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# Guidelines for Dealing with Cases of Ethical Bad Practices in Academic Journals of Social Sciences and Humanities

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## ABSTRACT

Within academic publications, "bad practices" have become a recurrent and complex issue for publishing institutions and agents, since their conceptual boundaries are in constant debate. The objective of this article is to propose the bases of a protocol for academic/administrative action, which integrates the rights and ethical obligations of authors and publishers. The guidelines of action are established before a possible suspicion or violation of rights of author (academic plagiarism); duplicate or redundant publications; "self-plagiarism"; manufacture, falsification or invention of data; conflicts of authorship, among others. The analysis presented is the result of a documentary investigation based on national and international guidelines of academic publications. This proposal seeks to contribute to the construction of a model that helps visualize "bad practices" that may arise.

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# Guidelines for Dealing with Cases of Ethical Bad Practices in Academic Journals of Social Sciences and Humanities

Lineamientos Para Atender Casos De Malas Prácticas De Autores en Revistas Académicas De Ciencias Sociales Y Humanidades

Carlos-Antonio Romero-Ramírez<sup>α</sup> & César-Enrique Jiménez-Yañez<sup>σ</sup>

## ABSTRACT

*Within academic publications, "bad practices" have become a recurrent and complex issue for publishing institutions and agents, since their conceptual boundaries are in constant debate. The objective of this article is to propose the bases of a protocol for academic/administrative action, which integrates the rights and ethical obligations of authors and publishers. The guidelines of action are established before a possible suspicion or violation of rights of author (academic plagiarism); duplicate or redundant publications; "self-plagiarism"; manufacture, falsification or invention of data; conflicts of authorship, among others. The analysis presented is the result of a documentary investigation based on national and international guidelines of academic publications. This proposal seeks to contribute to the construction of a model that helps visualize "bad practices" that may arise. Two flowcharts that exemplify the operationalization of the proposed protocol are included.*

**Keywords:** academic publication; academic ethics; guidelines; plagiarism; scientific research; social science.

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## RESUMEN

*Dentro de las publicaciones académicas las "malas prácticas", se han convertido en un tema*

*recurrente y complejo para las instituciones y agentes editoriales ya que sus fronteras conceptuales siguen en constante debate. El objetivo de este artículo es proponer las bases para la elaboración de un protocolo de acción académico/administrativo, que integre los derechos y obligaciones éticas de autores y editores. Los lineamientos para actuar ante una eventual sospecha o denuncia de transgresión de derechos de autor (plagio académico); publicaciones duplicadas o redundantes; "autoplagio"; fabricación, falsificación o invención de datos; conflictos de autoría y de intereses en artículos en proceso o publicados. El análisis presentado es resultado de una investigación documental basado en lineamientos nacionales e internacionales referentes a publicaciones académicas. Esta propuesta busca contribuir en la construcción de un modelo que ayude a visualizar administrativamente los casos de "malas prácticas" que se puedan presentar. Se incluyen dos diagramas de flujo que ejemplifican la operacionalización del protocolo propuesto.*

**Palabras Clave:** publicación académica; ética académica, lineamientos; plagio; investigación científica; ciencias sociales.

## I. INTRODUCTION

Today it is common to find ourselves, as part of the administrative process of an academic journal, with—among other documents—manuals, rules or guidelines on ethics and good publishing practices. This is because overnight, any and all authors who dare submit a manuscript for

possible publication are presumed guilty of "academic plagiarism" until a software program says otherwise. The purpose of using these informatics programs is to maintain the academic integrity of the journal, its processes and its authors. As a result, the journals have at this point assumed a new function: that of supervision and control. It is no longer enough for authors to abide by the rules for authors *to the letter*, nor to survive the scrutiny of the examiners. Nowadays it is not even sufficient the one guarantee the proposed work to be unpublished and original; no, one must prove that it is not *plagiarized* (totally or partially.)

In this sense, talking about "plagiarism" in academic circles generates suspicious glances and more than one uneasy look. According to Valderrama (2012), "For an editor it is difficult to control things so that no problems related to ethics arise in the publication process—problems from which not even the editor himself is exempt" (417). So today the scientific journals are no longer having good papers submitted to them; the journals are receiving works that are not "corrupted", and the authors no longer care so much for how well-written the manuscript is, "as long as it contains no plagiarism". This is where manuals on ethics and good practices acquire more meaning and importance than the publication rules, since "[...] the process is not designed to detect some "vices" [...], concepts such as fraud, plagiarism, undeserving authorship, duplicity, fragmentation and an excess of self-citations are frequent among the offenses committed by the authors" (Valderrama 2012, 417).

This new scenario has changed the look of scientific publications and has called the originality of the publications into question. The problem (if it can be considered such) was that the work was always done trusting that those involved—most of them with postgraduate academic degrees—were acting in good faith. It was assumed that the authors as teachers and researchers were well trained and informed; and that since they knew the rules, we would never have to have doubts connected with their work. Reality told us otherwise: publish or perish;

publish (at all costs) or lose the bonus; and after coming down with "point-it is", the teaching staff falls into practices of simulation (Silva 2011; Medina 2015.)

Faced with this reality, academic journals should look for appropriate forms and formulas that will provide a guarantee, both for the authors and especially for the readers, that the published works meet the criteria of quality, honesty, ethics and good practices. In other words, the challenge to authors and publishers is to demonstrate to the community that the works presented and published are original and unpublished. Regarding the foregoing, there are associated with the scientific publishing world several publishing organizations that provide rules and action guidelines related to transparency, ethics and best publication practices in academic publications. Many journals adhere or ascribe to these, to face the detection of bad practices, or to report them. The best known are those proposed by: the Committee on Publication Ethics (COPE); the Directory of Open Access Journals (DOAJ); the Publishing Ethics Resource Kit (PERK) of the Elsevier Group, and the International Association of Scientific, Technical and Medical Publishers (STM).

Currently, in Latin America all academic journals that are part of indexes, databases and repositories are required to have a "code of ethics" or a "manual of good practices" that gives assurance of the magazine's commitment and good faith to act when facing events of "bad practices". For this reason, many of these magazines are sheltered under the existing guidelines. Unfortunately, acting administratively against one (or several) of these cases ends up being a complex task, which is why most of the magazines that deal such a case prefer to reject the article, if it is in process, or remove/delete it if it is published (in a digital magazine), thus granting invisibility to the authors who committed the wrongful act. At this point lies the importance of each journal's possessing an administrative action protocol that fits its disciplinary nature and needs—that goes beyond the here or there of the legality—that reprimands and makes visible the authors' misconduct (intentional or unintentional.

The objective of this chapter is to offer the bases for the creation of an academic/ administrative-action protocol, which integrates the obligations of authors and publishers, and establishes the guidelines for action in case of possible suspicion or accusation of bad practices (violation of author's or authors' rights/"academic plagiarism"; duplicate or redundant publications; "self-plagiarism"; fabrication, falsification or invention of data; conflicts of authorship and interests) in articles in progress or published. At the end of this work we will present two flow charts that exemplify the operationalization of the proposed protocol.

### 1.1 The question of originality

We all know and understand that the construction of scientific knowledge is built on the basis and discussion of what already exists (hence the citations and references), so that the authors are not the only ones who "speak" in a text. Starting from this premise it will then be necessary to establish where or in what lies the originality of a work. In the case of Mexico it is necessary to refer to the Federal Copyright Law,[1] which establishes in its third article that: "The works protected by this Law are those of original creation at risk of being disclosed or reproduced in any form or medium" (1). For Nettel (2013, 139), "The central characteristic the law considers in order for a work to be protected, is *originality*, a vague word which is difficult to define, but which clearly seeks to define the object of the protection of the law". According to the author, in the description of article four of the Law, specifically in section C, "without explicitly defining *originality*, it does provide elements with which to begin to describe it" (139).

This problem, which the author identifies and which is evident, leaves more doubts than certainties, especially in the description given by the Law regarding with original works: "Those which have been originally created without being based on another pre-existing work; or that, although they are based on another, their characteristics allow the affirmation of their originality" (article 4, section C and subsection I, 2.)

"[...] the Law does not establish which are those characteristics that would allow us to identify the existence of *originality* in cases where one work is based on another. We are left then, to reflect on what these characteristics might be, outside of what is contained in the legislation" (Nettel 2013, 140).

Although Mexican legislation is not so clear in this regard, there are other legislative examples (Chile and Costa Rica) that do not leave much room for interpretation as to how to recognize the originality of a work. In the case of legislation in Chile, Chubretovic (2017, 15) establishes that:

"[...] for that creation to be protected as intellectual property, it is required that this work be original; that is, it must have its own characteristics that make it distinguishable from other works, and it cannot be a copy or simply a mechanical application of knowledge.

"In this sense, it may be that the idea underlying the work may not be original—the same idea might perfectly well be used for several works. However, what must be original is the particular form of expression of the idea in the work, which idea should reflect a unique creative process and the uniqueness of the author.

"That a work has to be original does not mean that it has to eliminate any reference or even any similarity to another work or works. A work based on or resembling an existing creation will not be a copy, insofar as it contains sufficient elements that distinguish it as a different work, becoming a *derivative work* in relation to an *original work*".

Costa Rica's Law on Copyright and Related Rights[2] (*Ley de Derechos de Autor y Derechos Conexos*) in its articles 7 and 8[3] establishes that:

Article 7. Any person may freely use, in any form and by any process, the intellectual works belonging to the public domain; but if they were by a known author, that author's name may not be deleted in publications or reproductions, nor may interpolations be made in them, without an appropriate distinction between the original text and the editorial modifications or additions.

Article 8. Anyone who adapts, translates, modifies, restructures, summarizes/abridges, parodies, extracts, in any way, the substance of a public-domain work, is the exclusive owner of their own work; but they cannot oppose others' doing the same with that work in the public domain. If these acts are carried out with works or productions that are in the private domain, the authorization of the person who owns the rights will be necessary. The databases are protected as compilations.

The ad hoc reading and interpretation of these regulations can be found in the work of Arce (2009, 62), who, based on current legislation, states that:

[...] a work is original as long as it is not a copy or plagiarism of another preexisting work whose authorship belongs to another person. Therefore, a plagiarized work is not original by definition, since its authorship legitimately belongs to another person.

The requirement for originality, however, does not prevent a work from incorporating pre-existing material into it, but when some pre-existing material is incorporated into a new work, the copyright covers only the original material contributed by the author.

[...] The originality does not then, prevent the specific work from being inspired by a pre-existing work, or ideas contained in a third-party work, or in isolated events, because what is relevant is the particular creative contribution made by the author on their own work.

With the concept of originality, a little clearer, we can begin to understand and set the limits of what we should identify as "plagiarism." The word has morphed into that academic nonsense that nobody wants to see or hear. Now, although the tenor of this chapter is not to delve into the subject of "academic plagiarism",<sup>[4]</sup> we believe it necessary to address some basic questions for a better understanding of the proposal we will make later.

## 1.2 Publish or lose the bonus: academic plagiarism

Talking about "academic plagiarism" is complex and complicated because its boundaries are not as well-defined as we think, and we cannot formulate a good conceptualization of it if we do not determine what we must understand by "plagiarism." This is the idea Arce (2009) shares about it:

"There is no legal concept of plagiarism satisfactorily clear and precise due to the difficulty in determining its limits; and because it has had and still has a substantially doctrinal definition. Linked to the above and to the acknowledged legal imprecision, are the numerous doctrinal definitions in existence. These, of course, are not necessarily coincidental" (Arce 2009, 62).

If we look in a dictionary or an encyclopedia, we will of course find a definition for the term, but for these purposes, it will fall a bit short. In 2004, Aragón presented the jurisprudence from a 1997 case in Spain, regarding moral rights. In this case there was established what should be identified as "plagiarism". The case had to do with a partial plagiarism for "the insertion in a doctoral thesis, of entire chapters of scientific works without attributing them to their authors or mentioning the origin of the text [...]" (Aragón 2004, 8). This case determined that:

"[...] Plagiarism should be understood as 'everything that involves copying other people's works in substance, by what is presented as a mechanized activity, scarcely intellectual and creative, lacking all originality and concurrence of human genius or talent, even though it may manifest a certain ingenuity; taking place in identical situations and those others which, although masked, reveal similarity to the original creation; once stripped of ruses and disguises, producing a state of appropriation and exploitation of the creative work and the ideological or intellectual effort of others" (Aragón 2004, 8-9).

The growing pressure to publish, associated with indicators, bonuses and recognitions on an occupational and professional scale, can lead

authors to avail themselves of bad practices, including “academic plagiarism”. While this is not a justification—nor is it intended to be—it is the authors themselves who relate and recognize that these bad practices are increasing (Medina 2015; Silva 2011; Arbesú *et al* 2008), such as using things already published, and which contribute no new elements to the discussion in the field or to the discipline. They establish that these tactics perpetuate academic misconduct, such as using the work of others, the product of their research data; having others do the work and then presenting it as their own without giving credit, or without giving relevant credit. This generates competition in the discipline, and produces a perception that peers/colleagues are acting unethically; so that “if they do these things and nothing happens to them, then I can and will do the same”. Some even take advantage of the human resources they find in the classroom, and appropriate the work of their students. These *behaviors* indicate that there should be a concern about the education and/or training of professors/researchers with regard to ethical and technical issues (critical apparatus, quotations and references.)

Academic plagiarism is a serious threat to research and to the dissemination/divulgation of science. Timal and Sanchez (2017), citing Alberto Liaseca, point out that plagiarism “[...] hides itself among other verbs, such as to quote, to repeat and to re-edit. From this perspective, the act of citing, repeating or re-editing the work or idea of an author implies plagiarism, which is not castigated because it is considered a tradition” (p. 54). From this perspective we can also say that not all “plagiarism” is deliberate; whether it is intentional or accidental will be determined by the nature of the work, the material incorporated or the contributions the author has or makes. Now then, how does one determine the seriousness of “plagiarism”? How does one determine intentionality? While the editor must ensure ethical practices and investigate when there may be misconduct, the answers to these questions are difficult to establish. That is why there is a proliferation of “anti-plagiarism” software.

For some authors, such as Hexham (1999), “[...] academic plagiarism occurs when an author continuously uses more than four words from a printed source without the use of quotes and without making a precise reference to the original source in a research paper presented as their own.[5] Although the definition can be considered a bit extreme, the author's idea is to establish some parameters to define and recognize “plagiarism”. For Nettel (2013, 142), however, the only way to clarify where “plagiarism” begins is to classify it,[6] since “one of the difficulties comes from the fact that not all uses of a text are reprehensible; some are perfectly acceptable and even necessary—quotes, for example”. In summary, it is necessary to have knowledge and an open mind to perform the analysis of a text “accused of plagiarism”, in order to establish responsibilities and sanctions. For that reason, the digital tools which help to search Internet databases and websites for coincidences and similarities are important.

### 1.3 *The illusion of anti-plagiarism software programs*

A couple of years ago, academic work was rediscovered[7] by a new digital tool, the *anti-plagiarism software programs*. Since there are different ways of committing plagiarism, because the authors systematically manipulate the information that underpins their article; and because plagiarism is not just “word for word,” and all authors are guilty at the time of submitting their manuscript to a magazine, these *softwares* make themselves *necessary*. We formed our first impressions of them in 2016.

One of the important things we have discovered is that “anti-plagiarism” software is not *anti-plagiarism*, and that at the end of the day, these programs only give us information regarding Internet coincidences of the text under review. That being the case, after analyzing the software, it is up to us to review and evaluate each of the coincidences, since the computer programs do not consider all the variables that must be taken into account in these cases. On the one hand, we realized that we cannot attribute responsibilities a priori (although the evidence

says otherwise) and that we must rely, initially, on what the author points out. Similarly, regardless of the level or percentage of coincidences, we cannot just randomly judge, since we have to carry out a review coincidence by coincidence to establish some intentionality (Publishing team, 10).

The business of these tools has grown exponentially,[8] since many publishing companies rely almost exclusively on what the software says. All are commercial, and the idea they have sold is that with the use of their tools,

“plagiarism is prevented”—a confusing idea and devoid of any context; since if there is bad practice it is generated when the writing is conceived—that is, the author does it. One of the advertising texts that appears on *Turnitin's* main website in Spanish[9] displays the following: “Prevent plagiarism. Identify unoriginal content with the most effective similarity detection solution in the world. Manage the risk of academic misconduct by comparing the content produced in your institution with the only database that includes the Internet, student papers and indexed scientific articles” (see *Image 1*).



Source: Screenshot of the website <http://www.turnitin.com/>

*Image 1:* Turnitin advertising text

We can see this same type of advertising in the presentation of other well-known “anti-plagiarism” software, as is the case of Copyleaks, who also offers immediate response services on the front page of its website. “Detect

plagiarism and paraphrased content using advanced technology. Confirm originality with sophisticated algorithms that scan and track textual content in all languages” (see *Image 2*).



Source: Screenshot of the website <https://copyleaks.com/>

*Image 2:* Copyleaks advertising text

What these companies do not mention in the offers on their pages, is that this “intelligent” system works with algorithms that only deliver statistics in relation to matching data (compare) similar, matching and duplicate content that should be reviewed and analyzed in detail, one by one, by one person or several, since each case will have to be reviewed and evaluated in its own context. The percentage delivered by the system is only a starting point and cannot be, like some universities and magazines, the only source of information for refusing a job or accusing or censuring. There are different types of coincidences we can find in an article, and different types of errors and omissions that must be analyzed under a responsible editorial judgment.

With respect to the above, on the Ithenticate website you can access and download a paper entitled *Plagiarism Detection Software. Misconceptions*[10] in which it mentions the *7 Misconceptions of Plagiarism Detection Software*. Near the end of the first page of this document you can read the following:

[...] But identifying matched content is only part of the process of detecting plagiarism. The remainder requires a critical human element—a thorough interpretation of the scan’s results to determine whether the matched content constitutes an act of plagiarism or is simply a quote or excerpt. Search algorithms cannot parse intent, nor can they determine if matched content is properly cited. The combination of technology and human analysis yields the most thorough plagiarism assessment”.

In summary, no “super-intelligent software” can detect *plagiarism*; it can only match data and deliver percentages of matches; which, as we have indicated, should be reviewed in detail one by one, by a qualified person. This means that any “anti-plagiarism” *software* is a good tool to start with with, and with which to accelerate the process of revising the text on the network. It should not, however, be considered as a rule or as a sole reference. We must not forget that *plagiarism* or the violation of authors’ rights is only one of the many bad publishing practices

that exist—and that no software addresses. For this reason it is important to have clear administrative protocols, both for the authors and for the publishers, so that in case any bad-practice situation should present itself, it can be handled according to guidelines that seek to ensure the fair treatment of all authors as well as others involved in an academic publishing process.

## II. PROPOSAL FOR AN ACADEMIC/ADMINISTRATIVE-ACTION PROTOCOL FOR ADDRESSING CASES OF BAD PUBLISHING PRACTICES

The proposal we present below is made responsibly, based on our publishing experience, and in order to promote ethical behavior and good publishing practices, especially for Latin American academic publications. We believe that this proposal can serve as a basis for the construction of a model that would serve and cover all the angles presented today from the lack of ethics in publication to the proliferation of bad editorial practices. The main objective is to establish administrative processes that would oversee and follow up—at any stage of the publishing process—all cases in which are presented, detected or denounced those authors who in their articles fall into bad practices or unethical behaviors that would tarnish the integrity of research and the construction of scientific knowledge.

Both the proposal and the flowcharts, which we will present farther on, were prepared based on the analysis of policies, standards, guidelines and protocols presented by different institutions and international organizations related to the publishing field: Committee on Publication Ethics (COPE): “Principles of Transparency and Best Practices in Scholarly Publications;[11] and Flowcharts;[12] Directory of Open Access Journals (DOAJ): “Principles of Transparency and Best Practices in Scholarly Publications”;[13] Publishing Ethics Resource Kit (PERK): “Publishing Ethics Resource Kit for editors”;[14] Elsevier Group: “Policies”[15] International Association of Scientific, Technical and Medical Publishers (STM): “Preservation of the Objective Record of Science. An STM Guideline”;[16]

European Association of Scientific Publishers (EASE): “EASE guidelines for authors and translators of scientific articles published in English”; [17] National Organization of Information Standards (NISO): “NISO RP-8-2008, Journal Article Versions (JAV): Recommendations of the NISO/ALPSP JAV Technical Working Group”. [18]

In principle, all academic journals must assume their commitment, as publishing entities, to implement ethical and transparent editorial practices that support all their users in the publishing process; and to ensure the monitoring of their administrative procedures; always guaranteeing clarity and resolution to possible conflicts and to settle, in accordance with protocols and regulations, cases that arise from unethical behavior. The first is to establish and classify unwanted behaviors so that all authors can be aware of in detail, —right from the start—what the magazine considers to be a bad practice. We present and propose below the following general classification:

- *Copyright infringement ("academic plagiarism")*: when an author or authors use passages or fragments (paragraphs, data, images, graphs, tables) of other work(s) without giving credit or recognition to the original author, and present it/them as their own. Copyright infringement may be literal (total or partial); substantial (reproduction of a large part of other works without permission and recognition of the original sources); paraphrased (ideas, phrases or ways of presenting information are copied without reproducing and/or using the same words.)
- *Self-plagiarism*: when an author or authors use passages or fragments (paragraphs, data, images, graphics, tables) already published by themselves without giving credit or recognition to the original publication, presenting it as new. In this area we can identify: redundant articles (publishing the same information as new in two or more articles), or duplicate articles (publishing the same article in two or more journals.)
- *Fabrication, falsification or invention of data*: when an author or authors directly

manipulate, deliberately and fraudulently invent, change, modify, alter, distort, transform, omit and/or replace the data (interviews, surveys, statistics, graphs, drawings, photographs, etc.) or sections (methodology, results, conclusions) of an investigation to obtain their own benefits.

- *Conflicts of authorship and interests*: when an author or authors arbitrarily integrate one or more co-authors (coercion) or exclude another (when they should appear.) Not having the authorization of all co-authors for the publication of the article. Using research material for publication without giving credit to, or including original researchers. Integrating “non-existent” co-authors (inventing the name of a person or untruthfully putting in the name of one that exists.) The author or authors of the article present a conflict of interest with the investigation and its procedure.

Furthermore, there should be included all cases where there is a clear conflict of interest or any ethical problem with the publication, presented specifically in journals with clear-cut disciplinary characteristics. Considering all of the above, the journal or the publishing party must act administratively (a case file/case will be opened) in case of suspicion, complaint or accusation of any of the above-mentioned unethical practices or behaviors. In the event that these are unfounded, the case will be dismissed after review. The administrative procedure that will be effected can be presented in two stages of the publishing process: during and after the publication.

- If the case is detected during the editorial review and arbitration process, the article will be immediately discarded as regards publication, and will be registered as a rejected article. The author or authors will be notified of the situation, and will be given all available information justifying their rejection.
- If the case is detected after the publication of the article, it will proceed administratively in accordance with the policies and protocols of action presented in this document. The author or authors will be notified of the situation, and

will be given all available information to enable them to respond formally with reference to the case.

In order to deal with and to follow up each case (suspicion, complaint or accusation) in an objective manner, and to look for the best possible alternative solution, we consider it necessary (not mandatory), in accordance with the characteristics of the case, to use a nomenclature for the classification of faults consistent with their dimensions and implications.

### III. TYPES OF FAULTS

*Serious:* In several passages the article contains an exact copy of other published works, and these are not cited or referenced, or are not cited correctly. The text contains invented or fabricated data. The article was already published in its entirety or in large part (in any version or type of publication) or is based on the same information, with results identical or similar to another article already published. The article uses data, images or figures without the authorization of the original authors and /or without giving them the appropriate credit. The article presents serious omissions. The author and/or authors of the article present a conflict of interest with the investigation and its procedure.

*Moderate:* the article contains duplicate and/or redundant paragraphs cited correctly/incorrectly, and/or is redirected to another group, and/or is extended with additional data. Some phrases or lines are literally copied and incorrectly referenced. Some data have inconsistencies, or coincide with others already published. The article uses data, images or figures cited correctly, but without the authorization of the original authors. The article presents errors and omissions in several of its paragraphs.

*Minor:* the article presents some spelling errors, references or badly-referenced citations, typographical errors, data presented with some error in calculation, or neglect.

Whether or not the nomenclature of the typification of the offense is used, in case of any suspicion, complaint or accusation, the author

should always be notified about the situation. They may respond or may not; and this will require them to consider that the following types of responses can be presented:

- *Satisfactory response:* the author/authors respond within the established period, acknowledging the error and assuming the fault. In some cases, the author/authors provide additional information for the investigation of the case and undertake to follow the suggested actions.
- *Unsatisfactory response:* the author/authors do not know, or partially or totally deny the fault; they allude to various factors (third parties), in trying to avoid liability. They do not pledge to follow the suggested actions.
- *Does not respond:* the author/authors do not respond to the communication and formal presentation of the case evidence. Faced with this situation, the publisher must contact the authorities belonging to the institution with which the author/authors are affiliated, notifying them of the case.

In the event that there is suspicion, denunciation or accusation regarding an article already published, there must be a clear procedure that makes visible the offender/offenders who with their behavior weaken the process of knowledge construction that academic journals so zealously safeguard. That is why it is important not to delete or remove a published article if a bad practice is confirmed. The suggestions and recommendations (COPE, STM, NISO, Elsevier) for this type of case, is to favor errata, correction, the expression of concern, or retraction above elimination. This means that the affected journal will not delete or remove any published article from its publication. The elimination or removal of a published article should only be done if the following situations arise:

- People's health is put at risk.
- The political and social stability of a community is put at risk.
- The integrity of third parties is directly put at risk (defamation or slander.)
- Per formal request in connection with a police or judicial investigation process.

In the absence of any of the aforementioned situations, administrative procedure will be followed in accordance with the actions recommended by COPE, the STM and by Elsevier (see procedure in flowcharts.) These actions, depending on the case, are the following:

1. *Errata (Erratum)*: the article presents minor errors, such as an error in editing, layout or spelling; finger or calculation errors.

1.1 *Procedure*: at the request of the author/authors or of the publishing body, the correction is made and the errata are published in the most current issue of the journal, referring to the published article (data of the original publication) indicating the error. (For more details, check the flowcharts.)

2. *Correction (Corrigendum)*: the article presents a part of the work shown to be misleading (some parts have been copied, and/or erroneous and/or badly produced and/or falsified data has been presented.)

2.2 *Procedure*: the author/authors are notified; indicating to them what the correction is; the author/authors make the modifications. Only the corrections are published in the most current issue of the journal, referring to the published article (data from the original publication.) The original article retains its validity, but an addendum is included that includes the correction of the text and indicates “This article was corrected for (the reasons for the correction are included).” (For more details, check the flowcharts.)

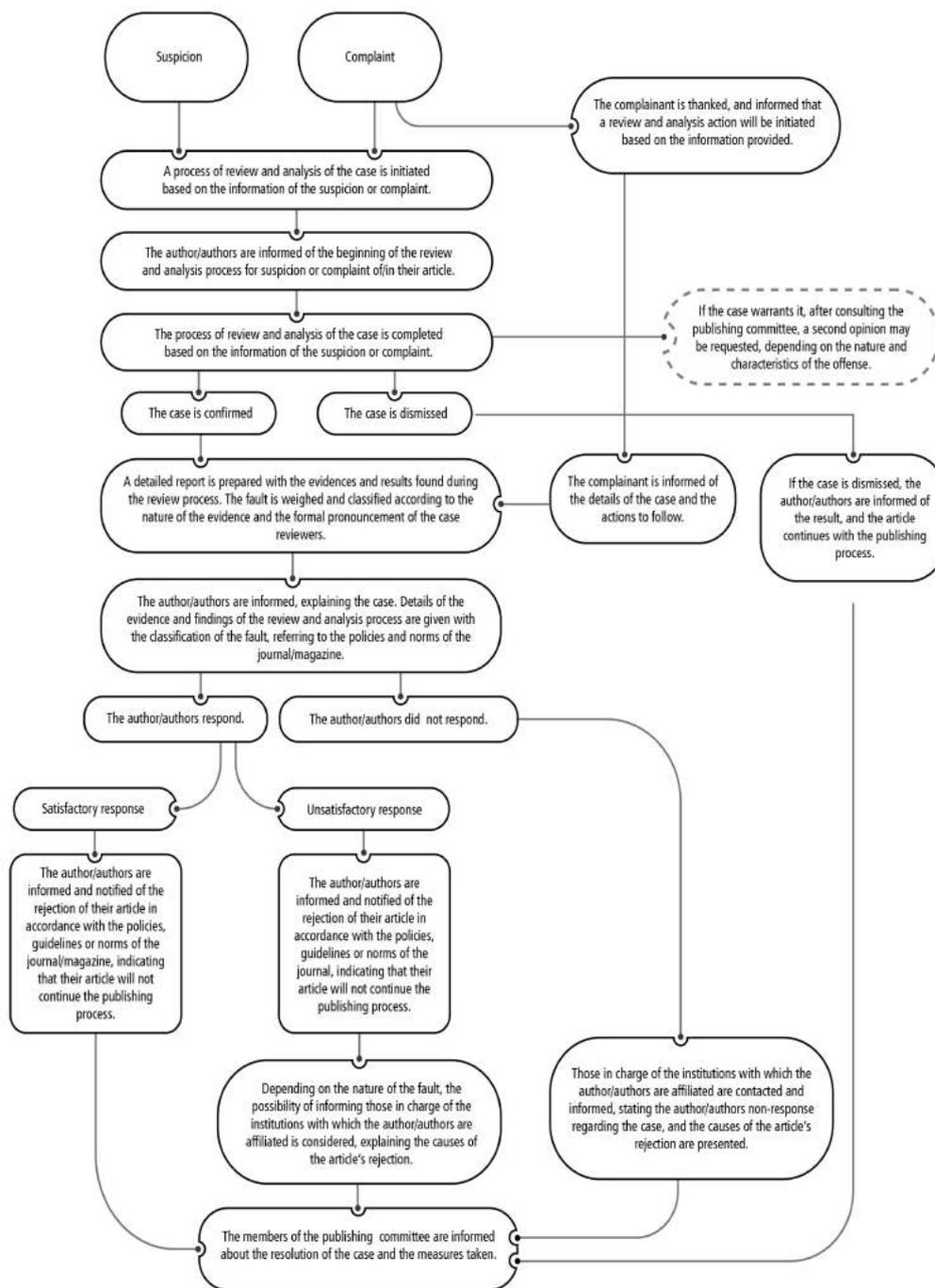
3. *Retraction*: the article presents a significant total or partial copy; the article has already been published on another platform or support; the article contains redundant information and /or data (copied, autocopied) or presents invented data or makes fraudulent use thereof; the article presents problems with its authors. Articles may be retracted by their authors or by decision of the publishing entity.

3.3 *Procedure*: the author/authors are notified to let them know the reason for the retraction. The retraction is published in the most current issue of

the journal referring to the published article (data from the original publication.) The original PDF article is still in use, but a watermark with the word “retracted” is added to the entire document; the digital files (html, xml, epub) are eliminated. Included is an addendum revealing that the article is retracted, and adding that, “This article was retracted for the following reasons (reasons included.) because of (the reasons for retraction are included)” (For more details check the flowcharts.) Retraction as a last resort is used to correct the literature, and to alert readers about publications that contain serious ethical flaws, so that their findings and conclusions cannot be relied upon. (For more details, check the flowcharts.)

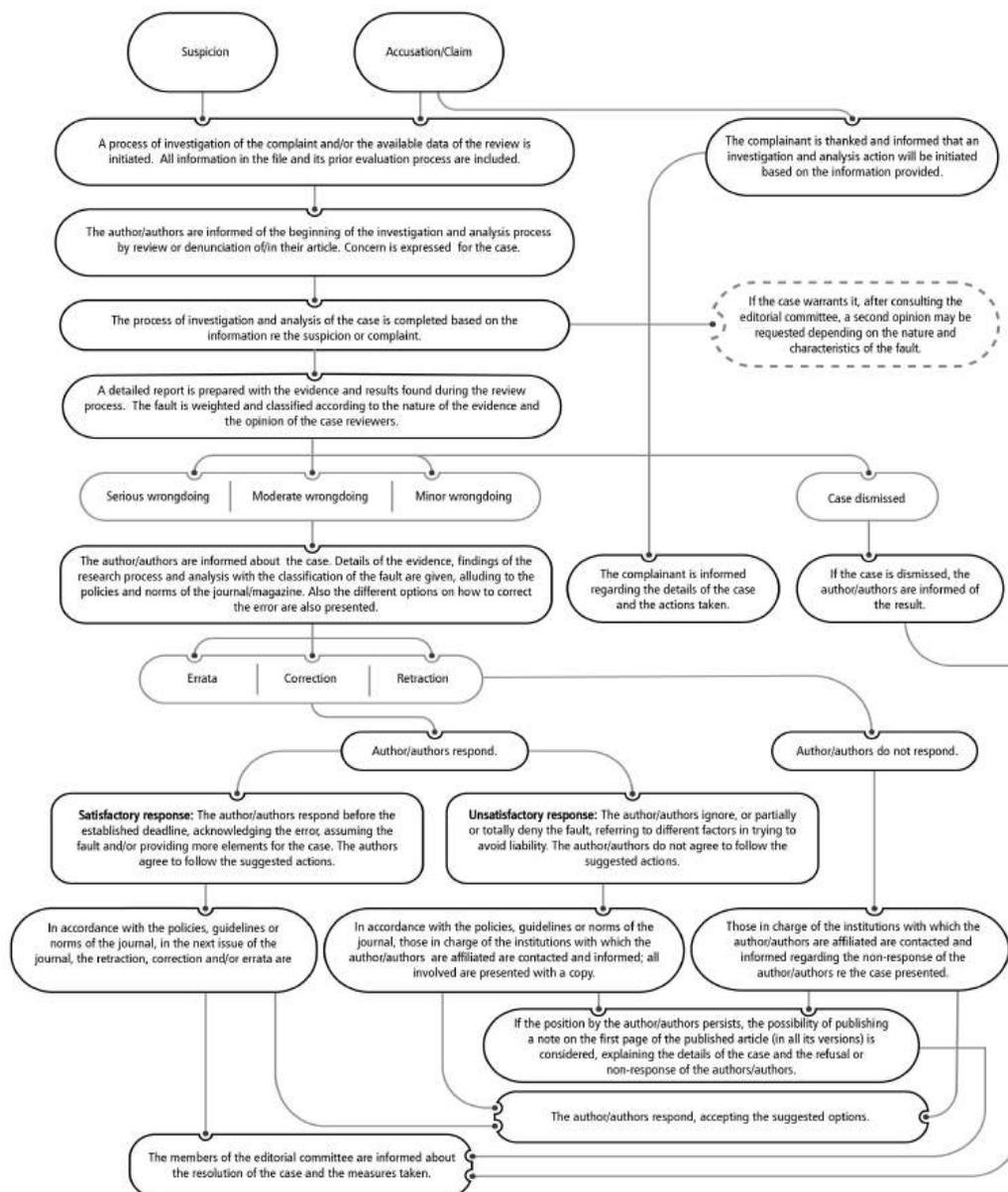
Everything indicated in this document is summarized in the following flowcharts to take administrative actions when facing unethical practices in the field of academic publishing. These diagrams are based on the principles of transparency and best practices for academic publications promoted by the Committee on Publication Ethics through its flowcharts.

Flowchart 1 Protocol of academic/administrative action regarding articles received and in process of publication in case of a suspicion, complaint or accusation.



Source: Our own production based on COPE, Elsevier and STM.

Flowchart 2 Protocol of academic/administrative action for articles published and facing suspicion, complaint or accusation.



Source: Our own creation of Flowchart based on COPE, Elsevier and STM.

#### IV. FINAL CONSIDERATIONS AND REFLECTIONS

One of the central points of this proposal is that all publishing teams must face and take charge of the presence of “bad practices”, with protocols and resolution strategies facing authors seeking to publish their texts fraudulently in academic journals. One can no longer avoid these issues by removing the evidence, leaving the guilty

unpunished and invisible. Editorial teams must address each case according to administrative protocols, without becoming censors or slaves of the software. This challenge brings with it the imperative need to develop a consensual definition for the requirements necessary for evaluating and analyzing an original, unpublished work so as to determine whether it contains all the elements needed for publication.

Sometimes our magazines are taking a shot in the dark, searching for the best way to face and solve these problems—for which we were not prepared. Today, publishing teams must be agile detectors of possible “bad practices”, although there is no training available. There are not even any institutional bases for backing up the steps to follow when these types of cases present themselves. Regardless of the fact that everyone must align themselves with the new publishing production forms, little has been done about it. The academic organizations, as guarantors of their journals’ publishing process, must assume their commitment as publishing entities. They must create the conditions necessary for achieving ethical and transparent publishing practices, giving support to all those involved in the publishing process. This requires professional training as well as the establishment of administrative bases (regulations, standards and protocols) that will aid in ensuring the construction and dissemination of scientific knowledge.

That being said, as publishing teams we must act in good faith as we deal with our authors, since the majority of these are pursuing good academic and editorial practices; very few fall into “bad practices”. We know—without trying to justify it—that the present-day system of quantitative evaluation associated with individual academic *productivity* is fierce. This creates pressures for the authors, leading them to make inappropriate decisions so as to maintain the income linked to that productivity. Everybody seems to be saturated with this mindset or capitalist form of knowledge generation. The pursuit of “indicators” on the part of the authors, the magazines, and the institutions themselves, has turned this state of affairs into a globally-lucrative business—disguised as “excellence”—as a means of ranking; as being “indexed” or receiving a scholarship. What we do not see, is that it is these same companies (those that sell us this “excellence”) are the same ones that establish the parameters for achieving it. They are also the ones that sell us the tools with which evaluate it: software and informatics programs. It is they who set the rules, and tell us that nothing we publish has any value

(even if it is of quality), unless it is created within the framework of this macabre game.

Those of us who find ourselves involved in the work of publishing, are going around in a whirlpool—absorbing and demanding—that works to toss out critical thinking, self-analysis and the defining of priorities. It is therefore important to stop at this point and reflect on what kind of scenario we want to create, and what steps we want to follow. Publishing teams and academics, backed by their institutions, should be the ones to make the rules by means of the criteria, norms and protocols pertaining to each discipline and context, so as to get back to the value of good practice, focused on the building of knowledge and the democratic dissemination of it. We therefore present this proposal, which we believe can help publishing teams develop their work in a safer, more comprehensive manner.

## V. GRATEFULNESS

A special thanks and appreciation to Lic. Lessie Evona York-Weatherman for her collaboration in the translation of this paper.

## VI. AGRADECIMIENTOS

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*Notes:*

1. Document consultation: Ley Federal del Derechos de Autor (Federal Copyright Law, Mexico); last reform published DOF 06-15-2018. Available at [http://www.diputados.gob.mx/LeyesBiblio/pdf/122\\_150618.pdf](http://www.diputados.gob.mx/LeyesBiblio/pdf/122_150618.pdf)
2. Document consultation, Ley de Derechos de Autor y Derechos Conexos (Copyright and Related Rights Law); Costa Rica; published in Gazette No. 212, November 4, 1982. Available at [http://www.sice.oas.org/int\\_prop/nat\\_leg/Costa/l6683.asp](http://www.sice.oas.org/int_prop/nat_leg/Costa/l6683.asp)
3. Reformed by article 1 of Law 7397, May 3, 1994.
4. Journal Perfiles Educativos (Num. 154, vol. XXXVIII, 2016) has a supplement on “Academic Plagiarism”, available at

<https://www.iisue.unam.mx/perfiles/articulo/2016-154-plagio-academico.pdf>

5. The author's own translation of the original text by Hexham (1999) "[...] Academic plagiarism occurs when a writer repeatedly uses more than four words from a printed source without the use of quotation marks and a precise reference to the original source in a work presented as the author's own research and scholarship".
6. For more details and information on types of plagiarism you can consult Maurel-Indart (2014) and Hexham (1999).
7. The tone of the wording in this paragraph is ironic since we believe that so far, although software programs can support editorial work, they have not been very useful; that is, they have sold us a product idea with misleading advertising.
8. The holding company iParadigms, LLC owns the Turnitin, Ithenticate and WriteCheck brands, three of the companies associated with the most important software in this area.
9. <https://www.turnitin.com/es>
10. Document available at <https://www.ithenticate.com/hs-fs/hub/92785/file-227590694-pdf/docs/plagiarism-detection-misconceptions.pdf>
11. Available at <https://publicationethics.org/resources/translated-resources/espan%C3%B5l-principios-de-transparencia-y-mejores-pr%C3%A1cticas-en>
12. Available at <https://publicationethics.org/guidance/Guidelines>
13. Available at <https://publicationethics.org/guidance/Guidelines>
14. Available at <https://www.elsevier.com/editors/perk>
15. Available at <https://www.elsevier.com/about/policies>
16. Available at [https://www.stm-assoc.org/2017\\_09\\_05\\_STM\\_Guide\\_Preserving\\_the\\_Record\\_of\\_Science\\_5\\_September\\_2017.pdf](https://www.stm-assoc.org/2017_09_05_STM_Guide_Preserving_the_Record_of_Science_5_September_2017.pdf)
17. Available at <https://www.revistacomunicar.com/pdf/documentos/2011-06-directrices.pdf>
18. Available at <https://www.niso.org/publications/niso-rp-8-2008-jav>

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