

## Pro-tobacco writer admits he should have declared an interest

Zosia Kmietowicz and Annabel Ferriman *London*

Writer and philosopher Roger Scruton, who was discovered last week to be on the payroll of a large tobacco company, has admitted that he should have “declared an interest” when he wrote a pamphlet attacking the World Health Organization for its campaign against tobacco.

He told the *BMJ*: “Our firm had a consultancy [with Japan Tobacco Industries] at that time. I was asked independently to do this [write the pamphlet]. I did not want to mix it up with the consultancy, but looking back I should have declared an interest.”

As a result of Mr Scruton’s fall from grace last week, when his financial connections to Japan Tobacco Industries were revealed, the Institute of Economic Affairs—the free-market think tank that published the pamphlet attacking the WHO—has conceded that it needs an author’s declaration policy.

Colin Robinson, the institute’s editorial director and a professor of economics at the University of Surrey, said that the past few days had represented something of a steep learning curve for those in the field of social science academia.

“In the past we have relied on our authors to come forward with any competing interests, but

that is going to change,” said Professor Robinson. “In scientific publishing I suppose this sort of thing has been a problem before, but the news of Roger Scruton has made us realise that this kind of thing can happen to us too, and we are developing a policy to ensure it doesn’t happen again.”

In his pamphlet, *WHO, What and Why*, Mr Scruton attacked the WHO for tackling tobacco when in his view it should have been concentrating on vaccination campaigns and diseases such as malaria and HIV/AIDS. His attack was immediately repeated in articles in the *Wall Street Journal*, the *Times*, and the *Scotsman*, in what looked like a concerted pro-tobacco campaign (*BMJ* 2000;320:1482).

Clive Bates, director of the antismoking campaign group Action on Smoking and Health, criticised the institute over its poor track record and said that a policy for authors to declare their financial and other interests was long overdue.

The news that Mr Scruton, who used to be a professor of aesthetics at Birkbeck College, London, had been receiving a monthly fee from Japan Tobacco Industries was revealed in the *Guardian* last week when it published a leaked email from him to

the company (24 January, p 1).

In the email, Mr Scruton, who had been receiving a monthly retainer fee of £4500 (\$6300; €7300), asked for a £1000 a month pay rise to place more pro-smoking articles in prestigious newspapers and international magazines. He declared the amount to be “good value for money in a business largely conducted by shysters and sharks.”

He said that he would aim to place an article every two months in one or other of the *Wall Street Journal*, the *Times*, the *Telegraph*, the *Spectator*, the *Financial Times*, the *Economist*, the *Independent*, and the *New Statesman*.

The email, which was sent last October in the name of Sophie, Mr Scruton’s wife and business partner, reveals a far-reaching and ambitious public relations strategy to make smoking seem less harmful than it is and criticise government policies on advertising as an attack on civil liberties.

It says: “I personally would like to see more explicit mention of other products open to the same criticisms as tobacco and which ought to be of equal concern to the WHO. For example, fast-food of the McDonald’s variety, which seems to be addictive, is aimed at the young, is a serious risk to health, with a worse effect on life-expectancy than cigarettes, and unlike cigarettes, has a seriously corrosive effect on social relations and family life.”

Last week, following the revelations, the *Financial Times* ended Scruton’s contract as a columnist.



SUMNER HENDRIKS

Roger Scruton told Japan Tobacco that he was “good value for money”

Mr Scruton told the *BMJ*: “The pamphlet for the Institute of Economic Affairs arose out of my longstanding concerns about the way in which legislative powers are being transferred from sovereign bodies to unaccountable transnational institutions.

“The pamphlet is a review of arguments and not concerned to exonerate tobacco from the accusation that it is a risky product. In retrospect, however, I now see that I should have declared an interest.” □

To read the email and other background see [www.ask.org.uk](http://www.ask.org.uk)

## Academics face court clash with tobacco giants

Charles Marwick *Washington*

Nine major US universities are preparing to go to court to contest a demand by US tobacco manufacturers that they turn over documents going back over 50 years relating to research on smoking by faculty members. The institutions describe the demands as a “fishing expedition.”

The universities concerned are Harvard, New York University School of Medicine, four universities in the California state system, the universities of Arizona and Kentucky, and Johns

Hopkins University. One institution, North Carolina State University, has complied with the tobacco industry’s request.

The tobacco companies, which include industry leaders such as Philip Morris and R J Reynolds, served subpoenas on the universities for the documents late last year. The companies maintain they need the information as a defence against a US Justice Department’s suit filed in September 1999 and scheduled for trial in 2003.

That suit alleges that in 1954 the tobacco companies agreed to wage a long term public relations campaign based on fraud and deception. It states that the companies consistently denied that smoking was a health hazard, denied that cigarettes were addictive, and pursued marketing

strategies that encouraged minors to smoke. One part of the original indictment was thrown out in earlier court hearings, but the main charge, that the industry tried to cover up the deleterious effects of smoking on health, still stands.

“The subpoena that was served on Johns Hopkins was exceedingly objectionable, and we will fight it. If [tobacco company] attorneys want to enforce this subpoena, they have the burden of going to court. We will be delighted to explain to the court why we find it so objectionable,” said Estelle Fishbein, Johns Hopkins University’s general counsel. “It is over-broad and exceedingly burdensome to require the university to devote so much of its scarce resources to this kind of search for documents that go back 55 years, that relate to 60 studies done by

our faculty, and even ask us to look and see if we can find any others that relate to tobacco.”

The worst part of this subpoena, Ms Fishbein said, was the demand for records by individuals who may have been in touch with their elected representatives, members of the Congress, or government agencies. “Our faculty is not required to submit their letters to anyone for prior approval,” she said.

The American Association of University Professors also backs the move to quash the subpoenas.

A spokesman for Philip Morris maintains that the subpoenas “were very narrowly tailored to define those documents based on the research that these institutions have done. We believe that access to this information is important to the defence of the case.” □