

## COPE code of conduct clause 3.1 under the microscope: a prelude to unfair rejections

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The publishing process consists of an intricate web of interactions between authors, peer-reviewers, editors, the editor-in-chief (EIC) and publishers. A 'good' scientific journal, *sensu lato*, is one in which the process of publishing a scientific paper takes place within a framework of established rules and codes of conduct (CoCs) that are set out for all parties involved; there is transparency about the entire process as well as accountability by any party should any aspect of the CoC not be respected. For a journal to thus be successful, and by association, its publisher, there must be strict adherence to established CoCs, a responsibility that each party must assume<sup>1</sup>. Within the 'authors' set, the corresponding author also has a more specific set of responsibilities<sup>2</sup>. Publishers need to develop CoCs to establish (and sustain) credibility, the notion of fairness and professional conduct, ethical decision-making and corporate behaviour<sup>3</sup>. Publishers who are able to implement, and abide by, their CoCs, and those that apply to authors, editors and peer-reviewers, will thus have a successful business model. However, peers who are appointed by editors, and editors or publishers who are unable to implement, or respect, their CoCs, may face public criticism and increased scrutiny, especially if there is a perception that there may be bias or unfairness involved in the publishing process.

The Committee on Publication Ethics (COPE) is a charitable company<sup>4</sup> which claims the following: 'COPE is a forum for editors and publishers of peer reviewed journals to discuss all aspects of publication ethics. It also advises editors on how to handle cases of research and publication misconduct'<sup>5</sup>. There are currently 9907 COPE members, which include journals and publishers<sup>6</sup>. According to COPE, 'Several major publishers (including Elsevier, Wiley-Blackwell, Springer, Taylor & Francis, Palgrave Macmillan and Wolters Kluwer) have signed up some, if not all, of their journals as COPE members'<sup>4</sup>. Membership costs range from several hundred British pounds to several tens of thousands of

British pounds a year<sup>7</sup>. One can therefore confidently state that COPE currently represents the most inclusive set of ethical values for the widest range of publishers and journals. There are thus vested interests, and costs, by publishers, to ensure that their journals' functionality are compliant with COPE guidelines. Given this tremendous weighting within the world of science publishing, it is thus worthwhile examining the operations and background of COPE, its members and to equally hold COPE accountable for its policies and CoCs, as publishers hold the peer-reviewers, editors, EICs and authors accountable during each step of the publishing process.

One of the CoCs that COPE has in place refers specifically to editors and is a comprehensive 12-page document<sup>8</sup>, that describes the professional and ethical conduct which COPE member journal editors and EICs should abide. It is thus expected that editors and EICs of COPE member journals or journals of COPE member publishers abide by this CoC. Conversely, should the public or authorship find any case where an editor or EIC is in violation of any clause of that CoC, it is sufficient reason to issue a formal complaint to the journal or publisher. Other CoCs for editors exist, such as the UNCC editor ethics code<sup>9</sup>, but in this note, only the COPE editor CoC will be discussed.

Here, I wish to focus on the issue of unfair or perceived unfair rejections. The definition of an unfair rejection adopted here will thus limit itself to a rejection that is based on any parameter which is not linked to the scientific value or ethical integrity of a paper. Therefore, *sensu lato*, the rejection of any scientific manuscript that is based on any reason not linked to the scientific content, or whose limits of rejection have not been clearly specified on the journal web-page, can be, and should be, considered unfair. An unfair rejection would directly violate clause 3.1 of the COPE CoC for editors, which states that<sup>8</sup>: 'Editors' decisions to accept or reject a paper for publication should be based on the paper's importance, originality and clarity, and the

study's validity and its relevance to the remit of the journal.' Thus, an author that perceived his/her manuscript to have been unfairly rejected has the right to challenge that decision. A challenge on an unfair (actual or perceived) rejection constitutes a complaint. COPE also states, with respect to complaints (ref. 8; clause 15.1): 'Editors should respond promptly to complaints and should ensure there is a way for dissatisfied complainants to take complaints further. This mechanism should be made clear in the journal and should include information on how to refer unresolved matters to COPE.'

The following are valid reasons for rejection:

- (a) Ethical misconduct.
- (b) Topics that fall outside the scope of the journal. However, if an author detects papers within the same journal that have been published in the same topic as his/he submitted paper, but his/her paper is rejected for being 'out of scope', then this is a valid reason for a complaint.
- (c) Manuscripts that have been shown, following peer review, to contain serious scientific flaws that the authors are unable to effectively address.

The following are invalid reasons for rejection, with a brief explanation as to why this is so:

- (a) Page limits of journal: An author is not responsible for the limits in terms of number of pages that a journal can publish in terms of traditional print. Rather, the submission of a manuscript should always be peer-reviewed, preferably as a double-blind peer review, to ensure a fair opportunity for the paper to be assessed exclusively on the scientific merit and originality of the content.
- (b) Contradictory statements within the rejection notice/e-mail: An editor cannot claim a manuscript to be of good or high quality, importance or pertinence and then reject it for

another reason, unless that reason is based on solid peer review which has evaluated the scientific merit and originality in an independent process.

- (c) Insufficient time or resources: It is not the author's responsibility if a journal or publisher does not have the sufficient resources (time, labour, finances, etc.) to complete a fair and unbiased peer review. In a situation where a journal is witnessing an increase in the number of submissions that are perfectly within its scope, the journal and publisher have the responsibility of expanding their available resources to deal with a larger influx of submitted papers. At base, all submitted papers that do not fall into the categories of a fair rejection listed above, have the right to be subjected to a fair, transparent and complete peer review, as equally as any other submitted manuscript.
- (d) Number of submissions by the same author: Rejecting a manuscript from an author based on the premise that he/she has submitted more than one or multiple papers, should not be a reason for rejection. This would be equivalent to imposing a penalty on productivity. Once again, if the peer-review system in place encourages fairness and transparency and implements a double-blind peer review, the identity of the authors becomes an irrelevant issue, and the peer review focuses exclusively on the scientific merit of the paper and not on its authorship.
- (e) Category of a paper: A manuscript cannot be rejected based on its category, unless it is specifically indicated on the journal web-page that the category is specifically excluded from submission. A rejection based on the exclusion of a category when the journal does not specifically exclude the same, is thus an unfair rejection. If an author detects a category of paper that has been published in the same journal, but has

the same category of paper rejected, then this is a valid reason for a complaint.

- (f) Reasons not associated with the scientific paper, but are related to personal or professional aspects associated with the author: In fact, an addendum on page 12 of the editor CoC implicitly states: 'Editorial decisions should not be affected by the origins of the manuscript, including the nationality, ethnicity, political beliefs, race, or religion of the authors. Decisions to edit and publish should not be determined by the policies of governments or other agencies outside of the journal itself (July 2013)'.

The current traditional publishing system is riddled with bias and imperfections<sup>10</sup>. One of the reasons why CoCs for authors, peers, editors and publishers exist is to ensure that the rules of participation in the publishing process are applied fairly to all parties that share the communal responsibilities of the publishing process. These CoCs also allow the process to be more transparent, since violations of CoCs will allow the parties violating the codes to be held accountable.

This topic is not widely discussed, and established CoCs, such as the COPE CoC for editors, are rarely challenged. However, editors have built-in intrinsic bias that cannot be eliminated by CoCs alone, and if the mechanisms in place that are meant to implement these CoCs are weak, then the CoCs themselves are meaningless and without any value. In order for an editor to hold the greatest ethical values, much in the same way that the same authorship is held to the highest ethical values and scrutiny, there must be a reciprocal structure of accountability in place. Most likely, when there is a perceived bias, or sense that CoCs are not being respected or implemented, or are being unfairly implemented, there will be an increase in complaints. A recent (17 March 2015) document released by COPE<sup>11</sup> appears to

provide more protection to editors in the light of increasing complaints than it does to authors with valid complaints. The concerns about this apparent imbalance have been highlighted in the comment section of a Retraction Watch<sup>12</sup> page, emphasizing the need to have wider discussion on the issue.

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