Author’s response to reviews

Title: Resolving authorship disputes by mediation and arbitration

Authors:
Zen Faulkes (zen.faulkes@utrgv.edu)

Version: 2 Date: 29 Oct 2018

Author’s response to reviews:

Reviewer #1

“However, there is still no attempt to actually address all relevant problems related to establishing an arbitration body (either as a separate entity or within the existing structures, such as journals). For example, who would fund the arbitration process if a commercial body would perform it. Would funding agencies accept such costs - wouldn't they expect that the authorship problem is resolved on time (before submitting a manuscript) and in the research group?”

I have added several sections relevant to this comment. Lines 264-271 discuss why and how funding agencies might fund alternative dispute resolution agencies. Lines 292-297 use research ethics consultancy as an example of agencies that perform some similar tasks to alternative dispute resolution agencies.

“It seems to me that what is still missing is describing procedures for assessing and deciding on authorship during the research process, to prevent authorship disputes - such procedures and experiences have been published an may be useful for discussing the strategies to prevent arbitration about authorship.”

Line 102 alone provides ten references to article discussing methods for preventing authorship disputes. Since the goal of this paper is to focus on when prevention fails, reviewing policies for preventing disputes in the text disrupts the focus of the paper.

Reviewer #2

“In one of the responses, the author asked for specific references that I had in mind. As reviewer 2 points out, I do not like citing my own work during peer review but a couple of references are pertinent for this discussion. Moreover, a few of the references I had in mind are not provided and I think all of these are worthwhile reading and considering. I would ask that the author review these papers to consider if any of these approaches to resolving authorship disputes, or surveys surrounding authorship disputes or outcomes of authorship disputes are worthwhile mentioning in the manuscript.”
I thank the reviewer for the references! I have included several of these in the text. In particular, I now have several studies on the prevalence of authorship disputes and not just one (lines 91-94).

"In the revised paper, the author has made significant efforts to discuss the knowledge of arbitators, who would pay for such services, and attempted to discuss much of how it would be operationalized. But I still remain concerned as to whether the proposal of arbitration would be welcome in academia. While I think it is absolutely worthwhile to compare models in other sectors and apply them to academia, I would speculate that most academics would not welcome arbitration, perhaps because of their own misconceptions or visceral reactions of arbitration as being overly administratively burdensome or legalistic. As arbitration remains foreign to most academics, could the author provide any examples where arbitration has been used in academia, even if not for authorship? While its use in film and comics have been discussed, I do not consider these sectors to be very similar to academia - for example credit on a paper may not have thousands, to hundreds of thousands or more dollars at stake."

I brought in a few references to research ethic consultation, which provide some useful parallels to the model I am proposing. I have not found any examples where research ethics consultation was used for authorship disputes specifically, but that these agencies exist I think provides “proof of concept” for the potential for alternative dispute resolution services.

“If no examples of arbitration in academia can be provided, would it be possible to add a few sentences only to comment on the likelihood of whether such a model would be welcome by scientists in different disciplines. Perhaps this would be a limitation for such a model - the potential slow or no uptake. I understand this will likely be speculative, but conceptualizing practical solutions for issues in research ethics is important and I would speculate that most academic researchers, research administration, or potentially even for-profit publishers would not welcome such a proposal.”

I have attempted to discuss some of the stakeholders who might resists and assist in bringing alternative dispute resolution to academic publishing in lines 298-306.

“Could some clarity be provided between when authorship disputes might be resolved through arbitration versus mediation? … The example provided in the manuscript does not discuss the nature or illustrate the severity of the dispute and thus the reader may wonder when would mediation be called for and when would arbitration be needed. Because both models are now being considered, can the author provide an example or two, or outline the conditions, for when a researcher/journal might choose one or another alternative resolution model?”

I attempted to address this somewhat in line 244-248. I know this is brief, but in doing research this revision, I found that there are many forms of alternative dispute resolution (line 208). I felt that detailing theories of where one form of alternative dispute resolution should be used over another form would, again, make the paper lose focus.
As a stylistic point, I have tried to be consistent in putting mediation first when mentioning mediation and arbitration. This is why I changed the title.

I made minor changes to refer to funding agencies and research ethic consultants elsewhere in the text to support their appearance in the last section of the paper.