

Plagiarism and design

Introduction

Plagiarism in works of students is often associated with texts. Students copy texts from books, articles etc. written by other people without referring to the source. But the same problem exists with architectural design exercises. Designs can be protected by the Copyright law as well as a text and copying a design without the permission of the author of the design is as illegal as copying written texts without permission or in a way forbidden by the Copyright Law.

The Copyright Law

The Copyright Law describes in article 10 (this text is taken from an unofficial translation of the Copyright Law to be found at: http://www.ivir.nl/legislation/nl/copyrightact1912_unofficial.pdf, (Accessed July 21, 2011)) which works are protected by the Law:

§ 3 Works protected by copyright

Article 10

1. For the purposes of this Act, literary, scientific or artistic works include:

1°. books, pamphlets, newspapers, periodicals and all other writings;

(.....)

6°. drawings, paintings, works of architecture and sculpture, lithographs, engravings and the like;

7°. geographical maps;

8°. drafts, sketches and three-dimensional works relating to architecture, geography,

11°. works of applied art and industrial designs and models;

12°. computer programs and the preparatory material;

and generally any creation in the literary, scientific or artistic areas, whatever the mode or form of its expression.

The general rule is that: within the law everything is forbidden unless the author has given permission. So in principle the author is the only one who can reproduce his works or multiply it. A student copying a design (irrespective of it being realized or not) of architect X without X having given permission and presenting it to a teacher as his own work is breaking the law and is guilty of plagiarism. Also he is guilty of exam fraud because he is only allowed to submit his own work to be examined.

Statement on the tradition of artistic creation

(taken from: Blythman, M., Orr, S. & Mullin, J. (2007) Reaching a consensus: plagiarism in non-text based media. London College of Communication, University of the Arts

http://www.plagiarismadvice.org/documents/blythman_casestudy.pdf (Accessed July 21, 2011))

Artists create out of a long tradition of building on what is already in the world and then seeing and making something new of it. Its, therefore, acceptable/ unavoidable to use other people's work as a starting point for your creative vision, but you must move it forward in some way. For example, you might be inspired or impressed by another photographer's composition, setting, technique; you might want to create pictures "like that," but unless you add to that photographer's vision your own way of interpreting the effect you admire, you are merely copying (plagiarising). While copying a technique may be part of your learning and creative process, your finished photographs must develop and move forward what someone else has already done. You can do this by changing in some way that has a unique effect:

Content

Meaning

Lighting

Feeling

Context

Juxtaposition

References (changing, expanding, adding or subtracting)

One way to determine whether you have built on others' work or merely created a copy is to examine for yourself and then explain to others how your work differs from the referenced work. Your teachers will want you to be able to explain

1. Why you developed the referenced work in this way?
2. Who/what has influenced your work?
3. How have you changed/built upon those references?
4. Or to what effect and why have you referenced others' works in yours?

More information on copyright law

Inleiding auteursrecht, TU Delft, <https://intranet.tudelft.nl/live/pagina.jsp?id=8ced0549-6548-48f7-8371-23d5906f0c0a&lang=nl> , (Accessed July 21, 2011)