

An Apology

The Editorial Board /

Professor Ulf Stridbeck and Research Fellow

Anne Christophersen

Retfærd – Nordic Journal of Law and Justice (Scandinavian University Press, Oslo) published in no. 82 (3/1998) the article «Environmental Ethics – A Common Ground In a World of Multiplicity» (in Norwegian: Miljøetikk – et felles grunnlag i en mangfoldig verden) apparently written by Klaus Bosselmann, Dr. jur. Professor at the University of Auckland, New Zealand. However, the text turns out to be 90 – 95% identical with chapter 1 in another book called *Earth's Insights*. This book is written by J. Baird Callicott, Professor of philosophy and religion studies at the University of North Texas, USA. *Earth's Insights* was published by the University of California Press in 1994.

The resemblance between the two texts is the subject of this editorial comment.

In the autumn of 1995 Retfærd received the article “Environmental Ethics – A Common Ground In a World of Multiplicity” from Professor Klaus Bosselmann. He had been invited to publish in Retfærd, and the actual article was chosen by the editors from a list of publications he had sent to the journal. From this list it follows that the article was an unpublished conference paper, sent for presentation at a conference on Environmental Ethics, Policy and Law, the 4th of November 1994 at the University of Wisconsin. Due to different practical cir-

cumstances (delayed translation etc.) the article was not published until 1998 in Retfærd 82. However, at the time of publishing, a member of the editorial board happened to come across *Earth's Insights* by Professor J. Baird Callicott. The resemblance between the article received from Bosselmann and chapter 1 in Callicott's book is striking.

Confused by the discovery we wrote to the authors and asked for their contribution to the clarification of the situation. During some weeks in December 1998 and January 1999 we received and forwarded electronic mails from and to the authors. In the end of the period we also received mails from Dan Dixon, Director of Subsidiary Rights, University of California Press.

According to Professor Klaus Bosselmann, his paper, of 4th November 1994, was sent to a conference in Wisconsin, but never presented by him. He wrote a draft in December 1993. This draft was sent to a named American law student for comments. In March 1994 Bosselmann received the revised paper in return. This is the article published in Retfærd.

There is no doubt that Bosselmann's article contains text from chapter 1 in Callicott's book, albeit with some minor paraphrases. In his mails to Retfærd Bosselmann accepts responsibility for the fact that Cali-

cott's material "found its way to my article". Bosselmann admits that his article was based on Callicott's publication, but without his knowledge. Callicott "deserves credit for that", Bosselmann writes. Bosselmann also accepts "responsibility for any lack of verifying the findings" of the law student, who assisted him in editing his

paper. "I apologise for any inconvenience", Bosselmann writes. However, Bosselmann is responsible for the content of the article, whether this is "plagiarism", as Professor Callicott maintains, or "unfortunate circumstances", as Professor Bosselmann declares.