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Váženy pane kolego!

Evaluation in the Plagiarism Case of Prof. Martin Kovář

As requested I am sending you my evaluation of the materials transmitted to me in connection with the charge of plagiarism brought against Prof. Martin Kovář in December last year. In my evaluation I am proceeding from the definitions of plagiarism given in the Philosophical Faculty of the Charles University's "Opatření děkana, č. 2/2010 – Etika vědecké práce," in particular item 4.d.:

Plagiátorství se dopouští každý, kdo ... nepřijatelně parafrázuje bez uvedení zdroje myšlenky, hypotézy, náměty nebo specifické postupy druhých, to jest nedodrží obecně zavedené a osvědčené způsoby parafrázování, jejichž osvojení je běžnou součástí akademického výcviku.

This definition of plagiarism corresponds with that given in the American Historical Association's statement on standards of professional conduct, which notes that:

Plagiarism includes more subtle abuses than simply expropriating the exact wording of another author without attribution. Plagiarism can also include the limited borrowing, without sufficient attribution, of another person's distinctive and significant research findings or interpretations.... Plagiarism, then, takes many forms. The clearest abuse is the use of another's language without quotation marks and citation. More subtle abuses include the appropriation of concepts, data, or notes all disguised in newly crafted sentences, or reference to a borrowed work in an early note and then extensive further use without subsequent attribution.

Useful here is also another resource of the American Historical Association, which gives a concrete example of the more "subtle abuses" that, even with the citation of a source, still constitute plagiarism. The example may be found here (<https://www.historians.org/teaching-and-learning/teaching-resources-for-historians/plagiarism-curricular-materials-for-history-instructors/defining-plagiarism>).

The materials I reviewed included the original charge brought against Prof. Kovář and the addendum thereto, as well as Prof. Kovář's declaration to the Ethics Commission of the Charles University. In

In addition I reviewed the supplementary evidence provided by the Ethics Commission including scans of relevant passages of Prof. Coward's and Prof. Kovář's works for comparison purposes. In comparing these materials, I did not focus only on the sections highlighted in the original charge, but also the other passages leading up to and following the selected segments, as far as the scans reached.

Prof. Kovář begins his statement by strongly denying that he attempted to "hide" Prof. Coward's work from Czech readers (point 1). He then disputes specific charges relating to his text *Stuartovská Anglie* (point 2), to his chapter on James I in *Lidé a dějiny* (point 3) and to the charge that he plagiarized from Prof. Michael Harris's contribution to Prof. Jeremy Black's edited volume on Walpole in his *Walpolová Británie* (point 4).

With respect to his attempting to "hide" Coward's work, Prof. Kovář appears to have established that he did provide references to Coward in the text, and that the fact that it was not in the bibliography was an editorial oversight and not duplicity on his part. I have no way of judging the accuracy of that explanation for why it is not in the bibliography. I would note, however, that the definitions of plagiarism used both by the "Opatření děkana, č. 2/2010" and by the American Historical Association agree that plagiarism can occur even when citations to a source are given.

With respect to his work *Stuartovská Anglie* (point 2), Prof. Kovář strongly asserts that he did provide citations to Prof. Coward's work in multiple locations, and included both it and Coward's study of Oliver Cromwell in the bibliography. He comparatively cites four sentences from both his and Coward's texts, noting some similarities but arguing that his text also includes material that is not in Coward's and that the final footnote (number 13 in the scan, which does not, unfortunately, include the notes) was to Coward's work. Thus, if true, he did give a reference to Coward at the end of the analyzed paragraph. However, if one extends the reading of the two texts comparatively beyond the four sentences in Prof. Kovář's response, one is still struck by the remarkable resemblance between the material in terms of expression and ordering of topics. This is paraphrasing, but the level of similarity between Prof. Coward's and Prof. Kovář's texts is very strong for it to be simply two scholars using similar sources on a similar theme.

In his response to point 3, Prof. Kovář again compares Coward's text to his own, arguing that his version, while similar in some respects to Coward's (at least to "a layman") is different enough to reflect the simple fact that both scholars were working on the same topic using the same sources. When one broadens the text under review to the entire article and chapter (which I have done) one finds again that there are strong similarities in organization of the material and in turns of phrase or selected

quotations, but there is also material not in Coward's work, along with some changes in organization. Of the examples considered this was the more successful paraphrase, though there were still noteworthy coincidences of expression.

Regarding point 4, I note that I did not have the text of either Prof. Kovář's or Prof. Harris's work for comparison purposes, and the addendum to the charge is based on analysis of similarities between the reference apparatus of the two works. That analysis, however, points to a remarkable correspondence between the reference notes in the article in Black's edited volume and Kovář's work on Walpole. This is at least troubling, because, although it is true that different authors could consult the same source base for works on similar themes, the exact correspondence between sources cited and the order in which they are cited at least raises the question of what the texts would look like when closely compared to each other.

I was a little surprised that Prof. Kovář did not specifically address the analysis of his earlier work, *Anglie posledních Stuartovců 1658–1714*, as presented in the original charge. The side-by-side comparison of a passage selected from pages 395-396 in Coward's *The Stuart Age* with Prof. Kovář's pages 204-205 shows an almost perfect correspondence not just in subject but in turns of phrase and word choice in many passages. There are certainly challenges in paraphrasing from one language into another, but large sections of this text read more like a translation than a paraphrase. Extending the comparison to the entirety of Coward's chapter 13 and Prof. Kovář's chapter 10, the remarkable similarities continue – including not just thematic material, but the organization and ordering of the themes, the selections of citations of contemporary accounts, and even the wording. There are some changes in text but they are minimal compared to the quantity and consistency of the correspondences. These similarities far outweigh what might be expected of two scholars independently studying similar materials and writing about similar topics.

From the material I have studied, then, it emerges clearly that Prof. Kovář has not committed plagiarism in the sense of copying directly word-for-word from another's work and passing it off as his own. This is not, however, the only form that plagiarism can take, as noted above, and when turning to the more subtle forms of plagiarism, the documents tell another story. ***Reluctantly, I am forced to conclude that Prof. Kovář's work reflects these more subtle forms of plagiarism – whether intentionally or accidentally I cannot say.*** The American Historical Association considers plagiarism to be “the failure to properly acknowledge the work of another, regardless of intent,” though for a student's work, intent may be considered when assessing sanctions.

I hope that the Ethics Commission of the Charles University will find my evaluation of these materials helpful in the unpleasant, but necessary task before them of making a decision in this matter.

Sincerely,

A handwritten signature in black ink that reads "Hugh L. Agnew". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Hugh L. Agnew

Professor of History and International Affairs