

In an article in the May edition of *Quadrant*, Keith Windschuttle accuses me of committing the academic malpractice of plagiarism in an article I have published on pornography. He also accuses me of lying. Windschuttle relies on an anonymous Melbourne informant (hereafter WAMI) for his information. These are of course very serious charges. In his magnanimity, Windschuttle doesn't call for me to be sacked as Professor of Politics at La Trobe University. He does, however, say that after the publication of his damning expose I should find it difficult to look my students in the eye. As I will show, every aspect of his argument is entirely false.

To build his case Windschuttle cites two La Trobe University regulations. The first defines plagiarism as “paraphrasing someone else’s words without acknowledging the source”. The second as “using facts and information from a source without acknowledging it”. The second of these regulations is in reality concerned with inadequate citation rather than with plagiarism, which rests on the idea of word theft and an intention to deceive. He also cites a regulation from the University of Melbourne on academic misconduct. This regulation is irrelevant to the charge of plagiarism leveled by Windschuttle and WAMI. In the first part of the regulation, in their academic work, scholars are advised, if using a quotation, “to locate and read the original source of the quotation for yourself.” This part of the regulation concerns inadequate scholarship or citation. In the second part they are advised: “your footnotes must acknowledge that you are relying on the second author’s recording of the quote.” This second part of the regulation does concern what is called “technical plagiarism”—“using the quote and copying the second author’s footnote reference without either checking the original source for yourself or acknowledging the second author”. Self-evidently it does not apply to my piece on pornography. I did not use footnotes in my article, which was published in a newspaper, let alone quote and copy a footnote from a second author. Any impression that I did, created by the fact that this part of the regulation is quoted at length, involves a straightforward attempt at falsification.

To what situation do these regulations apply? They apply to academic writing. The La Trobe regulations cited by Windschuttle make this clear. They explicitly refer to

“academic work”. The University of Melbourne regulation cited by Windschuttle implies the same. If students or scholars cannot locate the original source of a quotation they intend to use they are advised that “your *footnotes* must acknowledge that you are relying on the second author’s recording of the quote” (my emphasis). To fulfill this regulation you have to be writing the kind of work where footnotes are required—scholarly books or articles in academic journals. They obviously do not apply to other kinds of writing academics might do. If academics had to adhere to these regulations in everything they wrote, they would effectively be prohibited from writing general books, magazine articles and for newspapers. If Windschuttle believes this he should say so. If he doesn’t, then he must acknowledge that the regulations he cites are concerned solely with academic writing and are irrelevant to this case.

As I have already pointed out, the article for which I am attacked was obviously not part of a scholarly book or an article written for an academic journal. Its provenance needs to be explained. It was originally published as a newspaper article in *The Age* and the *Sydney Morning Herald* of July 24 1993. Five weeks later, it was published in the September 1993 edition of *Quadrant*. In that edition it was accompanied with the following note prominently displayed. “A slightly shorter version of this essay appeared in *The Age* and *Sydney Morning Herald*.” In Keith Windschuttle’s article he fails to mention that my essay was originally written for a newspaper. Why? The reason seems obvious. If he had mentioned this fact, the fatuousness of his case would have been even more immediately apparent than it already is. In an article written for a newspaper, not only are you not expected to use footnotes. You cannot use them. Nor are footnotes used in magazines like *Quadrant*. In addition it is both absurd and inconsistent with the standard practices of journalism, which are rigorous in their own way, to require those academics who write for newspapers and who rely on scholarly books for their understanding to check, in the way they would in their scholarly work, the original source of every quotation they use or to read for themselves every study whose results they cite. Plagiarism can of course occur in journalism but in this profession it takes a different form, usually stealing someone else’s words or work.

The argument on which Windschuttle rests his case, put by WAMI, does not accuse me of plagiarism of this kind. And in fact the article was written according to the highest standards that can be applied to journalism. In researching this article, I read Catherine Itzin's recently published 645 page, *On Pornography* (1992); Franklin Mark Osanka and Sara Lee Johann's 627 page, *Sourcebook on Pornography* (1989); Neil L. Malamuth and Edward Donnerstein's *Pornography and Sexual Aggression* (1984); Michael Medved's *Hollywood versus America* (1992), Dolf Zillmann and Jennings Bryant's *Pornography: Research advances and policy considerations* (1989); several popular biographies of sexual serial killers; the Coroner's report into the Australian case of Wade Frankum, and much else besides. I wonder how many newspaper articles are as carefully researched as this one was.

To demonstrate the absurdity of what was demanded of me let me analyse briefly the six supposed cases of plagiarism. All of them are mainly supposed cases of inadequate citation—a category mistake on which WAMI's whole argument is based. In case 1 I am berated for a minor error and for not checking the original articles for a fact about the financial size of the pornography industry cited in one of Catherine Itzin's footnotes. In case 2 I am berated for not going to the original source when I refer to a study outlined in Itzin concerning the amount of violence found in pornographic films, books and magazines. Apparently I am a plagiarist because I didn't locate and read an article in the *University of Michigan Journal of Law Reform* to check if Itzin's summary of it was accurate. In case 3 I am berated for not checking whether a quotation I found in Catherine Itzin, from Polly Toynbee in *The Guardian*, was accurate even though except in the most trivial instance it was. In case 4 I am berated for not going to the original source, Robert K Ressler et al, *Sexual Homicide: Patterns and Motives* (1988), to check on the accuracy of the summary of this study found in Osanka and Johann's *Sourcebook*. In case 5 I am berated for referring to another study which they cite which is, apparently, based upon an unpublished Memorandum. And in case 6 I am berated for no apparent reason at all, merely because WAMI cannot find the reference to the study that I cite. If I had followed the procedures required by WAMI, I would have been required to spend several additional weeks or months conducting research for a single newspaper article. If the

demands made of me were applied to all those who write for newspapers or magazines no serious journalism would be written.

Even though the substance of the claims made against the article in question involve mainly the inappropriate application of university regulations concerning inadequate citation in academic work, Windschuttle nevertheless suggests that I have been involved in “cheating and dishonesty” and that I have deliberately deceived readers. WAMI more cautiously claims that by implication or by omission I have pretended to have read studies that I have not. The suggestions here are entirely without foundation. If you read in a newspaper or magazine article that there have been dozens of studies showing the link between smoking and cancer or about one or another aspect of global warming, no one would assume that the author of the newspaper or magazine article who made the claim had read them all. What they would have the right to assume was that the author of the article had learned this fact from a work of authority in the relevant area, as I had. As I am a political historian not a behavioural psychologist, and as the article appeared first in a newspaper not an academic journal, it would have been obvious to readers that I was not claiming to have read the very large number of academic studies into these matters referred to, in a general way, in the article. Except if they were blinded by bias or driven by malice, no one could argue that I was trying to deceive readers. Of course I was not. I could have written about all these cases in standard academic prose. Instead of saying “A number of detailed analyses...” etc (case 2), I could have said, “As Catherine Itzin points out in the chapter she contributed to the book she edited, *On Pornography*, a number of detailed analyses...”etc. Unfortunately (or perhaps fortunately), there is no sub-editor who would let this through, no newspaper or self-respecting magazine that would publish an article full of this kind of academic throat-clearing and constipated prose. Those academics who write for newspapers and magazines do not write in prose of this kind.

Oddly enough, on this point, in his own journalism Windschuttle spectacularly fails to do what he and WAMI say I should have done. In *The Australian* of March 16 2005 Windschuttle wrote: “And who’s Negri? Well, he was one of the organizers of the Red Brigades, the terrorist gang responsible for several political assassinations in Italy, the

most notorious of which was the 1979 kidnapping and murder of Italian Prime Minister Aldo Moro. At the time, Negri was professor of political science at the University of Padua. He was arrested and charged with 17 murders, including that of Moro, as well as armed insurrection against the state. The Italian public was shocked that an academic could be involved in such events but most astonished by one bizarre detail. Forty-five days after the kidnapping, someone sounding like Negri telephoned Mori's wife, taunting her about her husband's impending death. Nine days later his body, shot in the head, was found dumped in a city lane." In *The New Criterion* of October 2001 Roger Kimball wrote: "Antonio Negri was an architect of the infamous Red Brigades, a Marxist-Leninist terrorist group. In 1979, he was arrested and charged with "armed insurrection against the state" and seventeen murders, including the murder of the Italian Prime Minister, Aldo Moro, who was kidnapped in 1978 and shot dead fifty-five days later, his body dumped in a car. Negri did not actually pull the trigger. But as David Pryce-Jones noted in an excellent article about *Empire* in the September 17 number of *National Review*, 'The Italian authorities had no doubt that Negri was ultimately responsible. Just before Moro was shot dead, someone telephoned his distraught wife to taunt her, and that person was Negri.' " In the way he paraphrases Kimball, Windschuttle comes close to infringing the standards concerning acceptable journalistic practice. In my piece on pornography I never do, as even a close reading of WAMI's argument shows. It is, however, unambiguous that Windschuttle makes no reference to Kimball. He makes no reference to Pryce-Jones. I would not have brought this case up if he had not made his spurious claims about plagiarism, in reality his spurious claims about inadequate citation, in the newspaper article written by me.

As he almost admits in his *Quadrant* piece, Windschuttle would never have published his recent petty article were it not for the fact that in 2002 I noticed at least ten examples where I believe Windschuttle plagiarises from Robert Edgerton's *Sick Societies: Challenging the Myth of Primitive Harmony*. This case involves very different issues from the ones raised by my article on pornography. Although *The Fabrication of Aboriginal History vol. 1* is self-published, it has the form of a scholarly book. It even contains a sermon on the use of footnotes. Windschuttle cannot even pretend that in the

case of the passages that are in dispute between him and me he has footnoted his supposed sources, Ling Roth and Rhys Jones. Thus, according to the regulations of La Trobe University and Melbourne University he cites at the beginning of his article, even according to his own version of the Edgerton matter, he has clearly been responsible, in a scholarly work, for what he would call plagiarism and what others might call inadequate citation. Even in a scholarly work this kind of failure to cite accurately is usually trivial. In fact, his plagiarism of Edgerton is of a non-technical and serious kind. I have never written an article on this case. I now intend to do so. It will appear on *The Monthly* website to coincide with the publication of this rejoinder.

One final point. I am accused by both Windschuttle and WAMI of being not only a plagiarist but also a liar. This second allegation is based on the fact that in the introduction to *Left, Right Left* I say that I have only made omissions to avoid repetition while WAMI has noticed that a reference to a study whose authenticity has been disputed has also been omitted. WAMI believes I have guiltily been trying to hide a dark secret and that I have lied to cover my tracks. This is genuinely funny (or sad). There are not many WAMIs in the world who spend months investigating these kinds of things. The truth is simple. In 1998 the essay on pornography was published in a collection called *The Way We Live Now* (no WAMI not plagiarism, the reference to Trollope is acknowledged in the introduction.) In this version, the passage of 33 words referring to the study was removed because its authenticity was in dispute. Because it was easier to photocopy for our typist from TWWLN than from my bound edition of volume XXXVII of *Quadrant* this was the version of the essay that appeared in LRL. I had completely forgotten about the omission and indeed the 1997 controversy with Robbie Swan until reminded of it by WAMI. All this is embarrassingly trivial. But what is serious is this. On this basis and this basis alone I am branded a liar by Windschuttle in a once respected magazine.