

Response

Getting what you pay for? The ethics of selective publication

Richard E. Ashcroft*

*Medical Ethics Unit, Imperial College London, Department of Primary Health Care and General Practice,
3rd Floor, Reynolds Building, St Dunstan's Road, London W6 8RP, UK*

Received 7 February 2006; received in revised form 8 February 2006; accepted 8 February 2006

Miller, Moore and Strang draw the attention of researchers in the alcohol and other drug sector to the problem of the regulation of research, and particularly publication, by sponsors of research (Miller et al., 2006). They concentrate on the conflicts between the norms of science and those of politics and governance. However, the difficulties they point to are quite general in contemporary research in applied science. This has been noted especially in the extended debate over pharmaceutical company sponsorship in medical research. Progress in overcoming this kind of conflict can only be made by establishing strong norms of publicity in scientific research, and strong institutional mechanisms for promoting and enforcing these norms. However, in the current funding climate, universities and research centres have incentives not to adhere rigorously to these norms. The scientific community as a whole must therefore take active steps to resist the sort of selective publication described by Miller, Moore and Strang in the general public interest.

The increasing dominance within universities in the United Kingdom and elsewhere of funded over unfunded research makes researchers vulnerable to two different kinds of pressure.

In the first place, the pressure to seek external funding for one's research, which in the UK is driven by declining direct funding of universities, the ending of academic tenure, the Research Assessment Exercise, and the high proportion of staff employed on short-term contracts, makes scholars and researchers depend increasingly on the agendas of research funders. Research funders are increasingly directive about the research strategies and even kinds of project they wish to support. This combined push and pull create a signifi-

cant limitation on academic freedom and creative inquiry. It is possible to exaggerate this tendency, since researchers have always been interested in getting their work supported financially, and we can be sceptical about researchers' self-interested requests for money without strings or quality assurance. Nonetheless, we should be concerned by any drift in the direction of funding only the research whose results are likely ex ante to be ideologically or commercially convenient to the funder, especially if the reporting and interpretation of these results is partly controlled by that funder.

In the second place, research is increasingly seen in commercial terms in which universities are seen not only as sites of liberal learning and independent inquiry but also as incubators of commercially exploitable technologies and services and of low cost, high quality policy advice for the state. Furthermore, internal pressure within universities exists to extend and diversify the kind of commercial and quasi-commercial work undertaken by university-based researchers. This is both to improve inward income streams and investment, and to enhance the university's holdings of intellectual property rights. Research contracts are increasingly seen as simply commercial contracts, and any distinction between the culture of universities and the culture of commerce is gradually being erased. The idea that certain kinds of gagging clause or exclusive rights over knowledge discovered just do not belong in contracts for scientific research is more and more often being seen as old-fashioned. This cultural shift is driven as much by internal changes in management style and culture within universities as it is by government policy or changes in the commercial world.

The sorts of problems identified by Moore, Miller and Strang have been widely noted in medical research for some time now, where much medical research is funded to a great

* Tel.: +44 20 7594 3369; fax: +44 20 7594 0866.
E-mail address: r.ashcroft@imperial.ac.uk.

extent by commercial sponsors. More recently, even publicly funded research is capitalised upon by university innovations and intellectual property offices seeking the next high profile spin-out. Even where researchers have no externally imposed conflicts of interest, this pressure to capitalise on discoveries and to hedge them round with the secrecy clauses required to protect knowledge with potential patentable innovation creates an internal conflict of interest. Moreover, the system of incentives within the scientific career structure makes publication of work which has positive findings, but neglect of publication of negative findings, important, and makes attractive publication of work which will be seen as “influential” or “relevant” or even “controversial” over publication which may not fit into outsiders’ expectations.

All of this conflicts strongly with the classic image of science presented by Robert Merton in his important works on the sociology of science. Merton argued that science is an ethical pursuit, framed by norms of universalism, disinterestedness, communalism, and organised scepticism (Merton, 1973, see Chapter 13). The current funding and governance environment systematically undermines the norms of universalism, disinterestedness and communalism, in particular. Even if one does accept the arguments of more recent sociologists of science that science is not norm-governed (for example, Mulkay, 1976), that such norms are prized within science (even in the breach) and are seen as distinctive to it remains plausible (Gieryn, 1999). Yet this plausibility, and the prizing of these norms as ideals, is under attack (Ashcroft, 2004; Elliot, 2004).

Cultural change is always disturbing from the inside, yet after the fact may come to be seen as a good thing. In this instance, however, we can ask, with Moore, Miller and Strang, whether this particular cultural change is justified in terms of promoting good. As they put it, does this change allow applied science to fulfil its duty of beneficence? Or does it hinder it? I think we may reasonably believe that it does actual hinder the fulfilment of this duty. This can be seen if we consider the history of selective publication within biomedicine. A succession of scandals gives ample testimony to the dangers of publishing only what one wants to hear, or what one has a financial interest in hearing, and the real costs in terms of human suffering that can result from not making the full data available for scrutiny by the scientific community at large. This insight is at the heart of the Evidence-Based Medicine (EBM) movement, and in the recognition that there is an obligation to treat patients in the light of the best evidence and to synthesise the available evidence in as objective

and transparent way as possible. Although EBM has its problems (Ter Meulen, Biller-Andorno, Lenk, & Lie, 2005), it is now widely accepted that it is irrational and frequently dangerous to rely on an evidence base which is incomplete due to the suppression of data or the use of misleading statistical analysis. The most high profile recent example of how failure to recognise this can seriously affect scientists personally is the Olivieri affair in Canada, where a researcher was subjected to dismissal and harassment because of her refusal to be bound by a gagging order when she suspected that a drug she was testing was harmful to patients (Thompson, Baird, & Downie, 2001).

Given this institutional context, the support scientists may need to defend themselves against unreasonable contract terms, data suppression and external control of the interpretation and reporting of their findings can be weak. The scientific community therefore needs to act as a community to underline not only the benefits of free inquiry and open access to data, but also the principle that scientific research should be free of undue influence by its sponsors. Researchers in the drug and alcohol field should learn from researchers in biomedicine and publicise more widely the adverse consequences of the regulation of their research by sponsors, and make common cause with the evidence based medicine movement.

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