Professional Society Codes of Conduct: Their Use & Misuse – An Ethical Problem Upon Which the Integrity of Science Rests

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The scientific community has a long history of self-regulation, with accepted public standards regarding the ethical conduct of research, treatment of human subjects and plagiarism. Violations of these widely accepted standards have been investigated and enforced via universities, funding agencies and publishers using their employment, financial and copyright relationships with members of the scientific community. Some modicum of fairness protecting both sides of the relationship arises from an open process, the ability of either party to seek other partners for their work and public shaming of miscarriages of justice committed by either side. By focusing directly on scientific work and the evidence used to support it where scientific expertise is relevant; these standards have worked reasonably well in keeping science honest without silencing scholars whose work is not currently accepted by the mainstream. Such science is by definition self-correcting and warrants public faith in the integrity of its findings.

Recently, these standards have been expanded into broad Codes of Conduct including regulation of behavior normally reserved for national legal systems built on clearly defined constitutional due process rights, which professional societies lack the jurisdiction, expertise, resources and will to protect. While lacking legal authority, the shadow tribunals these codes create have significant ability to impact the careers of those accused of transgressing their dictates. Such extra-legal bodies, often staffed by non-scientists serving as investigator, prosecutor, judge and jury, undermine academic freedom and the expression of diverse ideas required for a healthy, inclusive scientific community. Instead of being judged on their research, scientists now risk being bullied out of the field on the basis of social considerations reflecting the opinion of unelected code compliance officers acting to fulfill the agenda of professional society leaders rather than those officials elected to enforce national laws. These behavioral tribunals are the anti-thesis of scientific practice and threaten to undermine public faith in the integrity of science.

This presentation examines several cases from the recent scientific literature. The merits of each case are evaluated using the professional society code of conduct applied to the scientists in question, with outcomes for the parties involved and wider implications of the case discussed. The results suggest that professional society codes of conduct remain capable of assessing the merits of scientific research though social pressure to favor particular demographic groups is undermining the process. The same analysis indicates that professional societies are not competent in assessing behavior via their codes of conduct due to fundamentally flawed
investigatory mechanisms and lack of due process protections. Strong biases in society leadership allows misuse of codes of conduct to unlawfully impose a policy agenda on the community, despite evidence that such policy is at odds with, and harmful to, scientific practice. Public belief in the integrity of science will erode if the scientific community fails to disavow and halt the misuse of professional society codes of conduct to regulate behavior in a fashion that no national legal system would condone.