

From: **Michael Lissack** <[lissack@isce.edu](mailto:lissack@isce.edu)>  
Date: Thu, Oct 25, 2012 at 2:25 PM  
Subject: Re: response  
To: Robert Price <[rprice@berkeley.edu](mailto:rprice@berkeley.edu)>  
Cc: Alicia Juarrero <[aliciajuarrero@gmail.com](mailto:aliciajuarrero@gmail.com)>, Carl Rubino <[crubino@hamilton.edu](mailto:crubino@hamilton.edu)>, Thomas Bartlett <[thomas.bartlett@chronicle.com](mailto:thomas.bartlett@chronicle.com)>, [alexandra.tilsley@insidehighered.com](mailto:alexandra.tilsley@insidehighered.com), "Vonderlippe, Angela" <[avonderlippe@wwnorton.com](mailto:avonderlippe@wwnorton.com)>

Professor Price

Thank you for your letter of October 22.

- 1) Your understanding is correct. My use of memes as "signs" designating an "environmental niche" was both first and unique and as such Deacon's subsequent usage constitutes plagiarism.
- 2) I will endeavor to produce an outline of similarities and overlaps for the investigatory committee during the next few weeks -- both with regard to my work per the paragraph above and with regard to list of authors mentioned in my letter.
- 3) Please confirm that my letter of October 17 has been turned over to the investigatory committee.
- 4) Attached please find a chronology which highlights interactions between Deacon and Juarrero which we desire you to place into evidence with the committee.
- 5) Since clarity on all fronts is very important in this matter, we wish to re-emphasize the nature of our complaint. We are NOT alleging that Deacon made any word for word copying in the works in question. We have made no such finding. We have found that Deacon has serially made use of concepts, lines of reasoning, order of argumentation, and third party references originally presented by others in their written and published works without making appropriate attribution or citations of the same. We have found a pattern to this activity and have found that it has occurred for more than 7 years. These are our findings which for the purposes of your committee you are treating as an allegation to be investigated.

While Alicia Juarrero and Carl Rubino may be of the personal belief that this pattern of "borrowing without attribution" was intentional, there is NO claim of intentionality in our findings (indeed we are in no position to make such a judgment). However, it is our finding that plagiarism such as this occurs even in the absence of intent. We live in an Internet day and age. It is extremely easy to discover works by others which address the same concepts as the work of oneself. Indeed, it is the obligation of a serious academic preparing an academic work to make a serious effort to locate and cite such material. The failure to do so (whether by neglect or intent) allows for

situations where one publishes work with an implicit claim of originality which is false. It is this lack of scholarly diligence which we have found Deacon to have performed in a repeated and serial manner over the past seven or more years.

It is the standard practice in academia to read the works of others, to attend presentations by others, to discuss the works of others etc. The mere fact that one has engaged in such attendance, readings, or discussions does NOT mean that the ideas so presented/discussed have somehow now become the "property" of the reader, attendee or discussant. The ideas so gained through such exposure will of course over time be refined in the mental catalog of the reader/attendee/discussant but only the refinements can properly be claimed as "original" by such person. Academic integrity demands that when the refined ideas are then re-presented in an academic publication that attribution be made to the original source (or to the correct secondary source which in turn should be citing the original ...etc). This is the very lesson we strive to have our students embody and it is the standard of practice which allows for academic knowledge to grow in a scholarly manner. The failure to provide such attributions is called plagiarism. Different standards apply when re-presenting such work for non-academic audiences or in casual conversation.

Deacon's work and his responses thus far to this matter seem to indicate that he has not only failed to follow this standard for academic integrity but that he questions it. It is this failure and questioning which is the most disturbing to us at ISCE regarding this matter. We demand that our students learn to follow this standard. For Berkeley to "cover-up" Deacon's failure to follow it, and, worse, for Berkeley to tolerate Deacon's advocacy of the flaunting of the standard, is directly contrary to the principles of academic integrity which Berkeley claims to stand for.

Plagiarism occurs when the ideas of others are presented as one's own. This includes ideas which one has read or heard and then thought about and refined. Only the refinements are original. That which has been refined is in need of attribution.

The internet and academic databases allow such attributions to be made with little effort. Deacon has already admitted to making no such effort. The paucity of post 2005 references in a book published in 2011 (referring to *Incomplete Nature*) are illustrative of such a lack of effort. (That lack is even more disturbing when one recognizes that any good anthropologist when studying a field which is not his own -- as Deacon acknowledges is the very basis of *Incomplete Nature* -- would attempt to examine the "native" literature. That the chairman of the Anthropology department would fail to read/cite that literature is further evidence of negligence.)

The fact that Deacon's student Mark Graves makes extensive use of the Juarrero work and correctly cites and attributes the same in a book he wrote while Deacon's student and while a member of Deacon's "pirates" (Deacon's academic discussion group as defined in *Incomplete Nature*), suggests strongly that Juarrero's ideas were indeed discussed by Deacon who then "borrowed them without attribution" and made them his

own. We at ISCE have found that Deacon did the same to much of the material presented in Graves' book.

6) Plagiarism by negligence is still plagiarism. The lack of appropriate attributions and citations is not "remedied" by a lack of "intent." If it were, then we would be excusing plagiarism by students on a continuous basis. We suspect that Deacon's plagiarism is of this "by negligence" variety.

7) We would like to know the date the committee is required to respond to you with its findings and the deadline date which we must meet with regard to sending evidence to the committee.

8) Please confirm that this letter has also been delivered to the committee along with the attachment.

Respectfully

Michael Lissack  
Executive Director and ISCE Professor of Meaning in Organizations

see <http://epi-thinking.org>



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Please consider attending the [Modes of Explanation](#) conference in Paris May 22-24, 2013

"We make a living by what we get, we make a life by what we give. .. Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen. "  
(Winston Churchill)

Oct 29

Prof Price:

ISCE, at its expense, is going to create a special sub-set of the ISCE library which will enable your investigators and the public (if anyone so desires) to examine Deacon's Incomplete Nature for CONCEPTUAL overlap with the works of Juarrero, Bhaskar, Salthe, Thompson, and Graves.

This tool will contain the full text of the works of the authors above and will allow the submittal of chunks of text to be examined of up to 100k (eg. chapter by chapter of Incomplete Nature)

the tool will reveal concepts and phrases which overlap and will indentify the source of any such overlaps

we expect this tool to be available to your investigators by the beginning of December

Note: the tool is being constructed (though you can try the technique now in the ISCE Library but the search will be against 1000 books rather than the more limited set of 1 dozen) and we have not obtained any results yet.

I will keep you informed as to the development status. If you wish to experiment with the technique against the broader ISCE library please let me know and I will restore your access (which was removed last month at your request)

This tool should answer any lingering doubts about conceptual overlaps one way or the other.

Respectfully

Michael Lissack  
Executive Director and ISCE Professor of Meaning in Organizations