

# Jessica banks case

[Finance](#), [Banks](#)



The four-part approach described by Bebeau to Jessica Banks case, enables us to pursue the moral reasoning regarding the ownership and independence issues in scientific research from four angles. Bebeau has identified the first part as comprising of issues and points of conflict involved (27). Under this category, one has to explore Banks as well as Haywards right to own the data collected and prepared by Banks under the mentorship and grant of Haywards in Haywards lab (Bebeau 24). Here, legally, the ownership lies with the lab (Bebeau 24). All the same, it has to be understood that Haywards has not said that Banks cannot have access to the data she had generated, and she can still try to get a copy with his consent if she approaches this issue in a more mature way. Secondly, it has to be discussed whether Bank has a right to continue with the research which she has been working on in Haywards lab even after she quit that job and joined in another institution (Bebeau 24). In that case, the contribution of the student and the mentor have to be assessed regarding the generation of the data before a decision is made (Bebeau 24). Also, the spirit of research has always been that of a collective effort (Bebeau 24). Thirdly, it has to be decided how she could maintain her independence and at the same time, her collegiality and her personal integrity regarding this issue (Bebeau 25). Both these interests seem to be mutually conflicting in this particular context (Bebeau 25). Here, the major thing is that usually the mentors role has the risk of being undervalued by beginner researchers (Bebeau 25). And also, a researcher needs to have the support of the mentor to pursue a successful career on a long term basis (Bebeau 25-26). Finally, in this part of solving the problem, Banks is faced with another conflict in which she has to decide whether she

should fulfill her obligation to respect her mentor at the cost of losing her research data generated so far or whether she should refuse to obey her mentor and fulfill her perceived obligation to warn other students who have a possibility to be in a similar situation (Bebeau 26). As far as this question is concerned, the basic premise has to be that the mentor should clearly communicate to the students, the legal obligations regarding the research work and the student should also try to learn such matters in the beginning of the research itself (Bebeau 26). In Bebeau's four-part approach, the second aspect of the problem lies in determining who the interested parties are and what their interests are. In this case, the interested parties are Banks, Hayward, his students, his university, Banks' new college, Hayward's funding agency, and the scientific community. Though the interests of each of these seem to be different and conflicting, when viewed from the angle of long term benefit to the scientific community and to all interested parties, a balance has to be found between independence and cooperation (Bebeau 26). Bebeau has discussed the consequences as the third part of the problem (27). For Banks, the consequences include, " her relationship with Hayward,... her career, and .. her self-esteem " and for Hayward, his " reputation" (27). The fourth part of the problem as discussed by Bebeau has been the broader obligations of Banks, " to conduct herself with integrity... to treat Hayward and his decision with respect... to establish her independence as a researcher... to inform herself on data sharing policies and lab policies... to seek clarification of Hayward's policies... to foster scientific collegiality and cooperation...(and in the end,)... to empower students to pursue the issues of lab policies if her efforts are

unsuccessful" (Bebeau 27-28). After analyzing this four-part discussion of the problem, it can be suggested that first, Banks seek a clarification on Haywards position regarding her access to copies of the data because, there is still ambiguity on this. Secondly, respecting the legal right of the lab on the data, Banks should stay away from taking photocopies herself which may also affect her reputation and career. She should respect her mentors decision and do not insist to get the ownership of the data. But all the same, she should try to convince him to share the data with her so that she can pursue her independence in research. In the meantime, she should also make a detailed study of the legal issues, moral codes of conduct and intellectual property rights involved. Only after that should she press her case before her mentor. She should also ask herself honestly, what was her contribution to the research so far and what has been her mentors. And she should also learn to view her research work as part of a collective effort that scientific community has pursued through generations. With all these aspects in mind, if she still feels strongly for the ownership of the data, then only should she decide to fight aggressively to get a copy of the data. Even when she decides that she has to get the data, she should never photocopy it without the knowledge of Haywards, because that will amount to stealing and nothing else. With some patience and self-learning of the legal-moral issues involved, Banks still has a good chance to get access to her data.

#### Works Cited

Bebeau, et al., " Moral Reasoning in Scientific Research: Cases for Teaching and Assessment", Bloomington, Indiana: Poynter Center, 1995, pp. 24-28. s