

Scientific Theft

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Introduction

Among the most famous literary thefts that occurred in the world is news from the Libyan News Agency, which indicated that the source of US President Ronald Reagan's statement before the United Nations General Assembly in 1988 was from the ideas of President Muammar Gaddafi in his book (The Green Book), as well as from political incidents in the field of scientific theft is an announcement Biden withdrew from the battle to win the Democratic nomination, because it was revealed that the speeches he was giving to his fans were nothing but expressions of speeches by other American or British politicians, after which Biden announced his withdrawal, and this is considered the most important incident of political failure due to an attack on copyright. It is possible to describe the poet Al-Mutanabbi as one of the first to formulate the protection of the material rights of the author when he addressed Seif Al-Dawla saying: Allow me if I sing poetry, for with my poetry praises have come to you repeating. We also infer from the house of the poet Ibn Al-Hamali the importance of protecting intellectual property and that he is afraid of intellectual theft. What do you see us saying except that it is repetitive or borrowed from what we say repeated (Jabbour, 1996).

Definition of Scientific Theft and its Types

In Islamic law, theft is defined as taking the money of others in secret. In law, it is the deliberate embezzlement of movable money owned by others.(Article (439) of the amended Penal Code No. 111 of 1960).

Or it is the embezzlement of the scientific and intellectual efforts of a researcher, whether with his knowledge or without his knowledge, and scientific theft can be defined as taking what belongs to others unjustly, or it is the plagiarism of the scientific works of others and claiming their ownership, or claiming explicitly or implicitly the ownership of the ideas or writings of other writers in whole or in part, Or it is the deliberate use of any published or unpublished paper or electronic source of information without proper recognition of copyrights and the failure to apply the generally accepted methods of documentation in scientific research, or it is the usurpation of mental production of any kind without reference to the original source (Al-Kilani, 2019). And we prefer the definition that some thinkers went to, who defines scientific theft as the researcher's intentional use of words, ideas, or information of others without mentioning the author of it and attributing it to himself (Dr.. Salem - p. 91.)

Types of Theft

The social and human sciences are classified as fragile sciences, because the field of personal ijtehad is wide, abundant and controlling. Professor Andresky considered it sorcery and subjected to the direct control of politics (the politics of whims). People rush to search and discover the universe in all fields. In Arabic literature, there are many names given to scientific theft, including copying, flaying, deformation, slander, plagiarism, subversion, raiding, rapprochement, and appropriation, and the differences between them are many (Jabbour, 1996).

Forms of Theft

- 1- Prepare a search by cutting and pasting texts from multiple sources
- 2- Taking the ideas, results or data of others and expressing them in his own way without mentioning the source
- 3- Transferring information without placing it in quotation marks, without mentioning the source, and not complying with the documentation conditions.
- 4- Stealing the idea of researchers or students
- 5- Stealing results
- 6- Thefts carried out by publishing houses, either by translating or reprinting a book or the author that was carried out by the researcher without the permission of its author
- 7- This type has spread among Arab researchers if he translates the research from English into Arabic and claims his ownership.
- 8- Paraphrasing sentences and phrases or changing the order of words in the form of the researcher and attributing them to him. Where some gels or phrases are replaced, but the scientific material remains the same.
- 9- Stealing the researcher himself by adopting the same ideas in more than one research for him and listing the same information, this is considered self-theft.

Types of Scientific theft

- 1- Reproduction, which is by writing or using speaking machines for sermons, lectures, teachers' teaching, and other methods of reproduction.
- 2- Citation (indirect quotation), which is by referring to a specific paragraph from the opinions of a previous researcher or from an author, whether it is a book, an

article, a periodical, or social networking sites, but with the disposal of words by the researcher. Next Steps 1 - The citation from the author with a paragraph or paragraphs from the other author is in line with sound academic custom. 2 - The citation is to the extent justified by its objective. 3 - The author's name and the author's name is mentioned in the body of his research or book.

- 3- A quotation that is the repetition of the same words of a previous researcher, whether written or spoken, and placing them between quotation or quotation brackets, or it is an expression of citing a text or a paragraph of a previous writer with reference to it without acting.
- 4- Partial quotation, which is by referring to the ideas of others or supporting or denying the ideas of others with reference to them
- 5- Stealing: It is taking the efforts of others and previous researchers with reference to the original researcher, but the transfer are literal.
- 6- Plagiarism: It means using the ideas and works of others and attributing them to him, and thus is stealing the efforts of others while ignoring the paraphrasing, that is, only copying and pasting or paraphrasing, but in an ambiguous manner. From here, the difference is clear. The difference between plagiarism (which is to take the efforts of others and previous researchers with reference to the original researcher, but the transfer is literal) and plagiarism is to mention the name of the author or refer to him directly in the first, not to do the same thing in the second type. (Jabbour, 1996).

Reasons for Scientific Theft

It is that there are medical and scientific books of high amounts, the main reason for this theft being the researcher's need for references to maintain his professional level, the poor qualification of the human cadre or researchers in order to detect them, the complexity and ambiguity of electronic piracy, the difficulty of renewing it, the absence of religious and moral motivation and the desire to quickly write Research for the sake of financial returns, obtaining a scientific degree, the large number of sources on the electronic network, the ease of access to them, the absence of punishment, and the researcher's lack of knowledge of how to write a research within the instructions that avoids scientific theft due to the lack of clarity (Abboud, 2020; Al-Kilani, 2019).

How to Detect Theft, Ways to Avoid it, and the Legal and Ethical Consequences of Scientific Theft

The protection of intellectual property rights in Arab countries, including Iraq and developing countries in general, is not the absence of legal texts, but rather the absence

of the application of laws by judicial bodies. We did not find a country in the world that has not yet entered intellectual property laws. Since the days of the Ottoman Empire

Methods of Detecting Theft and Their Effectiveness

There are a number of programs that can be used to detect plagiarism, plagiarism or scientific theft that occurs on scientific research, the aim of which is to know the similarity between the new research and the research that preceded it in the same specialty from the date of submitting the research until infinity.

Ithenticate

Turnitin

Academicplgiarism

Plagiarism

Plaguem

Plagscout.

And other electronic programs, some of which are free.

As for the most Important Methods of Treating Scientific Theft

The concerted efforts of the university community with all its denominations, including libraries, researchers, supervisors and arbitrators, as well as the role of universities in supporting scientific research and raising awareness of this. The existence of a law to protect intellectual property, and at the same time, the procedures for documenting it should be easy and accessible to all. The presence of a detective program or report to reveal the extent of congruence between the research or the published book. Among the previous books in the same field, there are training courses to introduce scientific research and how to collect information about it on the electronic network, and to introduce them to how to write research sources or references, which is in one of the ways:-

The first is the Harvard method: - which begins with the name of the author and the date of publication

The second method is the digital method: which uses a specific number to denote the original researcher, whether this number is written in the margins of the page itself or at the end of the research.

Spreading the ethics of scientific research and scientific honesty and maximizing the ethical role of researchers, and that the media have a clear role in educating researchers

for the purpose of detecting all cases of theft that are presented before the competent courts.

Legal Consequences of Scientific Theft

for Iraq, the Iraqi Penal Code No. 111 of 1969 amended between (without prejudice to any more severe penalty stipulated by the law, whoever infringes on the intangible property rights of others protected by law or an international agreement to which Iraq has acceded) shall be punished with a fine. Copyright), and then the Intellectual Property Protection Law No. (3) of 1971 was legislated, which was amended by Order No. (83) of 2004, and Iraq joined the World Organization for the Protection of Intellectual Property (WIPO) under Legislation No. (212) in 1975 and became effective Enforced on October 21, 1975, in order to enhance the protection of intellectual property rights and innovation, as stimulating researchers to creativity and innovation needs local, international and global protection from infringement.

Article (44) of Law No. (3) of 1971, as amended, stipulates that every author whose right set forth in this law has been violated has the right to appropriate compensation. As for (45) of the same law, the forms of assault that are considered scientific theft are indicated.

The Law of Copyright and Related Rights in the Kurdistan Region (Iraq) No. (17) of 2012 stipulated in Article (36) that the thief of scientific research shall be punished by imprisonment for a period of not less than one month and not exceeding one year, or a fine of not less than (500) thousand Iraqi dinars and not more than (1,500,000) Iraqi dinars or one of the two penalties. The same article, Paragraph (Fifth), indicates the closure of the facilities that were used to perpetrate scientific theft, and the closure is obligatory in the event of recidivism.

As for the instructions of the Ministry of Higher Education and Scientific Research for the year 2016, it was to study the subject of research methods and write the thesis and the thesis to all students of primary and higher studies and to use the electronic program (Trentnet) to detect scientific theft and to slim the number of research pages, knowing that this paragraph is in violation of the instructions No. 1982 Article (38 Paragraph 6/1-6) which includes that the number of pages of the research, thesis or the thesis is determined by the supervising professor and the department concerned with him, and the adoption of a percentage (20%) for citation. A civil lawsuit and the dismissal of the student's registration in the event of proven plagiarism.

Discussion

Scientific theft is in essence a moral and legal problem that affects the academic

community for the reasons mentioned above.

There are some researchers who have shown that there are no differences between the types of scientific plagiarism, and therefore scientific plagiarism is itself plagiarism and at the same time is plagiarism, which is intended to use the ideas and works of others and attribute them to him and thus is the theft of the efforts of others. As for the other opinion of researchers, they have shown that scientific plagiarism Different type and shapes, each one from the other

Overlooking this crime will contribute to the extinction of creativity and thus stop, and the state or the academic community will be satisfied with repetition, only which will lead to making this state among the ranks of backward countries because nations are measured by their creativity, vitality, and their ability to give and help in the progress of mankind. There is no transgression in the matter of copyright. The decision of Islamic jurisprudence of the Organization of the Islamic Conference states that copyrights, inventions or innovations are legally protected, and their owners have the right to dispose of them and may not be violated.

Conclusion

The importance of protecting intellectual property from theft lies in that it supports and encourages creativity and innovation in society. On the other hand, it is the creator's horse and preserves his material and moral rights. As the continuation of scientific theft leads to the reluctance or lack of production of real researchers and real scientific production, we remain in the same circle and the same information and an opportunity is lost. Learn something new.

Scientific research in any field is an organized process that aims to find solutions to problems or answer specific questions by using certain methods to arrive at new scientific knowledge.

A scientific researcher is defined as a person who devotes his time to searching for knowledge of all kinds, as well as adding new things to it that help him progress and develops.

Scientific plagiarism is the intentional use of any published or unpublished paper or electronic source of information without proper recognition of copyright and non-application of the generally accepted methods of documentation in scientific research, or it is the usurpation of mental production of any kind without reference to the original source

Recommendations

- 1- Working to spread awareness of the importance of researcher rights and the existence of a culture in the academic community under the slogan (for scientific theft), and this matter does not stop only with the researcher, but also in all scientific institutions.
- 2- Striving to simplify the author's judicial procedures before the competent court and to rule in the spirit of the law
- 3- It is considered a crime against the honor of the profession
- 5- The necessity of defining the meaning of plagiarism, which leads in the future to prevent confusion between the researcher between plagiarism, quotation or theft and what is also permissible.....
- 6- That the Intellectual Property Protection Law should include the obligation to belong to the associations for intellectual property protection, in order to ensure Iraq's affiliation to the TRIPS Agreement.
- 7- A paragraph is added to the instructions of the Ministry of Higher Education and Scientific Research on the existence of the bibliography, as it includes in addition to the original sources used by the researcher in addition to the sources from which he was not directly quoted, meaning that the researcher benefited from them indirectly.
- 8- A paragraph shall be added to the instructions of the Ministry of Higher Education by writing a pledge that includes (I am a writer (thesis or research) I pledge that it is the result of my own research, except for what was mentioned in the margin and that any part of it was not previously submitted to any university or Institute or magazine or publication and in succession I bear all the legal consequences and for him I signed Name Signature Date.

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