

# Guest authorship, a form of ghost writing, constitutes legal fraud

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"Guest authorship is a disturbing violation of academic integrity standards, which form the basis of scientific reliability" state two law experts in a robust attack on this unethical practice in a policy article in this week's *PLoS Medicine*—a practice which the authors also argue constitutes legal fraud.

Simon Stern and Trudo Lemmens from the Faculties of Law and Medicine at the University of Toronto, Canada argue that it is irrelevant whether publications with academic guest [authors](#) are factually accurate. Rather, ghostwriting of medical journal articles raises serious ethical and legal concerns, bearing on the integrity of medical research and scientific evidence used in legal disputes. Furthermore, the false respectability afforded to claims of safety and effectiveness through the use of academic investigators risks undermining the integrity of biomedical research and patient care—an integrity that also underpins the use of scientific evidence in the courtroom.

According to the authors, medical journals, academic institutions, and professional disciplinary bodies have failed to enforce effective sanctions. Some journals, such as [PLoS Medicine](#), have called for bans on future submissions by authors who act as guests, formal retraction if unacknowledged ghostwriting is discovered after publication, and reporting of authors' misconduct to institutions. Although the authors agree that such actions may have an impact on academics concerned about their status and future publication options, they say that it is unclear whether journals can adequately monitor the practice.

Consequently, the authors make the case for more effectively deterring the practice of ghostwriting through the imposition of legal liability on the "guest authors" who lend their names to ghostwritten articles. The authors say: "We argue that a guest author's claim for credit of an article written by someone else constitutes legal fraud, and may give rise to claims that could be pursued in a class action based on the Racketeer Influenced and Corrupt Organizations Act [RICO]."

The authors continue: "The same fraud could support claims of "fraud on the court" against a pharmaceutical company that has used ghostwritten articles in litigation. This claim also appropriately reflects the negative impact of ghostwriting on the legal system."

**More information:** Stern S, Lemmens T (2011) Legal Remedies for Medical Ghostwriting: Imposing Fraud Liability on Guest Authors of Ghostwritten Articles. *PLoS Med* 8(8): e1001070.  
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