

A Comparative Study of Ghostwriting in the Criminal Law of Iran and the United States of America

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Abstract

Ghostwriting, which is simply writing for and under another name, has intensified in recent years due to the emergence of new technologies in educational systems. In response to this phenomenon, the legislators of Iran and the United States of America tried to deal with this phenomenon by criminalizing it and anticipating the guarantee of criminal execution. In the Law on Prevention and Combating Fraud in the Preparation of Scientific Works, the Iranian legislature has considered both sides of the ghostwriting process, namely ghostwriters (providers of ghost writing services) and users of ghostwriting (customers). However, criminal policy towards these two categories is not the same and they have been treated in two different ways. While the legislator has provided for the providers of a guarantee of criminal execution, for the users, a guarantee of execution is milder and of a disciplinary type, such as revocation, affecting the degree, base, rank, etc. Seventeen states have also criminalized ghostwriting in the United States. These states have only punished ghost writing service providers. Thus, university disciplinary sanctions are imposed on users of these services.

Keywords: Ghostwriting; Outsourcing; Honorary Author; Gift Author; Scientific Rent; Punishment.

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