

Research Ethics in Universities¹

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Abstract: *The ethically process in research is time consuming because we also find a difficulty when judging different problems seeing that many regulations have ambiguous meaning. For ethics commission members it appears to be a burden when it comes to analyze the research ethics issues. The main reason is represented by the increased subjectivism and also the differences between an institutions to another or even between different countries. This study aim is concentrated around the ethics problems that appear in the research field. Each researcher must be informed about the research ethics and make an individual effort to find the appropriate information that fits to his personal interest regarding all possible ethics issues that can appear in his interest domain. A specialist with integrity and common sense it is supposed to act with active and politically correct conscience during his research activity especially in experimentation systems and afterwards when results dissemination is prepared for publishing. The intellectual property is the most important set of exclusive rights granted to original creations or extraordinary research results. The ethics commissions around the world would appreciate, protect and encourage all the politically correct behavior in this vast domain.*

Citation: Vătcă, S.D., Dârja, M., Salcă Rotaru, C.M. & Giurgiuman, T. (2021). Research Ethics in Universities. *Revista Etică și Deontologie*, (1)1, 52-59
<https://doi.org/10.52744/RED.2021.01.07>

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Keywords: *research ethics, results dissemination, regulation*

¹ Articol prezentat în cadrul Conferinței Internaționale Valorile Etice în Societatea Actuală – VESA 2021 (3-5 iunie).

1. Introduction

The subject of academic ethics should be based on a universally valid doctrine (Kerr, 1989) for all involved. This unfortunately does not apply in the form of pre-established rules. All researchers, whether affiliated with universities or research centers, behave like observers based on good practice rules and often arise various controversies.

Usually are studied topics of personal interest based on personal ideas without being anchored in hot topics, current and with maximum interest for the present that will be useful in the future as a support of valuable information (Leavy, 2017).

Academic engagement in research must be based primarily on truth (Kerr, 1989). Any result is valuable even if it does not necessarily show very significant results. As a basic rule, the bias in research must necessarily avoided, this means that the results must not be influenced in a certain direction (Pannucci & Wilkins, 2010).

A rather important problem is the establishment of hypotheses at the beginning of a research. From our point of view, they should not be discussed of at the beginning, because it can negatively influence the good development of a research and the results obtained.

The objectives must be set as clearly as possible from the beginning together with the experimental protocol. In order for a good approach to all university research, there should be a code of ethics (Gaillard & Peek, 2019) well adapted to the specifics of each country because we cannot assume that absolutely all people will work with dedication and morality.

One problem that needs to be highlighted is the lack of good collaboration between specialists and for a long time. Therefore, it often happens that a discipline studies and interprets results that are not necessarily in their competence sphere, being partially or totally overlapping on the subject of competent persons in that field, but who are not consulted or involved in study. These things must be regulated by a code of rules, so that when a research is initiated, to involve all people who have the necessary expertise.

Doctoral supervisors (Duke & Denicolo, 2017) should not be allowed if the supervisors are not exactly qualified in the field of research. However, if collaboration between disciplines is desired, in order to evaluate as many parameters as possible, there should be a way of assuming the credit by all the specialists involved. This collaboration must be easily accessible in terms of legislation and formalities in the university environment.

Next, we will briefly touch on some aspects regarding ethics problems that appear in the research field in universities. We should be conscious about these issues and also we should propose ways to improve the righteousness.

2. Nowadays Research Ethics Issues

Research in universities nowadays has many reasons to be discredited. There are known cases of deontological violations through plagiarism discussed at the ethics committee across the country and abroad.

Punishments are often very well known in other European countries, while in our country, the sanction decision is placed on the ethics commission which does not have clear law regulation based on which to be able to sanction such serious violations (Manea & Salcă Rotaru, 2019).

The subject is still treated with a lot of subjectivism and in general, the additional members of the ethics committee think that they can ruin careers if they offer drastic resolutions for deviations regarding research ethics. Most of the time, after an experiment, the evidence is not stored for a possible control of the funding institutions, moreover, they can often be distorted, obtained through a faulty exploration, maybe even ideas not recognized as important. in the research scene (Kerr, 1989). There are unscrupulous active researchers who practice science only with ambition and are focused on the rapid attribution of prestige and fame from many publications, sometimes even with falsified evidence or results.

Most of the time, the ethics commission notifies itself or is notified about these deontological violations and these false specialists are discovered and discredited, only that the punishments are not high enough. By eliminating these exceptions and if the number of correct ones is reported as a percentage, the vast majority of academics or researchers are correct, involved and engage in research according to all ethics rules and sometimes even more than that can be highlighted.

Among the most worrying aspects of research in universities are research projects, respectively the money that comes after obtaining them (Kerr, 1989). A fundamental or exploratory research idea is often assessed through national competitions and project submission. After being won, the available money is not necessarily used strictly in the proposed research, but is often redirected for the project manager personal purposes.

These problems could be avoided if frequent and even unannounced inspections of funding institutions were carried out or if the state through the Ministry of Education and the government implemented an efficient financing and control system without competition, only on the basis of exceptionally internationally recognized results of academics or successful researchers.

A country's research should be directed to respond and be useful in order to develop sectors of great economic interest (Kohli, 2004). International research topics should also be addressed in Romania, as Europe has set legislative objectives for all countries that have joined regardless of their current degree of development. Emerging risks in academia are also closely linked to corruption in universities, especially of people with different administrative functions (Shaw, 2013). In Romania, universities are in general public organization, so it falls within „There is no magic potion that can be applied to transform public organizations into organizations of integrity” (Menzel, 2012).

Some researchers sell their studies and they never become available in the scientific world, which is a problem of great interest and this should be avoided. There are also researchers hired by certain companies to study the products they sell. Once these people are paid exclusively by that company, of course they will not deliver results that would put the company in an unfavorable light.

The tendency of researchers to be tempted by additional financial benefits is more and more accentuated and this happens because after a hard-working life and concentration, in Romania, they continue to be remunerated very poorly. The disappointment of many researchers, due to the low budget available from the state, poor investment interest in research (equipment) and low salaries, also make them deviate from reality and sometimes end up studying abstract things or focusing on different models that will not necessarily be useful in the contemporaneous reality.

3. Copyright, patents and 'plant breeder's right'

Intellectual property rights (IPR) are set by various national and international laws and also covered by European Union law (Salcă Rotaru, 2018a).

If a material/ invention is protected by copyright, this cannot be used for commercial purposes only if the owner of the material/invention agrees and it is remunerated for their work if he asks. When a research results in a new product, method or innovative result that is indispensable for other future related research a patent could be accessed.

A patent represents a legal title that can be granted for any invention of a technical nature, provided that it is new, is the result of an inventive step and can have an industrial application. The patent confers on the owner the right to prevent the production, use or marketing without authorization from the inventor. Patents encourage businesses to make the necessary investments in innovation and encourage individuals and jobs to allocate resources for research and development.

In Europe, technical inventions can be protected either by national patents granted by national competent authorities or by European patents, granted centrally by European Patent Office (EPO). The latter is the executive body of the European Patent Organization, to which 38 states have currently acceded. The EU as a whole is not a member of this organization.

After years of discussions between Member States, Parliament and the Council approved in 2012 the legal basis for a European patent with unitary effect as a unitary patent. An international agreement between Member States therefore establishes a single, specialized jurisdiction over patents. The confirmation by the Court of Justice (CJEU) of the patent package in its judgment of 5 May 2015 opened the way for an authentic European patent. The previous regime will coexist with the new system until its establishment Single Patent Court (CUB). The unitary patent, granted by the EPO, will provide uniform protection, with the same effect in all participating countries.

Starting with the beginning of March 2003, Romania acceded to the European Patent Convention as a result of the entry into force of Law no. 611 of 13.11.2002 on

Romania's accession to the Convention on the issuance of European patents. If the presented conditions are met, from the date of publication by the EPO of the issuance of the European patent, it confers on the Romanian territory the same rights as a national patent, according to art. 33 of Law no. 64/1991.

The procedures performed by OSIM (Oficiul de Stat pentru Invenții și Mărci – State Office for Inventions and Trademarks) regarding the patent applications and the patents, provided by Law no. 64/1991 republished and by its application regulation, are subject to taxes. The amounts and terms are established by Government Ordinance no. 41/1998 republished regarding the taxes in the industrial property protection field and their use regime.

The protection of plant varieties, also called the 'plant breeder's right', is a form of intellectual property right granted to a new plant breeder.

The EU plant variety protection system, based on the principles of the „1991 Act of the International Convention for the Protection of New Varieties of Plants” (Lawson, 2015), contributes to the development of agriculture and horticulture. EU law establishes a system for the protection of plant variety rights. The system allows the granting of intellectual property rights for plant varieties. The Community Plant Variety Office shall implement and apply this system.

4. Research ethics - integrity in education

In Romania were set nine highlights for the ethics field, which we present in a random connection in Figure 1.

These approaches were framed as principal themes after the International Scientific Conference "Ethical Values in Education, Research and Innovation" from Suceava, 19-20 October 2018 (Huidu, 2018).

The scientific field from Romania it is characterized by an increased need of extending the ethical practices. At the same time we must align our research together with other research centers or universities whether national or international ones.

After these aspects it is very clear that there is a need for ethics in research for avoiding plagiarism and to extend ethical good practices.

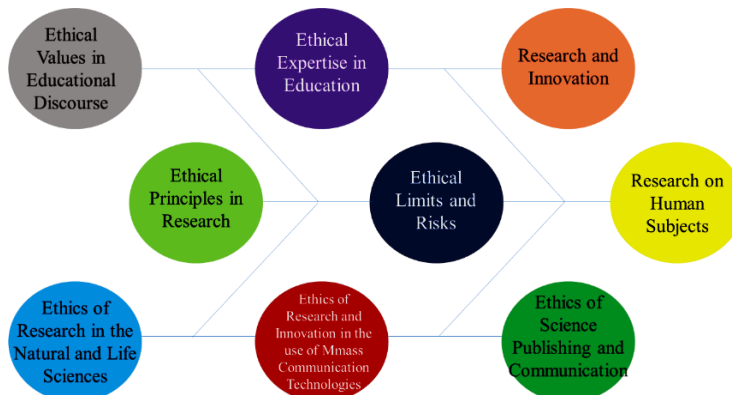


Figure 1. Aspects from Romanian ethics domain

Another study approach is based on highlights of the academic integrity, academic members' dignity and promoting the ethical principles. In Figure 2 the values and principles that must be respected for the development of universities in a democratic way are presented.

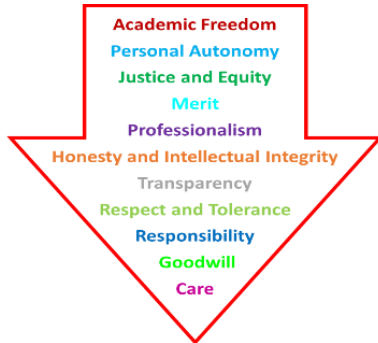


Figure 2. Universities values and principles for code of ethics compliance and for providing a high degree of integrity

The moral development in the universities and academic environment is assured by the management of ethics. In our count it is not enough to give some recommendation about the ethical rules. It is highly recommended to give credit to the importance and role gave by the code of ethics and it is mandatory to impose the ethics rules (Salcă Rotaru, 2018b). Each member from the academic either in research, or in teaching, or even in both should be conscient and cautious in order to fulfill all ethical dimensions.

The American Psychological Association established in 2002 five ethical principles of psychologists and code of conduct (APA, 2002; Smith, 2003). We have presented these in Figure 3.

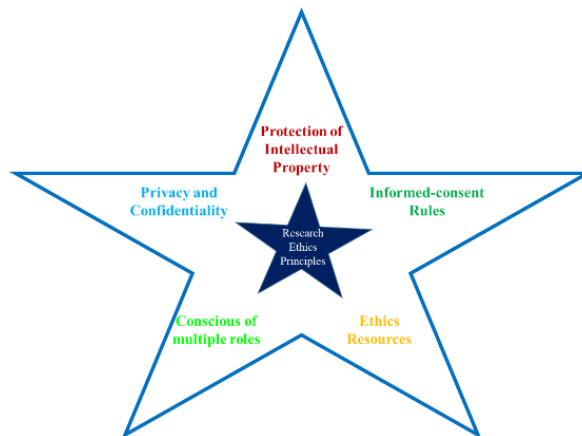


Figure 3. Research ethics principles set by APA

These approaches are more theoretical than prepared for easier assimilation and pursued by the members of the academic community involved in research. It would be better to try and make accessible and easy to follow described rules together with a high degree of dissemination among people directly interested and concerned about the ethical issues.

5. Conclusions

The ethic code must provide a change from anonymity avoid confidentiality in case of working groups and collaboration between scientists.

All researchers affiliated to a university should receive an informed consent to ensure and promote the power of knowledge with no vulnerability regarding ethics aspects.

The proposed research themes and the importance of studying a specific subject should be assessed in a special session with all the qualified and specialized members.

It is mandatory to avoid unclear formulation of the ethical rules or those that leave room for more interpretations.

Communication of these common sense and ethical rules must be made from time to time, therefore for whatever reason, they must serve to all those individuals involved in the academia.

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