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Whistleblowers

Standing Up for Academic Freedom

Ideally, universities provide a neutral space where ideas can be freely challenged by investigators. To ensure that free inquiry is maintained, research has traditionally been publicly funded. However, because of government cutbacks to higher education and research funding programs, universities are increasingly turning to new 'matched funding' initiatives, such as the Canadian Foundation for Innovation (CFI), that merge public funds with money from private sources.

The Threat to Public Research

Private interests have taken advantage of these public-private funding models, recognising them as an opportunity to gain access to high quality publicly-funded researchers and institutions for a fraction of the real cost. As research institutions become reliant on private sector money, corporate interests have come to influence both the direction and the reported results of research. Researchers unwilling to tailor their work to the needs of private sponsors are increasingly becoming the targets of public smear campaigns, reprisals and academic censorship.

The Canadian public is still the largest investor and stakeholder in Canada's research programmes. In order to maintain confidence in Canadian research and to prevent the further commodification of the intellectual commons, the public interest must be served through high quality research that is conducted free from corporate interference. Academic freedom is the best guarantee of unbiased research, and requires the right of researchers to share findings with colleagues and research subjects, to publish results regardless of findings, and to make critical observations of the institutions in which researchers work.

Sounding the Alarm on Corporate Influence

In the last decade, researchers across Canada have faced corporate and institutional interference with their work. The following examples document some high profile cases of "whistleblowers" who have fulfilled their ethical obligations as researchers by standing up against institutional and corporate pressure to suppress research findings and curb honest academic analysis.

Fighting Attempts to Stifle Dissent

David Noble is a historian at York University who has gained notoriety for his uncompromising analysis of

the effects of technology on the classroom learning environment. In his book, *Digital Diploma Mills: The Automation of Higher Education*, Noble argues that the drive to digitise North American classrooms is actually a pretext for the commercialisation of higher education. Noble contends that the justification of the 'virtual classroom' as a cost saving device runs against empirical evidence. In Noble's view, online education is popular with university administrators because it provides them with an opportunity to "get a piece of the commercial action for their institutions or themselves, as vendors in their own right of software and content."

Academic freedom should ensure Noble's right to work, irrespective of his criticisms of emergent trends in higher education. It was therefore disturbing to the research community when Noble's appointment to the prestigious J.S. Woodsworth Chair of the Humanities was blocked by the Simon Fraser University administration. The official search committee had unanimously recommended Noble for the position, and the Humanities department had overwhelmingly accepted the recommendation.

Noble refused to acquiesce to the Simon Fraser University Administration's attack on his academic rights, and initiated a series of communications that resulted in the striking of a committee of inquiry by the Canadian Association of University Teachers. Meanwhile, 120 historians from the United States signed a letter protesting the administration's actions, joining the chorus of Canadian voices who have publicly supported Noble. Though Noble's case has not yet been resolved, researchers are indebted to him for his vigorous challenge to the practice of punishing academics who criticise the system in which they work.

Resisting Corporate Interference

Good research requires the free flow of information. But industry sponsored contracts at public institutions often include secrecy clauses that attempt to prevent the dissemination of research results. In some cases, this enforced secrecy poses a serious threat to the health and well being of Canadians.

While working at the University of Toronto affiliated Hospital for Sick Children (HSC), Dr. Nancy Olivieri signed a contract to test a new drug for the Apotex pharmaceutical company. Upon discovering that some of her child subjects were experiencing high levels of iron overload that could compromise liver function and lead to life threatening liver cirrhosis, Olivieri

immediately stopped the tests and insisted that these health risks be communicated to her patients' parents. Citing the contract's secrecy clause, Apotex not only refused to do this, but also halted all further drug trials at the HSC, confiscated the trial medicine, fired Olivieri from the study, and threatened her with legal action if she divulged any information to her patients.

Acting on her ethical obligations and confident that the University and the Hospital would support her, Olivieri informed her patients of the risks. A bizarre series of events ensued that the *Globe and Mail* would later refer to as "Canada's worst academic and research scandal in decades"¹.

Olivieri and her supporters began receiving anonymous threatening letters that were later proven to have been sent by co-worker Gideon Koren, a recipient of Apotex funding. Koren also sent anonymous letters containing unfounded allegations against Olivieri to the media and the HSC disciplinary committee. Apotex and certain senior hospital and University employees later used these allegations as a basis to level misconduct charges against Olivieri. The drug company also used these allegations in attempts to discredit Olivieri and argue that concerns about the drug were unfounded. Olivieri's employers initially kept the existence of these allegations secret from her, providing her with no opportunity to defend herself or clear her reputation.

Six years after the first signs of problems with the Apotex drug were detected, an Independent Committee of Inquiry completely exonerated Olivieri of all allegations of misconduct. The committee's report included a recommendation that secrecy clauses be banned from research contracts. The report was explicitly critical of the University of Toronto and the Hospital for Sick Children for their failure to protect Olivieri's academic freedom. At the time Olivieri came under attack, the University was in negotiations with Apotex for a \$20M infrastructure investment.

As a result of her experiences, Olivieri helped found the organisation Doctors for Research Integrity, and works actively to oppose the adverse influence of corporate interests on public research.

Refusing to be Silenced

David Healy is a well-known scholar at the University of Wales College of Medicine who studies a family of antidepressant drugs called Selective Serotonin Re-uptake Inhibitors (SSRI). In September 2000, Healy accepted a job offer from the University of Toronto Centre for Addiction and Mental Health (CAMH), which had been trying to recruit him since July 1999. Soon afterwards, he appeared in Toronto as one of several distinguished lecturers to an international colloquium on the history and future of psychiatry. Healy's talk addressed concerns about conflicts between accepted clinical practice in drug testing and growing private influence in public research. He suggested that large pharmaceutical companies, like tobacco companies before them, may be suppressing research that could demonstrate hazards resulting from the use of their products.

Healy's research, using data from Prozac manufacturer Eli Lilly, led to estimates that "probably 50,000 people have committed suicide on Prozac since its launch, over and above the number who would

have done so if left untreated"². According to Healy, the suicides were believed to be due to a side effect known as akathisia, an inner restlessness that can lead to violent and suicidal behaviour in a small group of SSRI users.

Following this otherwise well received lecture, Healy was contacted by the University and told that his job offer had been withdrawn. According to CAMH physician-in-chief, the decision was "solidified by your recent appearance at the Centre in the context of an academic lecture...[w]e do not feel your approach is compatible with the goals for development of the academic and clinical resources that we have."

Faculty organisations such as Canadian Association of University Teachers and the University of Toronto Faculty Association believe that Eli Lilly's major financial contributions to the CAMH were behind the Centre's decision. Countless organisations and individual researchers rallied behind Healy in this important struggle against the erosion of academic freedom in institutions compromised by private funding. Ultimately, Healy was completely vindicated when the University and the Centre agreed to a settlement in a lawsuit he launched against them. In a statement following the settlement, the University said that it "underscores its support for free expression of critical views" and "acknowledges Dr. Healy's scholarship by confirming it will be appointing him as a visiting professor in the Faculty of Medicine."

Healy's case drew international attention to the corrupting influence that private funding can have on research in public institutions. His victory is an example that academic activists can successfully defend against attacks on academic freedom.

Defending Academic Freedom and the Public Interest

The struggle for academic and scientific integrity waged by whistleblowers like David Noble, Nancy Olivieri, and David Healy is a warning that there is a dangerous trend developing in the way our public research institutions are being run. Science, knowledge and the public good are not served when institutions commodify ideas, and sacrifice academic freedom to the needs of private-sector research sponsors. If the ability to conduct accurate, high quality studies is compromised, research institutions risk losing the trust and support of their most important stakeholders: the Canadian public.

By speaking out against corporate interference, students and researchers can play a decisive role in defending the integrity of academic research and safeguarding the public interest. Graduate students and research assistants involved in privately funded research at public institutions can defend academic freedom by demanding transparency from their supervisors and funding providers. Researchers must work to ensure that research conducted at our institutions remains dedicated to serving the interests of the Canadian public.

1 *Globe and Mail*, Thursday, December 23, 1999

2 *The Boston Globe*, July 5 2000

3 *Canadian Association of University Teachers' Bulletin*, Vol. 48, No. 5, May 2001 <http://www.caut.ca/english/bulletin/2001_may/default.asp>