Published in final edited form as:

Synapse. 2009 July ; 63(7): 539–540. doi:10.1002/syn.20638.

Blacklisting Among Scientists

Michael J. Kuhar[Candler Professor of Neuropharmacology]

Georgia Research Alliance Eminent Scholar Chief Neuroscience Division, The National Yerkes
Primate Research Center of Emory University 954 Gatewood Rd NE Atlanta GA 30329

I recently wrote a letter to the editor of *Science and Engineering Ethics* titled “On Blacklisting in Science” which dealt mainly with the ethics of blacklisting (Kuhar, 2008). It defined blacklisting as “a process of shunning, sometimes harassing, and excluding an individual usually for perceived misbehavior.” It concluded that “blacklisting has many ethical problems and should not be condoned. It is akin to vigilantism, without due process, damaging to the blacklisted whether justified or not, and degrading to the blacklisters and bystanders themselves”. True wrongdoing should be dealt with by established and sanctioned procedures. The response to that letter was substantial and encouraging, and some of the responses identified a few omissions and suggested additional topics. This editorial addresses three topics that are discussed in each of the next three sections.

The consequences of being blacklisted

While my previous letter (Kuhar 2008) defined blacklisting, it did not fully describe the consequences of being blacklisted. A brief list would include: damage to reputation, experiencing humiliating treatment which in turn causes emotional damage, denial of opportunities (giving lectures, serving on committees, receiving awards), loss of competitiveness for recruiting post doctoral and predoctoral fellows, expensive litigation in some cases, and damage to career and person even if the cause for blacklisting is shown to be false (Lubalin and Matheson, 1999). In view of these consequences, blacklisting has to be a serious ethical issue.

Preventing help for the blacklisted

Because of the excesses in the blacklisting process (Kuhar 2008), the blacklisted person, whether guilty or not, often needs help just to begin a proper resolution. However, it seems that the very nature of blacklisting prevents or at least hinders an ethical solution to the original problem. The previous letter noted that bystanders and colleagues in contact with the blacklisted had to participate in the blacklisting process, under threat of being blacklisted themselves. I pointed out how this is a coercive process independent of what the facts might be. But I failed to point out how no one, again under pain of being blacklisted, is allowed to talk about it with the victim or offer help. The very existence of the blacklisting process may be falsely denied to the victim. In addition, because of our built-in instincts for safety, most colleagues do not want trouble and therefore stay away. Thus, it is very difficult for a blacklisted person to get others to come forward and offer support even if they are inclined to do so. Support and information from other colleagues is essential, as witnesses are essential for an ethical or legal procedure.

E-mail: mkuhar@emory.edu 404 727 1737 Voice 404 727 3278 fax.
The author welcomes comments (mkuhar@emory.edu).

Conflict of interest. Within the last three years, the author has been on the Board of Directors of AptoTec, has received an honorarium and a grant from Pfizer Inc, and has received an honorarium from Cephalon.

What to do about it. How do we fix the problem?

While blacklisting may be motivated by a desire to do the “right” thing, it can also be an abuse of power. Either way there are ethical problems (Kuhar, 2008). There seem to be several reasonable approaches for dealing with blacklisting. First, we need to analyze the reasons for blacklisting, and then find an acceptable and fair way to deal with each situation. Reasons for blacklisting include: whistle blowing, offending a colleague or a group, being suspected of an alleged offense, or even being the victim of a more personal conflict with people more powerful than the blacklisted. There are already some formal and informal procedures for dealing with some of these.

Second, legislate or pass banning or at least disapproving resolutions against blacklisting just as we have against vigilantism and harassment. Perhaps the resolution should point out proper procedures for rectifying wrongdoing as well. Without such resolutions, or without possible disciplinary actions, blacklists may pay no attention to the ethical problems associated with blacklisting. One might argue that we haven't needed it before so why legislate now? But it is straightforward to counter argue that ethics is an evolving discipline, so there is no reason not to legislate against blacklisting now even though it hasn't been done before. Also, just because it hasn't been done before doesn't mean that we shouldn't have done it. One could also argue that it doesn't happen often, so why address it. Well, first degree murder doesn't happen often either. The fact is we really don't know how often blacklisting happens, but it seems worthwhile to address it and pass some resolution that will deal with it once and for all. Blaming and lamenting do not help and should be put aside in this process. Passing a banning or disapproving resolution will also support those who wish to come forward on behalf of the blacklisted. While it is often said that it is difficult to prove blacklisting (Is this part of a self-protecting and self-deluding instinct?), I maintain that it is easy to prove it! Witnesses only need to come forward!

Third, change the culture of how we deal with both the potential blacklisted and blacklists. Just as racial discrimination can be addressed, just as one can become accustomed to new and difficult things, and just as ethics can evolve, our reactions to problematic colleagues can also be changed for the betterment of all. Somehow conflicts need to be resolved, perhaps through the constructive support and intervention of reasonable, supportive and leading colleagues. Blacklisting does not seem to be an option.

Acknowledgments

The author is supported by a Senior Scientist Award DA00418.

References

- Kuhar MJ. On blacklisting in science. *Sci Eng Ethics*. 2008; 14:301–303. [PubMed: 18668347]
Lubalin JS, Matheson JL. The fallout: what happens to whistleblowers and those accused but exonerated of scientific misconduct. *Science and Engineering Ethics*. 1999; 5:229–250. [PubMed: 11657861]