

Reflections of a Pioneering Ombudsman at an Indian Journal

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There is growing awareness that issues that fall under the so-called editorial prerogative and hence could not formerly be discussed can well be questioned now. Authors all over the world—even a few in India—are now conscious that there can and should be means of redress for editorial high-handedness or misconduct. Such an attitude on the part of authors is a welcome and encouraging sign and should go a long way toward ensuring the health of science and scientific communication. It was therefore a pleasant surprise when a researcher in a Delhi medical college contacted me recently to discuss a serious ethical problem in the publication of one of his papers. He was essentially questioning the prerogative of the editor to turn down the collective request of the authors of a published research paper to rectify an omission in authorship of the paper. In turning down the request, the editor had stated that ICMJE guidelines do not permit such a change in authorship!¹

Why should we be concerned about such issues? Throughout the world, there are few authors who do not have a grouse, often a legitimate one, about journal editors. Authors learn to put up with delays most of the time and with editors' rudeness and misbehavior occasionally. Some editors do not think twice before announcing that they will not reconsider papers once rejected, because they cannot afford to waste time on such manuscripts. Even good papers, especially from developed countries, do not receive fair treatment in editorial offices. There are also allegations of editors riding roughshod over complaints of authors. Although rare, there is

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clear evidence that serious editorial misconduct does occur.²

Some editors, mostly in the United States and the United Kingdom, have recently become aware of the need to be more sensitive to the critical author-editor relationship. Thanks to editorials and articles published in such journals as *The Lancet*, the *British Medical Journal*, and the *Journal of the American Medical Association* and the Web site of the International Committee of Medical Journal Editors (ICMJE; www.icmje.org), editors in other countries have also become familiar with such issues. (The Council of Science Editors is not well known among editors of Indian biomedical journals.) But such awareness has been limited in developing countries, such as India, by the absence of interaction and sharing of experiences with other editors in these countries. It generally has not been possible for these editors to participate in editors' meetings, inasmuch as most Indian journals work on shoestring budgets. The Fourth International Congress of Peer Review in Biomedical Sciences, held in Prague in 1997, offered what was perhaps the first opportunity for editors in developing countries. Several editors, including me and the editor of the *Indian Journal of Pharmacology (IJP)*, were invited as sponsored scholars. It was interesting and exciting to find that a topic like peer review in biomedical sciences could be discussed for over 4 days (even if there were some bad papers)! This was possibly the first step in our thinking that something needed to be done urgently in editorial accountability.

As a full-time professional editor (most Indian medical journal editors are part-timers, many of whom are elected every 3 years or so by their learned societies¹), I was aware of the international initiatives and systematic efforts to keep track of the functioning of editorial offices. As early as 1989, a British pharmacologist, Andrew

Herxheimer, forcefully argued that far too many authors were being treated unfairly by editors of scientific journals. Some unhelpful and egotistical editors had made things hard for authors. Entrenched journal editors were generally well defended by their position (power), editorial boards, publishers, and the clout that editorship confers. The occasional protesting author was isolated and rendered defenseless. Herxheimer proposed that journals undertake a yearly audit of their editorial and peer-review processes and, more important, publish and publicize such information. In addition, he suggested a mechanism for formally taking up cases of editorial misconduct outside the editorial offices, such as an international press council similar to bodies that exist in many countries (including India).³ I had suggested a peer-review audit of Indian medical journals then,⁴ but there were no takers.

The issue of editorial accountability was later discussed at the International Congress on Peer Review in 1994. Doug Altman and colleagues² proposed that ICMJE consider means to address the complaints of authors about editors in light of growing concern about abuse by editorial offices. Their suggestions included a system of investigation of editorial misconduct and procedures for hearing authors' grievances. They advocated creation of an international scientific press council that could produce a code of conduct for editors and definitions of inappropriate editorial behavior. They opined that with the creation of an independent press council, scientific journals would sign an agreement to abide by a set investigation procedure. The participation of journals in the new system of editorial oversight could be the first step toward editorial transparency. It was hoped that such a system also could lead to some accountability of editors.

Two years later, *The Lancet* took what might have been the first step in address-

ing seriously the issues of the author-editor relationship and editorial accountability by establishing the position of ombudsman “to record and, where necessary, to investigate episodes of alleged editorial maladministration when a complainant remains dissatisfied with the journal’s first response to criticism”.⁵ Modeled after the UK parliamentary commissioner for administration, *The Lancet’s* ombudsman had wide-ranging powers that include investigating delays in handling manuscripts and letters, editorial discourtesy, failure to follow stated editorial procedures, failure to take reasonable account of representations by authors and readers, and challenges to the publishing ethics of the journal. Complaints about the substance of editorial decisions (peer review) were kept out of the ambit of the ombudsman. Complaints to *The Lancet’s* ombudsman could be made directly in writing even without being seen by editors. In investigating a complaint, the ombudsman could seek correspondence and all other details related to the complaint. When necessary, even editorial staff could be contacted. The ombudsman’s final judgment was delivered to the editorial staff, to the editor, and to the complainant. The editor, Richard Horton, guaranteed publication of the ombudsman’s reports, and this is being done regularly.

The same pattern has been adopted by the *IJP*. As the ombudsman, I have enjoyed total freedom to investigate and make decisions. My reports are also to be published and publicized. The first report appeared early this year.⁶ The name and address of the ombudsman are printed prominently in the journal, and authors are encouraged to contact the ombudsman if they have any grievance against the journal.

But a lot still needs to be done at journals. Inadequate information about the editorial process and lack of channels of communication continue to create a serious gulf between authors and editors, which leads to avoidable mistrust in the minds of authors. What is more, editors often choose to dismiss authors’ appeals,

From the Files of the Ombudsman: Two Cases

Case 1

A letter to the editor was submitted to the *Indian Journal of Pharmacology (IJP)*, criticizing a paper. The paper had been published when two of the three authors of the letter were members of the editorial team as section editors. The chief editor felt that the letter could be considered for publication only if those two dissociated themselves from the letter. He opined that publication of papers in *IJP* is the collective responsibility of the editorial team and hence there is a conflict of interest. The issue was whether publication of papers in a learned journal that has an editorial team is a collective decision and therefore a collective responsibility or is the decision of the chief editor. The authors argued that they were not part of the review process and therefore did not participate in the decision on that article. I opined that their being on the editorial team during the period when the paper appeared did not change their academic freedom; thus, they were free to discuss and comment on the contents of published papers. Their letter to the editor could be published subject to the normal peer-review process.

Their letter was published in *IJP*.

Case 2

An author submitted a letter to the editor commenting on the content of an editorial published in the journal. The letter was accepted for publication after review, and the author was informed. The letter was slated to appear with the response of the section editor who wrote the editorial. When the proofs were sent to the author for approval, the author objected to some editorial changes made; she felt that the editorial changes might have distorted the meaning of the letter, which she said should be published as submitted. The chief editor felt that the changes did not distort the meaning of the letter and that the editor has the prerogative to make such modifications before publication. The author chose to appeal to the ombudsman about whether the editor is justified in making such changes without the author’s consent.

After careful examination, I opined that the editorial changes did not distort the content of the letter and that the editor was well within his rights to make appropriate editorial corrections before publication.

The letter was published as edited.

citing the obligatory confidentiality, editorial prerogative, or both. Few journals publish letters of protesting authors, and many journals do not even have columns that entertain such criticism. Finally, many journal editors detest outside intervention of any kind.

There are several types of author grievances against editors from deliberate delay in processing a manuscript to having it rejected outright through a pliable referee. Manipulation of priority in the handling of similar papers from competing groups is not uncommon. Another problem is poor

or indifferent peer review. Some grievances can occur because of poor in-house editorial practices, but occasional bias cannot be ruled out. Bad handling of manuscripts is fairly common in India because many biomedical journals are run with small budgets, untrained editorial staff, and part-time honorary editors who cannot give enough attention. In some journals, even referees’ confidentiality is not always maintained.¹

I am also aware of several serious editorial lapses in India. A few years ago, a paper submitted to a prestigious Indian

Reflections continued

journal was sent to two reviewers. One reviewer inordinately delayed returning the manuscript and chose not to respond to reminders. The editor had the paper evaluated by another referee, and eventually the manuscript was revised and was slated to appear in print about a year after submission. When the paper was about to be printed, the authors frantically called the editor to say that their paper had just appeared in another journal. Apparently, the reviewer who did not return the manuscript was editing a specialty journal and chose to publish the paper in his journal without even mentioning it to the authors. The editor had no option but to return the manuscript to the authors. Despite substantial efforts, no serious action could be taken against the erring referee.

In the interest of science and scientific

communication, all journals should have an ombudsman system. But some logistic issues need to be addressed before the system can be widely implemented, at least in India. Few people have adequate knowledge about publication ethics and sufficient time to serve as ombudsmen. Training in publication ethics is still in its infancy in India. More important, journal editors should recognize the need for a system of accountability and the need for a healthy author-editor relationship built on trust and faith. Meanwhile, there has been an encouraging sign: the *Journal of Postgraduate Medicine*, in Mumbai, India, has just appointed an ombudsman. 🙏

Note: Parts of this article were adapted from material in earlier articles by the author.^{1,6}

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