

P. Aarne Vesilind's Commentary on "The Lisa Bach Case"

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The Lisa Bach Case

I find it difficult to see any extenuating circumstances or excuses for Dr. Richard Bell's actions. His tenure situation, future funding or whatever is simply irrelevant. He stole intellectual property from a colleague. To make it worse, this colleague is in an uneven power situation and cannot respond as an equal. This fact makes Bell's actions even more reprehensible.

More importantly, what should Lisa do? Any action she might take could hurt Bell, and, of course, Bell knows that. His reluctance to bring her into the publishing process clearly shows that he knows that he is doing something underhanded, and that Lisa could prove her case. He and Lisa both know, however, that Bell can easily ruin Lisa's career in retaliation.

What should Lisa do? She has several alternatives.

1. She could write to the editor of the journal, explaining what happened. Depending on the editor's integrity, the paper may be withdrawn or an addendum published in a subsequent issue, causing great harm to Bell's standing in the community. Or the editor may consider this matter an issue for the authors to sort out.
2. Lisa could go to the chair of the department or the dean. This person, of course, will try to get to the bottom of the issue, call Bell in for a chat and even have a three-way conversation. Lisa will have to prove that the discovery was indeed hers and that she has been wronged. Typically, faculty will support each other, and she will be cast as the infamous "disgruntled employee," unless she can prove without a doubt that Bell has misrepresented himself and the chair or dean has the moral fibre to respond appropriately. The chair or dean will look for some easy way to end the controversy and may, for example, ask Bell to write a letter of apology to Lisa.

3. Lisa could seek a new position, even in a different laboratory in the same university, and simply avoid all future contact with Bell.

In a way, the choices boil down to deontological vs. consequentialist options. If Lisa keeps quiet, Bell could go on mistreating other graduate students and post-docs. His actions are simply unethical. The principle here is what is important, not the outcome, and Lisa should choose Option 1 or Option 2, or both.

If Lisa were my daughter, however, I would strongly recommend the third alternative to her. The incremental good Bell received from publishing the purloined paper is small compared to the harm Lisa would suffer if she took any action to redress the situation. If she chose to fight, she would still have to leave Bell's laboratory. Whatever the choice or the outcome, the mentor/protegee relationship has forever been damaged. Bell will never be able to write a letter of recommendation without thinking of the incident, and Lisa will never be able to call on him for support in her career. She should take heart in the knowledge that sooner or later, "Time heals all wounds."