

# ACADEMIC DISHONESTY IN PERUVIAN UNIVERSITIES POSTGRADUATE SCHOOL OF THE NATIONAL AUTONOMOUS UNIVERSITY OF TAYACAJA “DANIEL HERNÁNDEZ MORILLO”, HUANCAVELICA, PERU

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## Abstract

Honesty is the value of telling the truth, faithful to their own moral principles and ideals without any interference in their actions or decisions. This applied, exploratory and bibliographical research makes us aware of the changes that have occurred in scientific production as a result of the generalization of new technologies which, together with the Internet, have led to the exponential production of scientific knowledge; parallel implementation of content similarity verification systems such as: Turnitin, Urkund, Grammarly, Plagiarism Checker, among others; the same ones that in their internal procedure compare the investigation with the information stored on their servers, not knowing the volume of information analyzed, the type and degree of updating over time, given that at this time information is created every second in the world . It is superficial and irresponsible to qualify as "plagiarism" in the reports issued by the "similarity verification programs" in terms of date, these programs only compare the research information with the data found on their servers without the ability to determine the reason why said data has been inserted in the document, as is the case of: Covers, Bibliographic References, Background and Textual Citations, even more so when the system does not have a verification system for indirect citations or paraphrases in the theoretical framework leading the research unit to return an investigation forcing the researcher to reach 20% similarity destroying the value of previous historical information that is validly accepted in the APA style manual leading universities to penalize and sanction processes based on the "similarity index" and in

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some cases, due to subordinate interests, the to scientific research for political interests, so this research seeks a new starting point for similarity tests so that the supervision units assume their true initial role of becoming responsible for the verification, control and consequent approval of the work. Of investigation based on the supervision by consultancy that to date has been questioned by the media who are unaware of the investigation methodology.

**Keywords:** Academic dishonesty, plagiarism, academic integrity, similarity indices, copyright.

## 1. INTRODUCTION

Academic writing has its beginnings since the appearance of writing and is of vital importance for scientific development and the advancement of science and knowledge, the important thing we must know is that this development occurs in a staggered manner over time, through the use of prior knowledge, a situation that would be impossible in the event that each specialist must create their own knowledge at each instant of time as projected by the programs that verify the similarity index that focus on reaching 0%. In that sense, we currently have some situations that we must analyze and discuss in relation to school, technical, university and postgraduate academic writing. In secondary education it is evident that the state as the fundamental axis in charge of the beginning of the development of knowledge of all citizens, it is observed that teachers for the training process do not generally have the norms in the National Curriculum Design to search for the capacities and competencies in scientific writing, therefore, adequate teachings are not provided so that the contents presented as development of school activities (academic tasks) can meet the basic regulatory parameters, projecting to fulfill academic activities in higher education, being so that In general, university papers downloaded from the Internet are presented incorporating only a cover with the name of the teacher and the student, these papers being graded "by weight" since they do not have any type of analysis or teaching rubrics that may imply the creation of a new knowledge and the only thing i know What can be observed is the expense in printing and decoration in the presentation, but there is no evidence of any progress in learning achievements. At the higher technical level and undergraduate at the career level, there is no requirement for the presentation of academic activities (university tasks) requested by teachers and in the same way, a strict verification of the recovery and analysis of the contents has not been carried out. . On the other hand, there is a whole trade around the doors of the universities for the production of university papers in such a way that it only implies a cost of payment for the writing of any type of work, the same that we only need to bear the cost and collect the work on the corresponding date with their respective ringing or pasting. In the same way, the exhibition works through the use of Power Point both at the secondary, technological or university education level, there is no adequate parameter that establishes the writing procedures to respect copyright because there are no rules for the writing in presentations unless it is necessary to condition it according to the APA style manual (2019) (American Psychological Association) for its term in English, its standards facilitate the preparation and presentation of academic works; understanding that university papers are only evaluated for those who are about to graduate from a university

career, an idea has been established that the APA style manual (2019) is only useful for writing final research papers and that career jobs can be presented without any rigidity.

## **2. MATERIALS AND METHODS**

### **A. Methodology**

This research work is an applied study, as explained by Carrasco, which seeks to "expand and deepen the wealth of existing scientific knowledge about reality" (2013, p.43); and it also corresponds to an exploratory study, as explained by Hernández & Mendoza (2019) because "they serve to prepare the ground. They precede the investigations with greater scope" (p. 106); Likewise, it is a bibliographical study because "it consists of a scientific observation of the facts that appear as given objects and whose instrument for collecting facts and data [currently the internet pdf] are the cards" (Zubizarreta, de Rivas, 1994, p. 11).

### **B. Background**

Ordoñez (2021) presents his thesis for the Complutense University of Madrid whose objective was to analyze if a set of strategies for the prevention of academic dishonesty and the perception of academic dishonesty by university students, its methodology follows a quasi- experimental, through design of non-equivalent groups and presents as conclusions: (1) Design three types of materials that are used for the prevention of academic dishonesty behaviors. (3). To measure the perception of academic dishonesty that UCM students have through a test with evidence of reliability and validity and to analyze the perception of academic dishonesty that students have. (4). Describe whether students are understanding the principles that define academic dishonesty and whether they adequately identify academic dishonesty behaviors. (5). Describe the negative effects that acts of academic dishonesty can have. (6). Use the Virtual Campus as a means of reflecting on the reality of academic dishonesty through material, questionnaires and giving answers to the doubts generated. Aguirre (2020) presents his thesis whose objective was to show the contrast of aspects related to academic dishonesty in the institutional framework of six state public universities (UPES) in Mexico, using as a methodology, the bibliographic review to approximate in a synthetic and organized way, some presumptions inseparable from the aforementioned topic, as well as the observation and discussion of this research, follow the guidelines of Van der Maren (2004) with respect to the dimension proposed by the author on speculative research and conceptual analysis. The corpus is of an intertextual and contrasting type, where the theoretical statements are constructed from the points of view of the authors, and it is concluded that: academic dishonesty in some universities and institutions that carry out research, it was shown that the most common faults are the fraud, forgery and plagiarism; students cheating on exams and self-plagiarism are considered as dilemmas that require intervention by ethics committees. In detail, Derived from the exploration in the academic and scientific fields, the problem of dishonesty summarizes the following: (1) In the scientific field: The main motivation for fraud, forgery and plagiarism (FFP) comes from

the pressure exerted between individuals and institutions where scientists must report on scientific activity and quality. (2) In philosophy: Moral judgments about behavior are based on precepts that do not apply universally; assessment guidelines and standards of conduct are essential in institutional settings; efforts should be made to obtain individual values and adherence to institutional values. (3) In society: Misconduct can be presented as an indicator of social evolution determined by ICTs and other sociocultural factors; lack of integrity is related to cultural difference and not to intellectual development. (4) In education: Educational centers are a means to transfer constructive and reliable knowledge; the organizational vision of the authorities and the teaching staff must be exemplary and procurer of an ethical institutional climate, having to know the skills in analysis, argumentation, academic writing, research methods; awareness on issues of academic honesty or intellectual probity. (5) Legally: Definition, clarity and dissemination of the norm is required; know the basic elements of authorship; be trained on the action in case of complaints; follow-up of complaints due to breaches of integrity; as well as update, amend or repeal laws and regulations. Fabián, Fernández & Sáenz (2018) present their thesis whose objective was to identify and determine the frequency of citation errors in research papers leading to a bachelor's degree or degree in medical students from Peru in 2017 and to determine the similarity and frequency indices of citation errors; Methodologically, it is a descriptive, cross-sectional study that incorporates 228 research works. Variables were collected, the similarity indices found in Turnitin and citation errors were identified. The Paragraph Error Ratio (REP) and Percentage of Paragraphs with Error (PPE) were calculated. Relations were sought between the secondary variables with REP and PPE, whose results correspond to: 80.7% of the works presented citation errors. The most frequent errors were "Copy and Paste" (67.9%) and "Inaccurate Citation" (64.9%). The similarity indexes and publication ranking were related to the REP and PPE; Conclusion: Citation errors are frequent in research papers and Turnitin serves as a screening to detect them together with a detailed review. The higher the position in the publication ranking, the lower the REP and PPE figures, suggesting that the institutional experience in research is related to the presence of citation errors.

Díaz (2017) in his research work related to academic plagiarism presents as a fundamental objective to evaluate the performance of some free access tools through the internet; whose methodology corresponds to a preliminary quantitative analysis using essentially the methodology proposed by Kakkonen & Mozgovoy (2010); In this research, a total of four documents were reviewed in each anti-plagiarism program for each type of plagiarism to be detected. A simple Google search was designed with the words "free anti-plagiarism tools" and "free anti-plagiarism tools", discarding those that did not allow plagiarism. The revision of a minimum volume of 20 papers per day. The evaluation was divided into three parts: the first purely qualitative, discarding the applications that did not meet the pre-established criteria, the second involved the preliminary quantitative analysis of a total of 27 works with different forms of plagiarism and the third evaluated with the methodology of the curves ROC the performance of each tool selected against Turnitin as a "gold test". The analysis showed three free tools with an acceptable

performance to detect copies of texts coming from the Internet: Small Seo Tools, DupliChecker.com and Search Engine Reports, being the first one the one with the best performance in real conditions.

Guerrero (2011) analyzes his Score fusion model with document similarity systems theory, and uses the analytical study methodology of research and test methods, including the description of the facts and their critical assessment. Where it concludes that (1) The experimental results have shown that the proposed model is effective in determining the probability of copying between Documents and therefore it is an efficient method of recognition of written copy. (2) After the thesis project, a Data Fusion Model by Score (MetaScore) was developed that takes the best linearization and combination techniques to deliver a reliable and adequate result. (3) An in-depth investigation was carried out regarding data fusion techniques, reviewing fuzzy ranking techniques that in a first stage of the thesis was considered the best way to solve the problem, which was later discarded when finding Less complex and more efficient Score Fusion Methods. (4). When tasks containing statements are found, the Similarity Detection Methods will recognize them and score them depending on the size of the statement. As this case of copy similarity would only cause noise in the final detection, when the proposed data fusion model is processed, the Score assigned by the similarity method will drop and the mentioned task will not be considered as a probable Copy source document.

## **C. Theoretical Basis**

### **a. Similarity:**

According to RAE (2022a) From lat. Similitūdo (1) f. Corresponds to similarity as indicated by the Pan-Hispanic Dictionary of Doubts (RAE, 2022B), it is an unnecessary copy of English (similarity) or French (similarité), which is replaced by Spanish terms such as similarity, similarity, analogy or similar, so Drae recommends using resemblance instead of similarity, so similarity should not flow since it should be similarity and not similarity (Vos, 2022).

“The Similarity Score Index” (SSI) or simply “Similarity Index”, “similarity report” or “similarity check” is the comparative analysis of a student's academic work against the Turnitin program server that has ( supposedly) billions of content sources (Turnitin, 2022a¶4), generating a report of similarity of the problem areas of the student's academic work, informing if said wording coincides with any information from the sources, the same ones that are marked with a color code, being able to serve as a tool for the process of supervision or evaluation of the intellectual production and determine if the coincidence is acceptable, making it clear that it is not reviewed or informed if there was plagiarism or not, it should be noted that it is completely It is normal for a content to coincide with an entry or textual citations were used, being the case that some coincidence will be shown (Turnitin, 2022b)

### **b. Integrity:**

Comes from the Latin *integrĭtas*, -*ĭtis* (totality, virginity, robustness and good physical condition), is derived from the adjective *integer* ('intact', 'whole', 'not touched or not affected by evil') which is made up of *in-* ('not') and a root that is the same as that of the verb *tangere* ('touch' or 'reach'); the original purity and without contact or contamination of an evil or physical or moral damage. Integrity is used as a synonym for "morality". Integrity is based on 13 things such as: Honesty, honesty, respect for others, correctness, responsibility, emotional control, respect (Wikipedia, 2022).

### **c. Honesty:**

From the Latin *honestĭtas*, or quality of honest, adjective with meanings of "decent, decorous, demure, modest, reasonable, just, upright, upright and honest" deducted as virtue or quality of honest and sign of "righteousness of mind and integrity in the act" (Drae, 2021). The Roman philosopher Marco Tulio Ciceron, in his work: "The offices and the duties" explains that honesty is manifested "with the fulfillment of the obligations that are present in all the activities of human life", as opposed to the useful, to pleasure and suffering and represents the very end to which the human being must aspire to be upright (Ciceron, s.f.). According to Confucius, honesty is one of the most important values and components of a healthy personality with its environment and with others. This virtue is based on harmony with others and consists of putting oneself in the place of one's future life, and past and future generations, choosing not to do anything that might tarnish the family's honor or reputation (Cox, La Caze & Levine, 2017).

### **d. Dishonesty:**

It corresponds to the lack of honesty in the words or acts of people (OUP, 2022). Applies to the lack of integrity when dealing with the things of others (meanings.com, 2022). Dishonesty is a crime because the action can constitute a scam and in other cases, it can be an ethical fault when the action is minimal and can go unnoticed (definicion.de, 2022).

### **e. Plagiarism:**

In Roman law, the act of stealing children, slaves and cattle was called "plagiarism"; Years later, it began to be used in criminal law as a synonym for kidnapping. In the 1st century AD. C. the phrase begins to be used to refer to the theft of ideas; The poet Marcial is attributed the use of the term "plagiarist" to refer, in literature, to the person who has stolen his works (Timal & Sánchez, 2017). The poet Marcial wrote the following sentence in which he used the word for the first time:

"I entrust you, Quinciano, my little books. If I can call mine those recited by a poet friend of yours. If they complain of his painful bondage, he comes to his aid entirely. And when he proclaims himself the owner of it, say that they are mine and that they have been released. If you say it out loud three or four times, you will embarrass the plagiarist" (Gonzales, 2011 taken from Timal & Sánchez, 2017).

In the 19th century it was said that plagiarism is:

“The mask under which a disgusting and creeping being hides his deformity in order to be able to appear among the people without being disgusted by his ugliness and his miseries, or that plagiarism constitutes a literary fault that entails greater immorality, the most disgusting and the most which should be considered as a patent of incapacity and a symbol of shame” (Wampersin, 1893 de Timal & Sánchez, 2017, p. 6).

## **D. Current Situation**

### **a. Honesty and Integrity in Peru today**

Honesty implies compliance with the rules of good conduct, in Peru the costs of dishonesty are immense for the development of the country, for which the Comptroller General of the Republic estimates that corruption costs the country 17 billion dollars per year. Therefore, it is necessary to study the honesty of the nation to find some edges that inform us of its development and level of incidence. The OCDE (2018) in its study on integrity in Peru points out how one of the signs of difficulty in "integrity" is evidenced by "cash contributions during electoral campaigns" by political parties and the distribution of gifts during electoral campaigns" as well as clientelism, the low quality of asset and interest declarations, the informality in political financing and the gaps in lobbying regulations, which are projected towards private interests generating a high level of perception of corruption; It is necessary to highlight the interest of the President of the Republic, in actively participating in the OCDE, who stated this in his last message to the nation on July 28, 2022.

### **b. Analysis of academic dishonesty**

At the time that I developed my master's thesis at the National University of Education Enrique Guzmán y Valle around 2007, the investigations were carried out exclusively with reference to theses and printed books using the bibliographic records, being absolutely forbidden to make a copy and not yet the use of the camera was widespread, the cell phone did not have options for photography, nor did it have internet service, and we had to visit different university libraries to obtain master's and doctoral theses related to the research variables, and Regarding books, I had to visit used book fairs for several weeks to obtain material for the development of the theoretical framework; In general, everything was done physically, and both the research project and the final report were delivered in four bound copies for review by the advisors, of whom only one reviewer was known who was the research advisor and the others reviewers were appointed by the university and their names were unknown, but advisors were appointed by resolution, so that on that date they were official activities of the university's responsibility; It should also be noted that the projects and reports were delivered physically and these were returned with the necessary observations for their correction, but there was no supervision system currently known as a "similarity index" (or in any case it was unknown) being the The only conditioning factor was the review of style that was verified by a university professor specialized in communication sciences and generally focused on the problems of gender,

number and connectors, not remembering any specific style manual that should be strictly complied with and the scheme was sufficient methodological delivered by the thesis teacher.

It is interesting to note that despite the fact that there are generally (04) four thesis courses in addition to the university work methodology and communication course, it is the case that until now, students do not follow a sequence of thesis development, repeating the presentation of the project or draft of the project up to the four cycles of thesis development, having to start again in many cases with a new project at the end of the degree, although this or not is new in view that in the ten years of study of basic education regular (Secondary Education) the student was never explained about the problem of respect for copyright, the existence of a style manual or a methodological technique to develop an investigation and worse still, homework is generally graded "to weight" simply by placing a cover on an academic product reproduced from the Internet.

For my doctoral thesis at the National University of Education Enrique Guzmán y Valle in 2013, the research was already being carried out by doing a basic look at the internet, but references to any web page were absolutely prohibited and only books were allowed and it was definitely mandatory. the search for information in the university library, in which copies and photographic shots of the theses were prohibited, the same ones that did not have their digital references on the network, so it took a long time in the manual transcription of the framework theoretical references, nor could digital references be presented, but the book references had to be totally physical, the same ones that were verified by the advisor who had hours assigned by the university for personal thesis advice and the corresponding review, whose advice was recognized by Resolution of the Postgraduate School, sending both the projects and the Inv Reports quadruplicate double-spaced ringed estigation for the review of the jury in charge of the support who, by approving and signing the official certificate of approval of the thesis, were providing the conformity of the thesis by the university.

It should be noted that throughout the process and sheet by sheet, the advisor appointed by the university had to give his approval as well as the correction observations, being jointly responsible with the master's or doctoral student for the progressive development of the research until its final approval. Additionally, in the opinion of experts, university teaching staff, in my case with a Ph. design of the dimensions and construction of the surveys. Currently, as a thesis teacher, I observe that university students have no idea what the style manual means, nor respect for copyright, so my first concern was to review the Regular Basic Education Curriculum Design, not finding "capacity" or "competence" related to the presentation of school work or also called at that level as "school tasks", in such a way that, from a very young age, millennials have learned to search the internet, copy content, add a cover of property and thus present it to teachers, thus obtaining good grades without having made any effort, a fact that is universally accepted in the national geographic context, the same that is normally repeated at the technical, professional or university technological level and also in postgraduate studies. Except for the cases of



research projects and reports, in which the thesis professor and the advisor are responsible for insisting on respect to the insistence of presenting a document that has the structure of the APA style manual (2019), the same that is standardized worldwide, except in universities that work with applied projects and that still continue to use the style manual Vancouver.

### **c. Intellectual Property and development of scientific research in Peruvian Universities**

When a person creates a work of any kind, it is considered that he owns it, therefore, he and only he can use it for his own benefit since said property is protected by copyright and its infringement is penalized by copyright law, the criminal code, the civil code and international treaties. When we make our own, the information created, invented or worked by another person or we pretend to be its authors, we are violating such rights, which is called plagiarism. One of the recognized ways to avoid plagiarism is to tell our readers that we are not the real authors, but to indicate where the information we are using comes from, the Bern Convention for the protection of literary and artistic works already in 1971 emphasizes in its Art. 10 Inc. 3 that: "quotations and uses (...) must mention the source and the name of the author" also including honest uses and the measure justified by the purpose pursued, understanding this as not oversize or avoid the exaggerated use of paragraphs on several pages referring to the same author. Despite the existence of a variety of Style manuals, such as APA, MLA, Chicago, Vancouver, among others, since its birth in 1929, the publication manual (APA, 2019) has been growing progressively until it has reached sufficient maturity, imposing itself on the different style manuals, currently being the most used in universities worldwide, being in the Spanish language in its fourth edition, the same as in its chapter 8 numeral 8.1 indicates that you can "cite the work of those individuals whose ideas, theories or research have directly influenced their work", emphasizing that the works cited must provide key information that supports the formulation of the thesis or offers definitions and critical data (APA, 2019 p.259) being the two ways to avoid the plagiarism: citations and paraphrases, the first being an exact copy of the source text incorporating the author's last name, the year of publication and, if necessary, the page number in a of the document, and in the second case, an improved option of the source text also incorporating the surname and year, both explained in considerable detail in numerals 8.23 to 8.36 of the APA 4th style manual. Spanish edition.

### **d. Academic dishonesty by important personalities dedicated to plagiarism**

This eminently academic explanation is definitively opposed to the anti-ethical activities of certain people who, without respect for scientific research, appropriate the intellectual property of third parties for their own benefit, being evident that plagiarism verified and sanctioned in due course, correspond simply to the illicit appropriation of intellectual

property and should not harm the development of scientific research in the country, as is the case of "Plagiarism" carried out by a candidate for the Presidency of the Republic who, together with the university of his property, committed plagiarism in the processes related to the authorship of the book "Educational Policy–concept, reflections and proposals"; as well as the doctoral thesis "Teaching Competence and Student Academic Performance of the Private University in Peru"; a former President of the National Superintendence of Education who was removed from office due to the loss of confidence as her reliability and lack of transparency were affected before the educational community, not being able to verify the evident plagiarism and a renowned Peruvian writer recognized worldwide, who plagiarized 16 journalistic articles of 15 authors , publishing in various media and finally a prominent member of the constitutional court who commits plagiarism being prosecuted and punished , observing only the copy of the notification card delivered to the former magistrate with retention of sentence pending the expiration of his mandate in the constitutional court, when any administrative action can only take effect after the signing of the resolution that does not exist.

#### **e. Misuse of the Turnitin by the media to damage the institutionality of the state**

On the other hand, it is also important to note that the work of politics has come to interfere in scientific research by tendentiously involving the media to destabilize state structures, even though computer systems are being used determinants of "similarity indices", to check in a bad way, the presence of a plagiarism trying to adjust in a negative and tendentious way the similarity indices to seek the fall of a political representative as is the case of the thesis: "Equity of gender and significant learning in the area of social personnel in the students of the IV cycle of the educational institution 10465 Puña-Tacabamba-Chota-Cajamarca, 2011" presented in 2012 to obtain the degree of Master of Education at the Postgraduate School of Cesar Vallejo University presented by the President of the Republic Professor Pedro Castillo Terrones and his wife Lilia Ulcida Paredes Navarro, having to understand, that having approved the thesis in the year 2012 to 2022, 10 years have elapsed, being the term to penalize plagiarism or piracy with a maximum term of 8 years according to Legislative Decree No. 28289, added to the fact that said thesis was already approved by the university (elcomercio.pe, 2022a).

Regarding the alleged plagiarism of the Minister of Labor Betssy Chavez, highly publicized by all the media at the national level, broadcast by the Panorama Sunday Program of March 20, 2022, noting that a 49% similarity index had been discovered in her undergraduate thesis , the Jorge Basadre National University, the university where the research was presented, had a statement regarding this statement where it states that: "Currently there is no software that, in the strict sense of the word, detects plagiarism in a academic and scientific publishing; there are only textual similarity detection software" for which the Minister of Labor Betssy Chávez pointed out that: "the identity of a thesis is determined based on the contribution obtained from the field work, from the statement of the problem with its variables and from the analysis of the information obtained" and that the Turnitin software "does not disable or reduce the value of the research work carried

out, much less convert the thesis into “plagiarism” or “copy” (Infobae, 2022). Being soon summoned to the Congress of the Republic and the Plenary of the National Representation approved the censorship of the Minister of Labor and Employment Promotion, Betssy Chávez Chino, for her lack of capacity and serious negligence in her management at the head of her sector, which which constitutes a serious political responsibility by violating articles 39, 44 and 119 of the Political Constitution, whose decision was adopted by 71 votes in favor, 28 against and 12 abstentions (Congreso Noticias, 2022). The newspaper La Tercera publishes in its edition of April 04, 2022 at 8:27 p.m.: "New controversy shakes Castillo's cabinet: Minister of Education of Peru Rosendo Serna would have plagiarized more than 70% of his doctoral thesis after review the document with the Turnitin tool, a plagiarism detector used worldwide, for the thesis entitled: "The framework of good teaching performance and emotional intelligence in teachers at the secondary level of the UGEL, Huánuco 2017", supported by the Minister before the Enrique Guzmán y Valle National University of Education in December 2019 and because the university began using the Turnitin from 2020, therefore, it has not been possible to carry out the similarity analysis in that year. Being the second of the ministers denounced for copying segments of his thesis (elcomercio.pe, 2022b).

#### **f. Big data**

Prospectively, with the new artificial intelligence systems and the large information storages found in the cloud, large corporations such as Google, Facebook, Instagram or Twitter freely use information from all over the world without any type of authorization to prepare data. Indexes of interest of each registered user and thus generate specialized information that is used for their digital marketing projects used in social networks, the same ones that are converted into cash by large corporations, and that are generally not covered by the legislation in view that to date, as there is no international legislation that protects the user, it is used indiscriminately by large companies without any type of control.

#### **g. Regulatory situation**

In 1948, the Universal Declaration of Human Rights (UDHR) is a document adopted by the UN Assembly, the same that in its Resolution 217 A (III) recognizes, in its Article 27 that "every person has the right to protection of the moral and material interests that correspond to it by reason of the scientific, literary or artistic productions of which it is the author." Recognizing that intellectual production is like this. On July 25, 1984, Legislative Decree 295 was enacted approving the Civil Code where in its article 2093: "the existence and scope of real rights relating to intellectual, artistic or industrial works are governed by the provisions of the treaties and special laws (...) article 886 Inc. 6, states that: Movable property: The property rights of the author, inventor, patents, names, trademarks and other similar. On April 08, 1991, through Legislative Decree No. 651, the Penal Code is approved, which in its article 219 indicates regarding plagiarism that: it will be punished with a custodial sentence of not less than four nor more than eight years and ninety to one hundred and eighty days- fine, who with respect to a work, disseminates it as his

own, in whole or in part, copying it or reproducing it verbatim or trying to disguise the copy through certain alterations or attributing or attributing to another the authorship or ownership of others. In 1993, the Political Constitution of Peru recognizes intellectual rights in its Article 2, numeral 8, where it states that every person has the right "to freedom of intellectual, artistic, technical and scientific creation, as well as ownership over said creations and your product." On April 23, 1996, the Copyright Law (Legislative Decree No. 822) was enacted, where in its Art. 1 it protects the authors of literary and artistic works, their successors and holders of related rights and in its Article 3 indicates that copyright protection falls on all works of ingenuity, literary or artistic field, whatever their genre, form of expression, merit or purpose. On June 5, 2018, in accordance with Law 30806 in its Art. 3, it provides for the modification of various articles as well as the incorporation of article 14A in relation to infractions and sanctions in its Inc. c) to the letter it says: "plagiarism and/or total or partial appropriation of experiments, data, images, conclusions and extracts in theses, research projects, reports and/or research results" as well as in its article in its Inc. d) states: "scientific articles that contain invention, falsification, plagiarism, manipulation or distortion of information, experiments and data, alteration of results and conclusions" thus initiating a process of valuation of intellectual property.

### 3. RESULTS

- a) Honesty and Integrity in Peru currently does not have a solid foundation for the construction of citizenship, so according to the OECD, one of the greatest strategies to solve the country problem is related to solving the honesty and integrity of the state given that the problem identified is related to economic contributions as well as gifts to citizens during electoral campaigns by political parties, thereby leading to widespread corruption of both the executive branch and the legislative power in power.
- b) The so-called Academic dishonesty is a situation that begins from the student's formative stage and runs throughout the academic career of the professional, being necessary that the ministry of education recognize said problem and make the decisive decisions so that the students begin to receive a Adequate teaching with full respect to intellectual property, thus leading to improve their analysis, writing and discussion, thus improving their critical performance.
- c) The development of scientific research in Peruvian universities is currently very weak because the value chain at the technical, university and postgraduate levels does not reach a good level due to the delays in regular basic education that need to be improved. with the team of university professionals who must recognize with certainty the problem of the weaknesses of scientific writing and thus restructure the curriculum to improve from the beginning the scientific writing capacity of the newcomers a field and that they can develop innovative scientific products that exceed the products that are currently generated.

- d) It is important that the legislative power develops the Law on Copyright (Legislative Decree No. 822) more effectively, given that new technologies develop very quickly, it is evident that new forms of management, dissemination, promotion and intellectual production currently globalizing all this product in the binary or digital world
- e) The malicious actions of the media misusing the Turnitin without placing the appropriate filters solely to damage the image of the authorities, in fact, they are harming the entire national university system, given that they have questioned the evaluation procedures for research theses due to the fact that, having recently standardized the evaluation programs that generate similarity indices, these investigations were approved only with the Turnitin test or similar program, ignoring peer evaluation, which is what specifies numeral 12.7 of the 2019 APA style manual.
- f) That, in relation to the law on copyright (Legislative Decree 822) where a whole procedure for intellectual property, ownership of rights, moral rights and patrimonial rights is specified; as well as the exploitation and duration of said rights; It is unfortunate that the regulations of the legislative decree on the copyright law have only been restricted to the administration of the National Registry of Copyright and Related Rights, which does not focus even minimally on all the problems inherent to intellectual property. thus becoming an institution that is only dedicated to the registration of authors, which definitely implies a prompt rectification by the supreme government, so that the problem of scientific writing can be integrated, as well as the intellectual production that is carried out. in academic institutions and allow scientific research and innovation in Peru to develop progressively as it should be.
- g) In relation to artificial intelligence and Big data, it is evident that large corporations are at this time making use of the information of all humanity at will with sufficient impunity, taking advantage of the fact that there is no international legislation that controls the use of the personal information of each user registered in social networks.
- h) At the level of scientific research and innovation in Peru, we are not at the highest level of intellectual production compared to the best universities in the world, but the steps of scientific development necessarily involve trial and error situations that the community in general must recognize, and that the exaggerated criticisms made by the media, do not allow this child to walk and fall at will in the search for his development, having to recognize the value of the truth; recognize that we do not have the best scientists in the world; that we do not have Nobel prizes in science or in other professions, but that we make every effort to move forward on this arid path of research, and it is also essential that future researchers be given the opportunity to make mistakes, and move forward progressively in order to reach the levels of Newton (gravity and light), Darwin (the evolution of species), Madame Curie (radioactivity), Albert Einstein (the theory of relativity) or Francis Crick and James Watson (discovery of DNA) who at the time reached the heaven of science.

#### 4. DISCUSSION

As far as considering that it is intellectual property, if we say "Jesus Christ" we must refer to the Bible, and from there we go to an endless story since we do not have the date of creation of the Bible or the certainty of who the author was, since Some writings mention that the one who compiled the Bible was Saint Jerome, and so on; Regarding brand patents, we should omit some "connectors" that are recognized by Turnitin because they correspond to a specific brand or to a reference source, but in new technologies both the discovery of electric current, alternating current and direct current or the radio were parallel discoveries or the combination of several discoveries and investigations that came to be patented hours apart, and it just so happens that, for example in the case of Nicola Tesla, he did not mind patenting it immediately because he had extraordinarily innovative ideas that until today To date, they have not been applied in their proper dimension, such as the generation of electromagnetic waves generated by kilowatts of electrical energy, which to date have not found an application, in that sense, patenting the Marconi radio with its consequent Nobel Prize in Physics in 1909 ; Returning to the complete idea, it is likely that my idea, totally original and innovative for me, could have been, devised and reflected in an article beforehand, even more so than, in a deep investigation, regarding the intellectual production of the classics. (500 years before Christ) "novel" investigations that have already been studied 2,500 years in advance are emerging, such as the theory of waves and the theory of particles, both conjugated in Albert Einstein's theory of relativity Nobel Prize in Physics in 1921; Even more so, with the exuberant flow of new knowledge that runs through the internet, many of these contents come together at the same point in time, in very distant places on the planet. Leaving the doubt of who the author really is and that many times, as in the case of music, it is sought through the judicial process, to value five unknown musical notes to demand the primacy of intellectual rights and obtain the profit of a hit in a bad way. Musical that was worth millions of dollars at the time but that for the whistleblower had no value. Therefore, it is important to take these details with a grain of salt on the subject of intellectual property. As a researcher, I admit that I have made mistakes in my theses and research but that along the way I have been learning, walking in the dark in time, without an expert researcher (a specialized adviser) to show me the light along the way, in the same way , thousands of students seeking their degree walk blindly and crawl to the support of their research, but with great certainty they will be the new current of researchers who will promote this path of science, but it is essential that the universities assume their real autonomy and do not allow the press to harm this generation, observing at this time that the sword of Damocles of 20% similarity index established by most universities ceases to be valid, allowing knowledge of the past to form part of the new research assuming the formative role granted by the methodology of science so that through expert reviewers (university teachers) researchers) fulfill their role of taking responsibility so that the university responds as an obligation and defends its researcher to the last consequences because for this an approval certificate has been signed, which is a totally legal document that jointly by the entire jury that must bear the assets and liabilities of both the investigation and the investigator's effort. Finally, the proposal is not

a free door for bad researchers who intentionally take advantage of the intellectual production of others for their own benefit, which is what the law is for, for the corresponding sanction.

## 5. CONCLUSIONS

- a. It is evident that the Copyright Law (Legislative Decree No. 822) and its responsible entity, Indecopi, does not fulfill its function since it has been converted into its regulations as a National Copyright Registry (Supreme Decree No. 063-2017-PCM) which does not correspond to the goals set in the Law, being of vital importance to strengthen the protection of intellectual property
- b. The university must comply with the peer review process, with professors and researchers (thesis advisors) who assume their responsibility regarding a responsible review, given that to date it can be observed that said position is only in name but that it does not fulfill in error to which they have been designated.
- c. Universities must assume their autonomy as soon as the normal methodological development of the research has been verified, preventing the press from harming the researcher very easily, and must understand that said prejudice also extends to the image of the university.
- d. The misuse of thesis verification systems based on "similarity indices" are not allowing scientific development because to date and in some cases even covers and bibliographical references, background, textual citations and even connectors are included. as part of the similarity index thus damaging the scientific depth of the investigation.
- e. The evaluating professors are unaware of the use and configuration of the analysis programs of the similarity indices, thus forgetting the verification of the contents and development of the structure of the research, executing only the program and returning the work to the researcher only because it happened from 20 % of similarity, favoring the university that a professor can use to evaluate hundreds of theses only by passing the test of the program when a thesis analysis requires a wide space of time for the analysis of the research together with the interview with the researcher to provide the corresponding observations.
- f. The similarity programs fulfill the function of comparing the investigation with the information that it has on its servers, not knowing in what context said content was reached, how often the information is updated on the servers and what happens with the thousands of investigations that they are in physical form in libraries but have not been translated into the digital system, thus, a complete plagiarism could be carried out and not be detected by the system.
- g. In the case of bibliographical research, textual citations are required as detailed in the APA style manual, given that to date they are rejected because they harm the similarity

index, since, when "source data" is eliminated, they destroy the relevant information that should remain as background because it is critical data that supports the theoretical validity.

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