

References and Notes

- Ehrlich, P. & Ehrlich, A. (1996). *Betrayal of Science and Reason*. Island Press.
- Groth, E. (2001). The Debate Over Food Biotechnology in the United States: Is a Societal Consensus Achievable? *Science and Engineering Ethics*, 7, 327–346.
- Inhofe, J. (2003). Speech on the Senate floor, July 28, 2003. Cited by Mooney, p. 84.
- Kitman, J. L. (2000). The Secret History of Lead: Special Report. *The Nation*, March 20, 2000. Available at: <http://www.thenation.com/doc/20000320/kitman>. Accessed September 12, 2005.
- Krugman, P. (2005). *The Great Unraveling*. W. W. Norton (p. 269).
- Union of Concerned Scientists (2004). *Restoring Scientific Integrity in Policymaking*. March, 2004. Available at: http://www.ucsusa.org/assets/documents/scientific_integrity/RSI_final_fullreport-1.pdf. Accessed September 13, 2005.

On the Take: How Medicine's Complicity with Big Business Can Endanger Your Health by Jerome P. Kassirer, M.D. Oxford University Press, 2004. 251 pp. \$28.00 (hardcover). ISBN 0-19-517684-7.

Jerome Kassirer, a distinguished professor at Tufts School of Medicine and a much-honored elder statesman of the American academic medical community, has written a compact, well-reasoned, and compelling analysis of the pervasive influence of business and commercial interests on the practice of medicine in this country. He concludes, in pessimistic but convincing fashion, that the many connections between physicians, drug companies, and other self-interested elements of the medical industry create inescapable, often significant conflicts of interest, and have adversely affected the quality of health care we get from our doctors.

Unfortunately for Kassirer and his publisher, he is neither alone in reaching this depressing conclusion, nor is his book the first to address the problem. Indeed, readers of this journal have already seen reviews of two very similar books on the same topic: *The Truth About the Drug Companies: How They Deceive Us and What to Do About It*, by Marcia Angell (2004), reviewed by Henry Bauer (Bauer, 2005), and John Abramson's *Overdo\$ed America* (Abramson, 2004), which I reviewed in the June issue of JSE (Groth, 2005). Like Angell, Kassirer is a former editor of the *New England Journal of Medicine* and offers an insider's look at how commercial interests bias published studies. And like Abramson, he is a practicing physician who can attest that no one's judgment is free of influence from the endless gifts, slanted presentations, and economic incentives that are omnipresent in doctor's lives.

Of the two books I've reviewed, I somewhat prefer Abramson's style, which is more passionate and engaging; Abramson shows his anger at times, and fleshes out the general problems he is discussing with telling anecdotes about individual patients. By contrast, Kassirer is more analytical and detached; his book reads a bit like a graduate school seminar, and he is inclined to let outrageous facts simply speak for themselves. Many may prefer this more scholarly, professorial approach. I suspect that Abramson's style is more likely to generate the public outrage that both authors agree is needed to promote reform. But the two books cover a great deal of the same territory, and both cover it quite authoritatively.

The most interesting part of Kassirer's book, for me, is his chapter on "How did it happen?," which examines how the current mess came to be. Drawing on his experience and broad vision, Kassirer traces the evolution of American medicine over the past five decades, from a professional calling with an emphasis on community service (when being a doctor meant taking care of people, even if they couldn't pay), into a modern business model, focused on the bottom line. He examines myriad ways in which money entered the system (sometimes because of federal policies and funding, sometimes because of market forces), creating incentives for change. He asks how a profession that once took pride in its strong ethical foundations could become so riddled with conflicts of interest, and concludes that medicine reflects the larger society. With example after example—from corporate looters to inside traders, from lobbyists funding Congressional campaigns to the industry/regulatory-agency "revolving door"—Kassirer points out that conflicts of interest permeate our society, and are relatively tolerated. How rare is it that high-ranking officials with exposed conflicts of interest get more than a slap on the wrist? Medicine is corrupt, Kassirer seems to say, because America is corrupt. It's not a pretty conclusion, but I believe it's an undeniable one.

After that withering analysis of an intractable problem, Kassirer addresses "What can be done?," and proposes a laundry list of reforms. Most of them seem sensible, but there is one tiny detail Kassirer overlooks. He is counting on public outrage, whipped up by this and similar exposés, to move Congress to enact stronger strictures on conflicts-of-interest in medicine and research. But when it comes to the corrupt influence of money, Congress makes the medical profession look like a Sunday School choir. I'm afraid that if we count on Congress to resolve this problem, things will have to get a whole lot worse before they get better.

Fortunately, legislation is not the only game in town. Earlier this year, when a Texas jury found in favor of a plaintiff who claimed Vioxx had killed her husband, and found Merck, Vioxx's manufacturer, liable to the tune of \$253 million—of which \$229 million was punitive damages, based on testimony that the company calculated it could save \$229 million by resisting FDA efforts to get it to disclose the drug's heart risks—I finally felt some optimism that at least *some* of the people responsible for the current mess may be held accountable. Of course, the problem is much larger than Vioxx, and hundreds or thousands of additional lawsuits are in the pipeline, over harm done by numerous drugs that, like Vioxx, were aggressively marketed while risk evidence was concealed from both doctors and patients. There are also uncounted suits against doctors and hospitals, alleging inadequate, often commercially compromised, care. Granted, litigation is not an ideal solution, either; justice is not always done, and many guilty parties are never sued. And the Republicans in Congress are determined to institute "tort reforms" that would, among other things, cap punitive damages at such a low level that malefactors would no longer need to fear being sued. (In fact, Texas has such a legal cap—the \$229 million is reduced by law to \$1.5 million, so the jury's award was mostly a symbolic gesture.)

A book may offer a very satisfying read, because of the elegance with which it deconstructs a problem; Kassirer's certainly does that. But books can only motivate; real change takes very hard political work, within legislatures and professional societies, and when the book makes it clear that those institutions are part of the problem, how realistic is its call for reform? Perhaps to cure this disease, we should seek not a good doctor, but a good lawyer. A jury is much easier to persuade than, say, Congress or the A.M.A. A jury can tell right from wrong. A jury can decide that someone was harmed by a conflict of interest, and can make the interested parties pay—often, enough to deter others. In short, litigation—until they take that away from us too—can create the major economic counterincentives needed to curb the commercial biases riddling medicine.

So, while I've enjoyed reading books about this problem, when it comes to solving it, I think the real action is likely to be in courtrooms around the country, and the next few years should be a very interesting time in that regard.

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References

- Abramson, J. (2004). *Overdo\$ed America: The Broken Promise of American Medicine*. HarperCollins.
- Angell, M. (2004). *The Truth About the Drug Companies: How They Deceive Us and What to Do About It*. Random House.
- Bauer, H. (2005). Further books of note. *Journal of Scientific Exploration*, 19, 145–147.
- Groth, E. (2005). Book review of Abramson's *Overdo\$ed America*. *Journal of Scientific Exploration*, 19, 449–455.

Anything Can Be Healed by Martin Brofman. Scotland: Findhorn Press, 2003. 224 pp. £9.95 (paper). ISBN 1-84409-0167.

I am glad today that, at last, somebody who has title to a research degree has taken it in his head to write a book about what is sometimes called "Energy Healing." This is a term stressed by those who claim that certain unusual methods (see below) lead to rapid healing. The psychologists, trained without contact with the method which the Energy Healers use, are naturally skeptical; but this should not deter us in view of the fiasco of the physicists who held up research on condensed matter nuclear reactions ("Cold Fusion") for fifteen years before meekly submitting to its truth and weakly trying to claim a morsel for themselves.

The methods espoused by Dr. Brofman and energy healers have one foot in the Yang and Yin concepts of Chinese philosophy. Yang (the male energy) is supposed, in health, to balance with Yin (the female energy). "Balance" does not necessarily mean "be equal in influence" for there is surely more Yang in men and