was developed by the MSc professor. François Silva Ramos, under the guidance of Dr. Maria das Graças Gonçalves Vieira Guerra, was introduced to the Faculty of Human Talents (FACTHUS) in 2015 and composed of a series of workshops. At the first workshop, the first fifteen school days, students received general notions of scientific methodology and academic ethics, being stimulated to a debate on the issue of corruption in national politics, and how reprehensible fraudulent behaviors are not limited to actions that gain prominence in the national media.

From the third week of classes the students were introduced to the legislation that prohibits the practice of plagiarism and stimulated the production of texts. Following the presentation of each topic proposed in accordance with the programmatic content of the course and wide discussion in the classroom, academics should expose their convictions in texts of at least three pages, obeying the methodological parameters learned and with at least four citations to support your ideas. Another relevant aspect of the pedagogical proposal was the introduction of text productions at the workshops held from the fourth week, especially during debates, transforming everyday elements into valuable tools at the exposition of experiences of the neophyte academic himself on its school activities. After that, from the fifth week on, groups of studies were formed to discuss the central ideas of the thinkers who form the basis of the programmatic content of the discipline of Political Science aiming at exposing the ideas collected to the other groups in the classroom.

At the end of the debates each group produced a text with their impressions on the thinker who constituted the object of their work. At this stage they were informed that the evaluation would mainly observe the originality of the content, the reference base used and the correct use of the scientific methodology, which included the application of ABNT (Brazilian Association of Technical Norms) standards already worked throughout the workshops. No note was given to the activity; it served only to guide the training process. Once the texts were finalized, they were handed over to the teacher in charge of the workshops for assessment and submission to fraud detection software.

3.3 From analysis by plagiarism detector software

After extensive research on the Internet, it was possible to find in the portal of scientific writing* of USP (University of São Paulo) installed in São Carlos, the suggestion of software Plagius Personal. His license was acquired for the check proposed in this research at a price of R\$ 34.90 (thirty-four and ninety reais) and proved to be effective for the proposed work. After promoting the internet scan to detect the occurrence of plagiarism, the software could not confirm the existence of fraud in the texts found. With a success of 99.89% in the analysis performed, there was a variation of 0.9% to 2.78% of suspicious expressions present in the texts. However, no suspicion was considered valid, since it was not possible to confirm its existence in the addresses detected by the program.

Although it is not an absolute result, since there are ways to circumvent the detection of plagiarism, as observed in Ramos (2012) and Oliveira (2007), among them the use of paraphrases, the analysis done with anti-plagiarism software that proposes to educate for ethics and stimulate the production of responsible academic texts have achieved satisfactory results.

4 Of the questionnaires for the collection of behavioral data

By the end of the project the 67 (sixty-seven) students involved in the Rediscovering Law workshops were invited to answer a questionnaire (ALVARENGA, 2014) with questions and answers already structured. Although all of these students from the 1st semester of the FACTHUS Law course participated in the activities suggested in the workshops, only those who volunteered (50 of them) participated in this stage.

* Available at: <<http://www.escritacientifica.sc.usp.br/anti-plagio/>>. Accessed on January 27, 2016.

Their identities were preserved during the process which was fundamental to obtain direct, objective data, fearless of the imposition of labels by the teachers and of the institution itself to those who admitted the fraudulent conduct in the educational life. The objective of the questionnaire was to gather information about the practice of plagiarism, level of methodological knowledge and perception of individual behavior about the ethical conduct demanded at the University. And on the same basis of reflection, gauge the results of the experiment.

4.1 From the analysis of the data collected with the questionnaire

The Brazilian High School does not have in its grade a specific discipline to guide the students with regard to a suitable methodology for the development of school work. This, of course, is one of the great problems faced by these students when they start their studies at the University.

Krokosz (2012) even emphasizes that this technical ignorance can lead to accidental plagiarism, one in which the student is not aware of the ethical transgression he is committing.

The numbers collected through the questionnaire and materialized in the graphs represent the opinion of 74.62% of the students of the 1st period of the FACTHUS night course, since only 50 (fifty) of the 67 (sixty-seven) workshop participants of the Project Rediscovering the Law responded to the questionnaire proposed at the end of the activities.

About 30% (15) of those who answered the questionnaire classified that upon arriving at the university methodological knowledge was poor. Another 56% (28 of the volunteers), although they did not demonstrate mastery of the basic methodological techniques (citations and references, mainly) in the texts proposed in the initial phase of the "Rediscovering the Right" Project, believed that their knowledge for the development of works was good.

Although 70% of the volunteers stated that their methodological knowledge varied from good to great, no less than 92% of them admitted to practicing plagiarism in the final year of high school. This virtually eliminates the possibility of accidental plagiarism.

No less than 44% of the volunteers stated that they had copied texts in their works without attributing credits to the original author more than 10 times only during the last year of high school, which shows that this is a common practice, as defended by Saswato (2012) And Ramos (2012). Only 8% of the respondents stated that they did not practice plagiarism during their last year in high school, which serves as a warning about the banalization with which the subject may be being treated at the institutional level (PIMENTA, 2008).

As Ramos points out (2012) the purpose of fraud is to circumvent the evaluation process. According to Libane (2008), it is based on a process of repetition and memorization in which the student becomes a bearer of stereotyped knowledge, without educational scope.

From the answers to the questionnaire applied, in this context of traditional education not even the awareness that plagiarism constitutes a practice that is prohibited by the Brazilian legislation has shown itself capable of discouraging the conduct in High School. This is a view that reaches 90% of volunteers.

As Reale (1999) warns, Ethics is the true instrument in the process of realizing freedom, and so Law must be seen as an essential moment of the ethical process. This reflection refers to something that requires the academic to assume the responsibility of composing in harmony, freedom, normativity and power in the exercise of his own life.

In this way, the construction of a must-be-ruled by the ethics in the national education system is premise base to combat the practice of plagiarism. Proposal defended by Paulo Freire (1996).

It is worth remembering that in Rousseau the passage of man to the state of society as proposed in the Social Contract replaces the instinct for justice. It is at this moment that the subject is attributed the morality that was lacking to the actions in the state of nature (RAMOS, 2011).

According to Comparato (2006) Kantian ethics concentrates a notion of duty in which moral action is one that obeys reason, which establishes ethical norms and ends and makes possible its self-imposition. But this rationality in human action also requires an education that turns the individual into the protagonist of his acts that recognizes himself as part of the society that shelters him.

For the volunteers of the "Rediscovering the Right" Project, ethical conduct is fundamental during university (90%). Ethical behavior is for the common good and not for some mechanism of coercion. It is the self-consciousness that leads the individual to act right, not the Law.

Thus, when working with a deep ethical feeling, observing the need for the common good, the students could see that their academic performance from the Rediscovering Law workshops took place in a structured, organized and capable of extremely significant results for their Process.

While only 8 percent of respondents said they did not commit plagiarism in the final year of high school, no less than 62 percent (31 volunteers) said they did not commit to fraudulent behavior in the first half of 2015.

The figures demonstrate the effectiveness of education for and ethics and stimulate the production of responsible academic texts as a coping tool in the first period of the Human Talent Faculty's law course. The contribution of the diffusion of philosophical thought about ethics in potentializing the force of legal prohibition is visible in the improvement of the picture extracted from the questionnaires.

Final considerations

Academic fraud can be seen as intent to seek an undue advantage. Their mechanisms include various devices that are employed in order to circumvent the evaluation process. Although there is a consensus about the damage that plagiarism causes to the educational dynamics, a scientific discussion is still incipient in Brazil, adequate to the seriousness of the problem, especially with regard to the introduction of pedagogical techniques that may help to discourage behavior.

The stimulation of the production of original texts and committed to ethics, observing the necessary methodological guidelines, made it possible for the student to debate and discuss political and social concepts, the use of science and the arts, education and culture, social relations. Consequently, ethical and moral values, in a society that is undergoing rapid transformations aimed to encounter the needs of the market.

What is extracted from the predominant answers in the questionnaire answered by the volunteers who participated in the last phase of the project is that the moral relativization present in postmodern society cannot be admitted in the academic environment.

The reasons that lead to plagiarism are related to the satisfaction of personal interests and do not corroborate with a society that must watch over the common good. The university has a role of being a reference for the conduct of society in these times of crisis and ethics was considered indispensable by the academics of the 1st period of the Law course of FACTHUS after the realization of the workshops of the Project Rediscovering the Law as verified in the answers obtained with the questionnaire.

Most students who admitted using plagiarism during high school dropped out after receiving the elements of ethics education and being encouraged to express and identify themselves as part of the world, and to see it with their own eyes, Transforming it by with their own experiences and convictions. A process that declined the standardization models of the ideology present in the globalizing process and that respected the student individuality.

The strategy of the Rediscovering Law workshops, in addition to explaining the legislation and showing the ethical contradiction that plagiarism represents, presented the student to a more personal dimension. It also drew attention to the fact that academic fraud is a practice that distorts the evaluation and impairs the decision-making that supports it.

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