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COMMENTARY

In Defense of the Netherlands Code of Conduct for Research Integrity: Response to Radder

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ABSTRACT

We assess Radder's criticisms of the *Netherlands Code of Conduct for Research Integrity* and show that they either miss their mark or depend on controversial background assumptions about the purpose of the Code. Although Radder raises important questions about the broader roles and purposes of research in society, his conclusion that the Code should be revised in the ways he proposes is unjustified.

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We assess Radder's (2022) criticisms of the *Netherlands Code of Conduct for Research Integrity* (UNL 2018) and show that they either miss their mark or depend on controversial background assumptions about the purpose of the Code. Although Radder raises important questions about the broader roles and purposes of research in society, his conclusion that the Code should be revised in the ways he proposes is unjustified.

The Netherlands Code departs from five core values and develops them into 61 standards for good research. These standards concern both the familiar research misconduct categories (fabrication, falsification and plagiarism), and questionable research practices, like p-hacking, selective reporting, and conflicts of interest. Two distinctive features of the Netherlands Code are that it contains a chapter on institutional duties of care to foster research integrity and that it specifies criteria to assess the severity of non-compliance with its standards. The current version from 2018 is a thoroughly revised and expanded edition of the 2004 *Netherlands Code of Conduct for Scientific Practice* (VSNU 2004), which was the first edition.

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Radder's first criticism concerns what he takes to be a telling and problematic omission in the Netherlands Code. The Code's five core values are honesty, scrupulousness, transparency, independence, and responsibility. For Radder, this is not enough. He faults the Code for its "complete lack of the [Mertonian] value of the communism (or something like it)" (Radder 2022, 4).

This criticism is only partially correct, for the Netherlands Code does contain various injunctions that promote the Mertonian norm of communism and go against its opposites, to wit secrecy and private ownership of research results. The Netherlands Code, like many other codes and integrity statements, promotes complete and speedy publication of findings, transparency, and open science practices, such as FAIR (Findable, Accessible, Interoperable, and Reusable) data curation and open methods, data, code, and licenses. All of these norms pertain directly to the common ownership of the results of science as intended by the Mertonian value of communism (Merton 1973; cf. Haven et al. 2022).

Moreover, Radder assumes without argument that a research integrity code must mention communism as a distinct value, at least for publicly funded science. While we agree that Mertonian communism captures an important value for good research practices, it isn't given that integrity codes should enshrine Mertonian values to all eternity. Research integrity involves a plurality of values and there is no uniquely correct way of representing them (Peels et al. 2019). The Mertonian framework is not completely uncontroversial either, as Radder himself has detailed in previous work (Radder 2010). It has been criticized for being unrealistically idealistic and out of touch with actual scientific practice (e.g., Barnes and Dolby 1970; Mulkay 1976). Hosseini et al. (2022) show that some increasingly popular Open Science practices in fact push for more thorough-going and timely openness about *all* elements of research processes (including data, materials, methods, protocols, software code, and analyses), than did Merton's original formulation of communism, which was only concerned with research outputs or discoveries.

Even more important is that questions about ownership and use of the outputs of research are commonly addressed under the banner of Responsible Research and Innovation (RRI) (Stilgoe, Owen, and Macnaghten 2013; Bouter 2022)[1] and not that of Research Integrity.[2] Simply put: research integrity codes tell you how to conduct research with integrity, RRI concerns broader questions about what to do with research results and outputs. This short commentary is not the place to dive into questions about when and under what conditions (more) private ownership of research results might be justified. Suffice it to say that, in conditions of stagnant or dwindling public funding of research, where universities and research institutes have to (and are actively encouraged to) look for private

sources of funding to supplement research budgets, or in situations where research is co-funded through public-private partnerships, there may well be reasons for permitting forms of private ownership of the results of research.

Further in his discussion of the value of communism, Radder objects to the fact that the results of research are sometimes patented and exploited for commercial gain. According to him, this goes against the value of independence, which the Netherlands Code explicates as follows:

> Independence means, among other things, not allowing the choice of method, the assessment of data, the weight attributed to alternative statements or the assessment of others' research or research proposals to be guided by nonscientific or non-scholarly considerations (e.g., those of a commercial or political nature). In this sense, independence also includes impartiality. Independence is required at all times in the design, conduct and reporting of research, although not necessarily in the choice of research topic and research question.
>
> (UNL 2018, 3)

According to Radder (2022, 5), patenting goes "explicitly against" independence and even "explicitly contradicts" it, but he does not explain why this should be so. Straightforward inspection of the above quote, however, shows that the Code's characterization of the value of independence is silent about what can or cannot be done with the *results* of research. Radder's claim about an *explicit* conflict between the practice of patenting and the code thus remains unsubstantiated. Whether patenting the results of publicly funded research is permissible and desirable, is a broader question about RRI, which doesn't pertain directly to research integrity.

Perhaps, however, Radder's underlying concern is that patenting introduces bias into the research process, because research carried out with the purpose of acquiring a patent may be more likely to be influenced by financial or commercial interests. This is how the practice of patenting could be at odds with the value of independence.[3] Whether patenting indeed introduces bias, and, if so, to what extent it does so, is an empirical question. To the best of our knowledge, there have been no systematic studies investigating this specific question. Nonetheless, patents are often mentioned as a possible source of bias (e.g., Resnik and Elliott 2013). Note, however, that the problem is then not patenting as such – as per Radder's suggestion – but rather its potentially corrupting effects on the independence and integrity of the research process. It is precisely these corrupting effects that the Code explicitly warns against in the quoted explication of the value of independence.

Radder then goes on to suggest that omission of the value of communism means that the code "reproduces and legitimizes the neoliberal views of a market-based politics," that it implicitly accepts "a questionable dependence on commercial or financial interests," thereby implying that "conflicts

of interest are fine as long as they have been made public" (Radder 2022, 5). This is a stretch. The quoted explication of independence may be silent about patenting, it does explicitly forbid undue interference of external stakeholders, whether commercial or political, in the research process. Requirements about reporting conflicts of interest in publications were of course never meant to suggest that such conflicts are fine, but they make readers aware of them and alert them to the possibility of bias.

Radder's second criticism is that the practice of applying for research funding by means of grant applications forces researchers to violate standard 3 of the Code: "Do not make unsubstantiated (or: unfounded) claims about potential results" (UNL 2018, 16). As Radder correctly notes, grant applications require one to explain what one expects or hopes to find. Surprisingly, however, he then writes that "if [expected results] should really be 'substantiated' at the design stage, the research would actually be redundant" (Radder 2022, 6).

This is remarkable. Research funders of course require researchers to offer support in their applications for hypotheses they plan to investigate before they engage in the project and actually obtain results. Researchers can, for example, report results from a pilot study or literature review. This seems only fair; funders should not want to fund projects that lack plausible and sensible hypotheses. But substantiating the initial plausibility of one's hypotheses does not in the least make it redundant to carry out the actual research. To suggest otherwise is to confuse substantiating *hypotheses* with substantiating *conclusions*. Admittedly, everyone who has written grant applications knows it can be tempting to exaggerate one's expected results and their importance, but this is what the Code rightfully warns against.

Third, Radder accuses the Code of reducing professional ethics to individual integrity. His complaint is that organizational culture and societal contexts are just as important for research integrity as individual integrity (Radder 2022, 7–8).

This, too, is surprising. The Code – possibly as the first ever – has a chapter entitled "Institutions' duties of care" with sections on, among other things, "training and supervision," "research culture," and "ethical norms and procedures." The chapter opens as follows:

> Institutions must fulfil these duties so that researchers can and, in fact, do observe the standards for good research practices. Many of these duties of care apply to distinct levels within an institution, engendering further obligations for personnel working at various levels, particularly supervisors, principal investigators, research directors, managers and executive board members.
>
> (UNL 2018, 20)

It's hard to imagine a more explicit endorsement of the importance of culture and context for individual integrity. Yet Radder neither acknowledges the

existence of this chapter nor does he tell his readers what, according to him, is wrong with its discussion of organizational responsibilities for research integrity.

Radder raises a further, more specific point when he notes that only individual scientists can be sanctioned for violations of research integrity. The Code explicitly excludes complaints (and hence sanctions) pertaining to violations of institutional duties of care. According to Radder, this means that "the functioning of the established administrators and managers has been cleverly screened from effective criticism" (Radder 2022, 7).[4] This is a misunderstanding, for there is nothing sinister going on here. Quite the contrary, in fact: the reason why the Code prohibits complaints about institutional duties of care is a simple matter of fair procedure. The Code stipulates that properly supported complaints about integrity are to be investigated by a committee or officer *appointed by the institution*, where the institution is to see to it that a "scrupulous and fair procedure" is in place (UNL 2018, 25). Clearly, an institutionally appointed committee or officer should not investigate complaints against that very institution. That would be like scientists reviewing their own (or at least their team members') papers. Therefore, the Code explicitly states that compliance with institutional duties of care must be ensured by regulatory organs such as the Supervisory Board or representative bodies (UNL 2018, 20). Finally, it is worth noting in this connection that the Code does encourage informal accountability, also for superiors and management: "Researchers must always hold each other, their subordinates, their supervisors, principal investigators, research directors and managers accountable, to ensure that quality assurance is improved, that recurrence is prevented and that adverse effects are remedied or mitigated (e.g., by rectifying or retracting publications)" (UNL 2018, 24).

The fourth and final criticism is that "the Dutch integrity code employs a completely empty view of the societal relevance of the sciences" (Radder 2022, 7). What Radder means is that the code doesn't specify how and in what ways research and scholarship should be of relevance to society.

This is correct as far as it goes: the Code does not state which broader societal goals, values, and interests research ought to serve. But while Radder takes this to be a problem, imagining the alternative should give us pause. Suppose a code were to specify how research ought to serve society. It could do so by taking Bush's (1960) line that research serves society best if it is left to its own devices, pursuing blue-sky basic research; by embracing Etzkowitz and Leydesdorff's (2000) Triple Helix model of innovation; or by proposing, in line with Marxist and critical theories, that research ought to serve emancipatory and liberatory goals for the marginalized and oppressed (Bohman 2021). And so on. The literature on science policy and the science and society interface contains

multiple elaborate and reasoned views by well-informed scholars on how academic research can or ought to be of relevance to society at large. Hence, any proposed specification of the broader societal goals of research – including Radder's own proposal of science in the public interest (Radder 2019) – is bound to be controversial. It is thus entirely defensible for any research integrity code to stay silent on this matter, because the alternative is to take a position in a scholarly debate that is far from settled.

To be clear, that is not to say that society and academia as a whole should stay silent on this issue. On the contrary, how research can and should serve society is a pivotal question for democratic politics and researchers to address together. But the means for doing so is public, democratic debate, rather than deference to the authors of a code for research integrity. What society can ask from publicly funded academic research is not primarily up to expert researchers and scientists themselves, it is a question for society at large.

The Netherlands Code is a work in progress and, as the Code's preface emphasizes, criticisms are to be welcomed for future revisions. However, criticisms ought to be based on a charitable reading of the text of the Code and they should take into account the intended goals and scope that its developers have set for a code, which, in the case of the Netherlands Code, isn't to settle issues about responsible research and innovation and the roles and purposes of research in society. Radder's criticisms fail on both these counts. Even so, the questions they raise about what society may ask and expect from academic research and the roles it plays in society are of the utmost importance. But they ought to be addressed by politicians, citizens, and researchers alike, preferably through proper democratic institutions.

Notes

1. See https://rri-tools.eu/ and https://www.rri-practice.eu/about-rri-practice/what-is-rri/ for more on this.
2. Cf. the mission statement of the World Conferences on Research Integrity Foundation, https://www.wcrif.org/foundation/mission.
3. Thanks to Mohammad Hosseini for pushing us to consider this interpretation of Radder's criticism.
4. Thanks to Mohammad Hosseini for drawing our attention to this further element of Radder's criticism.

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Some of the authors have been or are closely involved with the Netherlands Code. LB was one of its coauthors; JT is a member of the Dutch National Organ for Research Integrity (LOWI), an independent appeals committee for research integrity complaints, and MZ leads the research integrity initiatives for his university, which are partly based on the code.

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