

# THE PLAGIARISM A COMPARISON OF CHINA VS ROMANIA

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*Plagiatul, în toate formele lui, este un afront adus celorlalți autori care și-au adus contribuția la opera științifică mondială. Din punct de vedere al evoluției istorice, plagiatul și contrafacerea sunt extrem de asemănătoare atât în China, cât și în Europa, având ca principal sens pe cel de furt. În China, plagiatul este pedepsit foarte grav, chiar dacă acuzațiile s-au dovedit, până la urmă, parțial fondate, pe când în România este adus la nivel de excelență, cu promovarea falșilor doctori în poziții-cheie din administrația publică și învățământ.*

*Cuvinte-cheie: plagiat, China, România, contrafacere, opere.*

## **Introduction**

Plagiarism is hard to show, most of the time being blocked by all kinds of regulations, rules or laws. Sometimes, however, when this scourge is the size of the biblical Apocalypse, the bubble bursts and information emerges about impostors in leadership positions. In the present work, a comparison is made between the terms in Chinese and Romanian, respectively a presentation of two cases together with their consequences.

For this paper, exclusively sources from the online environment were used, trying, as much as possible, to develop a link between the terminology of plagiarism in the two languages. At the same time, in the description in Romanian language I have used the material briefly, which can be consulted at any time *in extenso*.

## **Etymology of the word plagiarism**

Like the term "*plagiat*" from the Romanian language, which has its origin in a classical language - Latin - "*plagium*" and which originally had the meaning of "*to sell to others stolen slaves or slaves that do not belong*

to the seller"<sup>1</sup>, and nowadays it is synonymous with *theft* (*furt*). In the Chinese language, the terms have this meaning - which has existed since Antiquity - in classical Chinese having the meaning of *theft*, respectively "*surprise attack*".

Currently, Chinese terms for plagiarism are written with the characters 抄袭 (chaoxi)<sup>2</sup> and 剽窃(piaoqie)<sup>3</sup>. They have an interesting evolution, from pictographs in caves (before our era) to the ideograms that the Chinese classics used to describe attacks and thefts, after the 70s simplifying to the characters of today.

The term 抄袭(chaoxi), originally written 抄襲<sup>4</sup>, it consists of 抄 (chao) and 襲 (xi). The characters are composed of:

- the radical *hand*, 手(shou), on the left;
- 少 (shao)<sup>5</sup> on the right, with the meaning of "*little*", "*missing*";
- 龍 (long), at the top of the ideogram 襲 (xi), later simplified and transformed into 龙 (long), meaning "*dragon*", which became a symbol of the Huangdi Emperor<sup>6</sup>;
- 衣(yi) at the bottom of the ideogram 襲 (xi) and with the meaning of "*vestment*", „*coat*".

After simplification, the ideogram became the character 袭 (xi), and the simplest explanation of the word 抄襲 (chaoxi) was "*The Emperor, taking his coat and starting to attack by surprise, would hand-deplete the goods (including the territories) of the attacked*"<sup>7</sup>.

In ancient Chinese historical or literary works, the term 抄 (chao) had three meanings: "*attack*" or "*haul*", "*to take things with the spoon or hand*", and "*to cut the way to shorten the path*". We find the meaning of attack or haul during the Eastern Han Dynasty or the Late Han Dynasty (25-220 e.n.) „后汉书·卷三一·郭伋传 Houhan Shu\*Juan Sanyi\*Guojichuan” / „Book of the Late Han Dynasty, Volume III: Biography of Guo Ji”: „时匈奴数抄郡界，边境苦之。Shi xiongnu shu chao junjie, bianjing ku zhi/ *At that time, the Huns were attacking the*

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<sup>1</sup> <https://ro.wikipedia.org/wiki/Plagiat>, accessed 13.03.2023

<sup>2</sup> Approximate literal pronunciation in Romanian language : [ceaosi ]

<sup>3</sup> Approximate literal pronunciation in Romanian language: [phiaoție – it is pronounced as such ph, not f]

<sup>4</sup> <https://www.zdic.net/hans/抄襲>, accessed 13.03.2023


<sup>5</sup> <https://www.zdic.net/hans/少>, accessed 13.02.2021


<sup>6</sup> <https://www.zdic.net/hans/龍>, accessed 13.02.2021

<sup>7</sup> Author's explanation.

counties, and the borders suffered.” In the Tang Dynasty (618-907), the poet Du Fu<sup>8</sup> wrote in „与鄠县源大少府宴溪陂 Yu Hu Xian Yuanda Shaofu/ „With Yuanda at the Shaofu Banquet in Hu County” a second meaning of the above-mentioned term: „饭抄云子白，瓜嚼水精寒。Fan chao yunzi bai, gua jue shui jing han”<sup>9</sup>/ „They spooned the cloud-white rice mixed with watermelon and cold water”.

According to the "Modern Dictionary of the Chinese Language"<sup>10</sup>, the term 抄请 (chaoxi) has three meanings: 1) to make a detour to attack the enemy; 2) copy other people's articles or make substantially similar use of them and present them as your own for publication; 3) to copy thoughts, methods, experience, etc. other people. Plagiarism can also be unintentional, either through misuse of the citation system or due to cryptomnesia<sup>11</sup>, when the author uses in his work data that he remembers from another writing and which he has the impression of being his own creation. Because of this, in the literary world, plagiarism is a difficult behavior to identify in the practice of copyright lawsuits.

The second Chinese term, which has the meaning of both plagiarism and robbery, is 剽窃 (piaoqie). And 剽窃 (piaoqie) had an interesting evolution, initially writing itself 剽竊 (piaoqie)<sup>12</sup>. 剽 (piao) it is written with *the knife radical* 刂 (dao) „knife” on the right and with 票 (piao) on the left, currently meaning "ticket". This, in turn, is formed from 西 (xi) meaning "west", written with a bird above the nest <sup>13</sup> and referring to the place where the sun is, so at sunset, when the bird returns to its nest. Under 西 (xi) (*west*), we have 西 (shi) with the meaning of "show or demonstration performed in the street by non-professional actors", the image representing a man in motion demonstrating with various objects in his hands, very well represented in the part of bottom of the first variation

of this icon: <sup>14</sup>. These performances or demonstrations probably took

<sup>8</sup> Du Fu (712-770), is a great realist poet who was born was born in Gongxian (now Henan Province) who collected poems in the work „诗史 Shi shi - The history of Poetry, <https://baike.baidu.com/item/与鄠县源大少府宴溪陂>, accessed 13.02.2023.

<sup>9</sup> <https://www.zdic.net/hans/抄>, accessed 13.03.2023

<sup>10</sup> <https://baike.baidu.com/item/抄袭/4655968>, accessed 13.03.2023

<sup>11</sup> <https://ro.wikipedia.org/wiki/Criptomnezie>, accessed 13.03.2023


<sup>12</sup> <https://www.zdic.net/hans/抄襲>, accessed 14.03.2023

<sup>13</sup> <https://www.zdic.net/hans/西>, accessed 14.03.2023

<sup>14</sup> <https://www.zdic.net/hans/票>, accessed 14.03.2023

place in the street at sunset, when the birds were returning to the nest, and the 票 (piao) became the ticket paid by the spectators. As for the addition of the radical " 刂 (dao)" "knife" to the right, it would refer to the attack of knife thieves during performances.

The second character of the term 剽窃 (piaoque) has as its main meanings "theft; to steal", "something obtained by illegal and unreasonable means", "something obtained by listening, secretly;

espionage"<sup>15</sup>. As a pictogram, 窃 (qie) was written  , the top

representing 穴 (xue), the hole made by 𧈧 (chong) worm or insect (located at the bottom right of the icon) in the rice grain 米 (mi) (on the left side, below), to "steal" its contents. After simplification, it became the

ideogram  .

Because it began to be used to describe the theft of the rich people's burial garments and riches and their hiding in caves, the previously mentioned ideogram became the character 窃 (qie) used today. This is made up of the radical "cave" 洞 (dong) (at the top), illustrated as 穴 (xue), which means "hole" in pictograms and ideograms, knife 刀 (dao) in lower right and ground 土 (tu) in the lower left. So the thieves would attack using the knife, then hide the haul in caves, digging in the ground.

The above meanings of the word 剽窃 (piaoque) are found in works published since Antiquity. Thus, 剽窃 (piaoque) meaning "robbery" is used in "Memoirs from Sushui" by Sima Guang<sup>16</sup> care, who, in Volume XI, tells how Yuan Daozong's soldiers loot the houses of the people and in Volume V of „二刻拍案惊奇Erke Pai'an Jingqi“ - „Amazing Stories – Series II”

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<sup>15</sup> <https://www.zdic.net/hans/窃> , accessed 14.03.2023

<sup>16</sup> „Memories from Sushi” (涑水记闻Sushui Jiwen) is a work in 16 volumes, written by Sima Guang of the Northern Song Dynasty (960-1127), in which he presents the internal and external problems of the 6 periods of the Song Dynasty (periods forming the aforementioned Northern Song Dynasty, followed by Southern Song Dynasty from 1127 to 1279). Sushui refers to the city of that name in Shanxi Province, where Sima Guang is originally from. <https://baike.baidu.com/item/涑水记闻/7688037?fr=aladdin> , accessed 14.03.2023

<sup>17</sup>: „乃是积年累岁，遇着节令盛时，即便四出剽窃” Nai shi ji nian lei, yuzhe jieling sheng shi, jibian si chu piaoqie/ „It's been years after years, even in the height of the season, since he's robbed in all four dice”.

Also, in Part II of the second volume of „瑟榭丛谈 Sexie Congtan”/ „Talks about Sexie”<sup>18</sup> of 沈涛Shen Tao from the Qing Dynasty (1636 – 1912) Little Li was mentioned who was good at robbery (剽窃piaoqie): „中有小李善剽窃，如鬼如蜮满路隅 Zhong you xiao li shan piaoqie, ru gui ru yu man lu yu” / „Inside there is Little Li good at robbery, like a ghost, like a mythical creature”.

Analyzing the characters of the two words used in Chinese for "plagiarism", according to the Modern Dictionary of the Chinese Language (现代汉语词典 Xiandai Hanyu Cidian) they are approximate in meaning, but originally the term 剽窃 (piaoqie) was used as the action of simple thieves who looted clothes the rich buried or the spectators who witnessed the evening street demonstrations of the laymen, and 抄袭 (chaoxi) referred to the attack of the army led by the Huangdi (the Emperor). Hence the differentiation in plagiarism of the two terms is that 剽窃 (piaoqie) appears as a counterfeit, a fraudulent reproduction of the works of others, with disguises and 抄袭 (chaoxi) is "a technical armed attack", and the final result is the appropriation of the "newly conquered territories" in whole or in part, and the presentation of the newly created work as one's own work.

Along with the initial terms presented above 偷窃 (touqie) is also used, with foreign influence. 方流芳Fang Liufang<sup>19</sup>, as equivalent to the term "plagiarism" in English, presents it as a word with an abstract meaning in Chinese language 偷窃 (touqie) namely, to steal the thoughts

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<sup>17</sup> „二刻拍案惊奇Erke Pai'an Jingqi“, „ Amazing Stories – Series II”, is a collection of collected writings compiled by 凌濛初 Ling Zhuchu la sfârșitul Dinastiei Ming (1368 – 1644). in the late Ming Dynasty (1368 – 1644). It was published as a book in 1632 when, adding the author's previous work „初刻拍案惊奇Chuke Pai'an Jingqi”, was named „二拍Er Pai”, meaning "Series II", <https://baike.baidu.com/item/二刻拍案惊奇> , accessed 14.03.2023)

<sup>18</sup> <https://baike.baidu.com/item/剽窃> , accessed 14.03.2023

<sup>19</sup> 方流芳Fang Liufang, 学术剽窃和法律内外的对策(Xueshu piaoqie he falü neiwai de duice) / Academic Plagiarism and Countermeasures Inside and Outside the Law, 2006, Issue 5, [https://xueshu.baidu.com/usercenter/paper/show?paperid=536b9bc6cc2b5f4d81eb6c3a3ad5ce8c&site=xueshu\\_se](https://xueshu.baidu.com/usercenter/paper/show?paperid=536b9bc6cc2b5f4d81eb6c3a3ad5ce8c&site=xueshu_se), accessed 10.03.2023.

and words of others and to present work or opinions from existing sources as new and original.

### Legislation relating to plagiarism

In the People's Republic of China, plagiarism is classified into three levels<sup>20</sup>, according to the percentage of plagiarized material in the published work: 轻度抄袭 (qingdu chaoxi) – light plagiarism, 中度抄袭 (zhongdu chaoxi) – moderate plagiarism and 严重抄袭 (yanzhong chaoxi) – gravely plagiarism:

- a) *light plagiarism*: in this category are identified those whose work has plagiarized less than or equal to 30% of the total words in the work.;
- b) *moderate plagiarism*: in the published works they plagiarized 30%÷50% of the total words in the work
- c) *gravely plagiarism*: was identified as plagiarized, and the content of duplicates with other people's works or existing works accounted for more than 50% of the total words of the work; also plagiarism is serious is if the full quote does not indicate the original source and is generally confused with its original; even if the number of repeated words does not exceed the limit, copying of basic ideas, key arguments, data charts and tables may constitute 抄袭chaoxi – plagiarism and 剽窃piaoqie – counterfeit.

Some rules differ from one university to another and are outlined in their academic standards<sup>21</sup>. Thus, at Fudan University<sup>22</sup>:

- 剽窃piaoqie – plagiarism involves identifying the opinions, thoughts and academic achievements of others as the subject's own creations; uses them in ratings or other reviews without authorization;

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<https://wenku.baidu.com/view/e850b034edf9aef8941ea76e58fafab069dc44c8.html?fr=search-1-income1-psrec1&fixfr=379OjAVFc01V9ZSxXbcXag%3D%3D&isbtn=1>, accessed 10.03.2023

<sup>21</sup> *Ibidem*.

<sup>22</sup> 复旦大学学术规范及违规处理颁发（试行）Fudan Daxue xueshu guifan ji weigui chuli banfa (shixing) - Fudan University's Academic Standards and Management of Produced Violations (process implementation underway), p. 34.

<https://wenku.baidu.com/view/e850b034edf9aef8941ea76e58fafab069dc44c8.html?fr=search-1-income1-psrec1&fixfr=379OjAVFc01V9ZSxXbcXag%3D%3D&isbtn=1>, accessed 10.03.2023

- 抄袭chaoxi – *counterfeiting*: the published or unpublished works of others are used as the results of one's own research, without indicating the source.
- 严重抄袭yanzhong chaoxi – *gravely plagiarism*: when it represents more than 20% (including 20%) in one's own works, works or other achievements.

At Peking University and Zhejiang University<sup>23</sup>, among the rules with reference to 抄袭chaoxi – *plagiarism* and 剽窃piaoqie – *counterfeiting*, are:

- Peking University forbids and includes in 抄袭(chaoxi-plagiarism) and 剽窃(piaoqie-counterfeiting) the total or partial taking of other people's works or quoting them without specifying them by improper means;
- among the academic standards for postgraduate students in medicine and pharmacy at Zhejiang University, cited documents should be those that have been read in full;
- in the paperwork, if the argument or data of others is cited, the source must be indicated or it will be considered 剽窃piaoqie – *counterfeit*;
- if the texts exceed 250 characters of other authors without indicating the source, it is again the case of 剽窃piaoqie – *counterfeit*.

The Ministry of Culture of the People's Republic of China, in June 1984, art. 19, point 1 of the "Trial Regulations on the Protection of Copyright on Books and Periodicals" states that to publish works created by others as one's own, regardless of whether they are published in whole or in part or published as such is still an act of abridged publication and revised, which should be considered 剽窃(piaoqie- *counterfeit*) and 抄袭(chaoxi- *plagiarism*). The "Regulations" did not distinguish between the

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<sup>23</sup> 北京大学研究生基本学术规范 Beijing Daxue yanjiusheng jiben xueshu guifan; - Basic Academic Norms for Postgraduate Students of Peking University / 浙江大学医学、药学类研究生学术规范 Zhejiang Daxue yixue, yaoxue lei yanjiusheng xueshu guifan - Academic Norms for Postgraduate Medicine and Pharmacy Students of Zhejiang University, p.35  
<https://wenku.baidu.com/view/e850b034edf9aef8941ea76e58fafab069dc44c8.html?fr=search-1-income1-psrec1&fixfr=379OjAVFc01V9ZSxXbcXag%3D%3D&isbtn=1>, accessed 10.03.2023

two meanings. It also does not affect the interests of the owner of the copyright of the cited work and is in accordance with art. 22, clause II of the "*Copyright Law of the People's Republic of China*" which specifies that in order to introduce, comment on a certain work or explain a certain issue, the information published in the original work must be properly cited.

On May 30, 1991, the National Copyright Administration, in art. 20 of the "*Regulations for the Implementation of the Copyright Law of the People's Republic of China*" specified some rules, for which it is not considered plagiarism:

- the purpose of citing documents is only to introduce or comment on a particular paper or to explain or demonstrate a particular issue;
- the quoted part cannot constitute the main content or substantial part of the original work;
- does not affect the interests of the owner of the copyright of the quoted work.

The Regulations of Sichuan University<sup>24</sup> has as its main prohibitions:

- quoting more than 200 consecutive words from another person's work considered to be a famous source;
- citing data published by others, charts and other content without authorization or without indicating the source;
- copying the original text or copying the content of other people's works by changing the order of individual words, phrases and rearranging sentences that exceed 15% of the total number of words of one's own works (except for citing laws, government documents, current affairs, etc.);
- writing direct translation of documents, changing words in translation, rearranging the order of sentences, etc. for your own works, exceeding the total number of words by 15% of that of your own work.

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<sup>24</sup> 四川大学关于学位（毕业）论文抄袭、剽窃等学术端行为的处理办法（试行）  
Sichuan Daxue guanyu xuewei (biye) lunwen chaoxi, piaoque deng xueshu duan xingwei de chuli banfa (shixing) - Sichuan University's Handling of Academic Behaviors Such as Plagiarism and Plagiarism of Diploma (Graduation) Thesis (process implementation underway), p. 36,

<https://wenku.baidu.com/view/e850b034edf9aef8941ea76e58fafab069dc44c8.html?fr=search-1-income1-psrec1&fixfr=379OjAVFc01V9ZSxXbcXag%3D%3D&isbtn=1>, accessed 10.03.2023.



In合理引用论(Heli Yinyong Lun) *Reasonable citation theory*, 陶范 Tao Fan<sup>25</sup> specify some conditions for which in the People's Republic of China they will not be considered a plagiarized work:

- the part cited does not constitute the main content or substantial part of the work of the person citing;
- the substantive part (method, point of view, etc.) to be the essence and soul of the entire work, as well as the core and value of the work; if the plagiarized part is the substantial part of the work, it means that the work has lost its originality;
- 抄袭chaoxi – plagiarism in large sections, completely plagiarizes the structure and content of cited documents; though it has been altered in its own language, it is not a reasonable quotation, and probably the whole transcript constitutes the main part of the work, and the latter is, in fact, the main or substantial part of the work.

Sanctions for plagiarism are given by each university, depending on its own regulations and decisions of the final paper admission committee, in accordance with the "*Teachers' Law of the People's Republic of China*", "*Diploma Regulations of the People's Republic of China*", "*The Provisional Provisions on Punishing Institutional Staff*", "*Measures for the Prevention and Management of Academic Misconduct in Colleges and Universities*", and "*Rules for the Implementation of the Graduate University Code of Ethics*" and reside in the withdrawal of the academic title obtained, respectively sanctions for the teaching staff: warning , canceling the quality of tutor, moving to a lower position, etc<sup>26</sup>.

For serious acts, according to the Criminal Law of the People's Republic of China, art. 17, para. (1), the action for 剽窃(piaoqie-counterfeit), if material benefits were obtained as a result of this action, the perpetrator may be sentenced to imprisonment for a period between 3 and 7 years and to pay a fine<sup>27</sup>.

In Romania, plagiarism and self-plagiarism, defined by the provisions of Law no. 319/2013 regarding the status of research and development personnel, Law no. 206/2004 regarding good conduct in

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<sup>25</sup>陶范Tao Fan, 合理引用论Heli yinyong lun - Reasonable Citation Theory, 2006年第9期 (总第188期) 学术论坛Academic Forum nr. 9 (Total 188), p. 203  
<https://www.ixueshu.com/download/ee3f5d1acb12b91ababd31f348d28b87318947a18e7f9386.html>, accessed 10.03.2023.

<sup>26</sup> Announcement on the Management of Plagiarism Results in Master's Thesis of Hunan University, [https://www.sohu.com/a/305894345\\_390667](https://www.sohu.com/a/305894345_390667), accessed 14.03.2023.

<sup>27</sup> Criminal Law of the People's Republic of China, <https://www.66law.cn/tiaoli/9.aspx>, accessed 18.03.2023.

scientific research, GD no. 681/2011 regarding the approval of the code of university studies<sup>28</sup> and the universities' own regulations regarding the organization and operation of the Ethics Commissions, the Ethics Codes developed by them, supplemented at the European level by art. 53 of the Treaty on the Functioning of the European Union<sup>29</sup>, can be prevented and sanctioned as such by the commissions empowered in this regard. As a rule, Romanian universities make sure that both teachers and students are aware of these provisions and sanctions, how to avoid these facts, together with the rules of academic writing.

Unlike Chinese law, in Romania the terms are very well described in Law no. 206/2004 art. 4, para. (1), lit. d) and e):

- *plagiarism* is the presentation in a written work or an oral communication, including in electronic format, of texts, expressions, ideas, demonstrations, data, hypotheses, theories, results or scientific methods extracted from written works, including in electronic format, of others authors, without mentioning this and without referring to the original sources;
- *self-plagiarism* is the exposure in a written work or oral communication, including in electronic format, of texts, expressions, demonstrations, hypotheses, theories, results or scientific methods extracted from written works, including in electronic format, of the same or the same authors, without to mention this and without making a reference to the original sources.

The sanctions for the student, as provided by the Code of Ethics, are the written warning, the suspension of the right to the scholarship for a limited period, the revocation of the right to live in the dormitory, the payment of the value of the damaged goods or the necessary rehabilitation work following the committed acts, the withdrawal or the correction of all works published in violation of the rules of good conduct, the removal of the respective person/persons from the project team and expulsion, with or

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<sup>28</sup> The normative acts can be found at <http://www.cdep.ro/>, accessed 17.03.2023.

<sup>29</sup> *The Official Journal C 326*, 26/10/2012 p. 0001 – 0390, <https://eur-lex.europa.eu/legal-content/RO/TXT/HTML/?uri=CELEX:12012E/TXT&from=RO>, accessed 17.03.2023.

without the right to re-enroll<sup>30</sup>, and in the case of those who have already obtained a title, its withdrawal<sup>31</sup>.

Therefore, in the People's Republic of China, the terms related to plagiarism are not well defined, and specialists continue to search for definitions and find the right approach. Historically, the term plagiarism is lost in the mists of time with almost the same meaning as today, only adapted to those times.

And the current term plagiarism originates from the time of the Romans, with almost the same meaning. The modern version is an adaptation to current times, taking into account that other, much more precise words and definitions have appeared for the ancient action.

Although there are laws and regulations regarding academic fraud in both countries, anti-plagiarism practice (specialized software, blind checking) has only just begun to develop in China, and every year the cases are increasing, the several times applying the appropriate sanctions.

### Case studies

In the Academic Review "*International Press*" there was an announcement by which a doctoral graduate of the Faculty of History of Peking University (in 2013) entered what the Chinese press<sup>32</sup> called "*a storm of academic plagiarism*", similar to "*bane*" also called "*academic Chernobyl*" from the "Alexandru Ioan Cuza" Police Academy in Bucharest, in which PressOne<sup>33</sup> presented to the world the situation of theses defended in the period 2011-2016, namely 74.3% of the works are suspected of plagiarism.

At Peking University, only the case of graduate student Yu Yanru who plagiarized neither her thesis nor the mandatory articles published during her PhD, but a paper that appeared to the public in electronic format

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<sup>30</sup> The Code of Ethics and Deontology of the University of Bucharest. (2020), art. 35, 11, <https://unibuc.ro/wp-content/uploads/2021/01/CODUL-DE-ETICA-SI-DEONTOLOGIE-AL-UNIVERSITATII-DIN-BUCURESTI-2020-1.pdf>, accessed 18.03.2023.

<sup>31</sup> *Idem*, art. 34. Although this refers strictly to the doctorate degree, there is an assumption that the degree obtained can also be withdrawn within the framework of the bachelor's or master's programs.

<sup>32</sup> <https://baike.baidu.com/item/%E5%8C%97%E5%A4%A7%E5%8D%9A%E5%A3%AB%E6%8A%84%E8%A2%AD%E5%9B%BD%E5%A4%96%E8%AE%BA%E6%96%87%E4%BA%8B%E4%BB%B6/15441017?fr=aladdin>, accessed 18.03.2023.

<sup>33</sup> PressOne, <https://pressone.ro/urgia-la-academia-de-politie-743-dintre-tezele-de-doctorat-verificate-sunt-suspecte-de-plagiat-i>, accessed 18.03.2023.

in International Press in 2013 after obtaining her degree on July 5, was considered a "storm" .

On August 24, 2014, the head of the Faculty of History of Peking University organized a specialized survey. After investigation, the reporter also found that Yu Yanru entered in the Chinese Academy of Social Sciences in 2014, so after graduation, and Peking University on January 9, 2015 issued the "*Notice of Revoking Yu Yanru's Doctoral Degree*" due to serious plagiarism among the articles published during the her Ph.D. Dissatisfied, Yu Yanru filed a petition against revoking her doctorate. On March 13, 2015, the Peking University Student Appeal Processing Committee held a meeting for review and discussion and after a vote it was decided to uphold the original decision. So, three days later, the so-called "serious academic misconduct" was officially confirmed, with the graduate being primarily to blame, the original training unit to be shared, and the issue of light manuscript revision to be held responsible academic review.

The Chinese expert recalls the ancient motto “*学问无假 xue wen wu jia*” – *learning is not a fake* - which many current graduates who wrote their papers "*in the sound of copying and pasting (copy- paste) of the mouse and keyboard*". The Chinese expert also points out that even more shocking is the fact that some of them become the model scholars and teachers who teach in higher education and should be the role models for their students. But on the contrary, they affect what he calls the "academic eco" or academic environment, creating confusion in higher education and decline in academic morality, which brings harm to science and research.

Chen Lidan, editor-in-chief of "International Press" and professor at the Faculty of Journalism of Renmin University of China, who discovered and publicized Yu Yanru's plagiarism, was surprised to found out of the Peking University's final decision to revoke the graduate's doctorate. Chen Lidan did not expect this result and had not intended it 惩前毖后 (cheng qian bi hou), that is, to punish the past, but that of 治病救人 (zhibing jiu ren), „*to treat the disease and save the people*“, because it is not Yu Yanru's PhD thesis that would constitute plagiarism, but the papers she published during her Ph.D. He also claims that it would be a shame for Yu Yanru's doctorate to be revoked, because he cannot continue his post-doctoral studies, he only aims to graduate „*以批评教育为主 (yi piping jiaoyu wei zhu)* „*to focus on criticism and education*“. However, in 2015 Beijing University did not return the title to the graduate.

Claiming that the article for which she was accused of plagiarism was not published during her doctoral studies, the graduate, in June 2017,

sued Beijing University, and an article appeared in China Youth Daily on 27.07.2017<sup>34</sup> - „Peking University doctor Yu Yanru's degree revoked, alma-mater wins final case”. The higher court issued a final ruling and found that Peking University's revocation of Yu Yanru's doctorate was illegal, but also rejected Yu Yanru's request to restore the legal effect of the doctorate, saying that it does not fall within the scope of the trial of this case.

The Chinese expert believes that Peking University's punishment for depriving Yu Yanru of his doctorate is too heavy: both judgments of the two trials avoided the substantive issue and did not confirm whether the revocation of the title meets the requirements and whether the revocation itself is illegal. Instead, the revocation decision was procedurally illegal.

In fact, after Peking University reviewed this case, it attracted a lot of attention from the academic community. University Professor Liu Xin of China University of Political Science and Law has repeatedly expressed his views, pointing out that from an entity analysis, it is unreasonable for Beijing University to revoke Yu Yanru's Ph.D. She also said that, although art. 17 of the Academic Regulation states that "*for degree-granting units, if they find serious violations of the regulations, such as fraud, they may be revoked upon reconsideration by the Diploma Evaluation Committee*", the power to revoke the degree and the power discretion, but when this power is used it is by no means unlimited, and the fraud may be different „When Yu Yanru applied for her degree, she reported 4 and published 4 unpublished papers, and the alleged plagiarism was an unpublished article. The condition for the Peking University application for the defense of the doctoral thesis is that he has at least two published papers. The list of 4 unpublished articles is sufficient to apply for a Ph.D. Liu Xin also specified, noting that the alleged plagiarism has nothing to do with Yu Yanru's doctorate.

Another professor, Xiong Wenzhao, from Minzu University of China has a similar opinion: "the conditions for granting a doctorate and the conditions for revocation should correspond. Excluding Yu Yanru's alleged plagiarism, she still meets the criteria for obtaining a doctorate, and it is unreasonable to revoke the degree”.

In the two statements, art. 5 of the "Basic Academic Norms of Peking University Graduate Students" was mentioned by the researchers. This article provides that if a graduate student who has completed his studies and left the school, if there is a serious violation of academic norms while

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<sup>34</sup> [http://education.news.cn/2017-07/27/c\\_129664837.htm](http://education.news.cn/2017-07/27/c_129664837.htm), accessed 18.03.2023.

in school, once it has been verified, the awards, graduation certificates and diploma certificates obtained at that time they will be revoked. Judging by this article, Yu Yanru's behavior is subject to punishment. In this regard, Li Honglei, a researcher at the Law Institute of the Chinese Academy of Social Sciences, pointed out that although the degree-granting unit can formulate its own work rules for the awarding of degrees in accordance with the regulations on awarding degrees, it should at least be consistent with the regulations for awarding degrees, consistent with personal circumstances, consequences, and attitudes.

Yang Jianshun, a professor at the Faculty of Law of Renmin University of China, paid special attention to the principle of due process mentioned in the judgment of this case, considering that the observance of the principle of due process is of great importance. He supported the statement in the ruling that "*Yu Yanru has no opportunity to make a statement*", stating that "*for many years we have been advancing the principle of due process, which is significant for the promotion of administration and education in accordance with the law*".

The vast majority of experts believe that Peking University's decision to strip Yu Yanru of her doctorate was too hasty and the punishment was too severe. However, there is no official news on whether Yu Yanru's doctorate can be restored.

As for the most important educational institution in Romania, which aims to train "*law enforcement officers*", after two months of verification, a very serious fact appeared in the Report of the Control Body of the Minister of Internal Affairs, that 10 theses were identified with very high percentages of possibly plagiarized content by the teaching staff of the Academy, including that of the dean of the Faculty of Gendarmerie, and another 5 theses of some administration employees. Another 6 suspicious theses were by teachers from private universities in the country who supported the works at the Police Academy, 37 by employees from the public system, most of them from the Ministry of the Interior, but also from the judicial system, including the head of the Judicial Inspection and a prosecutor from the General Prosecutor's Office. From the total of 58 theses defended between 2011 and 2016, the Ethics Commission of the Academy took the doctorate titles from the former rector of the Police Academy, Adrian Iacob and the head of the General Anticorruption Directorate of the MAI, Cătălin Ioniță.

According to the NCAUDDC (CNATDCU in Romanian language)<sup>35</sup> External Commission Report <sup>36</sup>, Adrian Iacob in 2007 defended his doctoral thesis "*Organized crime and police cooperation between states*" at the referral submitted in 2019 by PressOne<sup>37</sup>. The findings made by the members of the Commission revealed that:

- took dozens of fragments from the sources mentioned in the notification, without quotation marks and sometimes only making small changes such as finding synonyms, skipping paragraphs, merging separate sentences, introducing different paragraph beginning words or connecting sentences, inverting some lines or removing some elements from the strings of data and facts that it retrieves<sup>38</sup>;
- taking dozens of lines without quotation marks from the texts of other authors <sup>39</sup>;

According to the Report, the members of the Commission believe that Adrian Iacob copied by concealment by minor changes to the text (adding new words, merging paragraphs, generating lists instead of paragraphs, longer sentences, etc.<sup>40</sup> and, as a result of these serious deviations from the ethics of scientific research <sup>41</sup>, proposed the withdrawal of the doctorate title.

Based on the evidence presented, the Ministry of Education and Research, by Ministerial Order no. 4642/15.05.2020, withdraws Iacob Adrian's doctorate title <sup>42</sup>.

At the same time, through the presentation by the journalist Emilia Șercan of the evidence of plagiarism from the "Alexandru Ioan Cuza"

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<sup>35</sup> This acronym means National Council for the Attestation of University Degrees, Diplomas and Certificates.

<sup>36</sup> Report of the NCAUDDC External Commission, <http://www.cnatdcu.ro/wp-content/uploads/2019/11/Raport-complet-analiza-sesizare-plagiat-Adrian-IACOB-1.pdf>, accessed 19.03.2023.

<sup>37</sup> The Rector of the Police Academy Plagiarized More than Two Thirds of his Doctoral Thesis, <https://pressone.ro/rectorul-academiei-de-politie-a-plagiat-pestea-doua-treimi-din-teza-sa-de-doctorat>, accessed 19.03.2023.

<sup>38</sup> Report of the NCAUDDC External Commission, p. 13 & 15.

<sup>39</sup> *Ibidem*.

<sup>40</sup> *Idem*, p.12.

<sup>41</sup> *Ibidem*.

<sup>42</sup> Order of the Minister no. 4641/15.05.2020, <https://academiadepolitiei.ro/root/studii/iosud/anunturi/2020/Ordin-MEC-retragere-titulul-doctor-IACOB-ADRIAN.pdf>, accessed 19.02.2021.

Police Academy in Bucharest<sup>43</sup>, the current Minister of Education withdrew the accreditation of the Doctoral School of Law<sup>44</sup> and of the Public Order and National Security Doctoral School<sup>45</sup>.

In contrast to China, where, following the publication of an extracurricular work, the doctorate title of the best university in the country was withdrawn, in Romania - the doctorate factory within the "Alexandru Ioan Cuza" Police Academy in Bucharest has put on the conveyor belt doctors who cared little about the ethics of the act of research and the regulations that, as law enforcers, they should have followed.

### **Conclusions**

Likewise, both in the Romanian and the Chinese space, the term plagiarism is thousands of years old, with the same meaning: that of theft. Regardless of the development of ideograms or the Latin meaning of plagiarism, nowadays their recognition has gained particular importance in the university environment, with laws and regulations being created for this purpose which, in case of deviations, sanction the student or the title holder.

The differences in application by the two countries is different. China, on the one hand, revokes a female graduate's doctorate and does not grant it to her afterwards, even if the court considered that the obtained title was legal, putting the honor of the University above it.

In Romania, this is considered a moral duty to others, and as a result, they climb the ladder of the academic hierarchy shamelessly, taking positions upon positions, the state heavily paying outrageous salaries to these swindlers.

I believe that plagiarism, in all its forms, should be punished as harshly as possible (like the one in China), so that moral norms are installed again in the academic environment.

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