

Author's Commentary on "Owing Your Soul to the Pharmaceutical Store"

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This case addresses the issues of mentor responsibility to the student as well as a scientist's right to maintain scientific freedom. Julie is faced with a dilemma that could have been avoided had her mentor played by the books and presented her with the contract before she began her research project. But even then, she would have had to decide whether to abide by ABC's unwritten agreement. However, now that she is placed in this difficult situation, all the parties involved are at risk of losing.

If she refuses to sign the contract, Julie stands to lose all the research work she has put in so far toward obtaining her degree, unless she can find another funding source. As she has nearly completed her data analysis, this loss could be substantial. She also stands to lose the support of her mentor, Dr. Angstrom. By creating friction with ABC, Julie could fall from favor with Dr. Angstrom, which could jeopardize the amount of knowledge she could gain from working with him, as well as the contacts that he could make for her when she begins looking for a job.

Dr. Angstrom and possibly other researchers at the university stand to lose a close relationship with a funder, ABC. If Julie and ABC are not able to work out their differences, this incident could create distrust or negative feelings toward the university from ABC's perspective. That could in turn result in ABC granting fewer contracts to the university.

Dr. Angstrom may find it necessary to take sides since he was the primary contact person between ABC and Julie. By siding with Julie, he may lose a significant source of funding. By siding with ABC, he may lose the respect of a graduate student. If Julie decides to make this incident public, he may lose respect within the university as well.

ABC stands to lose significant profits and reputation if its drug is proven less cost

effective than competitors and Julie publishes these results. If ABC agrees to allow Julie to publish regardless of the results, the company runs the risk of funding a project that may severely damage them financially.

ABC may hold Joni responsible for this damage, and her job and reputation are also at stake.

Based on federal guidelines, Julie's academic freedom is legally protected from clauses such as the one presented by ABC. (Kodish 1996) However, the situation becomes difficult when she realizes that the way in which she decides to deal with ABC at this point could affect not only her professional career, but that of her mentor as well.

It appears that Julie's dilemma is not uncommon, given the increasingly closer relationships between academia and industry. (Blumenthal 1996) A potential conflict of interest exists in this situation because the way that Julie writes up her results is likely to be influenced by a secondary interest -- that of ABC. While Joni was not asking Julie to falsify the data or distort the results of the data analysis, she was implying that ABC would like Julie to provide more discussion of the positive results for ABC's drug. Julie could easily refuse to do so and still be protected by law -- she would not have to worry about losing the funding for her particular project. However, as a student of Dr. Angstrom's, Julie represents him as well, especially since she obtained this contract through his relationship with ABC. If Julie breaks the informal agreement made with ABC, it would appear to ABC that Dr. Angstrom has broken the informal agreement as well, since he oversees Julie's research project. His relationship with ABC could be forever tarnished by Julie's actions.

Julie could go along with the informal agreement, but that response would raise the issues of academic freedom and conflict of interest. Can Julie truly abide by the agreement without a loss of freedom?

A conflict of interest clearly exists, yet there is a fine line as to the extent of conflict and its ramifications. What could happen if her study were taken out of context due to a "skewed" manuscript? One possibility is that within a hospital drug formulary, ABC's drug could be chosen over a cheaper, equally effective AIDS treatment, and significantly higher drug costs would result in fewer people having access to the drug. In the most extreme case, death might occur earlier due to inadequate treatment because a patient could not afford the medication.

Another option for Julie is to explain her reservations to Dr. Angstrom and ask him for advice. This course of action could solve all her problems or make a decision even more difficult, depending on how Dr. Angstrom handles her request for advice. If Dr. Angstrom truly finds nothing ethically wrong with writing manuscripts in conjunction with ABC, it is likely that he would not understand Julie's concern, and he would suggest she sign the contract and agree with the informal agreement. Since he himself has had a similar relationship with ABC, that is the most likely case. However, if she is able to convince him that she has a conflict of interest, a possible course of action for Dr. Angstrom would be to help her to find an alternate source of funding for the project that is nearly completed.

If Julie were to perform a quick analysis of the data before making any further decisions, she may be solving her own immediate problem, but she would not really be addressing the ethical issue that she is facing. Throughout her whole career it is likely that she will be confronted with similar conflicts of interest, and it may be more appropriate to set a precedent in how she will carry herself in these future situations. Also, she must consider whether it is fair to future graduate students of Dr. Angstrom to be placed in the same situation, when she could have addressed the issue and perhaps come up with a solution.

Julie could always refuse to sign the contract with full knowledge that by doing so, she alienates herself from ABC and possibly from Dr. Angstrom as well. A more immediate concern would be how she would obtain funding for her project. If no funding is available, she faces the possibility of developing a completely new project for which she could obtain funding. If her relationship with Dr. Angstrom is tarnished because of this incident, finding a new funding source may prove to be difficult.

It is important in this case that the ramifications of all possible actions are explored

and weighed individually. Consequences of Julie's actions affect not only herself, but the careers of others as well, and this consideration should weigh on her decision.

References

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