

## Ethics and Academic Integrity – Conceptual Aspects

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**ABSTRACT:** The present society promotes the individual or of group values. In the academic environment, the axiology – as science of the values – is based on two important pillars: the ethics and the integrity. The applied ethics and the academic integrity are complementary, interdisciplinary in a university environment, capable of elaborating principles, of nominating values and norms staying at the basis of the professors' conduct and, equally, at the basis of the conduct of the students engaged in the educational process. The main specific concepts of the academic ethics and integrity, including their applying, are important for the didactic and research career, for the moral posture it has always been a central landmark of the professionalism.

**KEY WORDS:** integrity, ethics, academic integrity, professional deontology, plagiarism

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### The Ethics

The university ethics comprises all the moral conduct norms of the individual. Being a moral man it means respecting the basis principals of the collectivity which you are living in, and which you are unfolding your activity in, principles (like dignity, responsibility, liberty, solidarity, justice, and charity) comprising right and obligations, cohabitation and behavior norms, enforced by the legislative system and upheld by the public opinion. **The ethics** (*Lat. "ethica"*), according to the *Explicative Dictionary of the Romanian Language*,

it is defined as being: “*the science studying the moral principles, with their laws of historical development, with their social class content, and with their role in the social life; the totality of the norms of moral conduct corresponding to a certain class or to the society*”. Understanding the ethics is critical to us as individuals, for a sane ethics represents the essence itself of a civilized society.

The ethics represents the foundation of our relations’ quality, in the frame of the society which we are in. Imposing in practice the values accepted by a as broad as possible community, through the *applied ethics*, it has brought a very important contribution in both domains of the law and of medicine, in which the legal ethics – or the jurisprudence -, and, respectively, the medical ethics are very well established subjects. Considered from ethical perspective, the integrity is equally an attribute of the character and a facet of the person’s autonomy and dignity. As virtues of the character, the integrity belongs to the domain of the *moral psychology*. A virtue has moral value only in the context of a harmonious moral character.

Integrity as personal autonomy, it supposes, according to the German philosopher Immanuel Kant, to act “so that always to treat the humanity, both your personal humanity and the humanity of others, always as a purpose as such, and never only as a means” (Kant 1969, 71). From this perspective, the integrity becomes a restrictive necessary condition applied to the systems of institutional rules. The integrity as facet it is founded on the reality that each human being has a dignity (a moral status) (Rotaru 2016, 29-43) as human being; in other words, it is a self-standing whole. One way to assure an ethical behavior it is to adopt an ethical code, or a code of professional deontology.

**Deontology** (Fr. *deontologie*) it represents the doctrine referring to the conduct norms and to the ethical obligations of a profession (cf. DEX, ed. 1998). The syntagma of *deontology* it comes from the Greek words *deontos* meaning *what it is due* and *logos* meaning *science*. In a general acceptance, M. Oroveanu defined the notion of deontology as being: “*what one has to do and it comprises the obligations to fulfill, the norms of conduct, and the moral duties of a profession*” (Oroveanu 1/1993, 35). In a special acceptance, referring to the civil servant, the same author defines the notion of deontology as being: “*the ensemble of the attributions, moral and juridical obligations of them, necessary to fulfill the missions implied by their positions, regarded as duties in the society’s service, on the purpose of rationally, efficiently, operatively, and legally*

*accomplishing the state administration, and of satisfying the legitimate rights and interests of the natural and legal persons. By the specific of its research object, the deontology is at the interference between law and morals, so that it can be defined as representing the ensemble of the norms referring to the professional and moral behavior of the public servants on and off duty” (Oroveanu 1/1993, 35).*

*The professional deontology*, by and large, it designates the totality of the conduct norms, which the “*minima moralia*” is being made evident in, regarding the exercising of a profession (didactic personnel, physician, lawyer, attorney, judge etc.). The norms of professional deontology synthesize the experience of a profession and they prescribe rules regarding the exercising of the respective profession in society. These norms can be found in instruction books, statutes, codes etc. adopted by the designated international and national institutions. The professional deontological norms, in a broad sense, they do not prescribe sanctions; they are, in the last analysis, the expression of a profession’s philosophy, the synthesis of the requirements formulated by society relating to that profession. The professional deontological norms are rather professions of faith, which confer the civil servants a special statute, and they are recommendations having in their substance juridical norms.

When the deontological norms are transgressed, and by disregarding them are affected the values defended by law, the transgressions are sanctioned by the state, so that they become juridical norms. The integrity can be born and it can be developed only in a climate which the human dignity is valued in, which the people can affirm their options in, and which the people are allowed to make choices in – where the truth, the justice, and the consciousness are unanimously accepted moral values. Paradoxically, though, the integrity is proven in an environment where these values aren’t recognized in. More than that, only in extreme situations the leaders prove their integrity, by consciously choosing to sacrifice their own interest for the interest of the organization led by them. The term *morals* comes from Latin, *moralitas, tis* (Guțu 1983, 766) and it defines the way of being, namely a personal characteristic.

In the Romanian language the word *morală* defines: the form of the social conscience comprising ideas, conceptions, and convictions regarding the norms of cohabitation and of behavior of the people amongst themselves and in society (Marcu, Maneca 1986, 705). “The is a **personal morals** defines

and the equilibrium of the internal desires and of the external needs, along with a **social morals** understood as equilibrium between the own desires and the others' desires. There are **positive morals** (the morals of the good, telling us what we have to do) and **negative morals** (the evil's morals, telling us what we have not to do, or what us to abstains of doing). There are **minor morals**, of the small things (manners, politeness, esthetic morals) along with **major morals**, or of the important things which cannot be confounded, in the author's conception, to the law. There are religious morals and lay morals, and there are – from the point of view of extension – family morals, group morals, national morals, and international morals. Each social category has its specific morals: of the intellectuals and of the workers; of the masters and of the servants; of the professors and of the students; of the government and of the governed; of the men and of the women; of the adults and of the children; of the bosses and of the subordinates etc." (Voicu 2005, 136).

The professor and the student are two of the academic communication's factors. This type of communication must be done with honesty, namely the message's content has to be clear, both of the participants to manifest their sincere conviction for the treated theme/subject. The honesty supposes moral verticality, a state that can be distorted through false initiatives having as purpose the perpetuation of the feeling of malice. But the moral man can annihilate the state of malice for he is the straight edge of the concrete situation which he does not deviate from by any means.

*"The morals represent the sum of the social virtues (justice, altruism, charity, kindness, mercy, generosity, devotion, truth, sincerity, modesty, respect for another etc.), it is the concordance between the own tendencies and behaviors and the others' tendencies and behaviors.*

The morality is:

- ✦ The art of amplifying the individual forces by putting them in concordance with the social forces;
- ✦ Equilibrium between rights and duties;
- ✦ It is what conforms to the general interest; what is useful to the social life, to the society's majority.

*The immorality* is the opposite to morality, namely the sum of the social vices (egotism, evilness, hatred, pride, lie, hypocrisy, despise etc.), it is the state

of unbalance in the favor of the right and on the account of the individual's duties. The immorality harms the social life, being the one contradicting the general interest of the majority.

*The amorality* is a neutral intermediary state, or an undecided state between morality and immorality. It designates the lowest degree of morality and, meanwhile, the smallest degree of immorality: it means isolation, individualism, and social indifference" (Voicu 2005, 137). The communication's honesty supposes the recognition of our own limits (Bodea 2007, 305) because of the man still doesn't owe the absolute truth, no matter how highly prepared would he be, from intellectual point of view.

## Integrity

The term of integrity comes from Latin, *integritas, tis* (f. s.) and it means *totality, whole, exemplary honesty, and correctitude* (Guțu 1983, 639). In the Romanian language, through the term *integritate* we understand: *honesty, probity, the quality as being whole, intact* (Marcu, Maneca 1986, 578). The human person has this capacity of feeling the sentiments: of justice, of honor, of correctness, and of dignity, in all his actions, related to all the members of the society which he unfolds his activity in. Etymologically, the term integrity expresses a human quality, a value of our being of preserving himself intact, vertical, and without imperfections.

The society isn't open to the progress except through interpersonal relationing. Thin, but easy to notice, the difference between the personal integrity and the individual integrity leads us to think at the importance of the manifestation of the human quality especially related to the other persons, without owing it strictly on subject level. An individualize value, which the collectivity cannot share it, it is an egotistic value, and egocentric one, incapable of generating values, all the more that in the higher education institutions there are leaders and managers on whose experience the whole academic collectivity is tied indestructibly. "An upright man is a man valuing his principles, a person acting without bias when evaluating cases which he is involved in, and who fulfills his duties with devotion, proving probity. In the same time, being an upright person it supposes to grant the others too, the presumption of integrity" (Șarpe, Popescu, Neagu, Ciucur 2011, 12).

The contemporary society is in full dynamism, and the universities' role within society it is a normative role. The educational domain is a priority both to Romania, and on European level, and that's why the academic ethics and integrity thoroughly uphold the university's mission in society, based on knowledge, and from here comes the need for some documents or codes, on institutional level, capable of offering norms and good practices in guiding the academic community. "In this way it would be contoured a *ethos* based on respecting the principles regarding the dignity and the physical and moral integrity of the people, their continuous instruction, the developing of the knowledge and the improving of the quality, the participation to the democratizing processes and to providing the equality of chances" (Șarpe, Popescu, Neagu, Ciucur 2011, 12).

The international conference concerning *Dimensiunile Morale și Etice ale Învățământului Superior și Științei din Europa* (The Moral and Ethic Dimensions of the Higher Education and of the Science from Europe, 2-5 September 2004, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.128.6369&rep=rep1&type=pdf>) - held in Bucharest in September 2004, it aimed to identify and to analyze the system of value and norms governing the academic life, and these ones are the followings:

a. *The key values of an academic community are: the honesty, the trust, the discretion, the respect, the responsibility, and the hierarchical subordination. These values are, also, crucial for offering an efficient teaching and a qualitative research;*

b. *The tendency towards honesty it will be manifested by each member of the academic community, being extended toward the others, being avoided, systematically, any form of deceit, lie, fraud, theft or other dishonest behaviors negatively affecting the relations' quality amongst the members of the academic community;*

c. *Guaranteeing the honesty in: teaching, evaluation of the students, research, professional and functional promoting, and in any other activity related to granting titles and degrees, which must be bases on legitimate, transparent, equitable, predictable, consequent, and objective criteria;*

d. *The free exchange of ideas and the freedom of speech are based on the reciprocal respect manifested by all the member of the academic community, regardless their position in the professional hierarchy. The responsibility common to all the member of the academic community contribute to the free expression of the*

*opinions and actions* (The Moral and Ethic Dimensions of the Higher Education and of the Science from Europe, 2-5 September 2004, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.128.6369&rep=rep1&type=pdf>).

**Ensuring the integrity** in the process of research is based on the following principles:

- ✦ The intellectual freedom and the social responsibility are the basic values of the scientific research, and they must be respected and promoted consequently. These two values should reciprocally consolidate one another in the frame of the increasingly open systems of instruction and production of the knowledge characteristic to the XXI Century's society;
- ✦ The individual researchers and the groups of scientists are morally accountable not only for the research processes (the choosing of the subject, the research methods, and the integrity of the research), but also for their results. That's why, they must elaborate and observe rigorously codes of ethical norms which to regulate their activity of scientific research;
- ✦ Any conduct code must include ethical norms and implementing norms, thus being avoided: the superficial treating, the lack of content, the hypocrisy, the corruption, and the impunity;
- ✦ The scientific communities have to promote the international cooperation and to ensure an intellectual and moral solidarity based on the basic values of the culture of peace and on the imperative of orienting towards the welfare of the mankind through a sustainable development (Nicolescu, Verboncu 2008, 56).

Any organizational culture has at its basis a set of values, of behaviors, of principles, and of norms, expressing unequivocally the health of each organization in direct correlation to the level of its integrity. Professor Ovidiu Niculescu, in his work *Fundamentele managementului organizației* (Șarpe, Popescu, Neagu, Ciucur 2007, 14) he defines the organizational culture as being "the ensemble of the values, beliefs, aspirations, expectations, and behaviors, contoured in time in each organization, which predominate within that organization, and which directly or indirectly condition its functionality and performances" (Nicolescu, Verboncu 2008, 57).

The notion of organizational culture defines therefore a system of values, of presumptions, of beliefs, and of norms, shared by the members of

an organization; it constitutes the basis of the organizational culture; they are a synthesis of the individual ones; they are reflected in symbols, attitudes, behaviors, and diverse structures; they significantly influence the organization's evolution and performances.

*The Public integrity* can be defined both from the point of view of the integrity of the processes in the frame of the organization – of making decisions, of implementing the decision, of managing the public funds – and from the point of view of the integrity of the personnel or of the public agents unfolding their activity in that organization (local authorities, public servants, contractual personnel from the public institutions).

From integrity perspective, the representatives of any public entity have the obligation to grant all the persons addressing that entity, an impartial and equitable treatment.

One of the public integrity's components is the *transparence* in unfolding the public institutions' activity, and it means the set of instruments which the administration (the institution and the authorities of the public local and central administration) are held accountable through, by the citizens/tax payers, regarding the activity unfolded to their service.

The concept of transparence of the decisional process unrolled in institutions it refers to providing the citizens' access to the documents in the management of state institutions, and it also refers to consulting the citizens related to adopting some regulations (Șarpe, Popescu, Neagu, Ciucur 2007, 14).

In order to be ethical, or moral, in what we write, we must avoid the main three forms of immoral conduct: falsifying the documents, forging the documents, and the plagiarism. It is not ethical to intentionally avoid the arguments which aren't on the line of our thesis, and neither is the selection of the bibliography only for justifying our hypotheses. We cannot ignore the suggestions, the completions, or the critical analyses of some already consecrated peer reviewers.

Regarding the falsifying the documents, of forging the documents, the plagiarism and even the self-plagiarism, these have been forbidden right from the beginning- and they still are -, because of sometimes the gravity of such forms of conduct determining their inclusion in the category of penal nature facts. The plagiarary work is the written work, done and published by a person or by a group of persons declaring themselves as authors, a work comprising

integrally or partially a work of intellectual creation written, done, and previously published by another person. [...] The plagiarist work is produced by copying, taking, translation and/or partial or integral unauthorized modification, and by omitting to indicate the provenance source in which the real author's name is to be explicitly mentioned. According to the law no. 318 from 8<sup>th</sup> of April 2003, the plagiarist and the self-plagiarist are defined like this:

**The plagiarist** – it means presenting in a written work or in an oral communication, including in electronic format, of some texts, expressions, ideas, demonstrations, data, hypotheses, theories, results or scientific methods extracted from written works, including electronic format, belonging to other authors, without mentioning this fact and without indicating the original sources;

**The self-plagiarist** – it means presenting in a written work or in an oral communication, including in electronic format, of some texts, expressions, demonstration, data, hypotheses, results or scientific methods extracted from the written works, including in electronic format, of the same author or authors, without mentioning this thing and without indicating the original sources (ANSOR 2016, 4).

Since the apparition of the Internet, intensively used by students for copy-paste, the concept of “copy” relating to the “original” is being questioned during the two last decades, at least in the specialty literature (the Platonic vein regarding the “copy” has crossed, through Renaissance, until today). The moral basis of the “to copy” is now brought to question and I believe that our students would benefit of the invitation to re-fixing some moral fundamentals. The illicit copying from Internet, not only that fraudulently substitutes the own effort in writing a scientific work, but it also sacrifices the original aspect of that work. The plagiarist by taking texts from Internet has become more facile and it has allowed the proliferation of the contractual cheating system, and there appeared sites specialized in providing, in exchange for money, the required product: license thesis, dissertation, articles etc. Named also as *Essay Mills*, such Internet sites have a legal situation intensely criticized currently. The Internet produces, thus, new challenges for the ideas of Plagiarist, Authorship, Copy, Remix, Copyright etc. (Popescu 2016, 39). Ant this problem is felt today increasingly acutely, both on national and international level. As main remedy related to this distortion, it is necessary for our students to have a more insistent and consequent instruction during

their period of education so that the quoting, and also the referencing not to become a problem with unwanted consequences both upon their academic situation, and even upon the tutors and the academic supervisors. Through this it can be in the same time promoted the awareness of the reciprocal scientific moral responsibility between student and guide.

The plagiarism problem concerns the sphere of the academic deontology, namely it belongs to the forming of the conduct and of the morality of the academic communities on the virtue of some self-imposed values, principles, and standards. Although establishing these milestones of academic morality it doesn't mainly depend on the actions' consequences, these ones are determinant in judging and sanctioning the behaviors in the academic world.

Out of the way which the universities define and describe the plagiarism in, as also out of the politics of prevention and sanctioning the plagiarism which the universities implement, it results a few principles and values of the academic deontology, which the University of Bucharest adheres to:

- ♦ honesty and honor;
- ♦ equity (evaluating each individual according to his performances);
- ♦ research's originality and creativity;
- ♦ excellence in teaching and in the educational process.

The international and multicultural openness of the today's universities has led to comparatively understanding the deontological norms. The academic world has noticed that the acceptable practices, of the quotation and of the academic honesty, they vary, according to the study matter, to genre (discursive) and to the academic situation, but also from a culture to another. That's why the deontological principles and norms, including those related to plagiarism and to the conduct of quoting, they need to be contextualized and explained in detail (Popescu 2016, 48).

Speaking now about self-plagiarism, we must take heed to the fact that this differs from plagiarism and it consists of misunderstanding the concept of originality. The self-plagiarism appears when somebody claims that his contribution is original, but that's not true, because that author has already published the respective contribution in a previous work. We have so the same author who has published the first work in an original mode,

but by publishing the same contribution in a later work he commits the self-plagiarism.

“The problem of the self-plagiarism is important because of the individuals from many domains receiving rewards on the basis of the number of proven original contributions. Thus, a student receives a license diploma for graduating the license studies and for finalizing a license thesis. If the student will forward his own license thesis (or parts of it) also under the form of a dissertation thesis, he will receive a diploma of master studies on the basis of the same work. Thus, he will be twice rewarded for the same work. This double award deceits the trust of the communion and of the public following to judge the student’s abilities according to his diploma, being in the same time wrong to the colleagues who have composed an original dissertation thesis. Also, if a person promotes in the scientific hierarchy on the basis of some publications which repeat contribution previously published by the same author, the supplementary benefits obtained (authority, financial rewards) are based on a deceit. The deceived ones are the evaluators who established the merits of the candidate, but also his contestants who presented only original contributions without repeating any. The self-plagiary represents so an illegitimate reusing of the own scientific contributions. There are also cases when the authors can legitimately reuse fragments from their previous works – usually, by explicitly mentioning where those parts have been published at. For instance, some descriptions of the research methods can be found in articles reporting different results of some own studies based on the same method, by indicating the fact that the method has been published previously too. An article published in a review can be published in a volume, by clearly mentioning the first publication. The key of the legitimate reusing it consists of the fact that it doesn’t lead to an artificial inflation of the author’s merits regarding his original contributions, because of being mentioned the original publication and, eventually, because of the original contributions from the second work need and justify the reproduction of some methodological, technical specification from the first work” (Popescu 2016, 64-65).

In the conditions of cultural and mentalities differences from the countries of other continents, we will refer to the member states of the European Union, comparatively to the situation from Romania. We have to mention here that in other educations systems, as for instance that from

The United States of America, there is a harsher approach when it comes about such practices. Maybe the most important demarche on European level concerning the domains of the plagiarists and of the academic integrity, it is constituted by the project *Impact of Policies for Plagiarism in Higher Education Across Europe* (IPPHAE), unfolded between October 2010 and November 2013. This project aimed to do radiography of the member states of the European Union, starting from the model propose by Irene Glenedinning and entitled *Academic Integrity Maturity Model* (AIMM). The project IPPHAE focused on highlighting the policies and the procedures referring to the plagiarism cases, to those policies and procedures functionality, to their mechanisms of prevention and identification, of monitoring of these ones, and on the perspective of the main actors from the each country's educational system regarding this subject. It aimed to examine at least 10% of the total number of the universities from EU member states, this desiderate not being accomplished due to the reticence which the academic communities had when approached regarding to the academic integrity. The situation on European level regarding the policies/strategies related to plagiarism and academic integrity it is one extremely diverse. There are many states excelling in this domain (Austria, France, Hungary, Ireland, and Germany), while others don't have coherent policies in this sense (Bulgaria, Romania, Italy, and Holland). By and large, we find the same states in antagonistic positions also when referring to the monitoring and to counting such type of derails. We must stress here the importance granted by state like Austria, Ireland, or Sweden, both in the higher education system and in some case even in the pre-university educational system (ANSOR 2016, 5-6).

The IPPHAE study regarding the situation of the plagiarism phenomenon in Romania highlights the fact that teaching methods used in our country discourage, by and large, the team work, fact that determines a preponderantly individual way of work. Consequently, there is actually created a situation which the plagiarism of the works is facilitated in.

In Romania we don't have specific studies referring to the plagiarism phenomenon. According to IPPHAE study 51% of the students and 21% of the didactic personnel who answered the questionnaires admitted that they intentionally plagiarized. Considering that the law of the national education

sanctions correspondingly the plagiarism, the leaderships of the universities reckon that they adopt a rigorous policy in order to stop the plagiarism.

Consequently, 54% of the didactic personnel and 40% of the students confirm that the institutions have policies and procedures regarding the plagiarism. More than 41% from the didactic personnel reckon that the institution which they are affiliated to approach in a determined manner this problem, and 51% of them reckon that then information concerning this subject are available to the students. In exchange, only 42% of the students reckon that they can really access these data. Consequently, there is felt a lack of popularization amongst the participants to the process of the higher education, given that the notion of plagiarism was left at the appreciation of the ones who answered the questionnaires.

The absence of a well defined legislative frame, it automatically leads to a significantly difference concerning the optic of approaching this scourge. Anyway, starting from the national authority in the domain, and reaching the most part of the ethics and professional deontology commissions, the sanctions granted in the identified cases are either gentle or inexistent. This is not wonder as long as 60% of the students and 40% of the didactic personnel don't exactly know which the methods of prevention and identifications of the plagiarism are. Even more, 62% amongst students and 36% of the didactic personnel considers the regulations and the methods of identification as applied according to the "free will of the university personnel".

Despite some positive situations, as that one from West University of Timișoara, University of Bucharest, or the Academy of Economics Studies from Bucharest, which have purchased specialized anti-plagiarism computer software, the most majority of the universities from Romanian use anti-plagiarism software with free license, in the context that these software isn't prepared to access the specialty literature in Romanian language or certain international data bases.

Given the presented situation, it intrigues the fact that 86% of the student and 49% of the didactic personnel reckons that they have received the adequate training in order to compose works of academic nature, though 40% of the students and 74% of the didactic personnel want to read more on this subject.

The Romanian higher education system is composed of an ensemble of public and private institutions whose university autonomy leads to significant differences regarding their structure and operating mode. The main national structure having attributions in the domain of the academic integrity and ethics are: Consiliul Național de Etică a Cercetării Științifice, Dezvoltării Tehnologice și Inovării (CNECSDTI), Consiliul Național de Atestare a Titlurilor, Diplomelor și Certificatelor Universitare (CNATDCU) și Consiliul de Etică și Management Universitar (CEMU, The National Council of Ethics of the Scientific Research, Technological Development, and Innovation; The National Attestation Council of University Titles, of Diplomas, and of Certificates; The Council of Ethics and University Management) (ANSOR 2016, 9-11)

### **The Ethical Codes and Principles**

In order to avoid these forms of deviation from an ethical and moral conduct in the university domain, a series of ethical or moral codes must be paid attention to, and thoroughly applied, by the responsible factors. According to the definition give by Valentin Mureșan, on institutional level, an ethics or moral code is “a coherent ensemble of moral *values, principles, and norms*, imposed or not, through punitive actions, applied by the institution, in order to ensure a social and professional successful life, and integer life, in order to increase the welfare of its members, of the institution as such, and of the society by and large, and in order to diminish or to remove any damages which could be suffered by the institution’s members, and in order to observe the dignity, the integrity, and the autonomy, of all the ones affected by the activities of the institution and in order to ensure a legal, impartial protection, to all the institution’s member concerning the reciprocal reports and in their reports with the society in ensemble” (Mureșan 2009, 102).

Some specialists in the applied ethics opinion that the role the ethics codes have, it could be diverse. For instance, they could have: a) a punitive role, or regulation, of *imposing* the moral values and rules promoted by society ( and that’s why such codes include a chapter of administrative sanctions; b) an *aspirational* role, indicative, observing the role being facultative (the codes of the journalists and of the Romanian university personnel specify that they do not aim to constraint anybody), or, finally, c) a purely *educative* role

(they do not prescribe rules and standards because of the individual must decide for himself and his moral conscience is the one to orient his behavior) (Mureşan 2009, 103-104).

Letting aside the diverse modes of establishing, both in the more narrow frame of an institution and in the wider frame of a society, what the people have to understand through the key terms: moral *values, principles, and norms*, as also overlooking some individual contradictory interpretations, in the university environment the basic principles of the ethic codes are based on some moral standards which, at their turn, have at their basis moral general and universal norms, but also special and individual norms. “The morals principles describe the *morality’s sphere*. Some codes creators start with the so called morals principles of a *domain*, for instance with the principals of the university morals” (Mureşan 2009, 107). Amongst these ones we mention the followings, which can be found in the ethical sphere of other domains too:

- 1) **The Principle of Respecting the Autonomy.** We must recognize and must not impede the manifestation of the persons’ capacity to freely decide their own choices and to act without the interference of others in their own system of values and beliefs.
- 2) **The Principle of the Benefaction (beneficence):** The persons have the obligation of promoting those interests important and legitimate, by weighing in the benefits, the damages, and the risks in order to obtain the greatest benefit for all the involved ones, who must be treated impartially.
- 3) **The principle of not doing the malice (nonmaleficence):** The persons mustn’t do those acts which are probably to cause more damages than benefits, except in the situation which there is not a sufficient reason to not proceed like this.
- 4) **The principle of the justice:** We must distribute equitably (unbiased) the goods and the services from the evaluated domain, and not to discriminate the persons, and to appreciate them according to their merit, needs, contribution, and responsibility etc. taking in account the available resources.
- 5) **The Principle of Respecting the Dignity:** We must respect the human being as the supreme value in the natural world; namely, we mustn’t ever treat the human being as a means, but to always treat a

person as the depositary of an intrinsic supreme value.

- 6) **The Principle of the Integrity:** We must protect against any external interference a sphere of intangible values and characteristics, which the human individuals identity though, their essential way of existing or of working and which, if affected, even the identity of the human individuals can be endangered.
- 7) **The Principle of the Vulnerability:** We must take care in a special manner of the vulnerable persons, i.e. of the ones whose autonomy, dignity, or integrity is possible to be threatened.
- 8) **The Principle of the Precaution:** We mustn't act in modes which can be damaging in the future and in the condition which we cannot exactly predict in, what the damages and the affected ones will be.
- 9) **The principle of the Double Effect:** It is moral to undertake an action having good predictable consequences, but also bad ones (so, to cause harm is morally justified) if there are fulfilled the following four conditions: a. the action is not evil in itself; b. the good consequence is intended and the bad consequences is unintended; c. the bad consequences isn't a means for producing the good consequence; d. there is a serious reason for accepting the bad consequence.
- 10) **The Principle of the Responsibility:** The persons on authority position must recognize the right of the subordinate persons (or communities) to participate to the decisions which affect them directly, in accord with the principle of respecting the dignity and with their responsibility for maximizing the common good.
- 11) **The Principle of the Publicity:** The acceptable moral rules, as also the reasons which justify these rules, they must be known and recognized by all the people involved (and to be public).
- 12) **The Principle of the Solidarity:** We must act so that to share both the advantages and the burdens, equally and fairly. The community has the obligation of participating to supporting the persons who cannot provide for themselves their social needs; the community has also the obligation to increase the social cohesion.
- 13) **The Principle of the Equality:** One must act for ensuring the equality of chances for all the persons and in order to eliminate any forms of discrimination.

14) **The Principle of the Happiness, or of the «the human being's good»:** We must act in order to support the cultivation of those virtues of the human being or of the professionalism which support the accomplishing of his defining function – of medic, of human being etc. The mechanical observing of the rules isn't either sufficient of safe" (Mureşan 2009, 109-115).

Although these principles, as one can deduce from their names themselves, they have value and validity wider and more extended than that strictly in the academic environment, one must take heed to the moral side specific to the academic life. Being socially widely accepted today, it is also the result of a tumultuous process and not lacking the asperities. The most often invoked are probably the academic autonomy, the intellectual autonomy of the researcher, and the need for accepting the diversity of opinions and conviction. The Ethics Code of the University of Bucharest lists as fundamental values the academic freedom, the personal autonomy, the justice and the equity, the academic merit, and the professionalism. To each of these one can provide a justification starting from general ethical principles, of the type of that one of Kantian inspiration of the respect for the dignity of the human person. Also, to each value and to each principle are usually attached certain *interpretations* or limitative conditions. For instance, the academic freedom cannot be invoked in order to justify the forging of the falsifying of the research results; in an analogue manner, accepting the diversity of opinions can have a limitative condition when comes about intolerant, racist opinions etc. The academic environment - both in the dimension of teaching and in that of researching - it assumes as ideal the free, rational, and critic discussion. The own moral values and principles are in a legitimate mode objects of this discussion. Their continuous reexamining and debating, their actualization and specification when needed, it keeps them alive and increases their force of generating moral behaviors (Socaciu 2017, 9).

There is, also, a variety of ethic codes, as there would be the ones of fundamental rights, or those based on a singular right, those bases on some specific moral duties of the diverse institutions, all these codes could have an international value, or an European value (in these cases we refer to ethical codes of wide professional domains), a national value (ethical codes of the professional domains: ministry, professional associations) or local

(firms, hospitals, research centers etc.). Regarding the local ethical codes, at their turn, they are classified in several categories: based on universal fundamental principles, based on responsibility types, based on principles “randomly chosen”, or based on the defining moral values of the institution. One can ask, regarding this codes diversity: can it be reduced and can those codes be brought to a common nominator? “The diversity of the manner for structuring the ethical codes it is considered as natural, by some authors. Others consider it as a weakness characteristic for the beginning. The last ones have initiated attempts to create “guides for writing the ethic codes” meant to homogenize the guides’ composing. There have been published, and they will probably multiply, experts in these matter. In this tendency it is inscribed the methodology of elaboration and adopting the ethics codes in university, written by Univ. Prof. PhD Mihaela Miroiu, and which has widely influenced a homogenous editing of those documents in Romania” Mureşan 2009, 129).

Let’s see in continuation which the steps are in order to build up an ethic code. In this sense we must have in sight the following aspects established by C. Mac Donald:

1) Which the *purpose* of the code is? Will it *regulate* the universal behaviors of it just *inspire* certain attitudes?

And then, it is good to accept the fact that:

2) An ethic code must be founded on *universal values-principles*, which to justify its statute or *moral* code, and which to give the sense of appurtenance to a *common ethos*, but, in the same time, it must be tailored on the needs and on the values of the *organization* in cause. They form the code’s center of gravity and that’s why there are so important the specialists in writing it.

3) Many ethical codes have two components: one *aspirational* (usually, in *Preamble*, which sketches the ideals which the organization spires to) and the second one, formed of a list of *principles* and *rules* which the members of the organization are expected to adhere to.

4) We must decide if we introduce in the code some form of *constraint*, of imposing the moral values. If so, which those constraints are? Or, we can decide that the code’s function is purely educative and respecting its rules it is optional. (Let’s remember, though, Aristotle’s words: “the good laws, if not observed, they won’t form a good government”).

5) Usually, the values and the principles are listed in the order of their importance for the organization, but the order mustn't be strict. The principles of a code are the first *facias*.

6) Who will participate to the code's creation process? There would be a small work group, or the entire organization, or both these ways? How will we separate the organization's interests from the ones of the code's creators? How will we spread the code? How will we act in order the code to be *interiorized* by personnel (intra-institutional moral education)?

7) How and when will we *revise* the code and who will do that? Will the developing of the code be done on the basis of the moral sense or it needs ethical-methodological competences? (MacDonald 2020, 5)

All these questions must be answered accordingly to the institution's circumstances.

Despite these, when speaking about institutionalizing of the ethics codes on the level of academic research in our country, we can notice a certain reticence regarding this process, both from managers and from the specialists in ethics. Thereby, since they say that "the Romanian was born poet", "they often speak respectfully about "morals", but they rarely exceed the level of the declarations or of the writing of the ethical codes, generally carefully kept in drawers, and very rarely facing the great themes of the small corruption or of the patterns of immoral behavior which entered the tradition are have been accepted as such" (Constantinescu, Mureşan 2013, 71). Having an ethical code isn't enough. We would be in the situation in which almost every institutions of a country have an ethical code, but none of the intuitions functions accordingly to its code. I think this is, widely, the Romania's situation today. The ethical codes are a paper forgotten in a drawer and pulled out only when conflicts between persons occur. In order to confer ethical code efficiency, we must take complex measures for implementing it. Otherwise, the failure is guaranteed, and its motifs could be the followings:

1. because of not having specified behavioral clear, explicit objectives;
2. because of not regulating the *specific* activities of that organization;
3. because of not having pragmatic objectives, and instead they promise too much;
4. because of not being leaned on a constant feedback from beneficiaries;

5. because of either generating unrealistic expectations or regulate too much and too firmly;
6. because of being the victim of political changes;
7. because of simply being outdated and they must be updated.

But the ethical codes fail mainly because of not being upheld by *implementation programs*; and these programs should be organized both under the form of a conformity program and under that of a developing program (Mureşan 2009, 138-139).

The situation in our country, regarding the ethics' institutionalization, one can notice the predilection for a model of the ethics' institutionalization stressing the rules, the norms, and the sanctions. This is the model of the "conformity". The organizations seem to reduce the management programs to writing, implementing, and monitoring an ethics code. Is this enough in order to speak about integer institutions? Even more, do the organizations from Romania understand the same thing through an "ethics code" and do they adopt a similar manner to write it? They speak about "writing" the ethics codes as about a new and promising profession. No matter how curious it would seem, this linguistic predilection proves an inadequate mentality. The ethics codes aren't written, but they are *inserted* in a device of *ethics' management* which the institutions cannot function without. If only "written", the codes will be simple pieces of paper without having any effect. Sadly, we are in a situation in which we do not have at least "professional writers" of ethics codes. Even less we have designers of "ethical infrastructures". These haven't yet reached to be professions in our country. The fight against corruption and for morality in the public life hasn't been institutionalized and professionalized yet, so that we mustn't wonder about the lack of results or about the skepticism of the majority. Instead of professional in the ethics' management there proliferated "the ethic officers" avid of Europeans funds and educated at "the grandma morals"; consequently, we will have to get used in continuation to the *mimicking* of preoccupations of institutional ethics (Constantinescu, Mureşan 2013, 71).

Promoting the academic integrity it is in imperative both on world/ European levels, and one national level. The ethics problems in the vision of the European Community embody two aspects, namely: applying the ethical principals in the scientific research, and the scientific research in the ethics'

domain. In this context, the year 2005 represented a reference date to the European Community. On 11<sup>th</sup> of March the European Commission adopted the European Charter of the Researcher and the Conduct Code for Recruiting the Researchers. These two documents are key elements of the European Union's policy in order to transform the research work, as profession - in an attractive career - this representing the vital characteristic of the European Union's to stimulate the economic development and the increase of jobs number. The Charter and the Conduct Code will attribute to each researcher, individually, the same right and the same obligations, no matter the place within European Union which they will activate at. This should help to counteract the fact that the research in Europe is fragmented on local, regional, national, or sectorial levels, and it would allow Europe to fructify at maximum its scientific potential (Pisoschi, Văcariu, Popescu 2016, 9)

Romania, by its position, it is and European country and it have been manifesting itself as such. The tradition of scientific research it is strong in Romania, and about this bear witness to this a long string of renowned personalities, recognized as such by the international scientific community. From the point of views of the ethical principles, Romania isn't an exception from the tendency manifested both on European and on international level, namely that of continuously specifying ethical norms of conduct and behavior, in very numerous activity domains, amongst which the scientific research is mentioned too. Even if these norms haven't been always present in the form of juridical documents on national level, this hasn't meant that, on the level of some groups, of profile societies, and of organizations, these norms haven't existed and that they haven't been observed. An important moment for clarifying the aspects of the ethics applied in the scientific research in Romania, it has been the promulgation of the Law no. 206/2004, regarding the good conduct in the scientific research, the technological development, and the innovation, issued under the Decree nor. 371/2004 and published in the Official Monitor, Part I, no. 505 from 06/04/2004.

The Law has four chapters destined to: General Provisions, The National Council of Ethics of the Scientific Research, Technological Development, and Innovation, the Ethics Commissions, and Final Provisions. This law, focused on the national traditions but also on the international experience - especially on the European one - in the domain, it establishes

the almightiness of the ethical principles in the scientific research, in the technological development, and in innovation, principles mentioned in the Ethics and Professional Deontology Code of the personnel from the domain of research –development, code elaborated by the State Authority for Research-Development.

The law defines the good conduct in the research-development activity which must exclude: hiding or removing the unwanted results, forging the results, replacing the results with fictive data, deliberately interpreting in a distorted manner the results and the deforming of the conclusions, plagiarism of other authors' results or publications, deliberately deformed presenting the results of other researchers, introducing false information in applying for grants or for financing, not unveiling the interests conflicts, embezzlement of research funds, not recording and not storing the results, as also the erroneous recording and storing the results, the lack of informing the research team before starting the project concerning the salary rights, responsibilities, co-authorship, copyrights upon the research results, financing sources and joint ventures, the lack of objectivity in evaluations and disregarding the confidentiality conditions, and, finally, repeated publishing of the same results as a scientific novelty (Pisoschi, Văcariu, Popescu 2016, 33).

There are established definitions for a series of terms which the law operates with, when the law is being applied. Thereby:

1. the fraud in science it is a deliberate action of forging, of falsifying, of plagiarism, or illicit changing of the owner of the scientific results;
2. forging the data means any recording and presentation of some data from imagination, data that aren't upheld by the work method uses in research;
3. the falsification means rigging the research materials, the equipments, the processes, of the results, and omitting some data or results which would distort the wanted research results;
4. the plagiarism means the impropriation of ideas, methods, procedures, technologies, results, or texts, belonging to a person, no matter the way which these ones would have been achieved in, while presenting them as personal creation;
5. the interests conflict is that situation of incompatibility which the

person is in, because of having a personal interest that influences the impartiality and the objectivity of his activities in evaluating, monitoring, accomplishing, and reporting the research-development activities.

Also, the law establishes the conditions for being founded and for functioning of the National Council of Ethics of Scientific Research, Technological Development, and Innovation it is founded and it functions in, as also its attributions regarding: establishing the ethical principles specific to the research-development domain, elaboration of the ethics codes on activity domains, establishing the specific procedures to be followed in case of the apparition of a improper conduct, supervising the applying and the observing by the research-development units and institutions, as also by the research-developing personnel of the legal provisions referring to the moral and professional conduct norms, formulating the opinions and recommendations related to the ethics problems raised by the science's and knowledge's evolution, analyzing the complain cases referring to the transgressions of the good conduct rules and elaborating the recommendations and/or applying the sanctions, and founding Ethics Commissions on each domain.

The Ethics Commissions can be founded, according to the law, along the Scientific Councils or along Administrative Councils, of the research-development units, units which lead research-development programs and those ones which ensure the valuation of the results. The Ethics Commissions' attributions refer to supervising the observing of the ethics codes specific to the unit's domain, and to the inquiring the cases of deviating from ethics and to establish the necessary measures. It is also established the modality of inquiring the transgressions, of solving the complaints, and of applying the sanctions. An important task of the Ethics Commissions consists of evaluating from ethical point of view the research-developing projects according to the applicable general ethics rules, and of intern and international specific ethics rules.

According to the provisions of the Law no. 206/2004, there have been appointed the members of the National Council of Ethics, on the domains: of the scientific research, of the technological development, and of the innovation from Romania. This Council followed to proceed to appoint the Specialty Commissions, to compose the Ethics Code of the researcher and

the Ethics Codes specific to each domain and to uphold the research units and institutions to appoint the Ethics Commissions.

Stimulating the good scientific practices and establishing some adequate measures when suspicions of inappropriate scientific conduct arise, it represents institutional task. The responsibility for implementing it falls to the executive managers of each research institution and to the corresponding leadership organs. This comes out, on one hand, from their role of employers or hierarchical superiors, and on the other hand, in the case of the higher education institutions, from their monopoly in granting university degrees.

The existence of a national legislation in the domain of the ethics, applicable to the scientific research, it is positively appreciated by the European Commission, in the context which they search in, for generalizing on European level the good practices in the so vast domain of the scientific research. In the same time, the people working in this domain mustn't neglect the recommendations of the European Commission regarding the applying of the European Charter of the Researcher and of the Conduct Code for Recruiting the Researchers, recently published, especially when it comes about project financed with funds of the European Union, projects which the Romanian participation must raise on the expected level, imposed both by the Romania's tradition in this domain and by the human and material existing potentials (Pisoschi, Văcariu, Popescu 2016, 33-35).

We have been using during this lecture, for several times, and I several situations, the terms of: "morals", "ethics", and "deontology". But, is there, besides the resemblances - or, better said, besides the connections amongst these three terms -, also some differences, bigger or smaller, more or less significant, amongst them? According to Gabriela Țigu, the three mentioned notions have rather common points than points to differentiate them, and this differentiation occurs only depending of the context which the respective notions are used in. Thereby: "While the morals is considered as a real phenomenon, belonging to the daily behavior, belonging to the practical-spiritual life of the individuals and of the human collectivities, the ethics designates the theory having as study object this real phenomenon. The ethics means therefore "the science of the good and of the bad". The deontology means the conduct norms and the ethical obligations in the frame of a profession. It is a theory of the duty, of the moral obligations in that

specific profession (i.e. the deontology of the physicians, of the lawyers, of the professors, of the accountants etc.). Thus, the deontology applies some moral specific norms” (Țigu 2016, 9-11).

From religious point of view, by and large, and from Christian-Orthodox point of view, especially, the domain “morals” has a specific spiritual meaning in this ecclesial environment, while the terms “ethics” and “deontology”, from the same Christian perspective are used rather with a lay, mundane meaning. Besides all of these, approaching the ethics in the frame of a system of ethical analysis, it is being done also in the terms of an “Eternal Law”. Thus, the Church’s leaders and some philosophers (Th. Aquinas, Th. Jefferson) believe that there exists an Eternal Law incorporated in the mind of God, revealed in the Holy Scripture and that this Law is immediately accepted by the ones who allot their time for studying the Holy Scripture. Therefore, the golden rule is: “Do to the others what you want them to do for you” (Țigu 2016, 15). Or, if we consider the same rule from an inverse perspective and in a manner belonging rather to the Old Testamentary Judaic perspective: “What you don’t like, do not do it to another”. The moral laws are derived from the “Eternal Law”, from the eternal teleological plan of God, valid both for the rational creatures and for the irrational (physical) ones. This law is sown within man, regarded as having a free will, being a universal, unchangeable, and without exceptions law. **“Do the good and avoid the evil”** – this is the moral natural basis law, which rather is a general form of any concrete, positive laws, promulgated in time by the entitled authority – be it God (“the godlike positive law”) or man (“the positive human law”). The positive godlike law is divided in the law of the Old Testament (“the Ten Commandments”) (Rotaru 2015, 318-322) and in the law of the New Testament (“The Blessings”, “the Evangelical advices”, the exemplars, and the parables). The human law is given by the Church (the churchly law) or by state (the civil law). In the Christian conception, both laws have their origin in God (Mureșan 2009, 257-258). In addition to this critic approach which also religious valences are involved in, other ethical approaches, with philosophical and juridical valences, are: the utilitarian approach, the deontological or universal approach, the approaching in the terms of the social justice or of the distributive justice, and the Confucianism.

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