

# Establishing Rules for Ethicists and Ethics Organizations in Academic Publishing to Avoid Conflicts of Interest, Favoritism, Cronyism and Nepotism

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**Abstract:** A proliferation of publication venues, scholarly journals, use of social media to disseminate knowledge and research results, scientific information, increased international scientific collaboration, a move towards open knowledge and data sharing, recent scandals such as journal editors' coercive citations, fake peer review, peer review rings, data fabrication, research spin, and retraction of articles, several of the latter within the emergence of a post publication peer review movement, are some of the many reasons why publishing ethics are constantly evolving. These challenges have led to the birth of an increasing number of guidelines and recommendations being issued by multiple organizations and committees around the world in light of the recognized need to salvage peer review, and in an attempt to restore eroding trust in science, scientists and their publications. The principal objective of these guidelines and recommendations is supposedly to provide guidance for editors, reviewers and authors to conduct honest and ethical research and publishing practices, including responsible authorship and editorship, conflict of interest management, maintaining the confidentiality of peer review, and other ethical issues that arise in conducting and reporting research. Despite the fact that scholarly publishing is an international enterprise with global impact, current guidelines and recommendations appear to fall very short on imposing any

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obligations on their parent members, i.e., committee members who issue guidelines and recommend solutions for ethical dilemmas especially when such organizations are dependent on commercial publishers who may be paying members. Obviously, financial incentives indicate that ethical organizations or ethicists are not in a power position compared to editors or publishers. Imbalanced guidelines risk that hidden conflicts of interest, cronyism, or nepotism may corrupt the decision-making process or the ethical hierarchy that has been put into place to safe-guard research and publishing ethics. Therefore, the ethics gate-keepers to the integrity of scholarly publishing should also be carefully scrutinized, and strict ethical guidelines have to be imposed on them as equally as their rules are imposed on global academia to avoid the risk of further corrupting the scientific process as a result of the absence of strong exterior regulation or oversight. This theoretical paper highlights signs of favoritism and cronyism in ethics. It also offers proposals for rules (limitations and consequences) to avoid them in science publishing. Our guidelines should be used by academics in the position of authors or editors who may sense, perceive or detect abuses of power among ethicists.

**Keywords:** organization ethics; ethical dilemmas; corruption; conflict of interest

### **Global ethics bodies and ethicists are highly self-regulated and not externally moderated**

In times of increasing public awareness of scientific misbehavior, it is unsurprising that science is more often being confronted with the accusation of “fake science” (Laine and Taichman, 2017). One major strategy to dispel such incriminations, which are often not only directed against a single scientist or a single theory, but generalized against science *per se*, is to establish codes of ethical rules for all parties involved in the scientific and publishing process. Ethics bodies, including local clinical ethics boards overseeing medical trials (Savulescu et al., 1996), thus have a great responsibility to maintain the reliability of science. Monitoring the validity and verified existence of such ethics bodies is essential (Zoccatelli et al., 2018). However, great responsibility tends to correlate with great power, and power needs to be controlled and monitored, although excessive layers of monitoring may cause excessive moderation and even open up new opportunities for corruption such as black markets that operate paper mills and organized unethical biomedical research, analogous to how over-regulation fostered organized crime (Gettman and Kennedy, 2014). As part of an open science movement that is claiming to work towards a state of greater transparency, openness and accountability in science towards fellow scientists and the public were dominant themes in 2017’s 5<sup>th</sup> World Conference on Research Integrity<sup>1</sup>. Curiously, in 2018, the 6<sup>th</sup> World Conference on Research Integrity explored better ways of managing research misconduct as one of the new challenges for research integrity<sup>2</sup>. It is thus important to apply codes of conduct and ethics fairly to all publishing-related parties, including ethics organizations. For example, an infographic advertised by the US Office of Research Integrity states that lack of transparency in a laboratory may be equated with misconduct<sup>3</sup>. The research community has the responsibility to apply the exact same principles to not only researchers, but to the research ethics committees that oversee the rules applied to such researchers. In this case, are academics assessing the absence of transparency in ethics organizations?

The global for-profit academic publishers, limited to half a dozen or so oligopolists

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<sup>1</sup> <http://wcri2017.org>

<sup>2</sup> <http://www.wcri2019.org/index/programme>

<sup>3</sup> [https://twitter.com/HHS\\_ORI/status/882677997639258113](https://twitter.com/HHS_ORI/status/882677997639258113)

(Larivière et al., 2015), are continuously publishing a large amount of ethical regulations, guidelines and sets of ethical limitations for global academia. However, weak or poorly defined and publicly available rules exist for the (re)election or vetting processes of individuals or groups who create such rules. Such an imbalanced set of rules and power may lead to the creation of powerful ethical cartels<sup>4</sup> or groups that secure their own positions, by voting for themselves, or by having their colleagues in power, either in the same ethical organization or from other ethical organizations, to vote for them. By relying on ethically ambiguous or unregulated zones (Johnson and Ecklund, 2016), such groups tend to be highly self-regulatory, with limited board membership, closed or secretive about their operations or operational procedures, very defendiant of their noble positions and ideologies (Cooper, 2012), closed to being regulated by any “inferior”, exterior or independent group, highly or over-regulatory (Warlow, 2005). There is a risk that they may also be critical of others, showing impermeable characteristics, i.e., they are not receptive to the inclusion of members from outside that close-nit circle. Such groups may create even more rules and guidelines, each layer more complex than the former. This may ensure and justify their own survival but may lead to the erosion of academics’ rights, stripping them of any possibility of questioning an ethical body that becomes self-established or that is voted into power by those whom they claim they are regulating.

The survival of such ethical bodies may involve the suppression of those for whom the rules were created, such as academics (Carlisle, 2017), editors or publishers. If advice or critique is received from the outside, it may only absorb and fortify those rules that are deflected then imposed on academia. The magnitude of this perceived phenomenon is under-reported and cannot be adequately assessed, and is analogous to a situation victimized authors find themselves in when they face editorial abuse of power. For example, Teixeira and Fontes da Costa (2010) reported how editors they contacted, including editors of ethics-related journals, did not acknowledge any person to whom authors could turn to in situations of potential editorial misconduct because “the ruler—the journal’s editor—is not ruled”, and thus there was not much the authors could do. Under such an atmosphere of highly self-controlled power, usually with hidden personal, professional or even financial conflicts of interest (COIs), ethics cronyism – which is unregulated or moderated at a global scale – is born, expands and thrives. For example, Brogaard et al. (2014) showed, in a survey exceeding 50,000 papers, how colleagues of editors in 30 finance and economics journals published 100% more when they knew the editor than authors without any association or friendship with the editor. For these reasons, and given the porous nature of critical assessment of editors, who have high responsibilities to the academic base, it has become essential for editors to list their actual or perceived COIs (Teixeira da Silva et al., 2019). However, such relationships might not always constitute a negative relationship or cronyism when trusted colleagues are called upon to assist with peer review, for example, provided that such relationships are properly monitored and managed. In publishing, potential abuses of the publishing platform may be easier to detect through citation patterns and analyses, revealing citation rings, in which “cited authors ... collude and produce so-called citation rings” (Seeber et al., 2019) or citation abuses. This is not the case with the publishing ethics elite.

At present, aggravating the problem of “increased assimilation of modern science to market capitalism” (Rivera and Vásquez-Velásquez, 2015), by equating academics with clients

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<sup>4</sup> Given the proliferation of the so called predatory publishers which charge authors article publication fees, we caution that some of them may collude with ethical bodies to restrict competition and control article processing charges, and thus we use the term “cartel” as outlined by Hamaguchi et al. (2009) who described the harm to society by the activities of cartels: “Cartels, collusions among competing firms, harm the social welfare of consumers by restricting competition in markets. Such market restrictions include entry barriers, market-dividing activities, price fixing, and volume controlling.” This definition is not restricted to article publication fees.

and their work as tradable commodities in an open market where ethics or the link to an ethics organization is perceived as a brand that itself forms part of ethical branding (Alwi et al., 2017). Rather, in addition to a moral set of guidelines, global ethics in biomedical research and publishing is currently imposed on global academia by a handful of ethics organizations, none of which are formally externally regulated and controlled, and as Teixeira and Fontes da Costa (2010) argued, there is a “need for effective regulatory bodies so as to achieve and maintain a culture of research integrity by all involved in the process.” When an ethics body is not externally regulated and controlled, has no defined, detailed or clear ethical rules accepted by exterior groups, such as academics, or has been dominating the “ethics market” for an extensive period of time, then ethics inbreeding may take place, causing, expectedly, abuses or power, corruption<sup>5</sup> and cronyism, as proposed by Jones (2018, p. 4) who defined cronyism as a willingness to select socially connected candidates (...) over more qualified applicants”. Although this might not be the case of university ethics committees that are overseen by university management, but it might follow patterns caused by inbred biases, as may occur with replication attempts by the same team (Ioannidis, 2012). Pearce (2015) provides strong evidence that “nepotism and cronyism damage employees and their supervisors and produces poorer organizational performance.” As a result of these abuses or control of power among ethics circles, an ethics monopoly is established, not unlike a publishing or citation cartel. Monopolizing ethics may be a source of corruption, particularly when ethics organizations are given discretionary powers to decide what is ethical and what is not (Klitgaard, 1998)<sup>6</sup>, impose their self-created set of ethics upon others, and be resistant to changes suggested by others, or strictly control how much influence outside, possibly competing ethicists or even academics, may impose. When a cause is perceived to be noble within society or academia, then this can lead to “noble cause corruption” (Cooper, 2012), and when discretionary measures become a reason to grab more than that which is specified, or deserved, then this amounts to greed.

Within this context, this paper aims to highlight: 1) signs if ethics-related cronyism is taking place, 2) the properties of such behavior, and 3) the characteristics that define unethical or ethically corrupt behaviors among established ethicists or ethics bodies. This paper does not state the names of any specific ethicists or ethics organization, but aims instead to set a theoretical set of definitions, guidelines and parameters, as well as a set of rules to reign in corruption, to hold ethicists – self-appointed or appointed by others – to the same, or even higher ethical values than those which they impose on others.

### **Defining the limits of ethics-related cronyism, favoritism and nepotism**

Most scientific literature concerning cronyism, favoritism and nepotism has evolved from research in the fields of politics and/or economics. Therefore, we deduced findings from these fields and applied them to the area of scientific ethics. Fitzpatrick (2007) provides a succinct taxonomic basis for distinguishing the terms used in our paper: Favoritism is a form of corruption, but depending on the relation of the actors, it can be further subdivided into cronyism or nepotism. To establish our core definitions, we relied initially on Arasli and Tumer

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<sup>5</sup> Graeff and Svendsen (2013) argued that corruption can mean that not everybody is equal under the law, and thus, corrupt actors deliberately violate universally established rules, i.e., norms and aims that are valid for everyone, by superseding them with exclusive rules that promote their own gains.

<sup>6</sup> According to Klitgaard (1998, p. 4), corruption may be represented by the following formula:  
 $C = M + D - R$ ; where corruption = monopoly + discretion – accountability

(2008), online dictionaries<sup>7</sup>, and on Google searches as well as searches of several databases<sup>8</sup> to determine how extensively this phenomenon has been recorded in the literature, primarily from previously published concepts in the political and social sciences. Arasli and Tumer (2008) define cronyism as “giving preference to ... close friends of long standing ... without regard to their qualifications”, favoritism as “the provision of special privilege to friends, colleagues and acquaintances, in the areas of employment, career and personnel decisions” and nepotism as “favoritism shown to relatives, by giving them positions because of their relationship rather than their competencies.” Favoritism creates advantages for insiders and harms those outside of the group (Bramoullé and Goyal, 2016). Alwerthan (2016) categorizes favoritism – which is also a symptom and warning sign of dysfunctional leadership and/or dysfunctional organizations (Yones, 2009) – as a “positive” form of discrimination, but with the same negative consequences. Without applying this as a blanket principle across all of academia, the active cultivation of open networks that embrace known friends in the pursuit of knowledge commons still needs oversight to avoid these caveats.

Zudenkova (2011) added a more formal representation of the ideas and principles of cronyism by noting that, in addition to private benefits, improving the chance of re-election or reappointment of an appointee are reasons for cronyism from the perspective of the appointer. For example, to secure their own benefits (job, security, authority), an appointer will modify, even contradict their own ideas and views, to align them with the appointee, doing favors for organizations, and surrounding themselves with “social, business, or political friendships” in order to ultimately make personal and professional gains, including non-financial benefits such as travel, meals, gifts, or contracts. The positioning of an individual in a network that derives such benefits may lie anywhere within a range of emotional contagion, normalization, socialization, cronyism or outright corruption, so the only way to ensure that such benefits are not perceived as something more than what they really are, is by declaring them transparently, as we suggest later in this paper.

Ethics-related cronyism is a freshly coined term, despite the long history of ethics in research and publishing. It means the creation and use of privileged positions within the ethics community to secure positions, among established friends or contacts, usually classified as “ethics experts”. Our term can also mean the practice of partiality in awarding jobs and other advantages such as titles, prestige, offices or positions, travel funds or other non-academic perks, to friends or trusted colleagues of and within the ethics community. A revolving door of powerful positions becomes established that serves essentially to protect themselves and their personal and professional interests, even if obvious financial COIs are not extant. Should these relationships occur between members of a family<sup>9</sup>, this would then be defined as ethics-related nepotism, which is analogous to nepotistic hiring, a behavior that is mostly viewed as ethically suspect (Chervenak and McCullough, 2007). Khatri et al. (2006) define cronyism as “a kind of favoritism based on network ties.”

In our opinion, ethics-related cronyism<sup>10</sup> is a set of highly unethical behaviors, and may be

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<sup>7</sup> <https://www.merriam-webster.com/dictionary/cronyism>; <http://www.dictionary.com/browse/favoritism>;  
<https://www.merriam-webster.com/dictionary/nepotism>

<sup>8</sup> <http://www.ncbi.nlm.nih.gov/pubmed>; <http://onlinelibrary.wiley.com/>; <http://link.springer.com/>;  
<http://www.sciencedirect.com/>; <http://www.oxfordjournals.org/en/>; <http://www.tandfonline.com/>;  
<https://www.degruyter.com/>; <http://www.scielo.br/>

<sup>9</sup> According to Chervenak (2007), nepotism also means “showing favoritism to others who, while not kinfolk, are in some relationship of special significance with oneself or one’s colleagues”.

<sup>10</sup> Khatri and Tsangde (2003) defined cronyism as “favoritism shown by the superior to his or her subordinate (e.g., promotion, bonus, pay raise, or better job assignment) based on non-performance (e.g., relationship of subordinate with the superior), rather than performance criteria (e.g., objective performance, competence, or qualifications of the subordinate), in exchange for the latter’s personal loyalty”.

illegal, as it can be perceived as a form of corruption, i.e., abuse of power for personal benefit, even if there are no obvious financial perks or COIs. This is particularly true when cronyism takes the form of corruption between the political elite and an organization and leads to preferential access to government contracts, avoidance of sanctions or protection of prosecution (Moene and Søreide, 2016). It is important to stress that, unlike editorial corruption, where power plays are limited to the members of an editorial board, either within or between journals or publishers, ethics-related cronyism or corruption is limited to individuals who are classified as “ethicists”, “ethical specialists”, “publishing specialists” or biomedical writers with a publishing and ethics portfolio. Consequently, ethics-related corruption may be displayed by individuals who hold such titles that gives them a perceived – by other academics and society – superior “ethical” position, although it is possible for such individuals to also infiltrate the editorial boards of journals, serve as ethical and/or research or publishing consultants. Such individuals, who live within a reality in which the noble nature of their cause exempts them from the same ethical rules that apply to others, or that they apply to others (Cooper, 2012), need to be held accountable for their actions, as those actions may affect academics, as equally as editors need to be held accountable, as their decisions affect the integrity of the scholarly record and may affect the careers of academics and the reputation of the journal or publisher (Teixeira da Silva and Dobránszki, 2018). Finally, there are academic perks that may be perceived as ethics-related cronyism or corruption, including academic titles, such as (honorary) PhDs, visiting scholarships, honorary professorships, or even academic papers. Regarding the latter category, if two sets of rules are created, one for all of academia, and a different rule for themselves, then this is one of the most unethical behaviors and abuses of power of ethicists, because it creates a double-stratum of values, in essence, one for “us”, and one for “them”<sup>11</sup>, and would undermine their credibility (Wulf 2012).

### **Characteristics of personal and institutional ethics-related cronyism and nepotism**

Any one of these characteristics may indicate ethics-related cronyism and nepotism, properties that increase as more than quality is observed, but we appreciate that their weighting as well as the boundaries between or within them may be indistinct:

#### **I. Conflicts of interest and bias**

- 1) There is no limit on the period when an ethicist or ethics organization can be scrutinized. Hidden or undeclared COIs in personal, professional, financial, or academic profiles, such as papers, titles, degrees, background, relationships, or positions on editor boards, Open Researcher and Contributor ID (ORCID) (Teixeira da Silva, 2017a), undermining the accuracy and thus reliability of ORCID. COI statements that abridge the “last” five years are insufficient, and may or tend to exist to mask older activities, i.e. to hide corruption. Failure to show (i.e., opacity) a full, untainted, and complete historical record, i.e., the entire career, including education, courses, degrees, publications, affiliations, presentations, links to industry, and others, do not appear publicly on the official websites of both that individual and the ethics organization.
- 2) The existence of in-group bias that includes the lack of power-, intellectual-, or financial-neutral positions. This may include greater tolerance towards individuals with which there

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<sup>11</sup> On page 273 of *The Ethics and Compliance Program Manual for Multinational Organizations*, Wulf (2012) cautioned against a situation wherein “policies and the code of conduct say one thing, but everyone is doing the opposite, as this undermines the organization’s credibility”.

is a close personal connection or that are not critical of faults within that organization or members within it, leading to career-related benefits, while ignoring their faults (Turhan, 2014). This may be the case with academic promotions where positions may be obtained more easily when evaluators on promotion committees are closely associated with the candidate (Zinovyeva and Bagues, 2015).

- 3) Ease to be influenced by external forces, bodies, interest groups, or individuals, intellectually, morally, financially, or politically, when it suits their image, provides benefits or brings power. Otherwise, such individuals and groups are difficult to influence, and almost impossible to penetrate.

## **II. Lack of appropriate qualifications**

- 1) Lack of suitable qualifications, e.g., no formal ethics training<sup>12</sup> in a “reputable” (i.e., established and internationally recognized) ethics course at a higher institute of learning. Despite this, appointment to positions of authority, unless the purpose is to advance equality or ensure adequate representation of minorities (Krook and O'Brien, 2010), for example, if the benefits of ensuring the representation of all genders outweigh the benefit of a formal training. Experience with general biomedical editing is not a suitable qualification. Experience in the publishing industry is biased towards the publishing industry, and even though constitutes professional experience with publishing, does not constitute a valid ethical qualification. The same applies to the editing and pharmaceutical industries, as well as to any industry that is directly involved with research or publishing.
- 2) A small, close group of individuals that protects its own members and the interests of that group and its members, i.e., ethical protectionism, and provide cover up for the lack of qualifications and incompetent performance, or protection of members of the group by other members of the group.

## **III. Monopolization of power**

- 1) The establishment of more than one group or organization involving the same individuals, and with overlapping objectives regardless of their qualifications, expertise and external affiliations. The election of friends, colleagues, or the same individuals to positions within the same organization, or “sister” organizations, with the objective of sustaining power and positions, i.e., the self-perpetuation of the cycle of inner friends.
- 2) A too-big-to-fail or a small-enough-to-include-outsiders mentality that usually implies a too-big-to-trust relationship.
- 3) Control of the “ethics” market to limit the existence of such bodies to friends and a fairly closed and carefully controlled group of individuals. This is equivalent to market manipulation and monopolization. The licensing of morals can result in abusive ethical leadership (Lin et al., 2017).
- 4) Long term friendships or relationships that tend to extend beyond an acceptable voting cycle of power (e.g., 3 or 4 years).

## **IV. Controlling public opinion and establishing conflicting codes of ethics**

- 1) An incremental pattern of creation of ethical rules, guidelines or controls delimiting authors’ or editors’ rights or limits of intellectual expression, thereby limiting the

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<sup>12</sup> Wulf (2012, p. 266) argued that individuals not trained in assessing ethics and compliance risks, “may not see the sometimes not so obvious ethical wrongdoing within the organization”.

intellectual freedom. A regulatory board of any sort has to release rules and guidelines, and will thus always be limiting the freedom of others to some extent, but what needs to be assessed is whether the limitations placed, in this case on academics, and the content of such rules and guidelines, is reasonable or fair. When authors and editors are not widely consulted, then this constitutes a denigration of rights because the process is exclusionary, and not inclusionary, and an imposition if those very same rules are then applied on the same body of academics who had not been consulted. The ideas that form the basis of such rules are usually prosocial, seeking to internalize their rules as a norm (Gavrilets and Richerson, 2017).

- 2) The manipulation of public opinion, either through social media, or through marketing-like strategies, such as in congresses, meetings and symposia (CMSs).
- 3) The creation of CMSs that show aspects of opacity, such as undisclosed COIs, or other predatory (i.e., dishonest or misleading) qualities (Teixeira da Silva et al., 2017).
- 4) Incomplete *curriculum vitae* that mask certain aspects of a publishing history, or selectively include others (Teixeira da Silva and Tsigaris, 2018).
- 5) CMSs that usually occur regularly and that tend to have the same speakers, same individuals offering their speeches or opinions, or elected as guest speakers or some other very important position.
- 6) The regular appearance of individuals on not only the boards or committees of such groups or organizations, but also on the boards of CMSs that are linked to, or organized by, these bodies and organizations. This might also reflect that the same individuals are doing all the work.
- 7) Creating “rock-star” ethicists, i.e., whose profiles are driven by vanity-based projections of their work, often through prominent social media (e.g., Twitter) campaigns.
- 8) Opacity and the lack of a response to any question or query from any member of the public. The use of any excuse to not offer a formal response, including lack of funds, lack of personnel, outside of the bounds of the group’s functional perimeter, etc.
- 9) The non-existence of an ombudsman (ombudsperson) that liaises in a non-biased way with the public.
- 10) The elevation of their own rights and the simultaneous suppression of others rights, usually authors and editors.
- 11) Lack of personal and professional scruples, as assessed by the ability to bend rules to suit themselves or their colleagues, while ignoring any ethical infringements that they might have.
- 12) The imposition of values, without choice, or options, can constitute professional harassment if the will of the individual or group that is imposing that rule is being done under duress or coercion, i.e., against the will of the person or group upon which that rule is being imposed. This can also involve, in publishing, a violation of authors’ rights (Al-Khatib and Teixeira da Silva, 2017).
- 13) The involvement of industry or unaccountable money to establish positions, offices, structures, websites, or other structures, intellectual or physical, that fortifies the ethics body.
- 14) Readers are invited to suggest other characteristics of cronyism and nepotism in ethics organizations.

## **V. Lack of transparency and accountability**

Accountability of “ethicists” and of members of ethics organizations that may be displaying one or more aspects of opacity, or that may be showing signs of COIs, favoritism, cronyism



and nepotism, can be effectively achieved through maximum transparency which increases the probability of discovering unethical behavior and is thus considered to be a powerful tool against corruption (Halter et al. 2009). An increase in transparency can imply a decrease in corruption only if there is a will to act upon accessed information (Kolstad and Wiig, 2008). Curiously, a 2001 review on corruption (Jain, 2001) did not consider accountability and transparency, or the lack thereof, as aspects of corruption. Opacity and lack of accountability arise from the lack of:

- a) *Transparency of the structure of the organization*: For every position, detailed qualifications and descriptions should be publicly available. This will hinder both the creation of unnecessary positions and the aggregation of power to a small group of people. It should be clearly stated who makes personnel decisions. Ideally, the names of the applicants for leading positions and their applications (at least for the top-ranked candidates) should be published. Terms should be limited to a reasonable period. Officers should be limited to a maximum number of terms in a certain position. The possibility to “switch” between positions should also be regulated.
- b) *Transparency of membership*: A list of members (at least for companies and associations) should be released.
- c) *Transparency of the CVs of all leading positions*. CVs and COIs should be publicly available. Qualifications should be matched with the afore-mentioned job descriptions. COIs should be extensive, including financial interests.
- d) *Transparency of all benefits of decision makers* during (and some years after) their term in office. All tangible (money, travel expenses, research funds) and intangible (promotions, distinctions) bonuses have to be listed.
- e) *Transparency of the financial/economic background of the organization*. Every connection to companies or associations has to be published, as well as grants, or donations.
- f) *Transparency of the ties of decision makers and the organization*. It should be clearly mentioned how the relevant people are connected: studying or working in the same institution, co-authorships, or family relationships.
- g) *Transparency of decisions and regulations*. Proposals should be discussed in a broader community, ideally incorporating an open peer review process. Results of these processes should be published together with the documented modifications.
- h) *Transparency of objections and complaints*. An outsourced party (e.g. ombudsman) has to be nominated for dealing with any objections or complaints. A set of rules should be predefined as to how such issues are handled.
- i) *Externally controlled transparency-related regulations* are more effective than that are implemented by an agency itself (Lindstedt and Naurin, 2010).

### **Limitations for ethicists and ethics bodies to avoid cronyism and corruption**

To avoid abuses of power, the amount of power that ethicists and ethics organizations carry must be limited.

- 1) Limitation to power. This involves the inclusion in an “ethics” position for a limited amount of time, one or two terms, as for a regular governing body, such as 3-4 years. For example, the term could be limited to 2×2 years. This also involves limitation to the number of organizations to which such an individual can belong, so exclusivity to a single organization.
- 2) Ethicists should not serve simultaneously in an ethics body and on an editor board,

especially if those boards are for for-profit publishers.

- 3) Ethicists should be elected by a wide circle of academics, including academics related to ethics, as well as members of the wider academic community. Closed door elections of leadership of ethics organizations may represent conyism and corruption, i.e., ethical inbreeding.
- 4) Rules and guidelines should not be implemented blindly and forcefully. There should be wide consensus and agreement by the academic community on which they are intended to be imposed, and accepted as being valid. The pool should sample a wide topical, cultural, geographic, ethnic, and gender base of academics, from the biomedical sciences, humanities, arts and engineering fields.
- 5) There must be clear rules, and consequences, for recalling ethicists or members of ethics bodies who violate any ethical rules or guidelines, who fail to disclose their COIs (financial, political, familial, etc.) publicly.
- 6) Limitation to strength of in-group bias and unreserved personal loyalty (Khatri and Tsang, 2003) by implementing an enforceable policy that restricts “emphasis on insider contacts, ingroup promotion, and actions directed at benefiting the group in a collectivist culture” (p. 292).
- 7) Ethicists should not act in their capacity in any matter wherein they, or their relatives or friends, have a personal interest or derive personal gains, even what may be perceived as minor gains, such as travel, accomodation, meals, and other perks, gifts or favors.
- 8) It may be necessary to implement anti-nepotism laws for ethics organizations, which occurred in Italy in 2010, leading to a decline in nepotism among academics (Grilli and Allesina, 2017), although such laws need to apply also to friends and acquaintances and not only family members.

### **Limitations to the definition and detection of conyism and corruption**

Several of the aspects outlined in this paper, for example, where public relations end and where manipulation starts, are subjective and in some cases highly objective, so defining a subjective limit is not always possible, or viable, because there is wide room for interpretation, and perception may be a matter of accumulating evidence, rather than any one factor or set of factors or evidence. Consequently, it is not always easy to detect the difference between conyism and networking. Dobos (2017) argues that networking *per se* is unethical because the aim is to get access to positions which one would not obtain without using the “network”, thus undermining the basis of “meritocracy”. Meritocracy is not a merit-based democracy nor is it connected to democracy in any way. Rather, it is a system where an individual’s progress is based on ability and talent rather than on class privilege or wealth (Mijs, 2016). There is always a reason why people with social ties work together or in a hierarchy, but in every case, the “meritocratic” basis has to be fulfilled. As long as the most qualified individuals are doing the job, their friendship status is not necessarily an issue. Usually, a large tract of activity and positions has to be monitored over time, usually a few years, to ascertain if a pattern develops. Nevertheless, conyism is unethical because it is a sign of abuse of power wherein friends are elected despite lacking the required ethical qualifications, leading to negative consequences. While networking is an ethical behaviour that is characterized by acting in good faith and honest goals sharing (Melé, 2009).

### **Essential and necessary consequences for ethics-related cronyism**

In this paper, a classic paradigm emerges regarding the state of vigilance and/or vigilantism in research and publishing: who is watching those in power (editors, publishers, etc.), the science watchdogs (Teixeira da Silva, 2016) and the ethicists who create and impose ethical rules upon others, and who is looking out for authors, and their rights (Al-Khatib and Teixeira da Silva, 2017)? Ethics in research and publishing, at a global scale, is being increasingly monopolized, without a concomitant regulatory body or without any rules or guidelines to independently verify or safeguard against abuses of power, and the existence of cronyism, nepotism or other unethical acts of abuse, including ethical exceptionalism, in which a two-tier system of ethics is in place, i.e., one for general academia, and another for ethics organizations or their members (Teixeira da Silva, 2017b). It is not only important to set forth the characteristics that can define ethics-related cronyism and corruption, as we have done above, theoretically, it is also important to then assess the activity and behavior of ethics bodies and research and publishing “ethicists” who hold such positions as ethics or publishing ethics specialists, to ascertain whether abuses are taking place. We believe that there must be different consequences when any of the characteristics above are observed. There should be statutes and codes that can treat the abuse of power and corruption as crimes with empowered government agencies and that can effect prosecutions in criminal courts. In this context, we propose the following measures:

- 1) Immediate removal from position. Any ethicist that violates any of the rules listed above, or is seen to be abusing their power, or engaging in ethics-related cronyism, must be immediately released from that position.
- 2) A public notice by that ethics body must be published to indicate, openly and publicly, why that “ethicist” has been removed from their position. However, there is the risk of entering a realm of public shaming by uncontrolled science watchdogs (Teixeira da Silva, 2018).
- 3) Dissolution of an “ethics body” if there are multiple counts of ethics-related cronyism.
- 4) Ethics bodies should be required to implement transparency in publicizing membership to prevent cronyism and nepotism.
- 5) As a preventative measure, all members of ethics bodies should be subject to independent random checks. This could be conducted independently by any member of the public, or by established oversight bodies. Ethics bodies should also allow for a robust whistleblower policy that enables any individual, academic or member of the public, to raise concerns. An ombudsman with a neutral position is thus required to handle such claims, set up an independent commission that does not involve individuals with any links to those being accused, and punishment must be announced publicly in accordance with publicly stated rules.
- 6) Scrutiny and punishment are retroactive, and retrospective, i.e., infringements of ethical rules in the past are prosecutable in the future, while any aspect of the personal and professional past is subject to scrutiny. This approach is a preventative measure, as argued by Wulf (2012, p.264), who analyzed interviews with ethics and compliance officers from different multinational organizations, where interviewees suggested that proper background screening of not only new candidates, but also employees promoted to “a position of substantial authority”, would prevent misconduct and illegal behavior in an organization.

## Conclusion

Research and publishing have become extremely complex in recent years. The for-profit publishing industry is a multi-billion dollar business, and the grants and funds that are pumped into research projects around the world are most likely also in the tens of billions of US\$. For example, it is known that in 2013, the scientific, technical and medical publication market was estimated at \$25.2 billion, and that the proportion of revenue from journals accounted for about 40% (Ware and Mabe 2015, p.23). Worldwide, research and development (R&D) investment was estimated at a total of \$1.948 trillion in purchasing power parity, with about 40% of R&D deriving from Asia, 19% alone from China<sup>13</sup>. Consequently, research and publishing is competitive and territorial, two qualities that open it up to abuse. By territoriality, it is implied that a specific “zone” of interest will be protected and defended, like a marked territory. Industry has created its own set of values, usually to protect its own interests, and thus industrial bias tends to have some unethical components inherent to it, to favor the industry, over values. However, cognizant that ethics and values have now become an integral part of the research and publishing landscape, publishers are scrambling to deal with massive gaps that have occurred during decades of lack of ethical oversight. This has led to an explosion of ethics rules and guidelines that has swamped the research and publishing communities, stripped authors of their rights and added a massive ethical burden on the shoulders of editors, who are now held responsible for ethical infractions, while the publishers are relieved of this responsibility to a large degree, all while continuing to reap record profits.

Thus, the time is ripe to implement a set of codes for ethicists and ethics bodies, or any individual who represents the ethical side of an organization involved with research or publishing. As ethicists, they are expected to have the highest, strictest and strongest codes of conduct among all players in research publishing. Thus, these individuals must be held to the highest standards of ethics and professionalism, in public. However, there are currently, very surprisingly, no auto-regulatory or externally regulatory bodies or mechanisms to hold such ethicists and ethics organizations accountable. One reason may be because most of these have been created as a power play, limiting the power of individuals they seek to regulate, primarily academics, research institutes and editors, and thus also journals.

This opinion piece, while in no way claiming to be complete, and aiming to expand the discussion related to this topic, serves as the first theoretical basis for holding such individuals and groups accountable, and should be used as guidance for academics who are in the position of authors or editors who sense, perceive or detect abuses of power among the ethics elite. This set of rules and guidelines for determining if ethics-related cronyism, nepotism<sup>14</sup> or corruption is taking place, will be helpful for academics who may have felt that their rights were undermined by such individuals or groups, or the organizations they represent. Although the legal basis of these aspects would likely need to be explored in greater detail – especially if dealing with clear acts of corruption – later on, this paper sets forth a theoretical basis that will allow scholars and academics from any field of study to hold ethicists and ethics organizations accountable for their powerful positions, and actions, in public, or in private.

Finally, three very important aspects of our paper, which may be equated with possibly perceived limitations: a) it does not name any specific ethics organization that merits attention, because the theoretical principles we propose should apply to all, without exception; b) it does

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<sup>13</sup> [https://www.iriweb.org/sites/default/files/2016GlobalR%26DFundingForecast\\_2.pdf](https://www.iriweb.org/sites/default/files/2016GlobalR%26DFundingForecast_2.pdf). Page 3.

<sup>14</sup> Sandström and Hällsten (2008) showed that nepotism was a persistent problem in the Swedish Medical Research Council whose members gave higher bonuses to applicants who were affiliated with a grant peer reviewer. Thus, it is reasonable to expect that nepotism can be a problem in any organization in the absence of any regulation or oversight.

not put forward evidence of any aspect discussed as observed in any specific ethics organization with the specific objective to maintain the arguments purely theoretical, although we do propose many possible aspects that need regulation, and solutions as to how to achieve greater openness, accountability and transparency in any ethics organization; c) it provides primarily a critical assessment without also indicating positive exceptions, and may thus come across as being biased. These limitations, and many others such as the lack of concrete examples to substantiate certain claims or statement, might be perceived by the reader because the authors' concerns are on one hand about bodies that have been established by corporations to ultimately serve the structures that underpin corporate power in academia, but also about bodies that give the impression of charitable organizations, since they are legally established as such, but that operate within a for-profit context.

Finally, in a biased climate, where ethics organizations fail to protect from corruption in power positions, and in the face of injustice, helpless authors have no means but to use public platforms to publicize past conflicts and disagreements with publishers, editors and ethics organizations, to be heard.

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