

# PLAGIARISM BETWEEN LEGALITY AND ETHICS. ACADEMIC INTEGRITY, INTELLECTUAL FREEDOM AND EDUCATIONAL FRAUD

SEBASTIAN GABOR\*

pr.sebastiangabor@yahoo.com

***Abstract:** Plagiarism is often addressed as a legal or administrative issue, although its deeper nature is an ethical one. The current article argues that the dissociation between law and ethics has contributed to the trivialization of plagiarism and the normalization of academic imposture. Starting from the concepts of academic integrity, intellectual freedom and moral responsibility, the text proposes a normative analysis of plagiarism as intellectual fraud, an attack on the truth and a form of symbolic corruption, with effects that go beyond the academic environment. In the context of the new educational technologies and the use of artificial intelligence, we argue the need for explicit ethical warnings in education.*

***Keywords:** plagiarism, applied ethics, academic integrity, academic freedom, intellectual fraud, education, artificial intelligence.*

## **The persistence of plagiarism as an ethical issue**

In the ethical legislation of Romanian higher education, plagiarism is sanctioned by the law 206/2004.<sup>1</sup> Moreover, the “three deadly sins” of misconduct in academic research are: plagiarism, data fabrication and data falsification. Although plagiarism is legally sanctioned and formally condemned in the academic environment, the persistence and extent of the phenomenon indicate a problem that goes beyond the normative framework of legality. The existence of explicit regulations has not automatically led to the eradication of fraudulent practices, which suggests an increasingly accentuated dissociation between legal norms and the ethical criteria that should underpin academic life. This article argues that plagiarism cannot be adequately understood only as a procedural deviation, but must be analyzed with priority as a **fundamental ethical problem**, since it affects the very possible conditions of education and authentic knowledge: the assumption of authorship,

---

\* Lecturer PhD., *The Academy of Economic Studies, Bucharest, Romania.*

<sup>1</sup> The law no. 206/2004 on good conduct in scientific research, technological development and innovation, The Official Gazette of Romania.

intellectual honesty and responsibility towards the truth. The text proposes a **normative and conceptual analysis**, specific to the ethics applied to the Romanian academic environment. The methodology used consists of: critical analysis of the specialized literature on academic integrity; ethical reflection on the relationship between legal norms and moral norms; the interpretation of known educational and institutional practices, without resorting to one's own empirical research. The purpose of the article is not to measure the frequency of plagiarism, but to **clarify its moral meaning** and highlight the ethical consequences of its tolerance in education. Not only does plagiarism destroy careers, but also **the very meaning of the intellectual act**. Writing means assuming a voice; plagiarizing means refusing to seek it.

### **Plagiarism between legal norm and moral culpability**

From a legal point of view, plagiarism is often subject to interpretation: thresholds of similarity, intention, context, contradictory expert opinions. Law operates with evidence and procedures, and the legal verdict is inevitably conditioned by these. Ethics, on the other hand, operates with meaning, responsibility and truth. The fact that a paperwork can be legally "acquitted" does not cancel its immoral character. Plagiarism cases proven<sup>2</sup> and publicized in the Romanian public space, because they led to the obtaining of the scientific title of doctor, have shown that the law is formal and interpretable. From an ethical perspective, plagiarism remains a **symbolic theft**, as it involves the appropriation of an intellectual work and its presentation as an expression of one's own competence. The dissociation between legality and moral legitimacy creates a dangerous space, in which the procedural verdict is confused with ethical acquittal. One of the tacit justifications of plagiarism is the invocation of a poorly understood academic freedom. Academic freedom is not equivalent to the absence of moral constraints, but rather implies **the assumption of intellectual rigor**, the transparency of sources and the

---

<sup>2</sup> Emilia Șercan, *The Ponta Case. Reconstructing the most infamous plagiarism in Romanian history*, with a short Forward by Gabriel Liiceanu, Bucharest, Humanitas Publishing House, 2022. In a new investigation, Emilia Șercan shows how "Radu Marinescu's doctoral thesis is completely plagiarized. *The Minister of Justice, Radu Marinescu*, plagiarized 140 pages out of the 247 of his doctoral thesis, or 56.68%, that is, more than half. It is a Law thesis, Radu Marinescu is the Minister of Justice, and justice means fairness, equity, legality". In a message posted on FACEBOOK, the investigative journalist Emilia Șercan writes: "I haven't seen such gross plagiarism in a long time"; HotNews, January 12, 2026.

author's responsibility towards the epistemic community. Plagiarism denotes a **deficient understanding of academic freedom**, reduced to the right to produce results, not to the obligation to think autonomously. In this sense, the plagiarist is not free, but dependent: on another's text, on formal validation and on the appearance of competence. Ethically, plagiarism is more than a violation of copyright<sup>3</sup>; it is an **intellectual fraud** because it misleads evaluators, colleagues and institutions. It falsifies the assessment of competence and compromises merit-based selection mechanisms. Through plagiarism, not only the dispossessed author is attacked, but also **truth** as a fundamental value of education. Knowledge requires critical dialogue, recognition of the filiation of ideas and assumption of one's own limits. Plagiarism breaks this chain and produces a form of simulated knowledge deprived of authenticity. In a profound sense, plagiarism can be interpreted as a form of **symbolic corruption**. Like the institutional corruption, it hijacks evaluation criteria, generates undeserved advantages and erodes trust in institutions. When plagiarism is tolerated or relativized, the academic environment risks legitimizing imposture, and titles and diplomas lose their symbolic value. The consequence is a crisis of credibility that affects not only the university, but also the public space. A particularly serious aspect is the fact that plagiarism no longer remains an internal problem of the university. Academic titles, sometimes obtained through fraudulent practices, are used as instruments of social legitimization, professional promotion and access to positions of power. In this context, the doctorate risks being perceived not as an expression of intellectual excellence, but as a **symbolic capital** detached from competence. This rupture between title and value contributes to the perpetuation of imposture and the discrediting of higher education. The phenomenon becomes all the more serious as it has gone beyond the university space, being associated with obtaining undue symbolic and material advantages: academic titles, public positions, professional promotions and social prestige. In this context, a major paradox appears: although there is legislation that sanctions plagiarism, practice demonstrates an increasingly obvious dissociation between law and ethics. This rupture generates not only impunity, but also the relativization of fundamental academic values. It is common knowledge that in Romania plagiarism is sanctioned by the Law no. 206/2004

---

<sup>3</sup> *The Copyright Law No. 8/1996* should protect the author against plagiarism and contribute to sanctioning those who violate this normative act.

regarding good conduct in scientific research, technological development and innovation. There are codes of ethics and academic deontology at the level of all higher education institutions.<sup>4</sup> However, the interpretable nature of legal norms, cumbersome procedures and institutional pressures have led to paradoxical situations: the granting and maintenance of doctorates despite public evidence of plagiarism. From an ethical perspective, however, the problem is much clearer. Ethics does not operate with intentional gray areas: assuming the ideas of another without explicit recognition remains a form of intellectual theft, regardless of the legal verdict. When law dissociates from ethics, a climate of tolerance towards imposture emerges.

### **Artificial intelligence and the new face of plagiarism**

In the current context, marked by the widespread use of artificial intelligence (AI) in education and research, the issue of plagiarism takes on new forms and raises essential normative questions: is artificial intelligence an author? How can it be used without the risk of plagiarism? Where does individual responsibility end and institutional responsibility begin? The use of artificial intelligence in education brings undeniable benefits, but also raises significant ethical issues. The undeclared use of generative tools in assessment contexts is not only a technical problem, but one of intellectual responsibility. Even if the generated text does not belong to an identifiable human author, presenting it as the product of one's own thinking is a form of academic fraud. The problem is not the tool itself, but the **substitution of autonomous** thinking and the falsification of the assessment of competence. The persistence of plagiarism, despite the existence of a legal framework, indicates a crisis of moral responsibility in education. When legality is confused with morality, plagiarism becomes not only possible, but acceptable. The defense of academic integrity cannot be reduced to administrative procedures. It implies the firm reaffirmation of ethical criteria and the assumption of a formative role of education. In this sense, explicit ethical warnings are not optional, but necessary to protect the dignity of the educational act. The use of artificial intelligence in academic writing raises an essential question, as we have already shown: can AI be considered an author?<sup>5</sup> The ethical and legal answer is negative. Artificial intelligence has no moral consciousness, intentionality or responsibility. It is a tool, not a moral subject. The responsibility remains entirely human. Any

---

<sup>4</sup> *University codes of ethics and documents on academic integrity*

<sup>5</sup> European Commission, *Ethics Guidelines for Trustworthy AI*, 2019.

text generated with the help of AI becomes ethically problematic when: it is presented as the product of a non-existent personal intellectual competence; it reproduces ideas or structures without critical filtering; it is used to obtain undue academic advantages. Paradoxically, artificial intelligence can be used both to commit and detect plagiarism.<sup>6</sup> AI-based tools can: identify conceptual similarities, not just lexical ones; signal stylistic incongruities in a text; detect unjustified leaps at the conceptual level. However, no tool can substitute the evaluator's critical judgment. Detecting plagiarism remains an act of academic discernment, not a simple technical operation. The use of artificial intelligence in evaluation raises ethical issues regarding authorship and intellectual honesty. The teaching experience shows a worrying continuity of copying practices: from written exams, to dissertations, and even doctoral theses.<sup>7</sup> The use of AI amplifies the risk, offering the illusion of competence without genuine intellectual effort. Academically formulated, we can notice that plagiarism does not appear at the doctoral level out of the blue, but it is tolerated and internalized progressively, in the absence of clear sanctions and a culture of integrity. The ethical use of artificial intelligence involves: using it as a tool for clarifying, structuring or brainstorming; critical and personal rewriting of content; explicit citation of primary sources; transparent assumption of the use of AI, where institutional policies require it. AI can support thinking, but cannot replace it without moral costs. In our opinion, it is not AI that plagiarizes, but the human who **renounces the responsibility of the signature**. The plagiarism of the future will not be "copying", but **delegation of thought**, and ethics will be more about intention than technique. The responsibility for combating plagiarism is not exclusively individual.<sup>8</sup> It is the academic institutions' duty to: formulate clear policies on the use of AI; ensure ongoing training in research ethics; apply consistent sanctions; protect integrity reviewers and whistleblowers. The absence of institutional action is equivalent to a form of moral complicity.

### **Instead of conclusion**

In the age of artificial intelligence, it does not disappear, but is refined. That is precisely why a firm, applied and lucid ethical discourse is necessary, reasserting a simple truth: without intellectual honesty, there is

---

<sup>6</sup> European Network for Academic Integrity, *Guidelines on Academic Integrity*, 2021

<sup>7</sup> M. Bretag (ed.), *Handbook of Academic Integrity*, Springer, Singapore, 2016.

<sup>8</sup> OECD, *Integrity and Ethics in Education*, OECD Publishing, Paris, 2018.

neither authentic education nor credible research. Until a consistent relationship is built between the moral and legal aspects related to the crimes of intellectual theft through plagiarism, the solution seems to be to accept the idea that plagiarism is an immoral act that must be sanctioned, regardless of delays or legal considerations. When an academic title becomes a currency, it is only a matter of time until its value collapses. In Romania, the doctorate has too often been treated as a privilege, not as a responsibility. And today, instead of correcting fraud wherever it exists, we choose the convenient solution: collective sanction. In short, the reduction in PhD increments<sup>9</sup> is not the cause of the problem, but a symptom. For years, imposture has been tolerated, intellectual theft has been relativized, and the silence of complicity has been preferred to meritocratic exigency. Today, the price of this indulgence is paid in droves, without making any distinction between those who honestly built knowledge and those who imitated it. When standards are allowed to erode, corrections come brutally and unfairly. And if we do not understand that integrity is not an academic fad, but the foundation of social trust, we will continue to alternate between imposture and collective sanctions, without ever building a truly sound system. Establishing a first principle on the path to academic integrity in doctoral theses: developing a culture of academic integrity associated with doctorates, both at the level of those who contribute to the direct training of doctoral students and at the level of the communities and regions in which those who end up holding the scientific title of doctor live. Establishing an anti-plagiarism culture in Romania seems to be all the more necessary as the dissatisfaction of the Romanian population related to corruption in education is great, in the EU context.<sup>10</sup>

#### REFERENCES:

Bretag, M., (2016) (ed.), *Handbook of Academic Integrity*, Singapore, Springer.

Callahan, D., (2004), *The Cheating Culture*, New York, Harcourt.

Dobrinu, D., (2026), *The paradox of the doctoral bonus: merit penalized, imposture ignored*, Contributors, 20.02.2026; <https://share.google>

---

<sup>9</sup> D. Callahan, *The Cheating Culture*, Harcourt, New York, 2004.

<sup>10</sup> Dumitru Sandu, *How can you achieve a public culture of anti-plagiarism in your PhD??*, Contributors <https://share.google/kFLgLJ0i0Ex4OHocp>

European Commission, (2019), *Ethics Guidelines for Trustworthy AI*.

OECD, (2018), *Integrity and Ethics in Education*, Paris, OECD Publishing.

Sandu, D., (2026), *How can you achieve a public culture of anti-plagiarism in your PhD??*, Contributors, <https://share.google/kFLgLJ0I0Ex4OHocp>

Şercan, E., (2017), *The PhD manufacture or how the foundations of a nation collapse*, Bucharest, Humanitas Publishing House.

Şercan, E., (2022), *The Ponta Case. Reconstructing the Most Infamous Plagiarism in Romanian History*, with a short Forward by Gabriel Liiceanu, Bucharest, Humanitas Publishing House.

Zuboff, S., (2019), *The Age of Surveillance Capitalism*, New York, PublicAffairs.