

ETHICAL ISSUES IN CONDUCTING A RESEARCH: GUIDANCE FOR NOVICE RESEARCHERS

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Abstract: *The paper aims to provide some guidance to the novice researchers pertaining to the ethical issues that they might encounter in conducting a research. This paper discusses the stages where ethical issues may arise. This paper reviews these stages and discusses how they may relate to a research process. Ethical principles can be used to guide a research in addressing the issues arising from the research in order to meet the objective of the research as well as to maintain the rights of the research participants. The sources for the data are derived from published papers, key texts, reports and policy documents that relate to the methodological and ethical issues in conducting qualitative research. This paper will contribute to the existing knowledge. It will also guide the novice researchers as what they should know prior to commencing a research, while the research is on-going and presenting the research findings ethically. It is the obligation of the researchers to protect both the rights and welfare of the research participants.*

Keywords: *Ethics, Research, Informed Consent, Plagiarism, Copyright*

Introduction

There are many reasons as to why people conduct a research. It could be he/she needs more insight on a particular subject-matter, to help in the decision-making and/or to resolve a specific problem either in a business, community and so forth. For those in academic world, it is inevitable that carrying research is part and parcel of their career lives, regardless they are in science, humanities, legal and so forth.¹ Hence, what is ‘research’? Research is an organised and systematic procedure of finding solutions to a specific problem. Research is therefore carried out by following a systematic procedure which will enable the researcher to analyse the data and to justify his findings derived from the research. Thus conducting a research is not merely looking for the solution to solve a particular problem, yet it is also important to present the findings in writing and to share with other scholars, policymakers and public at large. In conducting a research, it is pertinent for the researchers to observe several factors namely the feasibility, the access, previous studies, ethics and so forth. However, this academic paper will solely concentrate on the issues pertaining to research ethics, which may be useful to novice researchers.

In further discussing the issues on research ethics, this paper proceeds as follows. The first section seeks to explain the background. The second section seeks to explain the importance of ethics. Next, this paper discusses the issues concerning ethics at various stages of research. Finally, this paper concludes that it is important to observe ethics in conducting any research. Failure to observe the ethics will render the study to questionable and the researchers face legal liability for academic misconduct.²

All researchers are expected to conduct their studies in an ethical manner, be it a quantitative or qualitative research; be it scientific or humanities research. According to Hutchinson, ethical issues become most important when using social science methodologies.³ What is the definition of “ethics”? Generally ethics deals with the standards of right and wrong when referred to action, benefits and virtues. In other words, ethics helps in defining what a person ought or ought not to do. Therefore research ethics refers to a set of acceptable norms/practices that a researcher is expected to observe in the process of conducting a research. Examples of unethical practices in research such as involving participants in a study without their consent or knowledge; intentionally deceiving the participants; withholding information about the aim and nature of the research; causing physical, emotional and psychological harm and so forth. It is universally accepted that the ethical principle recognises that participants are persons worthy of respect and rights and are not simply objects for the use of others. It is also important to recognise that no unreasonable harm is inflicted in conducting the research.

Why is it important to adhere to ethics in a research?

There are many reasons that explain the importance of adhering to ethics in conducting research. First, it relates to the purpose of doing research. When a person embarks a research project, it is mainly to enhance the existing knowledge and/or to provide solutions to the

¹Nevertheless the methodologies may differ from one discipline to another.

²The researchers, who fail to adhere to ethical norms, commit academic misconduct.

³Hutchinson, T. (2010) *Researching and Writing in Law*- 3rdedition, Pymont ,NSW:Thomson Reuters, 24-47. .

existing problems. It is expected that the researcher is honest and truthful. A researcher is prohibited from fabricating or falsifying or misrepresenting the data.

Second, collaboration and cooperation may involve researchers and others in different disciplines and organisations. Thus it is pertinent to adhere to ethical practices that encourage the values and acceptable norms so as to ensure the success of the collaboration. The ethical practices will balance the right and interest of the participants namely the respondents, individual researcher in the team and the research team itself. For instance, the consent from the participant is needed prior to embarking the research. The participant shall be assured of the confidentiality. Third, the researchers would want their contribution to be protected by intellectual property. Fourth, the public must be given the assurance that the research is ethical. Failure to observe the ethical norms and practices would render the researcher to be held accountable to the public, especially when the research is funded by taxpayers' money. The breach of ethical norms may occur when the researcher tries to fabricate/misrepresent the data or defraud the result.⁴ Fifth, when there is breach of ethical standards, not only that the researcher has committed serious academic misconduct,⁵ but the quality and integrity of the research is questionable.⁶

In curbing the unethical practices among the researchers, there are several Codes being introduced to govern respective discipline, such as Nuremberg Code which was established in 1947 that applies for biomedical research. It was the first Code to focus on the importance of an informed consent; Helsinki Declaration 1964 provides some guidance in such areas as the use of animals for research purposes; and it was the America Sociological Association (ASA) that first adopted a formal code of ethics in 1969. Despite having all the Codes, the responsibility for ethical research ultimately inherent with the individual researcher. Ethical issues may arise at every stage of the research process.⁷ The ethical issues at all stages of research may be in the form of the originality, authoritative creativity, copyright and plagiarism, accuracy, objectivity and avoidance of bias.

Ethical Issues

The ethical issues may arise at every stage of the research process, such as listed below:

- i.ethical issues prior to commencing the research;
- ii.ethical issues in the research design;
- iii.ethical issues in data collection;
- iv.ethical issues in data analysis and interpretation; and
- v.ethical issues in writing and disseminating of research findings.

The list of ethical issues as listed herein is not exhaustive. All the above ethical issues at various stages of research will be discussed in turn.

⁴For instance, the drug which is tested upon animals in the laboratory is not being disclosed.

⁵Resnik, D. B. (2011), What is Ethics in Research & Why it is Important? <<http://www.niehs.gov/research/resources/bioethics/whatis>> Retrieved on 8 Nov 2017.

⁶In the event of ethical lapses in the conducting the research, not only the subjects used in the research will be harmed but inevitably the public at large. For instance a researcher, who fabricates the result of a clinical study on certain antidotes, may eventually harm the patients whom have had used the antidote.

⁷Ethical issues at all research process are categorized as ethical issues in the identification of research problem, in the data collection, in the data analysis and in the writing of the research (which include the dissemination of the findings).

Ethical issues prior to commencing the research;

Ethical issues may arise even prior to commencing the research. At the outset, he must first understand his responsibilities in carrying out a research. He must be able to understand that he is accountable not only to his research and the funding agency but also to the research subjects. He must understand that it is his responsibility to capture the truth and not be tainted with bias. He must also ensure that the research is conducted with professional integrity so as that the outcome of his research is of credibility. When a person(s) embarks a research project, it is mainly to enhance the existing knowledge and/or to provide solutions to the existing problems. It is expected that the researcher is honest and truthful.⁸

In carrying out a research, it is expected that the researchers to maintain their originality throughout the research process. What is the meaning of ‘originality’? Firstly, according to Collins dictionary describes that the originality is the quality or condition of being original⁹. Secondly, another definition from Cambridge dictionary, originality means the quality of being special and interesting and not the same as anything or anyone.¹⁰ Furthermore, according to Swannell, the common conception of the meaning of ‘original’ is something that is new, not done before. In fact, ‘original’ is defined as “existing from the first; primitive; earliest; not imitative or derived; creative.¹¹ Relying on Black’s Law Dictionary, original is primitive; first in order; bearing its own authority.¹² However, a work does not have to be novel or unique in order to be original.¹³ Briefly, originality is related to something that no one else never done as we want to do.

Why it is important to maintain originality? The value of a research is measured in terms of its originality. The purpose of carrying out a research is undoubtedly to clearly document an original contribution to the knowledge. A researcher is exposed to the ideas, theories and creative works of countless scholars. Therefore it is inevitable that the researcher is greatly influenced by the words and ideas that he has previously encountered in the process of conducting a research. To be a good researcher, he or she should fulfil some conditions which are honest and trust. The examples are as follows: setting down a major piece of new information in writing for the first time; continuing a previously original piece of work; showing originality in testing somebody else’s idea; using already known material but with a new interpretation; bringing new evidence to bear on an old issue; looking at areas that people in the discipline haven not looked at before; and adding to knowledge in a way that has not been done before. Briefly, there are some categories to identify that our works include as the original works. It is important to pay extra attention in this particular part because it will be related to author’s dignity, integrity and competence in academic area.

The researchers have to be creative when they embark into research. The creativity is needed even at the outset as they have to think of the research design. It is also important for the researchers to visualise the contribution/effect of the upcoming research upon the knowledge and the public at large.

⁸A researcher is prohibited from fabricating or falsifying or misrepresenting the data.

⁹Originality, <<http://www.collinsdictionary.com/dictionary/english/originality>>, viewed on 9 Nov 2017.

¹⁰Originality, <<http://dictionary.cambridge.org/dictionary/british/originality>>, viewed on 9 Nov 2017.

¹¹Swannell, J. (ed.), (1986) *The Little Oxford Dictionary*, 6th ed., Clarendon Press, p, 376.

¹² Garner, B. A., *Black’s Law Dictionary*, - 8th ed., (West Thomson, 2004), 991

¹³ *Ibid*, 1133.

The definition of “creativity” can be found in www.dictionary.com as (1) the state or quality of being [creative](#), (2) the ability to transcend traditional ideas, rules, patterns, relationships, or the like, and to create meaningful new ideas, forms, methods, interpretations, etc.; originality, progressiveness, or imagination, (3) the process by which one utilizes creative ability. While, Sternberg in his article stated that creativity is a habit.¹⁴ That habit can be a good habit or bad one.¹⁵ From a practical point of view, creativity can be defined as the ability or the power to create or to produce something useful that has not previously existed. It is characterised by originality, expressiveness, and imagination.¹⁶ The reason being, there is no secret or magic procedure to be revealed in order to be an independent critical thought.¹⁷ One has to create a standard of creativity in order to be known as a good writer or researcher. This is one of the ethics that need to be adhered to while at the outset and throughout carrying out a research. There was an investment theory of creativity as a means of understanding the nature of creativity, introduced by Todd Lubart and Sternberg.¹⁸ Often, when the ideas are first presented, they encountered challenge.¹⁹ Thus, the creative person will sell high after it and acquires a creativity habits. According to the theory, creativity requires convergence of six distinct, but interrelated, resources: intellectual abilities, knowledge, and styles of thinking, personality, motivation and environment.²⁰ In order to have intellectual abilities, one must own the skills. There are (a) synthetic ability to see problems in new ways and escape the limits of conservative thinking; (b) the analytic ability to recognize which of one’s ideas are worth pursuing or not; and (c) the practical –contextual ability to know how to persuade others- to sell other people on – the value of one’s ideas.²¹

Considering knowledge, one needs to know enough about the field to move it forward. With regards to thinking styles, a legislative style is particularly important for creativity i.e. a preference for thinking and a decision to think in new ways.²² Personality is prominent since it attributes for creative functioning including readiness to overcome obstacles, motivation to take sensible risks, preparedness to tolerate ambiguity, and self-efficacy. It is related to motivation, where it is essential to creative work. One will be creative once they love what they are doing and focus on work. Lastly, one needs an environment that is supportive and rewarding of creative ideas.²³ Different cultural support creativity inversely and may even have different conceptions of what constitutes creativity²⁴. To conclude, authoritative creativity is not only a “level” based intellectual abilities to articulate facts or data in research to ensure the research is viable but also it needs more than the brainpower and understanding. Once the writer or

¹⁴Sternberg, R. J. (2012)“The Assessment of Creativity: An Investment-Based Approach. *Creativity Research Journal*”, 3.

¹⁵Thus, in writing a research, one has to be a creative author to create the originality of the writing.

¹⁶Gauderer, M. W. L (2009) ,“Creativity and the surgeon. *Journal of Pediatric Surgery*”. :13.

¹⁷ Silverman, D.(2000) *Doing Qualitative Research, A Practical Handbook*. London:SAGE Publications, 57.

¹⁸According to the theory, creative people are ones who are willing and able to metaphorically buy low and sell high in the realm of ideas. Buying low means pursuing ideas that are unknown or out of favour, but that have growth potential.

¹⁹ Sternberg, R. J. (2006). “Stalking the elusive creativity quark: Toward a comprehensive theory of creativity.” In *New direction in aesthetics creativity, and the arts*, edited by Ocher, P. L., Martindale, C., Dorfman, L, Petrov, V. & Leontive, D., Amityville, NY: Baywood, 79-104.

²⁰ *ibid*

²¹ *ibid*.

²²Zhang, L.F., & Sternberg, R. J., (2006) *The nature of intellectual styles*. Mahwah, NJ; Lawrence Erlbaum Associates.

²³Support system for being a creative author is more value than having all internal resources needed.

²⁴Sternberg, R. J., 14.

researcher fulfils this aptitude, the originality would not be an issue. Inevitably, the research and its findings will be of credibility.

Ethical issues in the research design

In preparing the research proposal, it is pertinent for the researcher to identify the problems that warrant and justify the need of conducting the research in a chosen area. In so doing, the researchers must determine the issues/problems and try to find the solutions to the problems. The solution will benefit not only the respondents, but the public at large. The ethical issue may arise at this stage had the researchers were dishonest to the respondents. It may occur when the researchers conceal the purpose of the research. Failure to remain objective would also render the researchers to commit ethical lapses. Therefore it is crucial for the researchers to explain to the respondents the purpose of conducting this research from the outset. The explanation will enable the respondents to appreciate their roles and participations in the research. It will inevitably enable the researchers to carry out the research effectively and successfully.

Hence, the researchers must impart accurate information to those participating in the research. Accuracy of information plays an important role in conducting a research which it is one of the essential elements of research ethics. The determination of accuracy of information shall be based on some principles which including the integrity of data collection, credibility of the sources, validity, reliability, quality assurance and quality control. The word “integrity” has been derived from the Latin word of “integritas” which means adherence to moral and ethical principles, soundness of moral character and honesty.²⁵ In other word, it may be defined as the quality of being honest and having strong moral principles.²⁶

From the legal perspective, this term means soundness of moral principle and character shown by one person who dealing with others in the making and performance of contracts, fidelity and honesty in the discharge of trusts.²⁷ Basically the objectives of being honest in doing research are to ensure that only the correct data and information shall be reported also, to avoid plagiarism, which this is an illegal act that harm the others’ works by copying the others’ theories, ideas and thoughts to be included as own research. The credibility of the sources may be determined by identification of the author, the author’s purpose, types of sources and the audience. Credible sources are written by authors respected in their fields of study. Credible authors will cite their sources to support their writings and as reference to the other researchers. Thus, it is not recommended to use Web sites where author cannot be determined and collaboratively developed by users, unless the site is associated with a reputable institution such as the respected universities, government departments, or well-known non-governmental organizations. A researcher must be able to identify whether the topic discussed by the author is general or specific on a certain particular area. If it has been conducted in general views, a researcher has to relate it to the research questions of his or her own study area. This is important as only the relevant issues shall be reported. In addition, a credible data may also be determined by types of sources whether primary or secondary sources have been used. The primary sources of law are authoritative publications of law produced by law-making bodies. Statutes, courts’ decisions and legislations are examples of primary sources in law. Contrary to the secondary sources of law, it can be described as the interpretation of the primary sources, which they

²⁵<<http://dictionary.reference.com>> viewed on 10 November 2017.

²⁶<<http://www.oxforddictionaries.com>> viewed on 10 November, 2017.

²⁷<<http://thelawdictionary.org>> viewed on 10 November 2017.

consist of the information that had already been commented, analysed and processed. Treaties, legal textbooks, legal encyclopaedias and law articles are examples of secondary sources in law. A researcher has also to ensure the audience whether the sources have been written for the professionals, academicians or layman. This is important in order to identify the scope of the discussion and the materials used. The professional and academic audience for example, journals are most preferable for them compared to the layman where they might prefer newspapers and magazines.²⁸

In preparing a research design, validity and reliability are the other two principles needed to identify the accurate information. . Validity refers to its relevance and appropriateness to the research question. Therefore, the information must be related to the statement of problem and addressed to answer the research question. The reliability of data refers to some characteristics such as dependable, trustworthy and consistency of thought and action. Pertaining to the quality assurance and quality control, these two principles are important to ensure the information obtained is accurate.

Ethical issues in data collection

It may be demonstrated by the standardization of protocol developed in a comprehensive and detailed procedures manual for data collection.²⁹ There are some important characteristics required, the first is the detection of errors in data collection.³⁰ Second, prevention of fraud and misconduct. At this step, a researcher should avoid misleading statements, declarations or assertions that could be subject to misinterpretations. It is his or her obligation to immediately issue a clarification or rectification if such misinterpretation occurred. Fabrication and falsification of research results are the examples of misconduct. The third one is avoidance of biased results which during the data collection process, a researcher should collect the only relevant information that related to his or her own research topic that specifically discussed on a particular area.³¹ Furthermore, researchers sometimes, rely on just one source of information in making their conclusions. This will cause bias in research results. As solution, a researcher should focus on the reliable references, be neutral and open-minded in carrying the study.³²

Another ethical issue that may impinge a research is related to its objectivity. Objectivity means to see things the way they are. In other contexts, objectivity refers to a method or procedure through which we acquire information.³³ Basically it could be said that the research must not be influenced by researcher's own subjective or emotional values. The findings of the research should be interpreted solely based on the results of data analysis derived from the actual data or facts. Failure to maintain the objectivity will render the researcher to be biased thus the research will lose its validity and credibility. According to Resnik (2011), a researcher must strive to avoid bias in various aspects of research. In the event of any conflict of interest, it is ethical for the researcher to disclose personal or financial interests that may jeopardise the

²⁸ <<http://www.socialresearchmethods.net>> accessed on 10 November, 2017.

²⁹ Office of Research Integrity, Cathedral of Learning, "Guidelines for Responsible Conduct of Research" (Revised on March 2011).

³⁰ This may be conducted through issuance of erratum or retraction.

³¹ This is because the most common mistake done by researchers is where they are always seeking for the data that fit to their interest rather than the relevant ones

³² Lawrence F. L., Spirduso, W. W. and Silverman, S. J., (2007) *Proposals That Work: A Guide for Planning Dissertations and Grant Proposals*-5th ed., London : SAGE Publications; and Thody, A., (2006) *Writing and Presenting Research*, London: SAGE Publications..

³³ Eisner, E. (1992) Objectivity in Educational Research, *Curriculum Inquiry*, 22 (1):9-15.

research. At times, it is not easy for the researcher to remain objective, especially in ethnography research as the researcher lives in the same community of the researched respondents/participants for a prolonged period³⁴. It is further observed by Watt who had cautioned the researchers that it is vital to be interested in topic. However the researchers must draw a line between emotional attachment and the objectivity of the research. Failure with will affect the good data collection and analysis.³⁵ A major threat to the truth value of a qualitative study lies in the closeness of the relationship between the researcher and the participants/respondents that can develop during the prolonged contact required to establish credibility. The researcher may have difficulty in separating his own experience from that of the respondents/participants.³⁶

Once the researchers are collecting data, they have to be on site either to interview or observe the respondents. Ethical issues may arise during the field work when the researchers show disrespect for the respondents and/or place the respondents at risk.³⁷ It is also worth to note the remarks made by Wall and Overton (2006) who commented that the principles of research ethics are generally based on the western notion. Wall and Overton further argue that not all ethics norms which are based on the western culture are suitable to be adopted for the research in other parts of the world.³⁸ Hence the researchers must be able to understand the culture of the participants researched to ensure the success and validity of the research.

In data collection, ethical lapses may occur when the researchers are no longer being objective. In this situation, the researchers are bias. The issue on bias occurs when the researchers are biased on the choices of sources of data which will obviously shapes what will be researched and/or learned. This decision can only be made by considering which perspectives are needed to illuminate the questions being asked and to achieve the goals of the research.³⁹ For instance, the policy may be viewed differently by different researchers. Thus the selection of sources of data may differ. It is also doubtful whether the researcher can actually separate biases from their own experience. Such concern is observed by Payne who had cautioned the researchers on the need to maintain the objectivity and avoid from bias. It is observed that unethical lapse may also arise in the doctrinal legal research such as plagiarism and/or misrepresentation of data. However the tendencies of unethical norms are higher in the non-doctrinal legal research for example failing to inform the potential respondents prior to administering the questionnaire.

The researchers are expected to observe the ethical norms prior to embarking the research as he needs to inform the respondents of the objectivity and effect (if any). These information will enable the respondents to form their opinion whether to give their consent or not in the research that is about to be undertaken. Thus the consent obtained due to the act of withholding information. Therefore an informed consent is not obtained. What constitutes an informed

³⁴Ambert, A-M, Adler, P. A., Adler, P. and Detzner, D. F. (1995) Understanding and Evaluating Qualitative Research”, *Journal of Marriage and Family*, .57. (4): 879-899.

³⁵ Watt, D., (2007) “On Becoming a Qualitative Researcher: The Value of Reflexivity”, *The Qualitative Report*, 12.(1):82-101.

³⁶Krefting., L., (1991) “Rigor in Qualitative Research: The Assessment of Trustworthiness”, *The American Journal of Occupational Therapy*, 45(2): 214-222.

³⁷ Payne, S. L. (2000) “Challenges for Research Ethics and Moral Knowledge Construction in the Applied Social Sciences”, *Journal of Business Ethics*, 26: 307-318.

³⁸ Wall. C. and Overton, J. (2006) “Unethical Ethics?: Applying Research Ethics in Uzbekistan, *Development in Practice*,. 16(1):62-67.

³⁹ Bradley J. (1993) “Methodological Issues and Practices in Qualitative Research”, *The Library Quarterly*, 63.(4): 31-49.

consent? An informed consent is formed when the respondent is competent; respondent is neither forced nor induced to participate; the respondents are informed of their rights to withdraw at any time. In certain circumstances an approval must be obtained from the ethics committee.

At the stage of collecting the data, it is pertinent that the researchers give due consideration to consider the special needs of those respondents. For example, the researchers need to be more attentive in dealing with vulnerable respondents such as children, elderly, people with disabilities etc.

Ethical issues in data analysis and interpretation

As earlier mentioned, in order to uphold the credibility of the research, the ethical norms must be adhered to when the researchers are analysing and interpreting the data. The researchers must maintain their objectivity in conducting the research. Thus the researchers are committing ethical lapse if they were being subjective and bias in analysing and interpreting the data. However, it is uncommon for the researchers to use their own personal yardstick in interpreting the data to research subjects. In analysing and interpreting the data, the researchers must not fiddle with numbers and figures, fabricate or falsify the data so that the findings of the research are presentable.

Ethical issues in writing and disseminating of research findings

Upon the completion of the data analysis and interpretation, the researchers are enthusiastic to write the findings and the recommendations that may enable to provide solutions the research problems. The researchers will also has to furnish the research report to the funding agency. The research findings must be disseminated and communicated to the stakeholders namely the funding agency, the policymakers and public. The dissemination may be in the form of presenting the findings at the academic conferences and seminars. It may also be in the form of publication in academic scholarly journal. In doing so, plagiarism may occur either intentionally or unintentionally.

Plagiarism may occur at all stages of conducting a study. It is literally defined as taking one's idea without acknowledging the original author or source. If the ideas or words are taken from another source or author, it is imperative that the researchers acknowledge the original author and/or source. Plagiarism is akin to stealing. By acknowledging the author and/or source, it will enable to original author to be credited on his intellectual property. It will also enable those who are interested to find and read the original source. What is Plagiarism? Plagiarism is the act of representing as one's own original work without appropriate acknowledgement of the author or source.⁴⁰ Such as thesis, articles, reports which are either published or unpublished. These works may be in print and/or electronic media. Examples of plagiarism such as copying ideas, concepts, results; paraphrasing another person's work with minor changes thus the essential meaning, form and/or progression of ideas maintained; cutting or pasting statements from multiple sources or piecing together work of others and representing them as original work.

⁴⁰Norzan Mohd Noor, (2011) *Writing Research and Thesis Proposals: Guidelines and Examples*, Shah Alam: UPENA, pp. 94-98.

The word "plagiarism" is derived from the Latin word of "plagiarius," which bring the meaning of a kidnapper.⁴¹ It is also has been defined in the Oxford English Dictionary as "the wrongful appropriation or purloining, and publication as one's own, of the ideas, or the expression of the ideas of another".⁴² In simple words, it is a form of cheating due to the fact that it involves the usage of other's idea and present it as our own.

Plagiarism can occur in both intentionally and unintentionally. Intentional plagiarism means that a person knowingly and willingly misappropriated another person's words or idea as being that of their own⁴³. The second type of plagiarism is the one that is done unintentionally. This is due to the fact that the researcher having problem to get their work's progress organized and faced the problem in drafting.⁴⁴

There are many misconceptions among the researchers/authors/scholars pertaining to whether they have committed an act of academic misconduct if they were to reuse their published work over and over again. At times, many researchers/authors/scholars are committing the act of self-plagiarism without them knowing that it actually has sparked an ethical issue. Self-plagiarism is defined as a type of plagiarism in which the researchers/authors/scholars republish their work in its entirety or a certain portions of their previously published work while writing a new work. Roig (2006) describes self-plagiarism occurs when authors reuse their own previously written work or data in a new written product without letting the readers know that this material has appeared elsewhere.⁴⁵

To the researchers/authors/scholars, they are not committing any academic misconduct as they are the writers of the previously published work. To them, since they are the authors thus they can simply use their previous work freely and whenever they wish. Nevertheless, unknown to them, they have committed self-plagiarism as they are infringing the publisher's copyright. The American Psychological Association explains the differences between plagiarism and self-plagiarism. The former refers to the practice of claiming credit for the words, ideas, and concept of others. Meanwhile the latter refers to the practice of presenting one's own previously published work as if it is a new one.⁴⁶

Nowadays, due to the globalization and emergence of sophisticated tools in technology, the act of plagiarism can easily be detected. Thus, there is possibility where the researcher might be discredited after being caught committing plagiarism. As a result, the work done by the unethical researcher became useless as it is proven to be the other's work and idea. Hence it is

⁴¹Bast, C. M., and Samuels, L. B. (2007) "Plagiarism and legal scholarship in the age of information sharing: The need for intellectual honesty." *Cath. UL Rev.* 57: 777.

⁴²Thomas, D. A. (2004) "How educators can more effectively understand and combat the plagiarism epidemic." *Brigham Young University Education and Law Journal* 421-430.

⁴³Mariachi, J. (2000) "Plagiarism: What is It-How to Avoid It-And Why." *TM Cooley J. Prac. & Clinical L.* 4): 381.

⁴⁴It also might happen in the situation where the researcher failed to credit the author whom the article is being referred to. Failure to give sufficient attribution to the words, ideas, or data of others that have been incorporated into a work which an author submits for academic credit or other benefit is materially misleading if it could cause a reasonable reader to be mistaken as to the source of the words, ideas, or data in a way that could benefit the author submitting the work.

⁴⁵ Roig, M., (2006) "Avoiding Plagiarism , Self-Plagiarism, and Other Questionable Writing Practices: A Guide to Ethical Writing, <http://facpub.stjohns.edu/~roigm/plagiarism.doc> > retrieved 8 November 2017.

⁴⁶ American Psychological Association, *The Publication Manual of the American Psychological Association* - 6th edn. (Washington, DC: American Psychological Association , 2010), 170

important for a researcher to avoid from committing the act of plagiarism by abiding to the anti-plagiarism strategies. There are various ways to avoid plagiarism. The most important is the ability to acknowledge the work of others by crediting the sources after reference is being made. Hence, in every research, it is very common to have bibliography part in order to give credit to them. It is also suggested to use footnotes for any borrowed language, facts, or ideas including any thoughts of another that are either paraphrased or quoted.⁴⁷ It is important for the researcher to evaluate whether quotation marks should be used. Generally, everything that comes directly from the text must be placed in quotes. Apart from quotation, the researcher might as well choose to paraphrase the material referred. But it must be ensured that it is not just rearranging or replacing words used in the original text. Other than that, the researcher shall also resort to summary method in order to avoid plagiarism.

Besides, one of the anti-plagiarism strategies is always try to avoid quoting material in one source that is a quote of another source. This raises the risk of a double-plagiarism. To avoid it, an author should always verify all sources back to the originating author. This will ensure the integrity of the quotation and the borrowing author's point being made. If these methods are being kept in the mind, the researcher might be able to reduce the possibility and percentage of plagiarism.

Another issue that bothers the researchers is pertaining to the copyright. Copyright is defined in the Oxford Dictionaries as an exclusive and assignable legal right, given to the originator for a fixed number of years, to print, publish, perform, film, or record literary, artistic, or musical material. In another definition,⁴⁸ copyright is defined as the right of literary property as recognized and sanctioned by positive law. It is a right granted by statute to the author or originator of certain literary or artistic productions, whereby he is invested, for a limited period, with the sole and exclusive privilege of multiplying copies of the same and publishing and selling them. In other words, copyrighted materials are protected by law as the author has exclusive rights over the materials. Such prohibition is also provided in Quran. Islam also ask us not to look or take other's property without their permission, for example, in Surah an-Nur verse 27:

يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْتَأْذِنُوا وَتُسَلِّمُوا
عَلَىٰ أَهْلِهَا ذَٰلِكُمْ خَيْرٌ لَّكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ٢٧

27. O you who believe! Do not enter houses other than your own houses until you have asked permission and saluted those in them; this is better for you, that you may be mindful.

Based on the above verse, it is prohibited for any person to intrude into someone's property without permission or look into their computer data out of curiosity or to use someone else works without a prior permission of the owner and he should be aware of the limit of the given permission. Though the verse is about the need to get permission prior entering someone's house, yet it can be used for copyrighted materials too. Copyright is an intangible property. Anybody who quotes copyrighted materials, must therefore acknowledge the sources by giving proper citations. Section 7 of the Copyright Act 1987 lists out the examples of works eligible

⁴⁷ Mariachi, J., 47.

⁴⁸What is Copyright?, <<http://thelawdictionary.org/copyright/>>, viewed on 8 Nov 2017

for copyright such as literary works, musical works, sound recordings, and broadcasts. The works shall also be protected irrespective of their quality and the purpose for which they were created. However, the copyright protection is not applicable to any idea, procedure, *and method* of operation or mathematical concept and such.

Under the Act, a person that is convicted for copyright infringement could be liable for fine and imprisonment. Generally, one must get the permission from the owner to use the figures and tables from published sources as it is a protected material. If not, they will be exposed to legal procedure for copyright infringement. However, there are times when the reproduction of a particular work may be considered fair, and this ‘fair use’ is an exception that make us not liable for copyright infringement. There are four elements to be considered for a work to become a fair use is that firstly the purpose and character of the use, including whether such use is for commercial nature or is for non-profit educational purposes, the nature of the copyrighted work, the amount and substantiality of the portion⁴⁹ used in relation to the copyrighted work as a whole and the effect of the use upon the potential market for, or value of, the copyrighted work. It is the use of copyrighted material without the authorization of the owner for an expressive purpose for example commentary, parody, or criticism.⁵⁰ So, it is still possible to use a copyrighted material as long as it falls under fair use of the materials.

One might think that copyright and plagiarism are of the similar meaning. This is because some of the elements of both of it could be seems to overlap with each other. For example, most things that can be plagiarized could also be copyrighted. This is because of the fact that the materials qualify for copyright protection such as creative or academic work are being plagiarized. Besides that, many plagiarisms are actually addressed through the legal framework provided by copyright law. The plagiarized materials are often removed or dealt through lawsuits as for copyrighted materials.

However, there a distinction between copyright and plagiarism where both are not the same. Firstly, copyright infringement is illegal whereas plagiarism is a violation of academic norms but it is not illegal. In other words, plagiarism is an ethical construct whereas copyright infringement is a legal one. Secondly, copyright violation has occurs when a specific expression is copied for example a sequence of words while plagiarism applies even when the ideas are copied. The difference between both of them is also that copyright is the offence against the author while plagiarism is an offence against the copyright holder as the author and the copyright holder may not be of the same person.⁵¹ As of it, it is still unethical and illegal to use copyrighted materials without the permission from the owner of the material. And usually, it is easier to get the permission if it is for educational purposes. Quoting the materials is also allowed as long as it is properly referenced.

Overcoming the unethical norms

It is important for the researchers to show that the report of the research can be trusted and of credibility. Thus it is pertinent to observe the research ethics from the start until the end of the

⁴⁹ The amount of text one can quote must be under “fair use”. If large portions of text, even quoted and cited can infringe and would not fall under the clause of “fair use”.

⁵⁰Plagiarism vs Copyright, Concordia University, Texas,

<[http://www.concordia.edu/sitefiles/w3/Library/Plagiarism%20vs%20\(2\).pdf](http://www.concordia.edu/sitefiles/w3/Library/Plagiarism%20vs%20(2).pdf)>, viewed on 8 Nov 2017.

⁵¹Plagiarism is nothing to do with copyright, 20 Sept 2013, <<http://svpow.com/2013/09/20/plagiarism-is-nothing-to-do-with-copyright/>>, viewed on 8 Nov 2017.

research process. Otherwise the research may be tainted with flaws and is no longer of trustworthy. It is undeniable that it is clearly impossible to deal with these problems. It is impossible to be ethically correct at all time (as there are circumstances when ethical lapses occur unintentionally)⁵² yet all researchers must strive hard to uphold the research ethics in conducting research. One way of tackling the ethical lapses in research is to set up a committee to investigate the problems and to draft an ethical code for research in that particular area.⁵³ By incorporating both personal and professional codes of ethics into the research process, and adhering to these ethics throughout the study will ensure the integrity of the research. Whitbeck proposes for the establishment of group mentoring to lessen the problem of unethical lapses.⁵⁴ Maxwell has made a remark that the main concerning qualitative research is not with eliminating discrepancy between researchers in the values and expectations that they bring to the study but with understanding how a particular researcher's values influence the conduct and conclusions of the study.⁵⁵

Conclusion

Researchers have an obligation to address the ethical decisions that may arise in their research process. Consents from the participants, confidentiality agreements, and conflicts of interest should be presented and discussed. Reports of research should be supported by adequate evidence in order to justify conclusions. Not only that reports should be transparent but accurate and free of plagiarism, fully accessible to others, and without falsification or fabrication of data or results. Data should be presented in such a way that any qualified researcher with a copy of the relevant data could reproduce the results. Finally, the paper has indicated conditions that enable the researchers to conduct their research in an ethical manner and uphold the integrity of the research. High ethical standards are needed to protect the social standing and reputation of research.

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⁵² ibid

⁵³Nodenstam, T. and Tornebohm, H., (1979) "Research, Ethics and Development", *Journal for General Philosophy of Science*, 10(1): 54-66. However Payne had articulated that even regulatory and legal control do not prevent abuses from occurring, see Payne, S. L. (2000) "Challenges for Research Ethics and Moral Knowledge Construction in the Applied Social Sciences", *Journal of Business Ethics*, 26: 307-318.

⁵⁴Whitbeck, C (2001). "Group Mentoring to Foster the Responsible Conduct of Research". *Science and Engineering Ethics*, 7: 541-558.

⁵⁵Maxwell, J. A. *Qualitative Research Design: An Interactive Approach*-3rded, Los Angeles: SAGE Publications, 2012)

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