

Author's Commentary on "Reviewer Confidentiality vs. Mentor Responsibilities: A Conflict of Obligations"

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Reviewer Confidentiality vs. Mentor Responsibilities: A Conflict of Obligations

Part 1

The objective of this case was to create a situation where two aspects of being a successful and ethical scientist come into conflict. In this case, maintaining reviewer confidentiality challenges the scientist's ability to honor her responsibilities as a mentor. In an ideal situation, this case will engender a discussion of both the importance of reviewer confidentiality and the specifics of being a responsible mentor. It may also help the discussants to think about situations where they will be forced to juggle the various aspects of a scientific career. These situations may push the ethical scientist to look for solutions that may not be obvious at first.

Question 1. This question brings up the inherent conflict of the skilled reviewer. A scientist who is knowledgeable and prominent within a particular field will often be working on questions related to the work being reviewed. The individuals most qualified to review a paper will also be those who stand to gain or lose the most from the information it contains. A discussion focusing on this question should address the fact that there are no universal criteria detailing the situations in which it is acceptable to review a paper. It is almost entirely up to the individual reviewers to decide whether they will be able to maintain objectivity or whether reviewing the paper will present a conflict of interest. How do those reading this case think they would make a decision like this? Can any absolute criteria or considerations be identified?

Question 2. This question addresses the heart of the conflict. If Dr. Ethicos suggests

that Sarah add *GFX* to the cells, she will be acting on information received in confidence. Furthermore, her suggestion will open a can of worms if Sarah ever wants to publish her results, especially if the original reviewed paper remains unpublished. Essentially, Dr. Ethicos and Sarah would be claiming credit for an idea that belonged on some level to someone else.

That brings up another very tricky question that often causes problems in scientific research: Who (if anyone) owns an idea? The discussion of this question could focus on who would be affected by Dr. Ethicos' decision and how would they be affected. Clearly in the short term Sarah (and Dr. Ethicos by extension) would probably benefit from the suggestion to add *GFX*, or at the very least they certainly would not be harmed. However, Dr. Spacely could certainly be harmed by Dr. Ethicos' decision. The scientific community itself could be harmed if there were a general perception that reviewer confidentiality was not being honored.

This scenario has the added complication that Dr. Ethicos wouldn't be proposing that Sarah analyze the interaction between *GFX* and *survivin* (which was the essence of the reviewed paper) but simply that she use *GFX* as a tool to help with her cultures. Even though Dr. Ethicos would only be mentioning the idea to Sarah in the hopes of getting her cultures up and running, without intending for Sarah to focus on the *GFX-survivin* interaction itself, this is still starting down a slippery slope. The questions of where ideas come from and whether or not the origin of ideas can be regulated are additional powerful, subtle and tricky questions that the discussants may or may not wish to take up.

Question 3. The discussion of this question should bring up the mentoring side of the conflict: that it would be better to tell Sarah ASAP, but it should also bring up the reviewer side of the conflict: If Dr. Ethicos is going to remain an ideally ethical reviewer, she should wait until the paper is published or the information is made public at a conference or a talk or something of that nature. In some ways, this is a lose-lose situation. No matter how long Dr. Ethicos decides to wait, someone ends up losing out.

Question 4 simply serves to add even more weight to the scale on the side of mentor responsibilities without decreasing Dr. Ethicos' reviewer responsibilities. This question is designed to show how frustrating and tricky a situation like this could be. If the discussion is confined to the conflict itself, the discussants may find they have hit a wall. At first glance there seems to be no ideal ethical solution.

Question 5 throws another red herring of sorts into the discussion. One could see how easy it would be for Dr. Ethicos to convince herself that no real harm would be done by mentioning *GFX* to Sarah and that the information contained in the paper she reviewed will get out into the public domain somehow or another. However, essentially this rationalization does nothing to address the inherent conflict. Even if some other reviewer or individual had indeed broken reviewer confidentiality, that should have no bearing on Dr. Ethicos' ethical decision. To quote a useful cliché: Two wrongs don't make a right.

It is possible that the discussion will break down at some point. Some of the group may feel that reviewer confidentiality should really take precedence in this case, while others might feel mentor responsibilities should predominate. This case is designed in some ways to lead to this type of standoff.

However, at some point during the discussion a successful resolution to this dilemma might be brought forward with the realization that it is in fact possible to break reviewer confidentiality in special cases and reveal oneself to the author of the reviewed publication (ideally with the blessing of the journal editor). If Dr. Ethicos revealed herself to Dr. Spacely and explained her desire to assist Sarah in a way that should not harm Dr. Spacely's research, a satisfactory solution might be achieved.

This type of solution would preserve the inherent tenet of reviewer confidentiality, which is essential to a functional peer review system in any field, scientific or otherwise. It would also be an example of exemplary mentor responsibility, where a scientist is willing to expend extra time and energy to help further the prospects of her student while still remaining an admirable role model for that student. Lastly, this situation emphasizes the value of what might be considered lateral thinking. Ethical situations are complex and often require creative solutions that may not be immediately obvious to those facing the ethical dilemma. In some ways practice, in the form of the discussion of hypothetical situations, is the only way to try to

prepare oneself to handle the inevitable ethical conflicts that will arise.

It is possible that the discussants may arrive at this solution early in the discussion before they have seen the zero sum game nature of the original conflict. The discussion leader might then want to introduce the question of what to do if Dr. Spacely refuses to allow Dr. Ethicos to mention the *GFX* to Sarah, which brings the discussion back to the initial problem.