Authorship and Peer Review
Cases Studies for Phil 7570, Spring 2007
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Included below are ten case studies related to authorship issues. You are not expected to cover each case in detail, but should pick out cases that are most relevant or interesting to you.

Case 1: First Author?
(Adapted from David B. Resnik's The Ethics of Science: An Introduction, Routledge, 1998.)

Arendorf, Dun-Ow, Hanscum, Hernstein, Mirabella, Robertson, Ramos, and Williams are biologists and psychologists at eight different universities in the western United States. They have each made a major contribution to a study on the learning capacity of pigeons, rats, and fish. It promises to be one of the first comprehensive studies that compare three different species. The study has been accepted in a prestigious journal and will probably be cited many times in the literature. Since many people will cite their study as "first author et al," the first author of the study will receive significantly more recognition than the other authors. Three of the authors, Ramos, Williams and Hanscum, have indicated that they do not care whether they are listed first, but the other writers all have a desire to be the first author. Mirabella and Robertson did most of the writing for the paper; Arendorf and Dun-Ow did most of the grant writing; and Hernstein organized the whole project. Arendorf and Dun-Ow performed the majority of experiments. Hernstein analyzed the collected data.

Discussion Question
1. In your estimation who should be listed first? Why?
2. What other forms of listing authorship might be used to more equally distribute credit?
3. Imagine that the paper is published, but the authors recognize a mistake in the reporting of the data. Who should be held responsible for handling errors? How should the errors be reported?

Case 2: Credit Where Credit's Due
(Adapted from David B. Resnik's The Ethics of Science: An Introduction, Routledge, 1998.)

Two years ago, Professor Stanley Smith agreed to supervise Herbert McDowell's Master's thesis, and he is currently supervising McDowell's Ph.D. thesis. While reading Professor Smith's latest paper, McDowell notices that many of the speculations in the discussion section of the paper are ideas that he had suggested to Smith during some of their many informal discussions. Professor Smith did not give any form of acknowledgment to McDowell in the paper.

Discussion Questions
1. Does McDowell deserve to be listed as an author? Why or why not?
2. Did Smith exploit McDowell? Is this use of ideas part of normal scientific practice?
3. Should McDowell confront Prof. Smith about this problem? If so, how should he go about talking with Prof. Smith?
Case 3: Determining Authorship
(Contributed by Bryan Benham)

Bill entered the PhD program with a strong background as a research assistant but with mixed grades, especially in statistics, which he took 3 times before passing with a B+. In his interview he explained that his disability had interfered with his test performance, but that his lab grades showed he could handle the material. As a result he was admitted, and his advisor, Prof. Ambercrombie supported him as an RA on her grant so that Bill could focus on research and would not need to spend time teaching. However, by his third year in graduate school, Prof. Ambercrombie in conjunction with the faculty decided that Bill’s performance demonstrated that he did not have the conceptual skills nor discipline necessary to pass preliminary examinations or independently develop and propose a dissertation project. In the Fall semester Bill was informed that the faculty decided not to promote him to the PhD program, although he could earn a master’s degree if he completed and successfully defended his thesis by the end of the Spring semester.

Bill was understandably upset at this development. He appealed the decision, claiming his advisor and committee was biased and refused to work with him to develop his ideas. The appeal was turned down. Nevertheless, with considerable assistance from his advisor, Bill successfully defended his thesis by the deadline. Shortly thereafter Prof. Ambercrombie decided to write a paper based in part on some of the research Bill had defended in his thesis. But there was some disagreement about whether to include Bill as a co-author.

Prof. Ambercrombie rejected the idea because, she argued, Bill had not designed and developed the project, nor had he understood the nuances of the project as evidenced by his oral presentations and written thesis. Bill did perform some of the collection and analysis of data, but he had not adequately characterized the findings and there were many errors in the data. Approximately 10% of the data were incorrect and intercoder reliabilities were correspondingly low. Bill had not closely checked the data in order to make the deadline for his defense, and did not perform any reanalyses afterward. Moreover, the data Prof. Ambercrombie included in the manuscript had more participants, corrected errors, and only one of the variables from Bill’s thesis. For these reasons, Prof. Ambercrombie thought it would be dishonest to include Bill as a co-author. According to her, Bill simply did not meet the criteria of accountability or adequate contribution.

Although many faculty agreed with Prof. Ambercrombie’s assessment, other disagreed. They thought it was only fair to include Bill as a co-author because he did conduct several data collecting sessions (30% of the sample), did a good job of organizing the experimental materials, and supervised undergraduate students as they processed and entered the data. The faculty also said that Bill would have been involved in the data correcting and reanalyses if he had stayed in the program. It was not fair to exclude him from the publication because he was terminated from the program. In any case, the faculty also discovered, after some checking around to learn how authorship had been handled in similar cases elsewhere, that faculty usually did not try to publish the work of terminal students. If Prof. Ambercrombie was going to use results based on Bill’s work, he deserves credit.

Discussion Questions:
1. In your estimation, should Bill receive credit as a co-author on Prof. Ambercrombie’s paper?
2. Should Bill’s thesis research be used at all by Prof. Ambercrombie?
3. Do you agree with Prof. Ambercrombie that Bill doesn’t meet the criteria of accountability for authorship?
4. Would an acknowledgement of Bill’s contribution, but not co-authorship, be sufficient to satisfy the demands of fairness in this case?
5. If you were in this situation (as a graduate student), how would you handle the conflict?
Case 4: Publishing a Correction
(Adapted from David B. Resnik's The Ethics of Science: An Introduction (Routledge, 1998).

Collin, Wood, and Butamo have written a paper on the effects of family counseling on drug rehabilitation success and recidivism. After publishing the paper, Butamo notices that it contains a minor mathematical error. Butamo mentions this error to Wood, who wrote the section of the paper that contains the error. Wood tells Butamo that the error will not affect the paper's findings and that they should ignore it.

Discussion Questions:
1. Should they submit a correction to the journal?
2. What should Butamo do if his colleagues do not want to submit a correction?
3. What should the editorial policy be regarding corrections: should any error be reported, or only major errors?
4. What are the responsibilities of the authors to correct errors in published papers?

Case 5: What does Authorship Mean?
(Contributed by Bryan Benham)

In September 2001, a study was published in the peer-reviewed Journal of Reproductive Medicine which found that a strangers’ prayers could double the chances of success of women seeking to get pregnant using in vitro fertilization. In order, the three authors were Dr. Lobo, from Columbia, Dr. Cha, director of an L.A. fertility clinic, and Mr. Wirth, a lawyer and independent researcher. Dr. Lobo was listed on the paper as the corresponding author, and a Columbia news release announcing the study described him as the “lead author of the study.”

The findings of the study were provocative, receiving a substantial amount of news coverage. But critical comments about the paper didn’t receive much attention, and the journal never published reviews of the study even though immediately after the paper was published physicians and scientists began writing letters to the journal raising questions about the study’s procedures and results, asserting that the study was flawed and possibly fraudulent. Several issues were raised by the critics, not the least of which was that the human subjects – the women trying to get pregnant – were never informed of their participation in the experiment.

Three years after the publication, in May 2004, Mr. Wirth pleaded guilty to two federal charges of conspiring to defraud several banks. The charges were unrelated to the paper. In addition, Dr. Lobo, the lead author, requested his name be removed from the paper. The editors of the Journal of Reproductive Medicine decided to honor Dr. Lobo’s request. Shortly afterwards Columbia University released a statement in support of Dr. Lo’s decision to retract his name from the paper because, “although listed as a senior author, Dr. Lobo provided only stylistic guidance and editorial review.” Moreover, the U.S. Department of Health and Human Services’ Office for Human Research Protections announced that it would not take action against the university, in part because a preliminary investigation revealed that Dr. Lobo “first learned of the study from Dr. Cha six to twelve months after the study was completed.”

Critics were outraged. Dr. Flamm, a clinical professor at the University of Irvine summarized the response well. “I’ve never heard anything like that in all my years of research. How can someone who has been listed as the lead author – not only an author but the lead author – later say that not only didn’t he participate in the design of the study but he didn’t participate in the study at all?” Dr. Flamm further recommended that Columbia should publicly admit the problems with the study, including Dr. Lobo’s misattribution of credit for authorship. In addition, the Journal of Reproductive Medicine should take similar measures.

Discussion Questions:
1. What is the central ethical problem illustrated in this case? Are there more than one?
2. What does it illustrate about authorship credit, responsibility and editorial responsibility?
3. Even if Dr. Lobo should not have claimed lead authorship, should he still be held accountable for the study? If not, who should be?
4. Are there any times in which it is appropriate for a co-author to remove his or her name from a published paper?
Case 6: Gina’s First Grant Proposal
(Contributed by Bryan Benham)

Gina is a successful and ambitious graduate student in Prof. Geller’s lab. She is sitting down to write her first grant proposal. In order to help Gina understand how to organize and present her ideas in the proposal Prof. Geller provides copies of two older grant proposals that were funded five years ago. It turns out that one of the copies provided by Prof. Geller includes a literature review that is relevant to the Gina’s proposal. In fact, she plans to use much of the review section for her own, while updating it with more recent literature. She copies word for word large sections of the literature review and adds a review of the relevant literature that has appeared since Prof. Geller’s proposal was written. She reasons that literature review sections are not the essential part of the grant proposal. Her proposed research takes a different approach than Prof. Geller’s original proposal. And besides, she would have come up with much of the same literature review on her own if she had done the literature search herself. No need to spend time duplicating the search when it is already available for her in the old grant proposal. She writes up her proposal and asks Prof. Geller to provide some comments. He returns it a week later with several helpful remarks, but doesn’t appear to notice that Gina has borrowed heavily from his original grant proposal.

Discussion Questions:
1. Is there anything ethically troubling about Gina’s decision to use Prof. Geller’s literature review in this way? Does it amount to plagiarism, or is it acceptable research practice?
2. Should Gina inform Prof. Geller of her use of his literature review? Should Prof. Geller be cited or acknowledged, in some way, in Gina’s grant proposal?
3. Imagine that instead of copying sections of the literature review word for word, Gina paraphrases the borrowed sections. Does this make her use of the review section ethically permissible? In this scenario, should she inform Prof. Geller of her use of his older grant proposal?
4. Is it responsible research practice to borrow another’s literature review without oneself doing the search or perhaps actually reading the older literature mentioned in the review?

Case 7: Reviewing a Manuscript
(Adapted from David B. Resnik’s The Ethics of Science: An Introduction (Routledge, 1998).

Jill Westerhoff has been sent a book manuscript to review for Wadman Publishing. The manuscript is an introduction to developmental psychology, and she is currently working on a textbook on the same topic. If this rival textbook is published and is well received, then her own textbook may not receive adequate recognition.

Discussion Questions:
1. What are Jill’s responsibilities as a reviewer in this case? Should she review the manuscript?
2. Imagine that Jill does review the manuscript, and finds that it is, contrary to her own wishes, a very good textbook. Should she write a review or decline? What if the textbook was not that good.
3. What responsibilities does the publisher have to Westerhoff, and vice verca?
Case 8: Ideas from a Grant Proposal
(Contributed by Bryan Benham)

Valerie serves on a review board for an NIH grant competition. While reading a particular grant proposal she encounters a description of a new methodology for studying the very same types of processes that Valerie studies in her lab. The proposal is asking for money to develop this methodology in further detail, and otherwise appears to be a well designed grant proposal. She thinks the grant should be funded, and votes as such when the time comes.

However, Valerie is tempted to use this new methodology in her own lab. She has several graduate students working on similar problems, but she now realizes that the current methodology probably won’t produce the desired results. The new methodology appears much more promising.

Valerie is a conscientious researcher, but she is conflicted in this case. On the one hand, she feels that her duties as grant reviewer require that she keep the information confidential. Using the methodology would be a clear breech of this obligation. She thought of contacting the researcher who proposed the new methodology, but feels that this too would be a breech of confidentiality. On the other hand, she feels an obligation to her own graduate students and her own research not to unreasonably delay the progress of either. It is clear to her that the current methodology used in her lab won’t work, and this new methodology will. Continuing along her current research path with the current methodology will impede the progress of her graduate students’ work, and her own research.

Discussion Questions:
1. What should Valerie do? To whom is her strongest obligation, her duties as reviewer or her students and her own research?
2. Suppose that without contacting the researcher Valerie decides to adopt the new methodology in her lab and does so with great success. She and her graduate students are ready to publish some findings, but Valerie also realizes that the researcher who proposed the new methodology has not yet published using the new methodology. Should she publish? If so, how should she credit the researcher who developed the new methodology?
3. Suppose that Valerie decides to contact the researcher who proposed the new methodology and asks if she might use it in her own lab, but the researcher is reluctant to let her use it, especially since he hasn’t fully perfected it yet, nor published it. He suggests she wait until he publishes on it, probably in a year or so. What should Valerie do in this circumstance?
4. Imagine you are a graduate student in Valerie’s lab. Also, suppose that despite her misgivings and the reluctance of the researcher who developed the new methodology Valerie decides to use it anyway. She comes to you and explains that she read about this new methodology while reviewing a grant proposal and thinks that you should adopt this new methodology because it promises better results and will save you much time. What should you do?

Case 9: Beaten to the Punch?
(Adapted from David B. Resnik's The Ethics of Science: An Introduction (Routledge, 1998).

Some time ago, Janet Edwards and her colleagues submitted a paper to a well-known journal and they have not yet heard the journal’s decision. They decide to call up the editors and they are told that the paper has been held up by a reviewer who has not had time to read it yet. They are pretty sure that the reviewer is one of several colleagues who are working on the same topic, because, to their dismay, they learn that one of these colleagues has “beaten them to the punch”: he will be presenting a paper on the very same topic at an international conference. They suspect foul play. Either their ideas have been stolen or a reviewer has delayed publication of their paper in order to win a race for priority. But they cannot prove these suspicions.

Discussion Questions

1. Is it clear that either their ideas have been stolen or a review has delayed their publication for nefarious reasons? What other options are plausible?
2. What should Edwards and her colleagues do? Who, if anyone, should they contact first? The editors? The suspected colleague? The conference organizers?

3. What responsibilities do/should the editors of the journal have? Should Edwards withdraw their paper from consideration and submit it to another journal?

4. What responsibilities do/should the conference organizers have? Should the paper be withdrawn from the conference on suspicions raised by Edwards and her colleagues?

5. How can this type of scenario be avoided in the future?

Case 10: The Strange Case of Dr. X

(Contributed by Prof. David Goldenberg, 2003)

Dr. X has been recruited to join an already established research group that is interested in the structure of a particular molecule. Although Dr. X does not have any particular expert knowledge of this molecule, he is an expert in an important technique necessary for the analysis, expertise that is not already available in the group. Unfortunately, there is some ambiguity in the conditions of Dr. X's appointment, especially with regard to how much independence he will have and who else will be working on the problem. The situation is aggravated by a personality clash between Dr. X and his nominal supervisor, Dr. Y. None the less, Dr. X's expertise enables him to collect much better data than has previously been available, and he begins to carefully analyze this data. He takes a particularly rigorous approach to the analysis and is able to draw some important conclusions about the molecular structure. But, his approach does not lead to a complete model.

Meanwhile, the supervisor, Dr. Y has been feeling rather frustrated about her failure to communicate with Dr. X and has also been talking with two friends at another institution, Drs. A and B, who are intensely interested in the molecule but do not have access to the material and equipment for making their own measurements. (Or, maybe, they are just too lazy to do their own experiments.)

In the course of their discussions, Dr. Y shows Dr. A some of the data that Dr. X has collected. Probably because of their already strained relationship, Dr. Y has not discussed this with Dr. X. Because they have been thinking about the problem for some time, Drs. A and B quickly recognize features of the data that may have escaped the notice of Drs. X and Y. Drs. A and B are also much more aware of other data in the literature than are Drs. X and Y. As a consequence, they are very quickly able to put the various pieces of the puzzle together and propose a structure for the molecule. When they are shown the model, Drs. X and Y are quick to appreciate that it very likely represents the correct solution to the problem. But, Dr. X is not aware that his own data played a role in deriving the model and is independently writing a paper describing these results.

Discussion Questions:
1. Now that the structure of the molecule has been discovered, how should credit for the discovery be allocated? Should Dr. X get credit? Dr. Y?
2. What names should be included in the list of authors when the structure of the molecule is published? If Drs. X and Y should be included, in what position should their names appear (first, second, last, etc.)? Why?
3. Something seems quite unfair about this situation, but exactly what is unfair about this situation, and where was the transgression(s)?
4. How could this unfairness have been avoided?
5. Does this case strike you as familiar to an historical case?