

Author's Commentary on "Questions on the Topic of Whistle Blowing"

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An initial overview of this case may lead the reader to focus on the obvious improprieties that Dr. Woodward has committed. Clearly, distributing medication intended for laboratory animal use to humans without a proper license constitutes an act that is not only unethical but illegal. Instead, this scenario was written primarily to encourage discussion between graduate students and faculty on some of the more subtle issues in the case including whistle-blowing and the student-mentor relationship.

Whistle-blowing

Questions 1, 2 and 3 were written to promote discussion of whistle-blowing by exploring Thomas's options. Whistle-blowers, in the world of science, are individuals who bring soundly based charges of misconduct to the attention of academic/research institutions or government agencies. A panel assembled by the National Academy of Sciences in 1993 defined misconduct in science as: "fabrication, falsification, or plagiarism, in proposing, performing, or reporting research. Misconduct in science does not include errors of judgment; errors in the recording, selection or analysis of data; differences in opinions involving the interpretation of data; or misconduct unrelated to the research process." (National Academy of Sciences, 1992, p. 5)

By definition, Dr. Woodward is not guilty of misconduct; rather, the National Academy of Sciences would describe his actions as "questionable research practices" or "actions that violate traditional values of the research enterprise and may be detrimental to the research process." (National Academy of Sciences, 1992, p. 5) Based on this criterion, should Thomas act on his knowledge of the situation?

Certainly, the easiest thing for Thomas to do would be to sit on the information and

do nothing. After all, he is nearly finished at State University; becoming involved in this situation could delay the completion of his degree. Furthermore, raising questions about the research practices of a senior faculty member serving on his committee would hardly serve to advance his career. The reality is that young scientists rely heavily on positive recommendations from senior faculty members; getting involved could tarnish Thomas's reputation, and thus his career. Even though the National Science Foundation and Public Health Service require institutions receiving public funds to have regulations in place to protect whistle-blowers, discrimination against these individuals is not uncommon. In fact, reprisals against whistle-blowers have been well documented, even in situations where the whistle-blower was proven correct. (Rossiter, 1992)

Aside from Thomas's fears regarding his career, he is also experiencing a conflict between his loyalty to Dr. Woodward and his responsibility to do what is right. The case makes it clear that Dr. Woodward has been helpful to Thomas. Because of this relationship, it would be unpleasant for Thomas to report these allegations to the institution, especially during the midst of a precarious tenure process. At the same time, Thomas is convinced that Dr. Woodward's actions were improper. Although this case does not involve misconduct in the strictest sense, Thomas believes that Marilyn and Shawn could be harmed by the medication. Given this piece of information alone, Thomas has the responsibility to act on his knowledge. But what type of action should he take, and when?

The case implies that Thomas and Dr. Woodward have a favorable relationship, so perhaps, rather than reporting this information to the institution, Thomas should directly confront Dr. Woodward with his concerns. It is unclear from the description of the case whether Dr. Woodward's actions represent a pattern of irresponsible behavior or just a lapse in judgment. If the case were modified so that Dr. Woodward's actions reflected a pattern of behavior, rather than this isolated case, Thomas might need to take his story to a higher authority. However, given the information at hand, confronting Dr. Woodward may offer the best solution for all parties involved. If Thomas does choose this option, the timing should not affect the tenure process; he should approach Dr. Woodward with his concerns as soon as possible.

The intent of Question 2 was to explore whether the consequences of Dr. Woodward's actions should influence Thomas's decision. In other words, should the fact that Marilyn and Shawn were not harmed by the beta-blockers have any

bearing on Thomas's responsibility to act? When considering this issue, it is important to note that this specific case states that the students suffered no ill effects in the short term. In all likelihood, the students will not suffer any chronic effects either, but Thomas cannot know that for certain. Likewise, fabricating data seldom leads to immediate problems, but these actions can ultimately result in untold damage and expense if not exposed. Therefore, caution should be exercised in basing our decisions on consequences alone.

Question 3 was written to promote discussion on the case if the dynamics were changed so that Dr. Woodward were a M.D./Ph.D. While this modification would alter the legalities of the situation, some problems remain. Unless Marilyn and Shawn were under Woodward's direct medical care, it would not be proper for him to prescribe beta-blockers to the students as described. Another issue is that of diverting for personal use supplies that had been purchased for the conduct of experiments. Regardless of Dr. Woodward's degree, he has used materials purchased with federal or private funding for applications that were not stated in his grant protocol.

Student-Mentor Relationship

Questions 4 and 5 were written to foster a discourse on the relationship between Dr. Woodward and the students. The case indicates that Dr. Woodward has been generous in providing assistance to Thomas throughout his graduate studies, so one could reasonably conclude that Dr. Woodward is genuinely trying to help Marilyn and Shawn. However, from a cynical standpoint, Dr. Woodward could be exploiting the situation to recruit the students into his laboratory. It is not uncommon for would-be mentors to pursue graduate students by befriending them in the early stages of their academic careers. Unfortunately, there are instances in which faculty use empty promises of publications or even guarantee the student will complete a dissertation within a set time to persuade students into their laboratories. (Krulwich and Friedman, 1993) In this instance, the case does not indicate what motivates Dr. Woodward's behavior, but regardless of his intentions, he has placed the students into a difficult situation. As first-year students who are struggling to make their grades, they are vulnerable to an authority figure with an apparent quick-fix solution to their problems. It would be admirable for Marilyn and Shawn to politely decline Dr. Woodward's invitation, but realistically, new graduate students are generally eager to please and are likely to accept a faculty member's suggestion.

A final aspect of the case to be examined concerns the fairness of Dr. Woodward's actions. Certainly, other students in the Gross Anatomy class performed poorly on the exam, yet Dr. Woodward offered beta-blockers only to Marilyn and Shawn. This preferential treatment could be even more troubling if Dr. Woodward were involved in teaching this course. It might be worthwhile to consider how Dr. Woodward's actions in this case would differ from a situation in which a professor provides a test review only to selected students rather than the class as a whole. In both instances, the faculty member has violated the student-mentor relationship by giving certain students an advantage over others.

References

- Krulwich, T.A., and Friedman, P.J. "Integrity in the Education of Researchers." *Academic Medicine* 68 (9, 1993): S14-S18.
- National Academy of Sciences. *Responsible Science: Ensuring the Integrity of the Research Process*. Washington D.C.: National Academy Press, 1992.
- Rossiter, E.J.R. "Reflections of a Whistle-Blower." *Nature* 357 (1992): 434-436.