I've seen that someplace else

Avoiding plagiarism in school theatre demands education, ethics, and vigilance

BY ERIK VIKER

BY ITS VERY NATURE, theatre is a collaborative art form, and the boundaries of intellectual property can become muddled when the many design elements, movement choices, script interpretations, and other aspects of live storytelling come into play. Trying to decide what constitutes plagiarism in a theatre production can be difficult. One popular Internet source tells us plagiarism is “the unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one’s own original work” (Dictionary.com). Plagiarism is especially difficult to identify when applied to the many ways we express “language and thoughts” in the discipline of theatre. For educators trying to create a quality theatre experience for their students and, simultaneously, make ethically sound choices, it’s even more of a challenge.

Written texts can be compared for identical passages or obvious paraphrasing, but the complexity of theatre designs and stage movement do not offer teachers the convenience of a clear-cut determination of copied material. As a result, theatre teachers trying to educate their students about plagiarism have the burden of instilling in their students a broader sense of ethical practice rather than an exhaustive list of “do’s and don’ts.”

Many works of theatre are to some extent inspired by previous experiences in the performing arts and, in recent years, electronic records of theatrical works have made it easy for young theatre practitioners to move from inspiration to unauthorized or un-credited imitation. In her book Plagiarism, the Internet and Student Learning (Routledge, 2008), Wendy Sutherland-Smith describes the complexities of plagiarism in the digital age, noting how “the meanings people give to plagiarism depend on various interpretive contexts... It is not only a cultural and economic word but embodies intensely personal notions of intellectual politics as well.”

Using online resources for academic cheating is nothing new. Since the first dial-up modems went into action, websites dedicated to disseminating academic writing, for sale or as a dubious “service” to fellow students in need, have been part of the Internet community. But even when plagiarism is not blatantly intended, the modern conveniences available to technology-savvy young scholars have blurred the lines between “mine” and “yours.” In this digital age, we have constant access to words and images created by others, literally at our fingertips. Images and complete works of art are shared with the world via YouTube, and favorite music artists routinely “sample” the works of other performers as tributes, often with little regard for royalty payments or intellectual property rights. Facts and analysis can be found via Google and other search engines with the use of a iPhone. Information is exchanged instantly and almost continually by text messaging, Twitter, and social networking sites such as Facebook and MySpace. The resulting virtually limitless pool of available data has created a culture, particularly among high school and college students, that feels comfortable sharing ideas and concepts, often with an innocent disregard for honoring the original creators. But this instant accessibility does not have to result in a breakdown of intellectual property rights or common courtesies. Tim Roberts, writing in Student Plagiarism in an Online World (Idea Group Reference, 2007) states: "A media-rich learning environment would allow students to begin to understand plagiarism in new and perhaps more compelling ways." The ever-widening range of available media can complicate intellectual property issues for students but, at the same time, allows teachers to draw from increasingly relevant examples to help their students learn about the value of respecting artistic contributions of others and to demonstrate the boundaries of intellectual property. The instruction becomes less abstract when everyone can see the material, consider the artistry contributed by others, and discuss what is and isn't useable without permission.

The best practices for avoiding both intentional and unintentional plagiarism can be taught in high school, but the uncertain origins of some theatre concepts makes it a tricky area for the educator to navigate. Dennis Booth, Assistant Dean of the School of Design and Production, University of North Carolina School of the Arts, describes how the academic origins of some advances in theatre design can complicate the teaching of plagiarism issues. “Since the 1950s, the driving force of technical theatre innovation tended to be in the colleges and universities, and because of this, patents and copyrights were rare, and even rarer were lawsuits over copyright
infringements." Teachers can, however, look to the realm of copyright law to help guide theatre students in their efforts to properly credit the sources and inspirations that inform their artistry.

Copyright generally gives the owner of a creative work the exclusive right to perform or display it publicly, or authorize others to do so. Copyright infringement occurs when a copyrighted work is used without the copyright holder's permission. Plagiarism is more generally described as the use of another person's academic or creative effort without crediting the original creator. You can plagiarize the work of another even if that work is not copyrighted. Although plagiarism and copyright infringement are two different things, some overlap exists and copyright guidelines can help educators define plagiarism in quantifiable ways.

According to the United States Copyright Office, copyright protects original works of authorship that are "fixed in a tangible form of expression" including literary works; musical works, including any accompanying words; dramatic works, including any accompanying music; pantomimes and choreographic works; pictorial, graphic, and sculptural works; motion pictures and other audiovisual works; sound recordings and architectural works. Official copyright guidelines state "these categories should be viewed broadly" but specifically exclude "works that have not been fixed in a tangible form of expression (for example, choreographic works that have not been notated or recorded, or improvisational speeches or performances that have not been written or recorded)."

The difference between an "idea" and the "expression of an idea" figures prominently in copyright law and can help with theatre plagiarism decisions. For example, the specific choreographed movements and costume design images created for a production of Romeo and Juliet set in a Muslim nation may be copyrightable, but the idea of setting the play in the context of a Shiite-Sunni conflict is not copyrightable. Of course, it is always important to remember that copyright violations are legal matters, while plagiarism is essentially an ethical issue. Copyright law protects the text, music, choreography, theatrical designs, and final versions of visual presentation in performance when a record has been made of the artistic product.

Unfortunately, some high school theatre productions depend on recreating famous Broadway moments, and in some cases will mimic the entire staging of a previous production, either as a well-intentioned homage or due to
a lack of creative artistic leadership. As convenient and exciting as it may be for a teacher to allow students to re-create exactly what they have seen on Broadway, this is a serious lapse in professionalism and ethical teaching. Most educators who allow such artistic mimicry do so out of ignorance of the laws and standards, or because they simply don't know how to re-imagine a piece of theatre, not because they have malicious intent. But the responsibility for modeling best practices always rests with the teacher.

Educators should confer with their administration about increasing available resources, including artistic design resources. If the student company or faculty lacks the skills necessary to do original design and staging, then those resources should be sought elsewhere. That might mean bringing in a teaching artist such as designer or a choreographer at a financial cost, but it also creates an opportunity to enhance students' overall experience. Choreography, lighting, costumes, sets and general stage direction are all elements of a production that are likely to be plagiarized, either in total or in some piecemeal fashion. The digital age has made records of professional productions more accessible to amateurs and student practitioners, but has also made it easier for original creators to defend their rights to their work. Recent legal precedent involving regional productions allegedly mimicking the Broadway stage direction of the musical Urinetown have indicated that a director's artistic choices are not included in copyright protections. But as a result of this and similar litigation, the national conversation about protecting creative rights to less-concrete artistic products has intensified in the last few years.

Because plagiarism is an ethical, not a legal, issue, and can sometimes have very subjective boundaries, teachers should err on the side of caution. Copyright precedents provide excellent guidelines for teaching students about the difference between inspiration and unethical imitation. It's important for students (and their teachers) to understand that plagiarism, while not unlawful, can seriously affect their academic and professional careers and permanently damage their reputation. In some cases, where plagiarism is close to the border of copyright infringement, such as the Urinetown example above, copying could lead to legal action. The practical overlap between copyright violation and plagiarism is ethically and legally important, and can help educators clarify the boundaries of fair practices for artistic inspiration.

In scenic design, some theatre teachers will actively encourage students to mimic the design style of other artists to help develop basic drawing or painting skills. While there may be teaching and learning value in such a strategy, in doing so, educators run the risk of sending a mixed message about plagiarism or blurring the line between "inspired by" and "borrowed from without authorization." Because it is almost impossible to paraphrase an image or design idea, easily identified instances of inadvertent plagiarism due to source ignorance are
unlikely to occur with student theatre projects. Teachers are more likely to find cases of students doing research for their own projects and copying too many specific elements of others' scenic or costume design imagery in their final product. Says theatre designer and educator Craig Wolf, co-author of the popular textbook *Scene Design and Stage Lighting* (Holt, Rinehart and Winston, 1979), "Philosophically it is easy to say that we examine the work of other designers or artists in order to be inspired and that it ends there... pedagogically we must be able and prepared to discuss exactly why a design element is successful and impart that knowledge—as opposed to simply declaring that someone's design is brilliant. I find that encouraging solid visual research of my students and spending a good deal of time on what research is successful and what is not—and, most importantly, why—is of great import."

Wolf is among those educators who do not support the technique of mimicking existing designs to teach students design skills, encouraging teachers instead to require image and concept research that does not depend on specific theatre designs of the past. Whether or not teachers use design mimicry for skills acquisition, they should always be clear about plagiarism in actual realized designs. Although the exact location of the line between inspiration and plagiarism is sometimes hard to see, we can usually tell when it's been crossed. For example, a student might create a scenic design in the saturated-pastel style of artist Thomas Kinkade, but reproducing a specific Kinkade painting as the backdrop for a theatre production would be blatant plagiarism, and such thorough co-opting of another's work should not be permitted by educators.

When teaching the type of collaboration necessary to make good theatre, we often depend on group projects where students are expected to support each other and contribute equally to a final product. In any collaborative project, each student should document his or her individual contribution, not only to discourage the inevitable slackers who gain a decent grade by the efforts of more diligent classmates, but to ensure that says "Original scenic design by (designer's name) adapted by (current designer)."

Like a writer, a theatre artist usually doesn't need to cite sources when using material from the broad range of human knowledge and common sense. Clear expectations for students will help them decide when to credit a source or inspiration for their artistry. Students should be directed to several reputable citation resources about plagiarism approved by
their instructors, such as citation guides provided by university libraries, to ensure that the students are fully informed about how to properly give credit when it is due. A company called iParadigms, which operates the online plagiarism prevention service turnitin.com, provides excellent online resources about plagiarism at www.plagiarism.org. While still teaching traditional citation methods, theatre educators may need to develop, over time, a new convention, whereby the use of terms such as “Inspired in part by...” becomes more common in play programs when an otherwise original performance or theatrical design is informed by a previous work. They also need to emphasize to their students, repeatedly, that just because material and imagery is more openly shared via electronic media in our modern society does not mean the shared material should be used without crediting the originator. In other words, give credit where credit is due.

We are living in a fast-moving, ever-evolving time, and sometimes it’s hard to keep up with the changes that new technologies provide. But the nature of creativity has not changed. In theatre, that means people are still writing new plays and imagining new sets, music, and choreography to entertain and move audiences. It is the responsibility of today’s theatre teachers to define the issues of theatre plagiarism for future generations of theatre practitioners. By simply entertaining the conversation, educators can help students recognize the uncertain boundaries of intellectual property that exist in the discipline of theatre and make them understand and honor the work of artists. Trusted, insightful teachers can help young theatre practitioners more fairly and effectively acknowledge their inspirations and collaborations while still allowing their personal creativity to flourish.

Here is some good closing advice offered by writer and educator Jack Lynch (The English Language: A User’s Guide, Focus Publishing, 2008) about citing unconventional text material that can also be applied to the intangibles of theatre: “A good faith effort to document the source of the information is usually enough. That will usually include the author’s name if it’s known, the title of the work, the larger work of which it’s a part, the date it appeared, and the publisher—whatever.” When in doubt, common courtesy and fairness are usually the safest guidelines to apply. In conventional scholarship, critical thinking skills are demonstrated by how students apply others’ concepts and questions to issues being discussed. If we have the same expectations for theatre, we encourage others to consider our beliefs as embodied in our artistry. Finally, remember that the best education you can offer your students in regard to plagiarism is to lead by example. If you do the right thing, they’re likely to follow. And that’s not plagiarism. It’s good teaching.

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