The betrayal of Anne Frank: The betrayal of moral?

A study on the criticism that arose after the publication and presentation of the book *The Betrayal of Anne Frank – A Cold Case Investigation*

Bachelor Thesis

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Table of contents

Preface

If you would ask what came to my attention earlier, the publication of *The Betrayal of Anne Frank* or the controversy surrounding the publication, I would not be able to answer that question. What struck me was what a significant role media plays -once again- in contemporary culture and what controversies it can cause. Sometimes these controversies are justified, but often not. This fascination inspired me to dive deeper into the topic of the mentioned publication on Anne Frank. It is easy to rely on what we read or hear in the media. But what happens when we objectively look, or at least as objectively as possible, at the topic displayed layer by layer?

It is with this motivation that I started working on my thesis. And having finished it now. I would like to thank my supervisor Jan Jaap de Ruiter, who did an outstanding job in guiding me through this instructive journey. I am grateful for his enthusiasm, which made me work even harder. Secondly, I would like to thank my grandmother, who played an important role for me in conducting this research. I truly do not know a person who is more dedicated than she. And then I would like to express my gratitude to you, dad, for reviewing my concepts and critically think about how I could improve my work.

Furthermore, I would like to make my sincere apologies to my friends for all those times they had to consume wine without me. I know it has been a hard time for you all! Finally, all my love goes to my supporting boyfriend who had to make such big effort to not talk to me as much as he normally does while I was working on this research.

1. Introduction

‘I hope I will be able to confide everything to you, as I have never been able to confide in anyone, and I hope you will be a great source of comfort and support.’

These are the first words that the Jewish girl Anne Frank wrote in the diary that she got for her birthday on 12 June 1942. A diary that provides insight into the lives of people in hiding during World War II. Anne wrote about her experiences, feelings and thoughts while she, among seven fellow residents, was hiding in the so-called Secret Annex. It is the publication of this diary in particular that made Anne Frank the symbol for the six million Jewish victims that the Nazis killed in the Second World War.

The betrayal of Anne Frank and the seven fellow residents she was in hiding with was never clarified. Years of scientific research by various historians and scientists never led to an unequivocal conclusion. It was therefore noteworthy that HarperCollins Publishers at the beginning of 2022 announced a book that would tell the story of ground-breaking research by a cold case team that would have led to the identification of the traitor of the residents of the Secret Annex. When the book was launched on grand scale, it became apparent that Jewish notary Arnold van den Bergh was designated as the most likely traitor to the residents of the Secret Annex.

Dozens of books have been written of what led to the raid on the Secret Annex. The most recent example is the book *Anne Frank Betrayed – The mystery unravelled after 75 years (De achtertuin van het Achterhuis – Verraad Anne Frank ontrafeld),* in which Jewish Ans van Dijk was identified as a possible traitor (Kremer, 2018). Rarely, however, a book about the raid on the Secret Annex was as widely announced as *The Betrayal of Anne Frank*. In addition, rarely has a publication as such provoked so much outrage. Historians labelled the theory as ‘defamatory nonsense’ (Kromhout, 2022) and argued ‘this is morally undesirable’ (Egmond, 2022).

Both experts and the media focused their criticism not only on the research described in the book, but also on the four media outlets who took part in the publicity campaign. The aim of the present study is to gain a better understanding of why the publication of the book *The Betrayal of Anne Frank* provoked so much moral outrage. In addition, the study focusses on whether the criticism is justified.

This thesis is structured as follows. The following chapter provides insight in the history of the Frank-family and examines why Anne Frank is relevant in contemporary culture. Chapter 3 focuses on *The Betrayal of Anne Frank* and the controversy around it. The chapter describes the purpose of the book and the method used by the Cold Case Team. The publicity campaign is pointed out, as well as the criticism on the books content and the historians' scholarly research. Chapter 4 presents the research questions and the methodology used. Existing scientific theories regarding journalistic and scientific ethics are discussed in chapter 5.

Examples of malpractice in both fields are provided in that chapter as well. Chapter 6 contains the results of the study. Chapter 7 presents the conclusions of this study and a discussion.

2 Anne Frank

2.1 The Frank family – a timeline[1]

Otto Frank is a man who identified himself as German and Jewish. In 1889 he was born into an assimilated Jewish family. Otto Frank hardly learns about the Jewish religion from home, the Frank family was liberal Jewish. His 11 years younger wife Edith Holländer from Aachen regularly attends the synagogue, but only observes the Jewish dietary laws when her parents are visiting.

Both Otto and Edith come from wealthy families. Otto is the son of a banker and businessman. According to the diary of his daughter Anne Frank, he led a rich life in his youth. Edith grows up as the daughter of a wealthy manufacturer. Edith's ancestors emigrated from Amsterdam to Germany around 1800 and she owes her last name to them. Otto Frank married Edith, who was 25 years old at the time, 12 May 1925 on his 36th birthday.

The first daughter of the Frank couple, Margot, was born in 1926. Tree years later, on June 12 1929, as the second daughter of Otto Frank and Edith Frank-Holländer, Annelies (Anne) Marie Frank was born in Frankfurt am Main (Germany). The Frank family lived in a spacious rented house at Marbachweg 307, located on the outskirts of the city. In 1919, Otto Frank takes over the commercial bank from his father. While Otto worked for the family business, the Michael Frank Bank, Margot and Anne played with the kids in the neighbourhood and experience carefree toddler years.

Meanwhile, Anne's parents do not live a carefree life. The National Socialists came to power in January 1933, and the Frank family decides to emigrate. In Amsterdam, Otto is given the opportunity to start a business through his brother-in-law. In the summer of 1933 Otto moves to Amsterdam. While Otto starts up his business, which is located at Prinsengracht 263 in Amsterdam, Edith searches for suitable accommodation for the family. Anne and Margot are staying with their grandmother in Aachen at that time. In December 1933, Otto, Edith and Margot move into an apartment at 37 Merwedeplein, located in the Rivierenbuurt in Amsterdam. It is new neighbourhood in which more and more Jewish refugees from Nazi Germany are settling. Anne joins her family two months later and moves to 37 Merwedeplein on February 16, 1934.

Otto works hard to make his business a success. His company Opekta, the Dutch representative of the German Opekta GmbH, manufactures and markets pectin, which is a gelling agent that is needed for the preparation of jam. Still, the business is not running as good as Otto would like, and on top of that, there are also concerns about the political developments in Germany.

[1] Unless quoted otherwise, the information this timeline provides is conducted of Anne Frank Stichting (2018)

Due to the disappointing results, a second company was set up. Handelsmaatschappij (trading company) Pectacon N.V. was founded in 1938. This company engaged in the trade of spices and herbs. Otto became director and Johannes Kleiman was a supervisory director. Hermann van Pels held the position of herbal specialist. Both companies had their offices at Singel 400 in Amsterdam. In December 1940 Opekta and Pectacon both moved to 263 Prinsengracht.

Otto Frank's family fled from Germany in the mid-1930s. None family member of his side lives there anymore. However, Edith's family only fled after the *Kristallnacht*, which took place in Germany in the night of November 9-10, 1938. *Kristallnacht* was a pogrom staged by the Nazis. Across Germany, Jews were attacked, synagogues burned, some 7,000 Jewish shops looted, and numerous Jewish properties defaced. Two maternal uncles of Edith eventually managed to escape to the United States, while Anne's grandmother Rosa Holländer joined the Frank family at 37 Merwedeplein in March 1939 (Anne Frank Fonds, n.d.). The German threat increases when the German army invades Poland on September 1 1939, the date World War II breaks out.

On May 10, 1940, the German army invades the Netherlands. This is the beginning of five days of warfare that ends with the occupation of the Netherlands. It is from this moment on that the Frank family starts to notice the consequences of the war in their daily lives. The occupier is gradually introducing more and more measures against Jews. In October 1940, Jewish business owners were required to register their business with the Nazi led authorities.

Over a year later, Jews were prohibited from owning a business. This caused Otto to resign as director of Opekta at the end of 1941. He handed over the company to employee and friend Johannes Kleiman. A similar construction is devised for Otto's other company, Pectacon. Pectacon makes a new start under the name Gies & Co, named after the new supervisory director Jan Gies, husband of Miep, who, like colleague Bep Voskuijl, performed work for both companies. Victor Kugler becomes the chief executive officer. These people will later play a key role in the lives of the Franks.

In the course of 1941 and 1942, the National Socialists implemented new anti-Jewish provisions. For example, wearing a yellow Jewish star is mandatory, Jews are not allowed to enter certain places and a curfew applies. The danger for Jews in the occupied Netherlands is increasing. In June 1941, a raid takes place in Amsterdam in which more than 300 Jewish men are arrested and transported to Mauthausen concentration camp. Obituaries arrived shortly afterwards.

After it becomes clear in early 1942 that emigrating is not an option for the family, they decide to prepare to go into hiding. The children are not aware of the plans at this point. The Secret Annex, which is located in Otto's office at Prinsengracht 263, has been chosen as the location. Together with Otto's most loyal employees, who have also taken over his companies, the hiding place is being prepared. It is these employees who will provide the family with food and other necessary goods during the hiding period.

The family decides to go into hiding on July 16, 1942. However, this accelerates when eldest daughter Margot, 16 years old at the time, receives a call on July 5, 1942 to work in German camps. The family decides to go into hiding in the Secret Annex a day later. With some misdirection’s set up by Otto that have made it seem as if the family has fled to Switzerland, the family left their apartment on Merwedeplein early in the morning on Monday 6 July 1942 to take up residence in the Secret Annex. Later, the Van Pels family, which contained of Hermann, Auguste and their son Peter joined them. Fritz Pfeffer, a Jewish dentist, was the last to join the group in hiding in the Secret Annex in November 1942.

Their residence lasted 25 months. On August 4, 1944, the Sicherheitsdienst and Dutch police officers, led by SS-Hauptscharführer Karl Silberbauer, invaded the Secret Annex and arrested the eight residents in hiding. They are deported to the Westerbork transit camp. During their stay there, Anne, Margot and their mother dismantle old batteries in the tightly managed camp. A month later, the eight people in hiding were deported on the last transport to the Auschwitz-Birkenau concentration camp (Anne Frank Fonds, n.d.).

After the three-day journey in cattle trucks, the women are separated from the men on arrival in Auschwitz. Margot and Anne stay with their mother in women's block 29 for the first eight weeks. Anne is transferred to the isolation block, the so-called scabies block, because her body cannot handle the load. Relatives will later tell that sister Margot hardly leaves her side (Anne Frank Fonds, n.d.).

Despite all the efforts Edith has made for her daughters, at the end of October or the beginning of November Anne and Margot are separated from Edith and taken to the Bergen-Belsen concentration camp. It is chaotic here and the conditions are bad. Margot and Anne first sleep in tents that cannot withstand the winter storms and are barely given anything to eat. Anne and Margot are both weakened and transferred to the infirmary. Here they lie until Margot dies. A few days later, probably at the end of February 1945, Anne also died. On April 15, the Bergen-Belsen concentration camp is liberated by American troops (Anne Frank Fonds, n.d.).

After the liberation it will become clear that, of the eight people hiding in the Secret Annex, Otto Frank was the only one to have survived the war.

2.2 The diary of a young girl

Anne developed into a lively, strong-willed, and studious girl. Her parents Otto and Edith attach great importance to the development of their daughters. They treat them with great respect and take an attentive part in their lives. While Margot is described as a good natured, reserved and uncomplicated child, Anne is lively, energetic and in need of a lot of attention (Anne Frank Fonds, n.d.).

Anne was an ambitious girl with a predilection for literature. For her thirteenth birthday, she had not gone into hiding yet, Anne is given a diary as a birthday present. In the two years that she was into hiding, Anne wrote about events in the Secret Annex, and about her feelings and thoughts. Anne writes short stories, starts a novel and transcribes passages from books she reads. Anne addresses the stories she wrote to 'Kitty', because she misses a friend with whom she can share all her secrets (Anne Frank Stichting, 2018).

In the Secret Annex, Anne and the other people in hiding had to be very quiet during the day. Anne missed her friends. She also missed that she could never go outside. During the years in hiding, her diary became increasingly important. Anne wrote about daily life in the Secret Annex, the fear of being discovered while going into hiding, the quarrels with her parents and other people in hiding, her burgeoning feelings for Peter, and her ambitions to become a writer (Anne Frank Stichting, 2018). As Anne wrote in her diary on March 16, 1944: 'I think the best thing of all is that I can at least write down what I think and feel, otherwise I would completely suffocate.'

Writing and publishing literature is Anne's dream for the future. As she describes in her diary: 'That one day I will become a journalist and later a famous writer. Whether I will ever be able to carry out these magnificence (madness!) tendencies remains to be seen, but I still have subjects so far. After the war I want to publish a book entitled *The Secret Annex*, the question is whether I will succeed, but my diary will be able to serve that purpose.'

Gerrit Bolkestein, minister of education of the Dutch government, residing in England at the time, uses Radio Oranje to call on the people to keep war diaries and documents. This inspires Anne to edit her individual diaries into one running story, entitled *The Secret Annex*. Anne filled several notebooks with her writing. In the spring of 1944, Anne decided to rewrite her diary on single sheets of carbon copy while keeping her regular diary. In ten weeks, she filled 324 sheets, but her arrest prevented her from completing the book. Anne's last diary entry was dated August 1, 1944 (Anne Frank Fonds, n.d.).

After the raid, Miep Gies and Bep Voskuijl, two staff members who were among the helpers of the people in hiding, found the diary papers which consist of the notebooks and loose sheets on the floor of the Secret Annex. Because Anne's fate is not yet certain at that time, the diary is carefully kept by Miep. When it turns out that Anne did not survive Bergen-Belsen, she gives the pieces to father Otto, who in turn will see to the publication of the diary that will ensure that his daughter grows into a true icon (Shandler, 2018).

2.3 From diarist to symbol

The story of Anne Frank is remarkable. This is partly because when Anne's work was found, the published diary that has become one of the most widely read books in the world consisted only of notebooks and loose sheets. Another aspect that contributes to the remarkability of the story of Anne is that she, despite her death two years before the book was first published, has developed a national reputation.

After reading his daughter's work, Otto Frank soon noticed that his daughter's writing is moving and that she shows remarkable insight. Otto was convinced that the diary should be published. After sharing some passages with intimates, his feeling on this was strengthened. Otto makes an adaptation of both versions of the diary, thus creating the first edition of *The Secret Annex* (Shandler, 2018).

In 1947 the book is published in an edition of 3000 copies. Three years later, translations appear in French and German. An English version appears in 1950. It does not stop here. A play based on Anne's diary was performed worldwide and was also made into a film. In 1960, the Secret Annex at Prinsengracht 263 became a museum: the Anne Frank House. Anne's story was now known worldwide, which made her the most famous victim of the Nazi persecution of the Jews.

To Otto, as administrator of the diary, it was of great importance to create awareness for universal human rights. For example, in addition to being a place to commemorate the Holocaust, the Anne Frank House has grown into an educational organization where visitors could look for ways to live together in peace. The International Youth Centre (Internationaal Jeugdcentrum), where conferences and meetings are held, was established within the Anne Frank House (Shandler, 2018).

Otto closely monitored how his daughter and her work were made public. Because the many readers of Anne's work each dealt with the story in their own way, each with their own interpretation and thoughts, they could not unite with the protective attitude Otto had. Readers felt somewhat limited in the way in which they were allowed to connect with the story and with Anne Frank as a person. They felt as they were limited in assigning their own values to Anne’s life story. Particularly after Otto's death in 1980, numerous interpretations, including plays, films and pieces of music, have been realized.

According to Shandler (2018), it is a remarkable phenomenon in itself that over the years, connections have been made with Anne and her work in various ways. Shandler states that the large-scale embrace of Anne Frank is what makes her the iconic figure she is today.

Anne’s status is as diverse as it is pervasive. Anne has been portrayed as ‘archetypal Jew, Holocaust victim, human rights protagonist, girl, young adult author, diarist and feminist’ (Shandler, 2018, n.p.). Attributions of which none fully cover the significance of Anne as an icon. Shandler argues that Anne as an icon must be sought in the whole of these paradigms. In addition, it is stated that the meaning of an icon is not fixed. Shandler (2018) argues that ‘its significance shifts, as the ideas of what an icon represents moves with the changing desires of those who embrace it.’ The divergent values that are attached to Anne Frank's work are an example of this.

Anne Frank will remain in the collective memory as the most famous symbol of the millions of victims of the Holocaust. Activists have found inspiration in the young writer's work and life. While her death at the age of 15 prevents Anne from becoming a public advocate of social justice herself, it makes her a protagonist of human rights. As more and more Holocaust survivors lose their lives, the value of works like Anne's becomes increasingly important. New generations will read the work of Anne and interpret and assign values to the story in their own way. As a result, Anne Frank as an icon continues to evolve and a new symbolic value to Anne and her story will be ascribed time by time (Shandler, 2018).

3 *The Betrayal Of Anne Frank – A Cold Case Investigation*

3.1 A summary

In *The Betrayal of Anne Frank – A Cold Case Investigation,* written by Rosemary Sullivan, a Canadian author of 15 other books, a cold-case investigation spearheaded by Dutch documentarian Thijs Bayens and journalist Pieter van Twisk is detailed. In 2016, Bayens and Twisk teamed up with Vince Pankoke, a retired FBI special agent, to delve into the raid on the Secret Annex in a forensic manner. By using 'a fresh view, new research methods and modern techniques' (Sullivan, 2022, p.11), the team tries to shed a light on the unanswered question: Who was responsible for the raid on the Secret Annex? The team concluded in the end that notary Arnold van den Bergh, a member of the controversial Jewish Council, most likely is the traitor to the eight people in hiding in the Secret Annex. An anonymous note with his name on it, found in a police investigation from the 1960s, is proof of this, they say.

3.2 The purpose and the method

The preface of the book, which is written by Head of Research Peter van Twisk, states the purpose of the research and the publication of the book. In the preface, Van Twisk states that 'no large-scale and multidisciplinary research has ever been conducted into what led to the raid on the Secret Annex' (Sullivan, 2022, p.11) Renowned institutes such as the Anne Frank House and the NIOD Institute for War, Holocaust and Genocide Studies, as well as various journalists and (amateur) historians had already shed their light on the issue. This has led to various theories about the betrayal, with several possible traitors identified over the years. In addition, there is a theory that suggests that there was no traitor at all, but that the inhabitants of the Secret Annex were discovered by accident when the Secret Annex was invaded for another reason. However, these theories have never been proven.

Twisk states that it is 'strange' that a proper investigation has never taken place. After all, the case continues to occupy the minds of many people. According to the Anne Frank House, the most frequently asked question from visitors is still: 'Who betrayed Anne Frank?' It is for this reason that the Cold Case Team aimed to work towards that long-awaited breakthrough. The Cold Case Team decided not to achieve this by conducting classical historical or academic research, the way many previous theories had been developed, but by approaching the case of the raid on the Secret Annex in a forensic manner (Pankoke, 2022; Appendix III, p.76).

By approaching the case as a cold case, a multidisciplinary investigation team started a police investigation, using the latest investigative techniques. For example, the Cold Case Team made use of new investigative methods and used Artificial Intelligence. In addition, in order to achieve a breakthrough – and thus identify a perpetrator, they approached the case as a circumstantial case that is built on the collective body of evidence with findings that fit together (Pankoke, 2022).

3.3 The structure of the book

The first part of the book examines the background of the case. Existing theories in particular are tested, and theories and arguments of authors and researchers are critically treated. The book describes much of the way the team obtains and researches data. The process leading to the use of artificial intelligence is also discussed. The Artificial Intelligence methods sometimes pay off and provides new information. By using this method, the Cold Case Team manages to reduce the number of usable theories to thirty. Furthermore, by applying 'the axiom in criminal investigation – motive, knowledge and opportunity', they manage to set aside another number of theories (Sullivan, 2022, p.127).

Twelve theories remain, each of which turn out to be improbable. In the final part of the book, the Cold Case Team develops a theory based on the last remaining—and they believe most likely—scenario. The Jewish notary Arnold van den Bergh is hereby designated as the most likely traitor to not only the Secret Annex, but also other hiding places. 'He saved his family by passing on addresses to the SD, including Prinsengracht 263' (Sullivan, 2022, p.315). It is emphasized, however, that Van den Bergh cannot be seen as ultimately responsible. 'That responsibility forever rests with the Nazi occupiers who terrorized and decimated a society, incited neighbours against each other. They are responsible for the deaths of Anne Frank, Edith Frank, Margot Frank, Hermann van Pels, Auguste van Pels, Peter van Pels and Fritz Pfeffer. And millions of other Europeans, hiding or not. And that can never be understood. Nor forgiven.' (Sullivan, 2022, p.317).

3.4 The publicity campaign and embargo

The Betrayal of Anne Frank - A Cold Case Investigation was widely announced. As part of the media strategy, a worldwide embargo was set and the content and conclusions of the book were not shared before the official publication (*NOS*, 2022). The scoop was reserved for the American television channel CBS. The *NOS, Volkskrant, NRC* and *Het Parool* were the first in the Netherlands to gain access to the news (Exter, 2022). January 17th, the four news platforms published almost simultaneously. The publications were not reviews, but extensive stories about the findings of the Cold Case Team. It did not take long before experts criticized not only the research, but also the media outlets that had allowed themselves to get involved in the publicity campaign.

Various media, including the newspaper *Trouw*, strongly criticize the embargo that rested on the book and its content, what prevented the book's content from being able to be reviewed by independent experts. In addition, the news platforms who signed the embargo are criticized. *Trouw's* Editor-in-Chief Cees van der Laan states: 'Journalists were not allowed to share the content with others on behalf of a fine to be determined, as a result of which, for example, a rebuttal was not possible at the time. In the Netherlands, de *Volkskrant, NRC, NOS* and *Het*

Parool signed this embargo (*Trouw*, 2022)'. It is noteworthy that the German publisher HarperCollins Deutschland decided not to publish the book immediately. It choose to handle the sensitive subject in a responsible manner and decided to have the manuscript assessed by two experts first (Pen, 2022a).

3.5 Criticism of the research and the withdrawn of the book

The criticism, however, went beyond the embargo. The content of the book was also subjected to severe criticism. Two days after publication, an article appeared in *de Volkskrant* in which it was noted that many questions had arisen in recent days. This contained substantive questions, since the entire book works towards the name of an Amsterdam civil-law notary, but conclusive evidence seems to be missing. Furthermore, ethical questions arose. If decisive evidence is missing, can you designate someone as the perpetrator? In addition, practical criticism arose, questioning the exact status of the research that led to the book (Rek, de. 2022). In addition, criticism came from, among others, historians and researchers whose names were mentioned in the book and in the grant application, but who state that they had never given permission for this.

On the ColdCaseDiary website, lead case agent Vince Pankoke responded to the criticism. He states that their research is not worth less because it is not scientific research: 'Hearing and reading comments from journalists and scholars that our investigation was poorly executed and invalid since it was not a scientific study, only shows their lack of understanding of how law enforcement investigations, especially cold cases are conducted. There is a difference between a scientific study and a law enforcement model of investigation, and I encourage the reader to consult the comparison between the two methods that are detailed on this site in our initial rebuttal. There are, however, many elements of science and technology that were utilized in our investigation (Pankoke, 2022; Appendix III, p.76)'

The controversy on the content of the book moves a group of six renowned historians to examine the contents of the book and to release a comprehensive scholarly report, spanning more than seventy pages, which was presented on March 22, 2022. The scientists, including professor of Jewish history Bart Wallet, concluded after diving deeper into the sources relied on by the Cold Case Team that the research was 'conducted amateurishly' (Boom et al., 2022, p.64) and that the conclusions are based on 'wrong use of sources and faulty argumentation' (Boom et al., 2022, p.62).

The report states that there is a pattern in which assumptions are made that are later seen as truth or facts and that are then used as a building block for the next argumentative step in almost the whole process. In addition, a fallacy such as the *argumentum e silento* is regularly used, which means that the lack of evidence is used to reinforce a suspicion. In other words, suspicions and conclusions are based on the absence of prove of events or statements, rather than their presence. In addition, the context of the war and post-war period, critics argued, appeared to be poorly understood by the Cold Case Team, leading to numerous misinterpretations. Crucial sources were not or hardly subjected to source criticism and often turned out to have been misread or interpreted incorrectly.

It was at the time of the presentation of the report that the granddaughter of notary Van den Bergh, who had remained outside the media until then, comes to the fore. Mirjam de Gorter, known in the book under the pseudonym Esther Kizio (Sullivan, 2022, p. 285), covers a chapter and appears to play an important role in the research that led to the book. Supported by the authors of the published report, de Gorter is able to speak up about the unreasonable manners that, according to her, contributed to the creation of the book (De Gorter, 2022). She did so by giving a speech at the event in which the historians presented their report (De Gorter, 2022; SPUI 25, 2022, 1:17:15).

In her speech, for example, de Gorter accused the Cold Case Team that her words were distorted; important information she told them was not included and formulations that did not came out of her mouth were published in a way it seemed like they did. De Gorter also states that the Team contacted her in 2018 under false pretences. In addition, de Gorter was not given the opportunity to read the book and its contents in time. In fact, it was on the evening of January 14, 2022, three days before the book was widely publicized through the media campaign, that Vince Pankoke telephoned de Gorter to inform her that her grandfather with a certainty of 85%-87% was the traitor of the Secret Annex. She received the book a day after (De Gorter, 2022).

After taking note of the report, the publisher of the book, Ambo Anthos Publishers, after offering its ‘sincere apologies’ to those affected by the book's content, decided to withdraw the book from the market (Oosterom, 2022a).

4. Research question and methodology

4.1 Research question

The publication of the book *The Betrayal of Anne Frank – A Cold Case Investigation* and the way in which the book was presented in the media has caused a lot of commotion in both the journalistic and research fields. As the issue affected both journalistic and academic quality, many questions arose as to whether the Cold Case Team and journalists responsible for the scoop acted ethically well and with integrity. Criticizing integrity and ethics within both disciplines is not a new phenomenon. Every year, many complaints are forwarded to committees that must pass their judgment on them.

For example, in 2021 UNL (previously called VSNU), which stands for Universities of the Netherlands (Universiteiten van Nederland), published 13 rulings in connection with complaints regarding scientific integrity on their website. Nine of these complaints were declared unfounded. Two complaints were partly justified, partly unfounded. One complaint was assessed as partly unfounded and partly inadmissible. Finally, one complaint was assessed as partly unfounded and partly questionable behaviour. This means that of the 13 cases, three partially failed to meet the standards of scientific integrity (UNL, 2021).

In addition, in the year 2021, the Council of Journalism (Raad voor de Journalistiek) published 52 rulings on journalistic malpractice. Of these, 21 publications were assessed as careful. Four publications were marked as careless and nine publications as partly careless. 10 revision requests were rejected. Three complaints have not been assessed substantively because, for example, the publications were not considered to be journalistic conduct or because or because the complaint was already resolved. Finally, four publications were assessed as careful and partly not been assessed substantively, and one was marked as partly careless and partly not assessed substantively. This means that of the 52 rulings, 14 publications have partially or not met the standards of journalistic integrity (Raad voor de Journalistiek, 2021).

It is noteworthy that a relatively small proportion of the complaints submitted to the committees are ultimately well-founded. It can therefore be concluded that criticism does not automatically mean that a publication is contrary to ethical and integrity regulations in the field.

Overlooking the criticism on the study of the Cold Case Team from both journalistic and academic perspectives, it is tempting and easy to consider it credible. But, as the statistics of complaints registered by Universities of the Netherlands and the Council of Journalism above show, only a few of them are judged justified. This being the case, the present study takes the CCT publication and the way it was presented in the pre as a case in order to answer the following research question:

‘Does the research as conducted and presented by the Cold Case Team meet the standards of scientific and journalistic integrity?’

The following sections goes into the way in which the research question was operationalized.

4.2 Methodology

In order to measure whether the research as conducted and presented by the Cold Case Team meets the standards of journalistic and scientific integrity, it needs to be established what is expected of a good journalist and a good researcher. To provide a theoretical framework, a literature review on relevant existing theories regarding media discourse, journalistic integrity and research integrity is conducted. In addition, existing guidelines, protocols and rulings on journalistic and scientific integrity are consulted. Examples to support the theoretical framework are given.

To provide a representative corpus of the criticism in the media, various online as well offline publications that are related to *The betrayal of Anne Frank* were analysed. In order to frame the various news items, the content of the criticism, the relevance of the messages and the authors of the messages were examined. For example, when several publications contain the same criticism, preference is given to the publication most referred to. There were various forms of criticism on the media offensive, the way of collecting data, and on how the research was conducted. Due to time limitations, it was decided to narrow the broad criticisms down to three themes; the embargo, the granddaughter and the historians’ critics, which cover all three aspects. More on the justification of this choice in the following section.

A lot of criticism in the media covers the embargo and the journalists who had signed the embargo. The embargo would be the cause of the way of publishing the scoop. The scoops published by *NOS, de Volkskrant, Het Parool* and *NRC* are publicly accessible and come first-hand. Therefore, this subject is explored in more detail. The granddaughter occupied a chapter in the book and is related to notary Van den Bergh. Due to the interview and the speech of her personal experience of the process, the criticism was measurable. The information comes first-hand and therefore is of great value. Therefore, this subject was further investigated. The historians' criticism summarize what emerged in various news reports of the content of the research. The report they have published contains detailed information from renowned historians. Therefore, this theme is investigated in more detail.

The embargo signed by *NOS, de Volkskrant, NRC* and *Het Parool* is not publicly available. In order to investigate of what provisions the embargo contained, relevant news items were analysed for provisions of the embargo. The provisions found were tested against the ex officio ruling on embargo (2003). In this way, it was determined whether the embargo falls within the framework of ethical standards and values of journalism.

To determine whether the authors have acted within the framework of ethical standards and values of journalism, the four articles by *NOS*, *de Volkskrant*, *NRC* and *Het Parool* that covered the scoop were subjected to Critical Discourse Analysis. The results of this analysis can be found in Appendix I. By reviewing the relevant provisions of the Guidelines of the Council for Journalism (2021), it was determined that references to sources, reservations and factual representation are of importance to measure whether the authors of the scoop have acted with integrity. References were either factual by nature (1), came from the CCT and its members (2), relate to the research (3) or express a certain reservation (4). Each reference type is given a colour, after which the corresponding pieces of text in the publications are highlighted and added up per colour. To get an overview of the results and the relevant keywords that are used, the scheme as depicted in figure 1 was used. No amounts or keywords are mentioned here. These data can all be found in appendix I.

	Reference type	Amount	Keywords
	Factual		
	CCT or members		
	The research		
	The book		
	Reservation		

Figure 1: Reference types in the analysis of the four articles

To determine whether the authors of the publications covering the scoop have acted with integrity, the results of the CDA as displayed in the scheme are measured against the relevant provisions of the Guidelines of the Council for Journalism (2021).

The criticism of the granddaughter covers two topics. The granddaughter stated that she was approached by the Cold Case Team under false pretences, with as result that, according to her, the team obtained the information she provided in an inappropriate way. In her speech, of which a transcript is downloaded from the SPUI 25 website, the granddaughter explains the procedure the CCT has followed. To measure whether the CCT has acted with integrity, the transcript of the granddaughter's speech is therefore measured against the Code of Ethics for Research in the Social and Behavioral Sciences involving Human Participants (2018).

By analysing the Code of Ethics for Research in the Social and Behavioral Sciences involving Human Participants, it became apparent that information going from researcher to participant is of importance in this matter. The CCT referred to the ColdCaseDiary.com website in their first approach to the granddaughter (Oosterom, 2022b). Therefore, it was established whether the information on the website was adequate at the time. To do so, Wayback Machine was used. Wayback Machine is a digital archive of websites. By filling in the URL, the user can see how websites looked in the past. This is possible due to preserved archived copies of websites. Wayback Machine does not make daily copies of webpages. It was therefore decided to download webpages that were archived the shortest before and shortest after the CCT approached the granddaughter for the first time.

After downloading, the webpages were subjected to discourse analysis. It appeared that the website was divided in four relevant pages, namely: Frontpage, The team, The case and Support us. The relevant phrases per webpage are highlighted in yellow. By using the scheme as depicted in figure 2, an overview of the dates Wayback Machine made a copy of the page, which type of page it contains (i.e. Frontpage, The Case) and which kind of information it provides is established. The results of the analysis can be found in Appendix II.

Date	**Page type**	**What does it mention**

Figure 2: Scheme used to depict an overview of the pages conducted by Wayback Machine and what they mention

Regarding the research, historians argued in their report on *The Betrayal of Anne Frank* that there was an error in the use of resources, the argumentation and that it involved a tunnel vision. Vince Pankoke replied on behalf of the Cold Case Team, in a rebuttal that was published at the ColdCaseDiary.com website, that the team conducted a thorough forensic investigation with utmost integrity. In order to measure whether the criticism of the historians is justified, it is of importance to get an insight in the actual issues the historians stumbled up to while conducting their research on the book. Therefore, the report was subjected to a discourse analysis which results and details can be found in Appendix III.

The historians regularly display in their report statements from *The Betrayal of Anne Frank*, after which they give their own view on it (or the other way around). It was therefore decided to divide the analysis in (1) statements of *The Betrayal of Anne Frank* and (2) statements of the research report. Relevant phrases in the report were highlighted yellow or blue. The scheme used in this matter functions as a legend to display which colour corresponds to which statement (figure 3).

1.	Report. *The Betrayal of Anne Frank*: A Refutation. Critical Analysis of the Argumentation and Use of Historical Sources. Boom, Van Der., B., Boomgaard, Van Den, P., Hermans, A., Schütz, R., Vastenhout, L., & Wallet, B., 2022.
	Statements from *The Betrayal of Anne Frank*
	Statements from the research report

Figure 3: Scheme used to distinguish statements from *The Betrayal of Anne Frank* and the historians' report

In addition, it is of importance to gain insight into how the Cold Case Team related to the criticism. The three rebuttals as published on the ColdCaseDiary website come first-hand and are the most comprehensive in its information provision, and these as well were subjected to discourse analysis of which the results can be found in Appendix III. In their rebuttals, the CCT does not mention specific critics, but respond to the received criticism in general. Therefore, it was decided to highlight all relevant phrases in yellow, as figure 4 shows.

	Rebuttal
	Statements

Figure 4: Scheme used to display the rebuttal and type of statements

The results of the discourse analysis were measured to The Netherlands Code of Conduct for Research Integrity (Nederlandse Gedragscode Wetenschappelijke Integriteit, 2018) and the Code for Journalism (Code voor de Journalistiek, 2008).

By measuring the selected publications against the relevant theories, guidelines and rulings, answers could be formulated to the research question of the present study, i.e. how the research as conducted and presented by the Cold Case Team relates to the prevailing standards and values within journalism and the academic field. These answers provide the opportunity for further reflection, and they lead as well to recommendations for further research.

The next chapter covers existing scientific theories regarding media discourse, media ethics, and journalistic as well as scientific integrity.

5. Ethics and integrity in the journalistic and scientific field

5.1 Media discourse

O'Keeffe (2011, p.441) describes media discourse as 'interactions that take place through a broadcast platform, whether spoken or written, in which the discourse is oriented to a non-present reader, listener or viewer'. It is crucial that the discourse is aimed at the readership audience. Media discourse is not ad hoc or spontaneous, but a public, manufactured, on-record, form of interaction. 'Interaction' should be seen in the broad sense. Blommaert (2005) argues that discourse does not only capture linguistic expressions but sees this in a broader perspective. According to Blommaert, discourse should be studied 'including conceptions of discourse that could be called fully 'non-linguistic'' (Blommaert, 2005, p.3).

This distinction is important when conducting discourse analysis. Language is only one manifestation of discourse. The use of images, attributes and way of publishing should also be included in discourse, as these often form the 'action' of 'language-in-action'. Blommaert argues that it is important to consider the way in which these semiotic instruments are used and how that meaning arises in the face of this broad background. In their research, Kress and van Leeuwen have shown how complex connections between all kinds of semiotic modes arise instead of separate objects and instruments, and how media shapes contemporary semiosis (Blommaert, 2005, p.3). As an example, Blommaert cites a newspaper advertisement in which the components – font, position, use of images – are of little significance independently of each other. The components together determine the status of the advertisement. The entire advertisement is the discourse, not the text or images only.

Critical Discourse Analysis (CDA) focuses on the textual-linguistic characteristics of the material. Fairclough (1995) provides one of the most influent frameworks for studying media language from the orientation of CDA. Fairclough is convinced of the linguistic and discoursal nature of media power. He combines linguistic theory and social theory to examine ideologies involved in discourse. Fairclough designed a three-dimensional framework for analysing discourse. He distinguishes discourse-as-text, discourse-as-discursive-practice and discourse-as-a-social-practice. In addition, he adds a threefold distinction in research methodology. Fairclough argues that the CDA should be approached in phases. Phase 1 is description. This phase relates to 'the textual-linguistic features of the material'. Phase 2 is interpretation. Interpretation relates to how one arrives at the understanding of discourse 'on the basis of their cognitive, social and ideological resources'. The third phase is explain. In this phase, the researcher focuses on 'social theory in order to reveal the ideological underpinnings of lay interpretative procedures' (Blommaert, 2005, p.30).

5.2 Media ethics – an explanation

Media ethics can be seen as the reflection on the moral responsibility that applies in the sphere of media. The moral responsibilities of the media are discussed and considered from various disciplines. The norms, values and duties of journalists and other communicators are often explored in greater depth in existing literature on media ethics. In particular, insight is provided into overviews of various professional codes of conduct. Furthermore, various case studies are often discussed.

Professional codes, ethical principles and deontological guidelines that are presented in different contexts are often similar. The moral responsibility of the media regarding the formation of a healthy critical public opinion is central to this. It is essential that journalistic reporting is impartial, unbiased, independently accurate and truthful. This applies not only to journalists, but to all communicators who express themselves in media. It is of big importance that news is collected in a fair manner, while sources must be protected. Plagiarism is prohibited and content may never be deliberately concealed or interpreted unilaterally. In addition, communicators should respect people's private lives as much as possible and should be aware of the dangers of, for example, discrimination. One should never simply be involved in ideological, commercial or political services for a fee, and unfounded suspicions are out of the question (Bernard, 2000; Es, 2004; Neher et al, 2017).

5.3 Science and journalism – the differences and similarities

There are similarities between academic research and research journalism. Both journalists and researchers are expected to be neutral observers, engaged in collecting information about what they observe. The methods developed in journalism, as well as in science, are determined by paradigms. Kuhn (1962) defines paradigms as a common consensus on how observations should be described and interpreted.

Scientists and research journalists both examine a wide range of topics. However, the approach is different. This has to do with the motivation and the target group of the research. Theories are the foundation of scientific research. Hypotheses can be confirmed or falsified. For example, a scientist might investigate whether smaller classes or shorter lectures provide better learning results, while a journalist might investigate the top 5 most popular schools in the area. Scientists are concerned with relationships, not with names of institutes. In this way a scientist can, for example, work with anonymized data (Cornelissen & Leenheer, 2008).

The big difference between the scientific and journalistic paradigm is that journalists cannot fall back on theoretical guidelines. They rely on routines for describing reality. Journalism is about the relationship between citizen and state and it has a public function. The target group of scientists and journalists differs in this respect. The target group of journalists are citizens, those of scientists are fellow professionals.

There is an enormous number of publications on methods and techniques in science. The reproducibility of research must be guaranteed, which can only be achieved by recording very precisely how research is done and should be done. In journalism, that requirement of reproducibility, and thereby the use of general theories, is not there. Journalists are free in what they publish and account themselves less thoroughly than scientists. After all, there are no explicit methods and techniques in journalism. However, journalists report directly to citizens and do have to explain the what and how. This limits the options available to the research journalist. Even if the journalist and the scientist are investigating the same subject, their research is different. The academic researcher asks questions his colleagues with the aim of investigating hypotheses, the other asks questions to citizens (Cornelissen & Leenheer, 2008).

In both science and journalism it is of big importance that reliability is guaranteed. In the Netherlands, there are various codes and protocols to monitor trust in public communicators as well as in research. As part this research, the following codes and protocols were examined in more detail: The Code for Journalism (Code voor de journalistiek, 2008), the Guidelines of the Council for Journalism (Leidraad van de Raad voor de Journalistiek, 2021), the Netherlands Code of Conduct for Research Integrity (De Nederlandse Gedragdscode Wetenschappelijke Integriteit, 2018) and the Code of Ethics for Research in the Social and Behavioral Sciences involving human participants (De Gedragscode Onderzoeksethiek met Menselijke Participanten voor de Sociale- en Gedragswetenschapen, 2018).

5.4 Ethics in the journalistic field

Both the Guidelines of the Council for Journalism (2021) and the Code for Journalism (2008), Prepared by The Dutch Society of Editors in Chief, state that media plays an important role in the public debate. Without well-informed citizens and a free exchange of ideas, a democratic society cannot function. It is for this reason that reliable and multiform journalism is of great importance to a contemporary democratic society.

Journalism is a profession qualified as freely accessible. This means that every individual, regardless of whether someone has had education or training as a journalist and regardless of whether someone is a journalist by profession, may practice this profession. Neither the Code nor the Guideline is binding. After all, this would contradict the free access the journalism profession has. In addition, article 7 of the Dutch Constitution states that citizens enjoy freedom of expression (Code for Journalism, 2008). Both the Code and the Guideline are therefore not there to impose sanctions, but to shape the self-regulation of the journalistic profession by means of ethical standards.

Both the Code and the Guideline have principles and frameworks on which they base their ethical standards. These ethical standards correspond to the ethical standards that can be found in the various literature on media ethics. For example, the Code for Journalism uses four principles around which their ethical standards are built. They argue that publishing news should be truthful, independent, fair and should be done with an open vision. For each principle, the Code then elaborates on what is understood by the principles. For example, Truthful 1 states: 'When passing on news, the journalist takes reality as he finds it as a starting point'. Independent 1 states: 'The journalist carries out his work independently and avoids (the appearance of) a conflict of interest. For each principle, several values are written out in this way.

Although the Code describes their main principles in keywords, the Guidelines of the Council for Journalism describe its principles in more detail. They argue that journalists should report truthfully, verifiably and as completely as possible. Journalists must avoid one-sided and biased reporting. In addition, journalists carry out their work independently and avoid (the appearance of) a conflict of interest. Journalists are free to choose what they publish. They weigh the interest served by a publication against the interests that may be harmed by the publication. The vulnerability of certain groups, such as minors and people with intellectual disabilities, is taken into account. In addition, both the Code and the Guideline discuss various concepts that underpin these ethical standards. This concerns, among other things, the use of sources, rebuttal, publication, privacy, a clear distinction and accountability afterwards.

When it comes to ethics in the journalism field, it is important to understand what is understood by journalistic conduct. The Guideline of the Council for Journalism (2021) defines this concept as follow: ‘Journalistic conduct is understood to mean: an act or omission of a journalist in the exercise of his profession or an act or omission in the context of journalistic activities by someone who – not being a journalist – regularly contributes to the editorial content of publicity media for a fee.’

Furthermore, it is of importance to take a closer look at the concept of 'news'. The Code defines the concept of 'news' as follows: 'News is what people did not know before the news was there. It is the record of what has happened, or the announcement of what is about to happen.' News is more than factual reporting. A communicator also brings analytics, background information, and opinions to the primary news. For this reason, if a journalist does not report factual news, he or she should always indicate this by using a genre designation. Genre designation includes, for example, ‘commentary’, ‘opinion’, or ‘column’. In the absence of such a designation, the reader expects factual news.

There are several factors that determine the newsworthiness of a subject. For example, the proximity, which means how close an event takes place in a geographical or mental sense, is important, but the topicality of the news item is also of importance. After all, the more recent the event is, the more newsworthy it is. In addition, the Code states that well-known persons or organizations are often more newsworthy than anonymous persons or organizations. They state that the exceptionality and impact of a publication also determine whether something is newsworthy or not.

In addition, it is of importance to be aware of the concept ‘embargo’. The Guideline of the Council for Journalism (2021) deals briefly with the embargo under provision B.4, Agreements. Because of the lack of clarity and guidelines regarding embargo, the Council for Journalism has issued an ex officio decision. In this ‘rule on embargo’ (2003), the term is defined as follows: ‘An embargo is an agreement between two parties, on the basis of which one party (the news provider) provides the other party (the press body) with confidential information under the condition of secrecy for a predetermined, short-term period of time. An embargo should be an exception, because it is at odds with two important functions of a free press: free news-gathering and the free publication of news. An embargo cannot be imposed unilaterally'. The Council also states that it is not desirable to accept information under an embargo, unless the embargo serves the quality of the reporting - and thereby the citizens. Furthermore, an embargo does not affect the principle of rebuttal regarding the information provided under the embargo.

5.5 Journalistic malpractice – a thin line

One of the best-known cases in which a Dutch journalist has crossed the lines of integrity is the case of journalist Perdiep Ramesar. The journalist, who stood out in 2013 with his report on what he called the 'sharia triangle' in the Schilderswijk in The Hague, was fired in November 2014 by his employer newspaper *Trouw* because he was suspected of fictionalizing and inventing sources. An independent investigative committee, engaged by *Trouw*, would later confirm these claims and state that it cannot rule out the possibility that partly or completely fabricated articles have appeared in the newspaper.

In addition to the fact that Ramesar has culpably acted in violation of the internal rules of *Trouw* and of generally accepted standards and rules in journalism, the committee criticized the editorial staff of *Trouw* as well. It stated that although Ramesar has failed to conduct journalism in an integral way, there has also been a lack of supervision on the part of the supervisors within *Trouw* (Myjer & Smit, 2014). The impact among journalists and the public was huge. The newspaper openly apologized and, as recommended by the committee, and appointed an ombudsman (*Trouw*, 2015).

Although it is clear in this case that culpable acts were involved, the line is often thin. This is apparent from the various statements made by the Council for Journalism over the years on various issues. In ruling 2020/4, for example, attention is paid to the article *Weed and pills at Lowlands in Biddinghuizen: Enough drugs, but no Sziget-like situations (Wiet en pillen op Lowlands in Biddinghuizen: Genoeg drugs, maar ook geen Sziget-achtige toestanden)*, published in the *de Stentor*, which discusses drug use at the Lowlands festival. The authors hereby stated the full names of the complainants and their place of residence, together with a photo. The complainants have requested *de Stentor* to remove their surnames from the article. This, *de Stentor* rejected. The Council for Journalism argues that the authors should have weighed up the importance of publishing the names and the privacy interests of the complainants. The complainants risk being associated with criminal offenses due to the article. Furthermore, the lack of surnames does not affect the content, news value and reliability of the article. Therefore, the Council concludes that *de Stentor* acted negligently.

A similar complaint was filed against the journal *Het Parool*. This concerned the article *Thierry Baudet is exactly what the Netherlands needs (Thierry Baudet is precies wat Nederland nodig heeft)*. The complainant was a visitor to a political meeting of the youth party of the Forum for Democracy, of which Thierry Baudet is the leader. The complainant was interviewed there. The complainant's political views, together with his full name, study and place of residence, were mentioned in the article published by *Het Parool*. In ruling 2021/17, the Council stated that *Het Parool* has acted carefully in this matter. After all, the complainant, who is of age, is not associated with improper practices. In addition, the article contains no disqualifications. The fact that the complainant's political preference can be found on the internet and that he finds this obstructing does not outweigh the public interest that *Het Parool* has to weigh up.

Another example describes the case of the book *The Holleeders – Family dance about a criminal inheritance (De Holleeders – Familiedans om een criminele erfenis).* The book discusses the criminal trial of Holleeder and describes, among other things, testimonies made during the trial. Complainants, an ex-girlfriend of Holleeder and her at the time husband, have testified in the trial. The complaint relates to the representation of statements made by complainants. The complainants argue, among other things, that passages are incorrect and/or incomplete, and partly out of context. No rebuttal ever took place. As a result, a one-sided and tendentious image of the complainant had arisen, according to complainants. In addition, they state that their privacy had been compromised. However, the council did not agree with the complainants. In ruling 2019/50 it states that reporting of a factual nature, such as court reports, do not require rebuttals. In addition, it was not shown that the authors had given such a distorted picture or careless representation of what happened during the Holleeder-trial that there is no truthful or tendentious reporting. Because the complainant itself sought publicity earlier, there is no question of a privacy violation either. The council therefore concluded that the authors acted with due care.

Looking at the various cases, it shows that each case stands on its own. The fact that a verdict in a comparable complaint was labelled as 'negligently' does not necessarily mean that this is also the case with a similar complaint about another publication. A complainant may be bothered by an article or experience it as hindering. However, this will never form the basis for a decision about a complaint. In order to guarantee objectivity, complaints to the Council for Journalism are strictly weighed against the norms as described in the Guideline. The rulings are not binding but can be seen as jurisprudence that contributes to the development of the journalistic paradigm.

5.6 Ethics in the research field

The European Code of Conduct for Research Integrity defines scientific research as follows: ‘The quest for knowledge obtained through systematic study and thinking, observation and experimentation’ (ALLEA, 2017, p.3). Despite the fact that different disciplines within science may have different approaches to their research and may differ in method, the motivation of every scientist is the same: the desire to gain a better understanding of oneself and the world they live in, thus to share this knowledge. This in particular describes the role that scientific research has acquired, and which is indispensable in contemporary culture.

An important factor in 'becoming a trusted and productive member of the academic community is reflexivity, the ability to critically reflect on the responsibilities of both oneself and others' (Bos, 2020, p.18). In contemporary culture, individuals, as well as institutions and companies, are more than ever expected to justify and explain their choices. In the field of research, this means that the researcher not only can be held responsible, but also liable for any wrongdoing, whether these mistakes are made intentionally or by accident. A crucial aspect of reflexivity is therefore the monitoring of risk. Risk assessment is, instead of an individual responsibility, a 'collectively carried burden' (Bos, 2020, p.19).

To ensure that quality and confidence in the research field remain guaranteed, basic principles are to be adhered to in the field of research. After all, the status of scientific research derives from the fact that it consists of a normatively regulated process. A process that is partly methodological and partly ethical in nature. The status of scientific research can be articulated to these guiding principles. Failure to observe the main principles not only threatens the reliability and quality of research but can cause direct harm to individuals or society (KNAW, 2018).

In 1942, a period in which Western civilization was on the brink of radical economic, political and cultural transformation and in which the free pursuit of science was not self-evident, the American sociologist Robert K. Merton formulated four norms he believes describe what constitutes the ethos of modern science in his article *A Note on Science and Democracy*. These so called Mertonian norms contain:

- Communism: In order to promote collective collaboration, all scientists should have common ownership of scientific goods.
- Universalism: Scientific validity is independent of the socio-political status or personal attributes of the participants.
- Disinterestedness: Scientists act for the benefit of a common scientific enterprise. Self-part should not play a role in science.
- Organized Skepticism: Scientific claims need to be critically examined before they are accepted. This applies to methodology as well as to institutional codes of conduct.

In a later stage, a fifth norm was added: Originality. This standard specifies that scientists must create new scientific knowledge and not just reproduce established findings. These norms, also known by the acronym CUDOS, underlie the standards and rules described in various codes of conduct on integrity and ethics and existing scientific practices and procedures that are used nowadays (Bos, 2020).

5.7 Codes of Conduct

The Netherlands Code of Conduct for Research Integrity (Nederlandse Gedragscode Wetenschappelijke Integriteit, 2018) is a guideline with standards and rules that scientific research must comply with. In addition, the Code of Ethics for Research in the Social and Behavioral Sciences involving human participants (Gedragscode Onderzoeksethiek met Menselijke Participanten voor de Sociale- en Gedragswetenschappen, 2018) provides a framework for ethical standards and can be seen as an extension of the Code of Conduct for Research Integrity. In the same way as the Code and Guideline relating to the field of journalism have their principles, the Netherlands Code of Conduct for Research Integrity too have principles on which their standards and rules are based. In The Netherlands Code of Conduct for Research Integrity, the following principles can be distinguished:

- Honesty, which means, among other things, that one does not make unfounded claims, provides the research with correct reporting, does not make up data or sources, takes counterarguments seriously, is open about margins of uncertainty and does not present results different from what they are.
- Scrupulousness, which includes being accurate and precise while using scientific methods.
- Transparency, which means it is clear how and what data has been used, how results have been achieved and what the role of external stakeholders has been. Arguments must be clear and the steps in the process must be verifiable.
- Independence, which in short means impartiality.
- Finally, the concept of responsibility, which means considering the legitimate interests of those involved in the investigation within reasonable limits. It also means that the research conducted is relevant on a social and/or scientific level.

Unlike in the field of journalism, the rules as described in the Code of Conduct for Research Integrity can be seen as binding. This means that if the standards as stated in the guideline are not complied with, measures and sanctions can be imposed. The Code distinguishes three types of non-compliance with standards: (1) Research misconduct, (2) questionable research practices and (3) minor shortcomings. Sanction, if any, depend on the seriousness and awareness of the violation (Nederlandse Gedragscode Wetenschappelijke Integriteit, 2018).

While the Netherlands Code of Conduct for Research Integrity sets out its standards and rules in a specific and concrete manner, this is not the case with the Code of Ethics for Research in the Social and Behavioural Sciences involving human participants. This independent guideline, which focuses on the ethical review of research in which human beings have participated, offers guidelines and support to ethical review boards in their ethical reflection. Because this code focuses on different researchers and fields of research, it provides general ethical rules. These should be seen as default but cannot be applied without further ado. In order to be applied in concrete situations, they require critical assessment and deliberation. In practice, this means that researchers must be able to justify why a consideration has been made.

The principles on which the Code of Ethics for Research in the Social and Behavioral Sciences has based its guidelines are described as follows:

‘Researchers respect the dignity of humans and their environment’ (p.3). In addition, with respect for possible conflicting interests of participants, researchers strive for ‘a minimization of harm, and a just distribution of benefits and burden' (p.3). An ethical attitude in which the researcher is aware of the impact and significance of the research should be adopted. Furthermore, this ethical attitude must be demonstrated by monitoring developments in the field of ethics, a proper assessment of the possible disadvantages of the research and ‘an active reflection on ethical issues that may arise during, or because of the research’ (p.3). The researcher is able to communicate and be accountable for their ethical reflection regarding stakeholders. Finally, the researcher conducts research that will likely lead to relevant insights into the field of the social and behavioural sciences, and this research is scientifically sound.

5.8 Integrity in science– not self-evident

That ethics and integrity are not always self-evident within the scientific research field is shown by one of the largest studies ever on scientific integrity, published in PLOS ONE in February 2022 (Gopalakrishna et al., 2022). Between October and November 2020, researchers from 15 universities and seven university medical centres in the Netherlands received an anonymous survey on scientific integrity. 6,813 respondents fully completed the survey, which related to the three previous years. The questions were subdivided into responsible research practices, questionable research practices, fabrication and falsification, and explanatory factor scales.

51.3% of the researchers indicated that they regularly to often engage in some form of questionable research practices. In addition, 8.3% of respondents said they had manipulated or invented research results at least once. It is interesting to see that there are differences depending on the field in which one works. For example, the numbers in life and medical sciences are the highest (QRP: 55.3% and FF: 10.4%) of the fields investigated. The field of Arts and Humanities scored the lowest on questionable research practices, namely 42.1%. However, when it comes to fabrication and falsification, the field of Arts and Humanities scores average (8.4%). Furthermore, differences are seen within the various academic ranks, which consists of PhD candidates and junior researchers (QRP: 52.5% and FF: 8.9%), postdocs and assistant professors (QRP: 52.3% and FF: 7.3%) and associate and full professors (QRP: 51.3% and FF: 8.3%).

Researchers who relate to the importance of scientific standards showed less scientific misconduct. This also applied to researchers who feared of being caught during peer review processes. Publication pressure was the main reason for engaging with questionable research practices. Despite that the discipline scores the lowest on QRP and average on FF, ‘Arts and Humanities scholars reported experiencing the highest work and publication pressures, the most competition and the lowest in mentoring, peer norms and organizational justice compared to other disciplinary fields’ (n.p).

According to Gopalakrishna (2022), the percentage of researchers who reported forms of misconduct within their research fields is significantly higher in this study than in previous studies. The researchers argue that a greater emphasis on scientific standards and strengthening the peer review process could promote research integrity.

5.8.1 From renowned professor to the biggest science fraud

One of the biggest examples of fraud in the academic field is Diederik Stapel. Stapel was a psychologist, professor and dean at Tilburg University. With his impressive resume and range of publications, Stapel had acquired a great status in the scientific world (Witkowski & Zatonski, 2015). After three PhD students whom Stapel supervised reported fraud with research data at the end of August 2011, his status changed abruptly. Stapel was fired on the spot.

The official report, provided by an appointed commission of inquiry, mentioned Levelt Committee after its chair, in November 2012, states that Stapel committed fraud in ten book chapters he provided and 55 scientific publications. Although others were not directly involved in the fraud, the committee criticizes the way Stapel's work at Tilburg University was monitored. The committee argues that scientific integrity had not been given a high priority. There was ‘a lack of detailed monitoring, explicit attention and an implicit exemplary role for senior staff’. Furthermore, there was ‘a lack of collective responsibility within research groups’ (Levelt & Noort & Drenth, 2012).

It was established for a number of the PhD students he supervised that their dissertations were (partly) based on data falsified by Stapel himself. Publications by PhD students were therefore withdrawn and in one case, a PhD defence was postponed. The Levelt Committee concluded that these PhD students were ‘deeply affected in their honour and career’. In his official statement Stapel clarified: ‘(…) I did not withstand the pressure to score, to publish, the pressure to get better in time. I wanted too much, too fast (…).’ (Witkowski & Zatonski, 2015, p. 45) Stapel voluntarily gave up his PhD title. Furthermore, Stapel agreed to a settlement of the Functional Public Prosecutor's Office, which deals with the fight against complex fraud and is part of the Public Prosecution Service. By accepting the settlement, Stapel was sentenced to 120 hours of community service for forgery and fraud (*Het Parool*, 2013).

Some co-authors of Stapel were held partly responsible as well. Prof. dr. Roos Vonk of Radboud University (Nijmegen) conducted research together with Stapel and issued a press release stating that meat eaters were 'more filthy' than vegetarians, the outcome of a study that was based on falsified data. Vonk as well became the subject of an integrity investigation. The Committee investigating the case accused Vonk of ‘drawing premature conclusions from data which she neither collected nor verified herself’. In doing so, Vonk has ‘discredited science, social psychology and Radboud University’. Still she was punished with no more than a reprimand. Vonk had acted negligently, but there was no question of fraud. It had not been established that she acted negligently ‘willingly and knowingly’ (Journalistic Platform TU Delft, 2011).

5.8.2 The dissertation of Mohammed Soroush

Mohammed Soroush, who obtained his PhD in 2018 with his research on the living environment of young Muslim Salafists in the Netherlands, was also subject of an integrity investigation following complaints from various Muslim institutions in the Netherlands where Soroush conducted field research. The repport that followed shows that Soroush mentioned visits to institutions in his research that did not take place. In addition, conclusions are said to be poorly substantiated.

The Scientific Integrity Committee (Commissie Wetenschappelijke Integriteit, 2019) stated in its report that Soroush acted 'culpably negligently'. And although Soroush was instructed not to further disseminate the PhD research and to post corrections in professional journals, it was not withdrawn. Soroush could keep his PhD. After all, it was not shown that Soroush was knowingly negligent. Although Soroush's actions were ‘culpably negligent’, there was no doubt about his integrity. In addition, the minimum requirements that are customary in the field had been met with.

The supervision of the PhD student was criticized as well. The Committee argued that both the promoter and co-promoter should have been more alert. They should have pointed out to Soroush that the substantiation of the conclusion was insufficient. The Committee also stated that possible negative consequences for social parties, the researchers involved and/or the research institution have not been sufficiently considered. The promoter's position was withdrawn. The co-promoter, who actively contacted the media on the research, was formally reprimanded.

Looking at the examples provided, it is noticeable that things are sometimes less black and white than they seem. The fact that a researcher’s data does not add up, does not necessarily mean that fraud has taken place. In order to establish fraud, it must be established without further ado that one has acted knowingly and willingly. The examples show that, within the degree of violation, consideration is given to whether a sanction is appropriate and proportionate. Furthermore, culpable negligence does not by definition lead to a judgment of lack of integrity on the part of the researcher.

6 Results

This chapter presents the results of the analysis. As indicated above the study distinguishes three topics: the scoop, the granddaughter, and the execution of the research. Each of these three topics are treated below.

6.1 The scoop

The criticism on the scoop published by *NOS, de Volkskrant, NRC* and *Het Parool* was twofold. On the one hand there was criticism on the embargo signed by the news outlets. On the other hand, the content of the publications of the four media that took the scoop was criticised. In order to determine whether these two forms of criticism are justified, the ex officio ruling on embargo (Ambtshalve uitspraak inzake embargo, 2003) is used to test whether the embargo falls within the framework of ethical standards and values of journalism as displayed in the Guidelines for Journalism (Leidraad voor de Raad van de Journalistiek, 2021) and the Code for Journalism (Code voor Journalistiek, 2008). In addition, to test whether the journalists have acted correctly, the four 'scoop' articles were subjected to Critical Discourse Analysis. The results of the CDA, which can be found in Appendix I, were assessed to the Guidelines for Journalism (Leidraad voor de Raad van de Journalistiek, 2021).

As stated previously, an embargo should be an exception. However, when news is of great magnitude or when it is complex, exceptions are possible. Comprehensive historical or literary work is mentioned as an example. In this sense, it is not exceptional that *The betrayal of Anne Frank* was published under embargo. What is always important, is that 'agreeing on a certain period of time between the moment of making news available and publishing and/or making it public serves the quality of the reporting' (Raad voor de Journalistiek, 2003, n.p.).

It is known from *NOS, de Volkskrant* and *NRC* that they had the book at the end of December 2021 (Hinke, 2022). This gave the journalists time to carefully read the book, interview the researchers and write articles. In addition, the embargo took away time pressure. The competitive relations between the various press bodies were temporarily eliminated. These are matters that according to the Council for Journalism contribute to the quality of reporting. However, the rules included in the embargo also imposed restrictions on journalists. Analysing the ruling on embargo (2003), the inclusion of a provision on personal liability for the sharing of information with third parties may not be entirely reconcilable with promoting the quality of reporting. However, an embargo is an agreement. *NOS, NRC, de Volkskrant* and *Het Parool* signed the embargo, and therefore the clause not to discuss it with anyone else before publication (Hinke, 2022).

The Code for Journalism states that journalists are free to publish about the content of a book, regardless of whether the content of a book is entirely correct (Truthful (Waarheidsgetrouw), 9). In such cases, a clear reference must be made to the source. Discourse analysis showed that *de Volkskrant* referred to the source 76 times in their 3,168 words article. Reference to the source is made in 31 of the 34 paragraphs the article contains. *NOS* referred 37 times in its 1,279 words article, in 19 out of 23 paragraphs. *Het Parool* mentions the source 18 times in its 765 words article, with references in 10 out of 14 paragraphs. *NRC*, of which the article contains 1974 words, mentions the source 40 times, in 18 out of 20 paragraphs (see Appendix I). The four outlets clearly refer to third-party information and do so 'openly and liberally'. They have thus complied with the guidelines set by the Code.

Furthermore, discourse analysis showed that all four news outlets made reservations in their article (figure 5). For example, *De Volkskrant* used phrases as 'Een onderzoeksteam zegt nu de waarschijnlijke verrader te hebben gevonden.' ('An investigation team says it has now found the likely traitor.') (Visser, 2022, n.p.). *Het Parool* wrote: 'Het is bijna zeker dat de Joodse Raad lijsten met adressen van ondergedoken Joden had.' ('It is almost certain that the Jewish Council had lists of addresses of Jews in hiding.') (Pen, 2022, n.p.). By using words as likely (waarschijnlijk), probably (vermoedelijk), appears (lijkt), may (kan), almost certain (bijna zeker) and think (denk), it was clear that the outcome of the book is not a proven conclusion. This shows that *NOS, NRC, de Volkskrant* and *Het Parool* all have tried 'to weigh the interest served by a publication against the interests that may be harmed by their publication' (Council of Journalism, A.).

Newsplatform	Reservations	Keywords
De Volkskrant	12	Denkt (1x), waarschijnlijk (6x), vermoedelijk (5x)
NOS	6	Denkt (1x), waarschijnlijk (1x), lijkt (2x), kan (1x), bewijs ontbreekt (1x)
Het Parool	2	Acht groot (1x), bijna zeker (1x)
NRC	10	Denkt (5x), waarschijnlijk (5x)

Figure 5: Overview of the used reservations and the frequencies of usage

However, *NOS* and *Het Parool* missed the mark with their factual titles. *NOS* headlined: *New research with modern techniques: Jewish notary betrayed Anne Frank* (*Nieuw onderzoek met moderne technieken: Joodse notaris verraade Anne Frank)* (Teeuwissen & Rombouts, 2022). *Het Parool* headlined: *Coldcase team points out traitor Anne Frank: civil-law notary Arnold van den Bergh (1886-1950)* (*Coldcaseteam wijst verrader Anne Frank aan: notaris Arnold van den Bergh (1886-1950))* (Pen, 2022). In the summary of the evidence received by the media, a probability percentage of 85% was mentioned. *NOS* and *Het Parool* still opted for a factual, 100% representation. No reservations were made in the titles. The titles are controversial, this serves no purpose. In fact, it is incorrect. It therefore can be concluded that *NOS* and *Het Parool,* regarding their titles, have acted negligent.

Although it is known the news outlets had doubts about the investigation (Hinke, 2022; Bos 2022), the news, supported with pictures of the Frank family, notary van den Bergh and the CCT, occupied the front page of all four newspapers. As stated above, Anne Frank is until today seen as the most famous symbol of the millions of victims of the Holocaust. Even though the journalists (mostly) acted within the framework of norms within journalism, they could have foreseen the controversy surrounding this subject. News outlets want to bring news. As the Code of Journalism states: 'news is what people did not know before the news came' (n.p.). It is therefore justifiable that the articles were published immediately after the embargo expired. In *NRC,* Krielaars summarizes their consideration: ‘If something is new, you shouldn't come up with it a day later. Even though you may wonder if it should have been on the front page’ (Bos, 2022, n.p.). As argued above, discourse covers the content of an article, but also pictures used, the fond and where it is published. With the doubt that already prevailed and the knowledge that a counter argument could not yet be given, it can be concluded that the subject of *The Betrayal of Anne Frank* did not belong on the front page the moment the embargo expired.

6.2 The granddaughter

An interview in *Trouw* (Oosterom, 2022b) and the transcript of the speech by the granddaughter (De Gorter, 2022) learn that on the one hand there is criticism on the way in which data was obtained and on the other hand there is criticism on the way in which the granddaughter was treated after the research. To measure whether the criticisms are justified, the information that comes from the interview in *Trouw* and the speech by the granddaughter is tested against the Code of Ethics for Research in the Social and Behavioral Sciences involving Human Participants (2018). It is important to know transcripts of the conversations between the granddaughter and the Cold Case Team are not available. Therefore, this analysis should be read considering the ‘if it is true, then...’ principle.

6.2.1 The data collection - under false pretences?

In the communication the granddaughter had with the Cold Case Team prior to their first appointment and during the first appointment, although the team already had the knowledge, she was not told about the note that would designate Arnold van den Bergh as a traitor. Thus, the granddaughter is of the opinion that the Cold Case Team made her a participant of the investigation under false pretences (De Gorter, 2022). The granddaughter was informed about the purpose of the investigation by email. In addition, the cold case team send a link to their website containing information about the research.

The Code of Ethics for Research states that integrity in dealing with participants can be guaranteed by 'informed consent' (*D. Informed Consent*). An analysis on the history of the website shows that the website represented sufficient information about the research to, as ‘informed consent’ requires, properly inform the granddaughter (Appendix II). The Code of Ethics for Research argues that when asking for informed consent, ‘any reasonably foreseeable factors regarding the nature, purpose and duration of the research that may influence participants’ willingness to participate’ (p.7). This includes potential risks or consequences for the participant. The goal of reaching out to the granddaughter was obtaining more information to further investigate hypothesis-Van den Bergh. Although the team could not have foreseen the granddaughter would play a key role in their research, they were aware of the possibility this hypothesis could ultimately be the most likely. After all, the cold case protocol requires that every theory, existing or new, must be considered equally (Sullivan, 2022). The Cold Case Team, however, decided not to inform the granddaughter about their hypothesis until data was already obtained. It can therefore be stated that the Cold Case Team has not complied with *D. Informed consent*. However, there are exceptions.

In some cases, withholding information is permitted (*E. Exceptions*). As being family, the granddaughter was the most direct witness in relation to Van den Bergh. The cold case team foresaw that if the granddaughter was aware of the fact that van den Bergh might have been the traitor of the residents of the Secret Annex, she did not wanted to participate in the investigation – or that she would have been selective in sharing data. The CCT could potentially losing significant data they could not obtain any other way (something she confirms in *Trouw*: 'He (Bayens, CEO of the CCT) consciously does not bring it up, so she concludes. That is why she is very candid about her family in that conversation.' (‘Bewust brengt hij het niet ter sprake dus, concludeert ze. Ze is in dat gesprek dáárom erg openhartig over haar familie.’) (Oosterom, 2022b, n.p.). According to E.1. and E.2. of the Code, the choice of the cold case team to withheld information is therefore justifiable.

In addition, since the granddaughter was informed on the note and the associated hypothesis during the second physical appointment in February, 2019 (De Gorter, 2022) and thus during the data collection, the cold case team complied with E.1 and at least partly E.4 of the Code. It is not verifiable whether, as E.4. requires, the cold case team has informed the granddaughter that she has the right to revoke her data without negative consequences. What is verifiable is that the granddaughter herself has not indicated that she no longer wanted to participate. After the note and hypothesis were made known to her, two more appointments took place in which the granddaughter shared information with the Cold Case Team. One of the appointments was at the initiative of the granddaughter herself, as de Gorter told in her speech: ‘At my request, there was another conversation with Vince in the early summer of 2019. Among other things we talked about my grandfather's hiding in Laren again.’ (De Gorter, 2022, p.4) In addition, she provided the team a pseudonym when it was announced that the findings would be published in a book (De Gorter, 2022). Although it is not possible to measure whether *E. Exceptions of the Code* is fully met, it can be concluded that the granddaughter's claim regarding 'being approached under false pretences for participation in research' is unjustified.

6.2.2 ‘Carelessly and unethically’

There are no specific procedures for dealing with participants. There are, however, basic principles described in the Code of Ethics for Research in the Social and Behavioural Sciences involving Human Participants (2018) that need to be looked at critically when conducting research. Since the granddaughter was able to take knowledge of the contents of the book and the media campaign two days before publication and that she heard of the accusation of van den Bergh for the first time the day before, she states that she was treated 'carelessly and unethically' (Oosterom, 2022b). The cold case team argued they were unable to tell the granddaughter this earlier, because they were bound by a nondisclosure agreement from HarperCollins (De Gorter, 2022; Oosterom, 2022b).

The principles of the Code of Ethics in Research argue that researchers should adopt an ‘ethical attitude in which they are aware of the meaning, implications and consequences of the research for everyone involved’ (p. 3). The cold case team itself had agreed to the agreements of HarperCollins. When it became apparent during the research that the granddaughter would play an important role and a conclusion emerged that would affect her, the team should have, as principle 4 of the Code of Ethics for Research dictates, actively reflect on the ethical issue and reconsider their agreement. It cannot be determined whether CCT made a good estimation of possible disadvantages for the participant and if it monitored developments that may have had an impact on the granddaughter (Principles, 4.). By adhering to the nondisclosure agreement and seeing it as guiding, it can be concluded the team has failed ‘to account for, and communicate on their ethical reflection’ to the participant (Principles, 5, p.3).

According to the Code of Ethics for Research, the team could have deviated from the guiding principles if that would be more justifiable on ethical grounds. If a researcher deviates from the guiding principles, this must be well explained. A nondisclosure agreement, if it was weighed against the disadvantages that arose from informing the granddaughter late, would not have been more justifiable on ethical grounds. Transparency about the progress of the investigation – or a proper explanation of why this was not desired - would have been ethically appropriate. The fact that Bayens, CEO of the CCT, telephones the granddaughter a week after publication to ask how she is doing (Oosterom, 2022b), does not alter this. It shows that the team cared, but that consequences of the publication and the media offensive have not been sufficiently considered. This is something that Van Twisk acknowledges: 'Although we thought that the result would cause a possible commotion, we did not foresee how violent and toxic it would be in the Netherlands' (‘Hoewel wij wel dachten dat de uitslag mogelijke commotie zou opleveren, hebben wij niet voorzien hoe heftig en toxisch deze in Nederland zou zijn.’) (Oosterom, 2022b). Therefore, it was concluded that the CCT handled negligently. Thus, a different approach for dealing with the granddaughter would have been more justifiable on ethical grounds.

6.3 The research

After the criticism that arose about the content of the book *The betrayal of Anne Frank*, six historians concluded, after conducting research with a focus on the Van den Bergh case, that there are 'numerous errors' in the book. They argue that there were errors in the use of resources, the argumentation and that a tunnel vision was involved (Boom et al., 2022). CCT lead case agent Vince Pankoke, reacted that the research has been conducted with the utmost integrity for six years. Not in a scientific, but in a forensic way (Pankoke, 2022; Appendix III). As indicated above, Pankoke argues that using this method does not mean their research is ‘poorly executed and invalid’. (Pancoke, 2022; Appendix III, p.76). In order to measure whether the criticism of the historians is justified, the report of the historians and the rebuttals on the website of the cold case team were subjected to an analysis using discourse analysis (4.2, Methodology; Appendix III) and then tested against The Netherlands Code of Conduct for Research Integrity (2018) and the Code for Journalism (Code voor Journalistiek, 2008).

First of all, it is important to consider whether the CCT has conducted the research in accordance with the methods used within historical-scientific field. In its rebuttal (Pankoke, 2022; Appendix III), the CCT is open about the forensic method used. For example, Pankoke states: ‘It is important to understand that although investigators deal with facts, we speculate by the use of scenarios how some would or could have happened’ (n.p.). In addition, he sates: ‘Our theory is based on circumstantial evidence rather than direct evidence’ (n.p.). By using circumstantial evidence, the team was able to identify the Van den Bergh theory as the ‘most likely’, based on multiple pieces of evidence. What Pankoke labels circumstantial evidence is in the view of the historians a lack of direct evidence. They state in their report that assumptions, speculations and *argumentum e silento* are used with some regularity: 'A fallacy such as the *argumentum e silentio* is also regularly used. The moment the CCT has no information about something – for example about the whereabouts of Van den Bergh from February 1944 until the liberation in May 1945 – this 'silence', in combination with the fact that Van den Bergh has survived the war, concluded that this is suspicious.' ('Een drogreden als het *argumentum e silentio* wordt ook regelmatig ingezet. Op het moment dat het CCT ergens geen informatie over heeft – bijvoorbeeld over de verblijfplaats van Van den Bergh van februari 1944 tot aan de bevrijding in mei 1945 – wordt uit deze ‘stilte’, in combinatie met het feit dat Van den Bergh de oorlog heeft overleefd, geconcludeerd dat dit verdacht is’ (Boom et al, 2022, p.3). Some scientific methods were used in the investigation, but the forensic method was leading. It can therefore be concluded that the research was not conducted within a scientific framework.

The historians conclude that the CCT has often misread or misinterpreted sources, resulting in unfounded arguments. Rebuttal I and II of the CCT, which can be consulted at Appendix III or the ColdCaseDiary.com website, show that the CCT still stands behind its findings after the criticism. They state to have presented the facts the way they have interpreted them, something that Truthful, (Waarheidsgetrouw) 1 of the Code for Journalism requires. The fact that not all information seem to have been interpreted in a correct manner, according to the historians’ report, does not detract from the integer intention of the team.

In the book the CCT tries to distinguish between proven facts and indirect facts and speculations. This works out well in most cases. However, in the last 15 pages the CCT misses the boat. Page 309 of *The Betrayal of Anne Frank* states: ‘Hoewel de Van den Bergh-theorie de meest plausibele verklaring was van de inval van het achterhuis, (…)’ (‘Although the Van den Bergh theory was the most plausible explanation of the raid on the secret annex, (…)’). This quote contains reservation. Page 315 states: ‘Hij (Van den Bergh) redde zijn gezin door adressen door te geven aan de SD, waaronder Prinsengracht 263.’ (He saved his family by passing on addresses to the SD, including Prinsengracht 263.) The theory is now presented as fact. However, it cannot simply be said that they represent claims as facts in general. After all, except for that last few pages, the book contains sufficient reservations. This gives the reader enough space to value the content. In addition, both in the media and in their rebuttals, the team clearly substantiates what the book says up to the last page: That it concerns a 'most likely theory'.

The Betrayal of Anne Frank contains 22 pages of footnotes (p.359-p.381) and five pages of bibliography (p.383-p.388). This makes factual parts of the content verifiable. As stated above, parts of the content of the book are speculative or circumstantial. Therefore, not any claim is backed up by verifiable sources. However, the CCT is transparent in this regard. In addition, they did not present speculations or circumstantial evidence as facts. The CCT also demonstrates that they take source protection into account. This appears of, for example, the pseudonym they used in regard to the granddaughter.

Finally, the historians argue that when the CCT worked towards a conclusion, tunnel vision has taken place. What should be kept in mind is that the book is a summary of the entire investigation. As Pankoke states: ‘The breadth of our six-year investigation could never be comprehensively covered in […] a book with thousands of pages. It is inherently unfair to judge the extent of our investigation based on the […] book alone.’ Although the book gives historians reason to conclude that framing is involved, the research as provided in the book is not as extensively displayed to be able to make a proper judgment about this.

It was concluded that despite the fact that the CCT may have taken the wrong turn in the book, they did act with integrity and within the journalistic frameworks. Publishing a summary of the research in a book can be seen as a limitation, since the research was not verifiable as a whole. No scientific methods were used to assess hypotheses and to form a conclusion, nor has The CCT pretended to do so. The investigation therefore cannot be seen as academic work, but should be seen as journalistic research. However, the CCT was allowed to make use of scientific influences to improve its work. The CCT should have asked itself whether adopting a more scientific framework would have been a more justifiable choice. Peer-reviewing the material would have been valuable in this regard. Especially in a sensitive debate about the Holocaust and the position of the Jews during the Second World War, in which, as historians rightly say, respect for the historical context and nuance is so important (Boom et al., 2022).

7. Conclusion and discussion

7.1 Conclusion

This study shows that the publication and presentation of the book *The Betrayal of Anne Frank* caused a lot of commotion within both the journalistic and academic fields. Furthermore, it showed as that only a relatively small proportion of the criticized publications are concluded to have actually not been acted with integrity. To argue whether this was the case in this case, the following research question stood central: ‘Does the research as conducted and presented by the Cold Case Team meet the standards of scientific and journalistic integrity?’ In order to conduct a focused analysis, the criticism on *The Betrayal of Anne Frank* was divided into three topics: (1) the embargo, (2) the granddaughter and (3) the research itself.

Literature shows that when measuring the impact of a publication, it is not just the text that needs to be considered (Blommaert, 2005; O’Keeffe, 2011). It has been shown how complex connections between all kinds of semiotic modes arise and how this, instead of separate objects, forms contemporary semiosis. The use of images, the font sizes used, and the mode of publishing are all part of the discourse, as they are often the 'action' of 'language-in-action' (Blommaert, 2005). When focusing on the textual-linguistic nature of a publication, Fairclaugh's three-dimensional framework provides a good basis (1995).

Although both fields publish with a different approach, the concept of ethics roughly boils down to the same in both the journalism and academic fields. Despite the differences in conducting research in the journalistic and academic fields, it is of great importance that reliability is guaranteed in both cases. The big difference between the scientific and journalistic paradigm is that journalists cannot fall back on theoretical guidelines for conducting research. As a result, even if the journalist and the scientist are investigating the same topic, their research is different by nature. However, in both fields there are different codes and protocols to monitor trust in public communicators and in research.

The importance of this form of monitoring is demonstrated by the various examples, mentioned above in section 5.5, 5.8.1 and 5.8.2. The examples reveal that the line is often thin. In journalism, for example, the same form of criticism in different publications can lead to different results. Objectivity is the keyword when assessing a publication. Therefore, personal feelings or hindering by a complainant will never form the basis for a negative outcome. It was established that when data of a research is incorrect, this does not automatically mean that fraud was involved. Furthermore, culpable negligence does not by definition lead to a negative assessment of the integrity of the researcher. Acting ‘knowingly and willingly’ plays a key role in this.

An interesting incidental finding is that research shows that in the academic field more than half of the researchers are regularly or often guilty of some form of questionable research practices (Gopalakrishna et al., 2022). Figures that do not correspond to the number of cases that the UNL (2021) in proportion assessed with the conclusion that they did not meet the standards of scientific integrity.

The ex-officio ruling on Embargo (2003) shows that accepting an embargo is acceptable if the embargo contributes to the quality of reporting. Because it takes time to write extensive historical works, it is no exception that *The Betrayal of Anne Frank* was published under embargo. The embargo has been shown to improve the quality of reporting by taking away the time pressure. Furthermore, the embargo removed the competitive aspect between news platforms. Nothing is described in the ex-officio ruling on Embargo about including a fine in the event of early leakage of a publication provided under the embargo. One can ask how a fine contributes to quality promotion. An embargo cannot be imposed unilaterally but is an agreement that both parties must agree to. In addition, an embargo only affects how the journalist handles the information provided before the embargo expires. How, what and when the journalist finally publishes after the embargo has expired is the responsibility of the journalist himself.

When a journalist writes a publication using another source, the journalist is not responsible if the content of that source is not completely correct. By clearly referring to information from third parties and by doing so openly and freely, both *NRC*, *Het Parool*, *NOS* and *de Volkskrant* complied with the guidelines of the Code. Sufficient reservations have been made in the articles, which shows that the journalists have weighed the interests served by a publication against the interests that could be harmed by the publication. Because *NOS* and *Het Parool* presented their titles as factual while the theory in the book has been marked as 'most likely', it can be argued that they acted carelessly in that regard.

This research has shown that Anne Frank is still of great significance in contemporary culture. This is of importance, because the presentation of the subject and the charge of the subject also contribute to the impact of the discourse. The balancing of interests is therefore poorly reflected when looking at the manner of publication. Despite the doubts the journalists had about the contents of the book, they decided to publish their piece on the front page. It is justifiable that the publication was made at the time of the expiry of the embargo. After all, when news is news, a day later it is not. The controversy, however, could have been foreseen. Therefore, the front page was not a suitable place the moment the embargo expired.

This study concluded that the Cold Case Team did not involve the granddaughter in their research under false pretences. Although, according to the Code of Ethics for Research in the Social and Behavioural Sciences involving Human Participants (2018), 'informed consent' safeguards integrity when dealing with participants, there are exceptions if, for example, the data cannot be obtained in another way. It has been shown that the Cold Case Team has made a good decision in this regard. In addition, the granddaughter was sufficiently informed about the purpose of the research. It has also been shown that the granddaughter contributed voluntarily until the end of the study.

The Code of Ethics for Research (2018; Appendix V) advocates that researchers adopt an 'ethical attitude in which they are aware of the meaning, implications and consequences of the research for all involved' (p.3). It became apparent that the Cold Case Team acted negligent regarding the granddaughter when considering post-research treatment. A nondisclosure agreement, if weighed against the disadvantages that arise from informing the granddaughter too late, is not justified on ethical grounds. Transparency about the progress of the investigation – or a good explanation as to why this was not desired – was ethically appropriate. The team showed in its aftercare that they cared about the granddaughter but they did not properly weigh the consequences of the publication and the media offensive.

Historians argue that there are numerous errors in the book. Errors have been made with the use of sources, the argumentation and there is said to be tunnel vision. The Cold Case Team emphasizes that it has approached its investigation not in an academic, but in a forensic way (Pankoke, 2022; Apendix III, p.76) and that it has done so with integrity. Elements of science were involved, but the forensic manner was leading. Since the content of the book cannot be seen as academic work, it cannot be assessed as such. The investigation of the CCT must be seen as journalistic investigation. Despite that according the historians the CCT may have took a wrong turn in the book, it was established they have acted with integrity and within the framework of journalistic integrity.

The fact that not all information has been interpreted correctly does not detract from the intention of the team. It has been shown that its members presented the facts as they interpreted them. In addition, they were free in the selection they publish (Code voor de Journalistiek, 2008; Leidraad van de Raad voor de journalistiek, 2021). The CCT had included sufficient reservations in the book, which gives the reader enough space to value the content. The research as provided in the book is a summary of six years of research and has not been reproduced in such detail to be able to give a good judgment about whether tunnel vision was involved.

Returning to the question 'Does the research as conducted and presented by the Cold Case Team meet the standards of scientific and journalistic integrity?', the following can be said: There is no question of academic work. The research could therefore not sufficiently to be measured to scientific standards. It became clear that the CCT has not given enough thought to the ethical issue regarding the granddaughter that arose when Van den Bergh was found to be their most likely perpetrator. It has therefore been determined that the CCT has acted negligently in that regard. Despite the controversy, however, it can be stated that the CCT has substantively worked conform the guidelines as set out in the Code for Journalism (2008; Appendix IV). In addition, the responsibility for the way in which the journalists dealt with the embargo and published about the book does not lie with the Cold Case Team, but with the journalists themselves.

7.2 Discussion

Journalism is a free profession. Binding rules are therefore not there nor are they desirable. Besides the fact that this would contradict the free access that the journalistic profession has, Article 7 of the Dutch Constitution, which describes freedom of expression, must also be observed. However, this does not mean that the frameworks that contribute to the development of the journalistic paradigm do not require further research. The guidelines as they are presented nowadays, mainly focus on the content and creation of a publication. This research has shown that the entire discourse influences how news is received. It would therefore be useful to further investigate ways to increase awareness of the discourse as a whole. This can then influence the way journalists consider their overall presentation more ethically.

Media love statements, science prefers to preserve precision and nuance. This distinction is important for the role both fields play in our contemporary culture. Despite the CCT has used elements of science in their research (Pankoke 2022; Apendix III, p.76), the historians in their report have concluded that there are errors in the research (Boom et al., 2022; Appendix III). Research journalism can be seen as a separate branch of the profession. Yet they are monitored by the same codes as regular journalists. It can therefore be useful to investigate how science can improve the quality of journalistic research - and thus the reporting on it - without losing sight of the journalistic vision. Furthermore, it is relevant to investigate whether an additional code aimed at this specific group is useful and contributes to the quality of research journalism.

Finally, a study mentioned earlier in this thesis (Gopalakrishna et al., 2022) shows that 51.3% of researchers indicate that they regularly or often engage in some form of questionable research practices. That percentage does not correspond to the number of publications of which, after complaints have been reported to the UNL, is actually concluded that there has been improper conduct. It can therefore be argued that misconduct is often not noticed. It would therefore be useful to conduct further research into the way in which universities monitor the results of research. In addition, it is relevant to investigate the extent of damage that scientific misconduct in its smallest form can cause. This can improve the awareness of researchers, thus promoting scientific integrity.

Overview appendices:

Appendix I: Discourse analysis of the scoop (*NOS, de Volkskrant, NRC* and *Het Parool)*
Appendix II: Results analysis Wayback Machine
Appendix III: Results discourse analysis on the historians' report and CCT rebuttals
Appendix IV: Codes of Conduct in the journalism fieldAppendix V: Codes of Conduct in the scientific field

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Appendix I: Discourse analysis of the scoop (*NOS, de Volkskrant, NRC* and *Het Parool)*

Appendix II: Results analysis Wayback Machine

Appendix III: Results discourse analysis on the historians' report and CCT rebuttals

Appendix IV: Codes of Conduct in the journalism field

Appendix V: Codes of Conduct in the scientific field

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