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11.

SLOW AND UNCERTAIN JUSTICE IN MATTERS OF ACADEMIC INTEGRITY

Catherine de Gourcuff

Abstract

Catherine de Gourcuff, a lawyer at the Paris Bar, invites us to understand the ways in which justice intervenes in matters of academic integrity in court or in disciplinary proceedings. She observes how little the academic order is equipped, by virtue of its professional standards, to make its procedures legally admissible. As a result, many academic situations cannot be dealt with by the courts. An example? The term 'plagiarism' does not exist in law, it is called 'forgery', a term that does not exist in the world of academic writing. Justice has difficulty in using codes of research ethics, because the legal and the academic do not identify in the same way the facts that the laws have provided for. And what about the real obstacle course that awaits the plaintiff who has to face a criminal trial? What researcher, what author, is prepared to devote two to ten years of his or her life to these procedures?*

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1. Introduction

The title of this chapter might suggest it is reversing roles by bringing the civil, criminal, or administrative institution of justice to trial. Quite the contrary in fact, as French citizens and legal practitioners often observe that justice is a powerful social regulator, benefiting from its separation from the world of academia, which in turn guarantees its independence. According to the magistrate and philosopher Antoine Garapon, ‘Justice’s symbolic nature must signify the preeminence of discussion, and the primacy of ordinary law over all parties.’²³⁹ This preeminence and primacy are what enable judicial order within an adversarial process, but this process comes at a cost, and it has its own particular pace and risks that need to be assessed.

Regarding scientific integrity in academia, practitioners, lawyers, and legal experts dealing with a victim’s request have various tools at their disposal: the court, but also disciplinary procedures, alternative dispute resolution, conciliation, mediation, transaction, and arbitration.²⁴⁰ Which tools ought to be favored?

Since attempting to cover the vast field of legal practice would be over-ambitious, I propose to examine a personal experience, specifically the case of Guillaume L., which illustrates this issue well.²⁴¹ It shows that resorting to the institution of justice, however imperfect, risky, and even stigmatizing this may be, may nevertheless be unavoidable.

²³⁹ E. Mathias, ‘De la présomption d’innocence à l’innocence des présomptions: Le procès pénal dans l’ère de la post-vérité?’, *Droit Pénal*, 32(1) (2020), Study 3.

²⁴⁰ ‘ADR’ is favored by French legislation: Law no. 2016-1547 dated 18 November 2016 on the modernization of twenty-first-century justice seeks to appease conflicts and relieve congestion in courts; L. Cadiet and T. Clay, *Les modes alternatifs de règlement des conflits*, 3rd edition (Paris: Dalloz, 2019).

²⁴¹ First names have been changed.

Guillaume and Nicolas were university lecturers and researchers in physics and mathematics at two French universities, U and W. Nicolas was on the jury for Guillaume's thesis. After contacting all possible academic bodies in vain in 2014 and running out of mutual agreement possibilities, Guillaume decided to sue Nicolas and his publisher, R, before the Paris High Court in 2015. Nicolas had reproduced two articles co-written with Guillaume in 2009 and 2012, deliberately removing all references to his co-author, to supplement a second edition, released in 2013, of a book published under his name alone. The damage was serious as both articles were based on important work from Guillaume's thesis.

The judgment rendered on 15 December 2016 found in favor of Guillaume, after a rather complex legal debate requiring the participation of several witnesses on both sides. But the sentences were relatively light in view of the case's significance: 10,000 euros for psychological damage and, naturally, the obligation to name both co-authors in the disputed book, in addition to reimbursing legal fees also amounting to 10,000 euros.

Despite further demands by Guillaume, W University, which was informed of the judgment that had become definitive in 2017, did not take any disciplinary action against its lecturer and researcher Nicolas, whose career has not been affected in any way.

When we consider this case, which features counterfeiting and parasitic copying (the breaches of scientific integrity that are brought before the courts by far the most frequently), and when we also consider other decisions, we can make three observations.

First, the academic authorities within the university (the disciplinary tribunal) does not operate satisfactorily, for both structural and procedural reasons, forcing victims to resort to a court procedure. However, an ordinary law court, whether civil, penal, or administrative, can only settle disputes slowly and partially, although it

does provide a beneficial ‘primacy’. Alternative dispute resolution, which is rarely used, is a third and little known approach, but it cannot free academia from the need to reform its regulatory procedures.

2. The limits on academic practices

The lawyer who meets with an alleged victim of another academic for the first time, whether it is a lecturer and researcher or a student, cannot help being struck by the pressure bearing down on the various protagonists.

This pressure is exerted by the academic institution and is amplified by the dizzying availability of publications and forums where members of the academic community can express themselves. This can be summed up in a nutshell by the famous maxim ‘publish or perish’.²⁴² Open science has become a paradigm and a strong economic imperative.²⁴³ New technologies (copy-paste, translation algorithms, etc.) are accelerating and globalizing the sharing of ideas. Innovations are quickly reproduced, making them obsolete. Globalization also tends to blur normative reference points, while awareness of intellectual property law appears to be sparse within French universities (with the exception of legal experts, naturally).²⁴⁴

In this context, which requires stable reference points, disciplinary law in French academia seems to be deficient for several reasons.

²⁴² C. M. Case, ‘Scholarship in Sociology’, *Sociology and Social Research*, 12 (1928), 323–40.

²⁴³ EU Directive 2019/1024 on open data and the re-use of public sector information; ‘Scientific integrity and open science’, OFIS (French Office for Research Integrity) symposium, 4 April 2019.

²⁴⁴ C. Caron, ‘L’œuvre libre confrontée à quelques aspects du droit commun des biens et du droit d’auteur’, *Communication Commerce Electronique*, 7–8 (2018), 10–14.

In the past, French universities sought independence from judicial and political institutions. On 17 March 1808, they obtained an imperial decree stating that their councils would be granted disciplinary competence by setting up a litigation section (which is a jurisdiction within the meaning Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms).²⁴⁵ This is what makes them exceptions within the public service, on the grounds of the independence of lecturers and researchers, as is the case for other civil servants such as magistrates.²⁴⁶

Such aspirations are found in most liberal professions, and particularly in law. The aim is to have one's own rules in order to prevent the central authorities from interfering, while eliciting trust from the public. Lawyers created a form of professional oversight as early as the thirteenth century, and adopted a genuine unified national code of ethics in 1988, in addition to complementary rules specific to the Paris Bar, for example.²⁴⁷ The ethical union of European lawyers is a reality²⁴⁸.

But such independence bears a risk: the lack of the primacy described by Antoine Garapon, especially when the disciplinary system is neither substantiated by norms nor professionalized or open to third

²⁴⁵ Decree 2020-785 of 26 June 2020 nevertheless reserves the 'disciplinary jurisdiction' solely for lecturers and researchers and excludes the users (students), who are henceforth subject to administrative sanctions. For a critical analysis, see N. Philippe, 'La réforme des sections disciplinaires des universités: Une "déjuridictionnalisation" passée inaperçue', *Village de la Justice*, 9 June 2020.

²⁴⁶ M. Touzeil-Divina, 'Progression de la répression disciplinaire du plagiat de la recherche', in *Le plagiat de la recherche scientifique*, ed. by G. Koubi & G. Guglielmi (Paris: LGDJ, 2012), pp. 163-86.

²⁴⁷ C. Boërio and others, *Déontologie de la profession d'avocat* (Paris: LGDJ, 2020); M. Attal, *Culture judiciaire* (Brussels: Larcier, 2015), p. 14.

²⁴⁸ The European Code of Ethics has binding force (Article 21 of the Interior National Regulations for French Lawyers).

parties. From the external point of view of a legal practitioner, the academic disciplinary institution appears to be a closed community. Several very tangible problems inevitably arise.

First of all, only the chancellor of a university can initiate a prosecution (if that person is absent or at fault, it is the role of the rector), whereas other disciplinary procedures allow for referral by a third party.²⁴⁹ A reform of disciplinary procedure recently separated the procedure for lecturers and researchers on the one hand, which remains largely the same, from the procedure for users (students), where the scope for litigation is much broader and the procedure was dejudicialized but the referral slightly extended by Law 2019-828 of 6 August 2019 on the transformation of public service to ‘anybody who considers him or herself aggrieved by deeds imputed to the user’ through the rector.²⁵⁰

But which university chancellor can initiate disciplinary action? The chancellor of the university where the deed was committed, in other words the place where the alleged wrongdoer works, in most cases. If the deed is committed outside the university premises, the establishment where the incriminated person works is still competent.²⁵¹ This is also the case for lawyers: the order to which a lawyer belongs territorially is disciplinarily competent, but the procedure has more transparency and professionalism. Moreover, there are more lawyers, which generally (but not always) prevents a profession from being too closed-in on itself, and

²⁴⁹ Article R 712-29 of the Code of Education for Lecturers and Researchers and Article R 811-25 of the same Code for users. For a lawyer, ‘anybody concerned’ can refer a matter to the President of the Bar—P 72.2; *Avocats Barreau Paris, Reglement interieur du Barreau de Paris (RIBP)*, 22 October 2021.

²⁵⁰ Article R 811-25 of the Code of Education; Légifrance, *Code de l’éducation*, 2021.

²⁵¹ Article R 712-11 for lecturers and researchers and R 811-13 of the Code of Education for users.

the various bars do not compete with each other.²⁵² What university chancellor or member of a jury that has accepted a thesis would spontaneously incriminate one of their lecturers and researchers, or the person she has just congratulated?

Guillaume, the plaintiff, contacted the chancellor of the university where Nicolas was a lecturer and researcher in vain before he initiated legal proceedings; the rector remained equally silent. Only the minister's office answered Guillaume, telling him they had asked the chancellor of this university to examine his request. To no avail. The feeling of being stifled, even of *omertà*, continued after Guillaume brought his lawsuit before the judicial court: the testimonies, which necessarily had to be from colleagues working in similar disciplines, sometimes proved to be as difficult to obtain as tactical votes for an election to the *Académie française*.²⁵³

Secondly, there is no clear set of professional norms concerning the violation of scientific integrity to which a legal expert can refer.²⁵⁴ This means there is no set of common and specific rules, democratically established and with binding force, and the result is that people believe the law is toothless. Even though declarations and charters exist and continue to be drafted, these norms have little legal force; they are neither contracts (or if they are, they are simply membership agreements) nor codes negotiated and applicable to an entire

²⁵² In Paris, the Order of Lawyers comprised 32,000 lawyers, including honorary lawyers, in March 2020 (according to avocatparis.org/chiffres-cles), compared with 7,250 lecturers and researchers at the University of Paris (according to u-paris.fr/les-chiffres-cles).

²⁵³ In a more muted tone, see P. Corvol, *Bilan et propositions de mise en œuvre de la charte nationale d'intégrité scientifique. Remise du rapport à Thierry Mandon, secrétaire d'État chargé de l'Enseignement supérieur et de la Recherche*, 29 June 2016, pp. 4 and 19.

²⁵⁴ Namely a code of ethics; G. Cornu, *Vocabulaire juridique* (Paris: Presses Universitaires de France, 2020).

profession.²⁵⁵ Mireille Delmas-Marty defines norms, in their ideal form, as ‘models for action, models for evaluation’. She has shown that when they proliferate without clarity or binding force, they lead to a dilution of responsibilities and legal insecurity.²⁵⁶ Some of the professions I have mentioned, which proclaim their independence, have equipped themselves with common, precise, and recognized disciplinary rules, amounting to codes of ethics.²⁵⁷ This process can (or could) be an opportunity to discuss the specificity of wrongdoing within the fields of education and research.²⁵⁸

Added to this is the fact that the investigation procedure is poorly organized and therefore often perfunctory, especially since the victim does not take part; Article R 712-33 of the Code of Education states that the investigation report ‘must contain only the statement of facts’ in

²⁵⁵ Mention should be made of the efforts undertaken to create such a reference corpus: a national charter of ethics for research professions, signed by the CPU (University Presidents’ Conference) and several research organizations, and the creation of the OFIS in March 2017. However, not one of the twelve members of its Council (COFIS) in October 2020 was a legal expert. See *Charte française de déontologie des métiers de la recherche*, January 2015; Article 1110 of the French Civil Code: ‘Membership agreements contain a series of non-negotiable clauses, written in advance by one of the parties’; Corvol, p. 41.

²⁵⁶ M. Delmas-Marty, ‘Normes, formes et dogmes: Regard d’une juriste’ in *Sciences et société, les normes en question*, ed. by M. Bergadaà and others (Arles: Actes Sud, 2014), pp. 47-62.

²⁵⁷ French national regulation for lawyers to which is associated an extensive jurisprudential corpus; Collection of ethical obligations for magistrates published for the first time in 2010 by the National Council of Magistrates; Conseil national des barreaux (CNB), *Règlement intérieur national (RIN) de la profession d’avocat*, 2021.

²⁵⁸ See the stimulating article by L. Marino, ‘Repenser le droit du plagiat de la recherche’, *La Semaine Juridique*, 50 (2011), 2483-89.

addition to the observations of the prosecuting authority and the person brought before the court.²⁵⁹

Thirdly, there is no place for the victim. This is true of all disciplinary procedures as it is essential to maintain order within an organization, but the plaintiff is not necessarily completely absent. The procedure is not public (Article R 712-36 of the Code of Education). The victim receives no compensation.²⁶⁰

Finally, the decisions of the CNESER, the appeal jurisdiction for the decisions of disciplinary bodies, which is composed of academics, are poorly reasoned and lenient, even lax: 42% reduce the initial sentence, especially since only an appeal by the university chancellor can lead to a heavier sanction.²⁶¹ Yet, according to Mathieu Touzeil-Divina, ‘very few appeals are brought by a university administration (which is clearly sociologically and politically afraid of daring to oppose the disciplinary board which partly elected it)’, to which can be added the wish not to condemn one of its accused lecturers and researchers.²⁶² Mathieu

²⁵⁹ Reading the grounds for the decision of the CNESER 2/11/2015, case no. 1005, or the CE 11/09/2013, no. 362391, second recital, is a rather mind-boggling experience.

²⁶⁰ For instance, the plaintiff can be heard during a disciplinary procedure for lawyers. He is informed of the decision when the final judgment is given. The procedure is public. Above all, lawyers are not civil servants; they have individual civil and criminal professional liability.

²⁶¹ The 2019–2020 reform nevertheless obliges the CNESER to have a member of the *Conseil d’Etat* at its head, and appeals by users are directly placed under the scope of the Administrative Court. For a statistical study of the CNESER’s decisions and an interview with Mr. Zidi, its President from 1 January 2008 to 1 July 2019, see Y. Chouiter, A. Lerouge, and A. Lutzky, ‘10 ans de Cneser disciplinaire: 42% des décisions allègent la sanction de première instance’, *AEF Info, Dépêches*, 611828, 2 September 2019; Y. Chouiter, A. Lerouge, and A. Lutzky, ‘10 ans de Cneser disciplinaire: Qui sont les personnes jugées, pour quels faits et dans quels établissements?’, *AEF Info, Dépêches*, 611379, 2 September 2019.

²⁶² Article R 712-43 of the Code of Education.

Touzeil-Divina does not hesitate to call the CNESER a ‘Lenor judge (with added softener!)’.²⁶³

Consequently, when it is possible, appealing to the court system is therefore tempting, complementary, or obligatory in certain disputes which by their nature or their gravity cannot come under the sole jurisdiction of the disciplinary order. To prevent it from remaining a closed community, it may well be necessary to change French academic culture from the outside, as it is clearly struggling to change from the inside.²⁶⁴

3. The ups and downs of judicial trials

From a lawyer’s point of view, the most daunting aspect of a trial is the challenging nature of the argumentation in a highly adversarial and therefore more demanding context, in addition to the legal uncertainty; from the perspective of the client, in this case a plaintiff who is a party to the proceedings, it is the human and financial cost of an exhausting lawsuit.

It is worth emphasizing, first of all, that many situations cannot be dealt with judicially: as has been said many times, plagiarism, which is the principal offence in these procedures, is not legally a crime.²⁶⁵ Only counterfeiting is, and this merely deals with the ‘form’ of a work, which

²⁶³ M. Touzeil-Divina, ‘Université, plagiat et juge souplesse (avec adoucissant!)’, *La Semaine Juridique—Édition Générale*, 35 (2013), 890.

²⁶⁴ On ‘tolerance of plagiarism’ within academic institutions, see Jean-Noël Darde’s well-researched and politically engaged online blog *Archéologie du copier-coller* (Archaeology of copy-pasting). Note that being committed to such a cause comes at a cost, as is not uncommon to be sued for defamation when denouncing fraud; J.-N. Darde, *Archéologie du ‘copier-coller’*, 2020.

²⁶⁵ H. Maurel-Indart, *Du plagiat* (Paris: Gallimard, 2011).

can pose serious problems in hard science, for instance.²⁶⁶ The notion of unfair competition and parasitic practices, a concept from case law which is used increasingly often, can be considered a palliative, however, for it focuses more on the substantial economic value and intellectual investment that may have been misappropriated by the plagiarist. But proving it is challenging for the plaintiff. This is how Guillaume was able to win the case against his co-author Nicolas, thanks to many testimonies from the scientific community bearing witness to the significant value and primacy of his work, which was copied without authorization or due credit.²⁶⁷ Other types of fraud affecting scientific integrity (modifying results, etc.) are difficult to include in ordinary law categories; fraud is essentially a tax-related notion and concerns consumer rights or criminal law, so it is difficult to apply to scientific fraud.²⁶⁸

Although positive law can address certain breaches of scientific integrity (essentially counterfeiting and parasitic practices), it is a complex matter to discuss. This is clear from the case of Béatrice Durand, instituted by Marie-Avril Roux Steinkühler, which included a subtle debate on the notion of disclosure and a meticulous examination by the Court of her requests, which my colleague carried out with great distinction. In Guillaume's case, proving his authorship was an archaeologist's task, as it required different versions of the co-authored articles reused by Nicolas under his name alone to be presented. After that, identifying which versions of the two articles were the original

²⁶⁶ Criminal and civil offence: Articles L 122-4 and L 335-2 of the Intellectual Property Code so that the plaintiff can choose between criminal or civil justice.

²⁶⁷ Paris High Court 15/12/2016 aforementioned. See definition of intellectual parasitism: Cass. com., 31/03/2015, no. 14-12391, M. X v. Sté Générale, Industrial Property no. 6, June 2015, comm. 49; J. Larrieu, 'L'étudiant plagié et le financier', *Propriété Industrielle*, 6 (2015).

²⁶⁸ Article L 441-1 of the Criminal Code: a counterfeit is not only material (forging a document); it can be intellectual (counterfeiting the truth).

ones was a job for a linguist, in order to justify the protection by copyright law that made it possible to identify an act of counterfeiting.²⁶⁹

There was also an in-depth legal debate on whether a counterfeiting offence could even be possible between two co-authors. The court considered that there had been wrongdoing, but only between competing co-owners (one of whom had parasitized the other), and that there had not been any counterfeiting. The grievance was nevertheless maintained against the plagiarist's publisher, who did not contribute to the creation of the work.²⁷⁰

For non-specialists, this debate may seem convoluted, but it gives an idea of the profusion of obstacles and means that can be used: time limitation, inadmissibility, exceptions, etc., not to mention Nicolas's shameless requests to have Guillaume condemned, accusing him, as is very often the case, of being a plagiarist himself. Discussions can be liberating but they can also increase the violence suffered by victims. Moreover, the university where the protagonists work is necessarily aware of the dispute, because the civil procedure is based on the parties' evidence, so testimonies quickly become necessary, including the 'customary' evidence, whose purpose is to enable the court to understand the rules and issues related to a specific profession.

The criminal offence of counterfeiting can also be used, and should be reserved for exceptional cases. A criminal trial is long and stigmatizing, and it is no longer the purview of the parties concerned, because it is filed by society against a defendant. It requires adding a

²⁶⁹ We obtained testimony from a university colleague who was a professor of linguistics.

²⁷⁰ With regard to civil counterfeiting, the publisher's good faith, though not contested in this instance, was ineffective; the publisher was condemned *in solidum*.

moral element, namely a guilty mind, and gives the benefit of the doubt.²⁷¹

Even when they end in a victory—and what if it they do not?—lawsuits have a human cost (they last from two to ten years), a financial cost (at least 15,000 euros in legal fees), and a professional cost. Guillaume saw some of his colleagues turn their backs on him, starting with the chancellor of U University, where he is a lecturer and researcher. When asked what help he could provide to resolve what was at the time in the pre-litigation stage, the chancellor dismissed the affair, considering it to be certain to fail, and severely warned Guillaume that he had to respect his ‘duty of loyalty’ (*sic*).

Compensation does exist, but in such cases it is difficult to assess, so the sum is always a flat rate, often merely symbolic (the damages rarely exceed 10,000 euros), because the injury is considered by the judge to be essentially moral in nature.

Although powerful, regular justice appears to be quite unsuitable for tackling ‘intellectual delinquency’ in academic circles, due to inadequate normative categories, arduous and sometimes excessively violent proceedings, and judges who are unable to compensate victims for the specific injuries they have suffered, and still less the scientific community for its injuries.²⁷² Victims are rarely satisfied by the compensation, because their true goal is to be recognized by their peers for their legitimate contribution to research and knowledge. Some of them even consider the injury to be above all a collective one.²⁷³ They all lament the failure of academic institutions to act, which forces them

²⁷¹ For instance, ten years after the fact, the Court discharged the defendant on the grounds of the benefit of the doubt (CA Paris Pôle 5, Ch. 12, 23/09/2015 no. 14/07720).

²⁷² M. Bergadaà, *Le plagiat académique: Comprendre pour agir* (Paris: Editions L’Harmattan, 2015).

²⁷³ G. J. Guglielmi, ‘Plagier une thèse de droit privé n’est pas seulement une affaire privée’ *Drôle d’En-Droit*, 11 October 2010.

to resort to the law and sometimes fails to duly acknowledge judgments rendered.²⁷⁴ Guillaume L. informed the chancellor of the university where Nicolas still teaches of the verdict, and the rector as well. Neither of them even answered.

Once again, we return to the academic institution whose responsibility has to be called into question, if need be legally. Administrative jurisprudence seems rare in this regard. In a decision of 27 July 2005, the state council agreed to hear Mr. X's complaint against University of Bourgogne for tolerating the plagiarism of his thesis, but then dismissed it.²⁷⁵ The length of disciplinary procedures, though often denounced, remains unavoidable—in this case three years and two months for proceedings in the court of first instance.²⁷⁶

It is tempting, and even beneficial, to force an institution to face up to its own responsibilities. For this reason, Thomas Clay, interim chancellor of Panthéon Sorbonne University and legal expert, when faced with a spectacular case of plagiarism, referred it to the Paris Prosecutor in September 2020, in particular pursuant to Article 40 of the Code of Criminal Procedure.²⁷⁷ This is the subject of Jean-Baptiste Soufron's chapter in this book.

²⁷⁴ M. Battaglia, 'Le long parcours d'une plagiée pour faire reconnaître le "pillage" de sa thèse, *Le Monde*, 10 November 2010; L. Fessard, 'Le plagiat de thèse reste un tabou à l'université', *Sauvons l'Université!*, 4 October 2010.

²⁷⁵ CE, 27/07/2005 no. 265106.

²⁷⁶ CE, 23/12/2015 no. 385172.

²⁷⁷ Clay co-authored a book on alternative dispute resolution; Cadiet and Clay. Article 40 of the Code reads 'Any constituted authority, public officer or civil servant who, in the performance of his duties, becomes aware of a crime or misdemeanor, is obliged to notify the public prosecutor without delay and submit all the information, reports and acts relating thereto.'

4. A third approach?

Are more peaceful solutions possible? Alternative dispute resolution has been professionalized since 2010 in our civilly oriented procedure, mainly in the form of mediation, either judiciary (ordered by a judge, with both parties' consent), or spontaneously organized before the trial by the parties. Legal experts specializing in intellectual property have been trained in mediation techniques and remain completely independent of the parties, who are accompanied by their lawyers, who are also specialists.²⁷⁸ A mediator may charge 300 euros per hour, excluding VAT, but there are three significant advantages: pragmatism, discretion, and most of all, direct human contact between the defendant and the victim, which explains why certain outcomes exceed expectations, sometimes spectacularly.

Academic institutions might imagine welcoming such a tool, but mediation is not second-rate justice.²⁷⁹ Any lawyer knows by experience that mediation cannot succeed without a clear and common definition of norms. Indeed, agreeing to negotiate is the result of accurate knowledge of the legal risk incurred, which also means working with legally trained, independent, and properly paid professionals.

Ordinary law justice and disciplinary academic institutions are complementary, but it is generally felt that the former often supersedes the latter, with its advantages and disadvantages. Legal culture and legal rules must evolve within academia, not necessarily through disputes, but assuredly in a professional manner, to protect people who create and serve the knowledge they pass on.

²⁷⁸ For instance within the CMAP (Paris Centre for Mediation and Arbitration) or the Association des Médiateurs Européens.

²⁷⁹ See the Institute of Research and Action on Fraud and Plagiarism in Academia's (IRAFPA) work on this matter.

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