

Academic Publishing and Scientific Integrity: Case Studies of Editorial Interference by Taylor & Francis

Bart Kahr,ⁱ Leemon B. McHenry,ⁱⁱ Mark D. Hollingsworthⁱⁱⁱ

Abstract

Editorial independence is a bedrock principle of academic publishing. The growing domination of academic publishing by large, for-profit corporations threatens this independence. There is alarming evidence that large companies too often serve their own business interests and those of powerful clients rather than serving the scientific community and the general public. This evidence includes the publication of infelicitous commercial science and concealing scientific misconduct. We present two case studies in which the UK-based publisher Taylor & Francis interfered in the editorial process by blocking publication of legitimate criticism that had been reviewed and approved for publication by its specialized editors. The integrity of science depends in part on the transparency and intellectual honesty of all stakeholders. The widely acknowledged inadequacies of English libel law are reviewed as context for some of Taylor & Francis's fearful decisions.

Introduction

Editorial independence, the license of editors to approve a contribution for publication free from the influence of owners, advertisers, or media company directors, is a bedrock of journalism and academic publishing. Independence is intended to ensure public access to true stories and investigations. This authority is naturally championed by the Council of Science Editors, an organization for editorial professionals:

Editors should have total responsibility, authority, and accountability for the scientific content of the journal, an arrangement that is usually referred to as 'editorial independence'. The journal should have a stated policy on editorial independence, and a disclaimer indicating that material published in the journal does not represent the opinion of the publisher, sponsoring society, or journal owner. [They] should be published regularly. Editors should resist any action that might compromise editorial independence. Editors must be free to authorize publication of peer-reviewed and other appropriate research reports, as well as society news, appropriate advertising, and other materials. Editors should have independent authority to select their editorial boards. The publisher, sponsoring society, or journal owner is usually responsible for financial and other management issues and business policies, but it should always recognize and accept the journal's scientific integrity and objectivity and

the editorial independence of the editor, and it should not interfere in the assessment, selection, or editing of journal articles. The relationship between the editor and the publisher, sponsoring society, or journal owner should be based on trust and respect.¹

This position has been adopted by COPE, the Committee on Publication Ethics, an advisory body for its member journals. COPE was founded by a group of physicians in the United Kingdom and is:

committed to educate and support editors, publishers and those involved in publication ethics with the aim of moving the culture of publishing towards one where ethical practices becomes the norm, part of the publishing culture... COPE's role is to assist editors of scholarly journals and publishers/owners— as well as other parties, such as institutions and funders, albeit less directly—in their endeavor to preserve and promote the integrity of the scholarly record through policies and practices that reflect the current best principles of transparency and integrity.²

Occasionally, the risks and interests of publishers intrude on the responsibilities of editors. Rarely do these conflicts emerge into public view, although there are celebrated cases. The dramatic deliberations of *The Washington Post* owner Katherine Graham on the publication of the "Pentagon Papers" stands out among them. Graham was faced with the choice of empowering her editors to disclose

ⁱ Department of Chemistry, New York University, 100 Washington Square East, New York City, NY 10003 USA (bart.kahr@nyu.edu)

ⁱⁱ Department of Philosophy, California State University, Northridge, 18111 Nordhoff Street, Northridge, CA 91330 USA (leemon.mchenry@csun.edu)

ⁱⁱⁱ Department of Chemistry, 213 CBC Building, Kansas State University, Manhattan, KS 66506 USA (mdholl@ksu.edu)

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records that showed how her government had lied for years about a controversial war, or quashing Daniel Ellsberg's secret documents, thereby protecting her friends in the D.C. political establishment. Despite the threats by President Nixon to destroy her business just as it was in the midst of its initial public offering, Graham let her editors do their jobs, and that is why her story was recently dramatized by Meryl Streep in *The Post* (2017).³ Hollywood more often dramatizes courage than cowardice.

The authors of this paper recently ran afoul of the UK-based publisher Taylor & Francis (T&F), which stopped production of our peer-reviewed, editor-approved^{4,5} publications, studies that were based on exhaustive and hard-won documentary evidence. In other words, they were true stories. The publisher was afraid of negative reactions, and even the possibility of legal consequences.⁶ T&F overruled their expert editors in the process of making safe business decisions that might serve interests of T&F but not the interests of the public.

According to COPE, 1,513 T&F journals are members of the publishing ethics organization. These journals are listed alphabetically on the COPE website.⁷ Member journals sign up by affirming COPE ethical guidelines. COPE membership is a seal of approval that speaks to the quality of the member publication. It signals to the community that the participating journal and publisher is a "good citizen" committed to transparency and integrity. Despite COPE's requirement that its member journals comply with its codes of conduct, COPE initiatives are "internal education endeavors only."⁸ COPE can neither investigate nor enforce.

The first journal named in the aforementioned alphabetical list of T&F COPE member journals is *Accountability in Research: Policies and Quality Assurance (ACR)*. The authors of this paper, Leemon B. McHenry, Bart Kahr, and Mark D. Hollingsworth, submitted two manuscripts to *ACR* in 2017: "The Monsanto Papers: Poisoning the Scientific Well" (LBM) and "Massive Faculty Donations and Institutional Conflicts of Interest," (BK and MDH). Both papers were peer reviewed and accepted for publication by the editors of *ACR*. Subsequently, both articles were flagged for inaction by T&F. McHenry withdrew his manuscript in frustration.⁹ Kahr and Hollingsworth remained in discussions for several months with T&F staff, and *ACR* editors before the director of publishing withdrew their paper. Below, we examine these case studies and then evaluate the lessons that can be drawn from them.

The Monsanto Papers: Poisoning the Scientific Well

The Monsanto Co. is facing >11,000 lawsuits over charges that exposure to its popular herbicide, Roundup®, is responsible for the development of non-Hodgkin

lymphoma. A large number of these cases have been consolidated across two jurisdictions in California state court and the U.S. federal court for the Northern District of California. In the first case to come to trial in San Francisco, *Dewayne Johnson v. Monsanto Co.*, Monsanto was found liable on August 10, 2018 for the terminal cancer of groundskeeper Dewayne Lee Johnson.¹⁰

Many of the Monsanto communications obtained during the discovery phase of this lawsuit have been made public. These are "The Monsanto Papers," which formed the basis of McHenry's manuscript, *The Monsanto Papers: Poisoning the Scientific Well*, submitted for publication to *ACR* on December 2, 2017. The abstract read as follows:

In this case study from litigation, I examine a set of documents, 'The Monsanto Papers,' to expose the impact of Monsanto's efforts to influence the reporting of scientific studies related to the safety of the herbicide, glyphosate, including ghostwriting articles published in toxicology journals and the lay media, interference in the peer review process and behind-the-scenes influence on retraction. The use of third-party academics in the corporate defense of glyphosate reveals that this practice extends beyond the corruption of medicine and persists in spite of efforts to enforce transparency in industry manipulation.

McHenry's paper was accepted on February 16, 2018, in an email from an associate editor, David Resnik, after incorporating the comments of five external reviewers. McHenry was informed by Resnik in an email on that same day that T&F had postponed the publication of the paper for "best practices" review without articulating their concerns. In an email of March 1, 2018, McHenry asked the editor-in-chief of *ACR*, Adil Shamoo, to insist that T&F finish its review subject to a deadline. An indefinite delay in the absence of justification was unreasonable to McHenry. After hearing nothing from T&F for almost three weeks, McHenry communicated to editor-in-chief Shamoo that if he did not receive a decision within one week, he would withdraw his paper. McHenry withdrew his paper in an email to Shamoo on March 20, 2018.

McHenry then submitted his manuscript to the *International Journal of Risk & Safety in Medicine* (published by IOS Press in the Netherlands) on March 22, 2018, and the paper was accepted within five days on the basis of the peer review conducted at *ACR*. While conforming the references to the stylistic guidelines of the new journal, McHenry found that three of the Monsanto-sponsored ghostwritten articles (as alluded to in the abstract above) had been published in *Critical Reviews in Toxicology (CRT)*, a journal also owned and published by T&F.^{11,12,13} Monsanto's own employees acknowledged that these articles were ghostwritten. A February 19, 2015, Monsanto email highlighted in McHenry's study reads as follows:

If we went full-bore, involving experts from all major areas (Epi, Tox, Genetox, MOA, Exposure –not sure who we'd get), we could be pushing \$250K or maybe even more. A less expensive/more palatable approach might be to involve experts only for the areas of contention, epidemiology and possibly MOA (depending on what comes out of the IARC meeting), and we ghost-write the Exposure and Tox & Genetox sections. An option would be to add Greim and Kier or Kirkland to have their names on the publication, but we would be keeping the cost down by us doing the writing and they would just edit & sign their names so to speak. Recall this is how we handled Williams Kroes & Munro, 2000 (our emphasis).¹⁴

This email from Monsanto's Regulatory Product Safety Assessment Lead, William Heydens, outlined a strategy for casting doubt on the 2015 classification of glyphosate by the International Agency for Research on Cancer (IARC) as a Group 2A agent, among those probably carcinogenic in humans. The company would ghostwrite a number of articles in the names of academic toxicologists. This, he says, is how Monsanto handled another safety review of the glyphosate-formulation, Roundup, published under the names of Williams, Kroes and Munro in 2000.¹⁵ Their paper, *Safety evaluation and risk assessment of the herbicide Roundup and its active ingredient, glyphosate, for humans*, the purported evaluation of three "independent" scientists, was widely cited by Monsanto and used in submissions to regulatory agencies to support the widespread use of Roundup. The origin of that manuscript, by Heydens' own admission, was an in-house Monsanto ghostwriting project. Monsanto was trying to beat back a report by British toxicologist, James Parry, who, under contract with Monsanto, observed evidence of carcinogenic effects associated with glyphosate formulations. The Parry report was subsequently suppressed by Monsanto and replaced with Williams *et al.*¹⁶

Ghostwriting falsely attributes authorship of scholarly work; like plagiarism, it lies at the heart of research and academic integrity.^{17,18} It disguises the marketing and public relations objectives of for-profit companies as science, while concealing conflicts of interest of unnamed "authors" on manuscripts. Most importantly, ghostwriting has been used to misrepresent the results of scientific testing aimed at public safety. This is a well-known problem in the biomedical literature where pharmaceutical companies, for instance, can shape the literature to meet their needs by engaging credentialed experts to drive infelicitous narratives about the safety and efficacy of drugs.¹⁹ As we see here, ghostwriting can undermine the research literature in other fields besides medicine.

The disturbing discovery that T&F owns one of the journals that published these ghost-written papers raises some serious questions. First, did T&F require a "best practices" review of the aforementioned publications?

While we now have hard evidence that these papers were ghostwritten, they apparently sailed through the publication process with the assistance of industry-friendly editors. *CRT* has already been called a "broker of junk science" by the Center for Public Integrity, and world-renowned epidemiologist Philippe Grandjean resigned from the editorial board of *CRT* after the publisher failed to investigate undisclosed conflicts of interest in published papers that were critical of regulatory action on dangerous chemicals.²⁰ Second, what is a "best practices" review if it does not include accountability for publishing manipulative science? Here, T&F appears to be guilty of a double standard, in which it publishes adulterated industry studies without due diligence, while critical evaluations that expose the scientific misconduct encounter obstacles.

McHenry was startled when a rejection letter, dated March 27, 2018, appeared on his author dashboard. He withdrew his manuscript—it was never rejected, quite the opposite—and demanded in an open letter dated June 1, 2018 addressed to the CEO, Annie Callanan, that T&F remove the improper declination.²¹ Elaine Stott, T&F's Publishing Director for science and technology journals, responded on behalf of Callanan four months later in a letter of September 28, 2018, wherein she claimed that McHenry's manuscript was "accepted inadvertently" and admitted it was never rejected by the editors of *ACR*, but neither accepted nor rejected by T&F. Moreover, Stott claimed the manuscript was not blocked but rather flagged for review due to concerns that the article "might potentially be defamatory and therefore unlawful." As to the matter of the Monsanto-sponsored, ghostwritten review articles published as an "independent" evaluation of glyphosate in *CRT*, Stott referred McHenry to a recent Expression of Concern published in *CRT* a week before her letter was sent.²² The Expression of Concern, however, fell far short of providing any details of the extent to which Monsanto employees shaped the manuscripts that were published in that special issue or in other issues of the same journal. In other words, the Expression of Concern was merely a cosmetic correction relating to transparency rather than full disclosure of the underlying reason for the failure to be transparent.

As this case study illustrates, documentary evidence of ghostwriting makes the science reported in *CRT* highly suspect. Submissions to the journal, and publications *in* the journal, should both be subjected to thorough, critical analyses.

Massive Faculty Donations and Institutional Conflicts of Interest

Massive Faculty Donations and Institutional Conflicts of Interests by Bart Kahr and Mark D. Hollingsworth analyzes

the disconnect between conflict of interest policies that constrain the conduct of faculty members at universities but fail to constrain the conduct of university administrators acting on behalf of their schools. It reviews the urgent need for specific institutional conflict of interest policies, as called for by leading academic ethicists, including the aforementioned *ACR* editor David Resnik.^{23,24,25}

“Massive Faculty Donations...” describes the experience of Kahr and Hollingsworth, who witnessed how a scientist who gave a private fortune to a major American research university gained the allegiance of its administration when oversight was required. It is based upon >6,000 pages of public records that author Kahr sued the University of Washington (UW) to obtain under the Washington State Public Records Act.²⁶ The UW settled the lawsuit but refused Kahr’s recommendation for an institutional conflict of interest policy that might avoid such difficult circumstances in the future. The UW claimed to have such a policy, but they do not.²⁷

Kahr was a faculty member at the UW from 1997-2009. He and Professor Larry R. Dalton were chemistry department colleagues from 1998 onward. Kahr’s research results, intended for the National Science Foundation (NSF),²⁸ were suppressed – the results were never communicated to the NSF – by a science center led by Dalton, who was responsible for communicating them. Dalton also repeatedly published something he did not create,²⁹ and rebuffed independent accusations of violating responsible conduct of research standards.^{30,31} (For details, see accompanying article in this issue of *Journal of Scientific Practice and Integrity*.) The UW administration was unmoved, even after learning that Dalton’s first publication, retracted from the journal *Inorganic Chimica Acta*,³² contained words, pictures, and numerical data identical to those in the English language translation of a paper published in Russian by two scientists from The Academy of Sciences of the USSR.³³ Dalton’s retraction notice from 1967 conceded that “many of the experiments described were not performed” because the responsible author was under “extreme strain.”³⁴

Meanwhile, Dalton made donations to the UW of \$15-\$20 million^{35,36} and promised his estate of \$40 million. An impartial observer might suspect that these donations served to shield deviant research practices, past, present, and future, from scrutiny. The Dean at the time, Ana Mari Cauce, told author BK that Dalton was acting “within professional norms”³⁷ by choosing not to report challenging results to a federal agency while at the same time she was soliciting more money from Dalton.³⁸

Following the scandal of the sexual abuse of children by persons associated with the Penn State University football program, which forced the ouster of Penn State’s president Graham Spanier, the UW president, Michael K. Young, sent

an email to his community entitled “Restoring our Pledge of Integrity.” Young wrote:

[T]he news of the past year left us with far too many examples of the lasting harm done by malicious individuals, whose acts were extended by the inaction of those who might have spoken up. Persons entrusted with academic, administrative, and athletic responsibilities at institutions of higher education have been found to have actively betrayed that trust — or to have stood by passively allowing the destructive behavior to continue.³⁹

Kahr appealed to Young, asking for reconsideration of two internal investigations of Dalton that had been authorized by Cauce. Kahr had already objected to these internal investigations because UW, as a recipient of multimillion-dollar gifts, was burdened with institutional conflicts of interest that should preclude self-investigation. Kahr sent Young correspondence relating to the conduct of Dalton and others at the UW who had not acted in the public interest, or in the interest of science while benefitting from Dalton’s largesse.

Young then exchanged messages, obtained through the Public Records Act disclosures, with Cauce, his newly promoted Provost. Young said he would only pretend to look at the evidence,⁴⁰ while Cauce, in turn, approved of the ruse so Kahr would not have “a reason to think you didn’t take it seriously.”⁴¹ Young is now the president of Texas A&M University, and Cauce is the current president of the UW.

Given the rising epidemic of scientific misconduct at universities, a joint report of the National Academies of Science, Engineering, and Medicine issued a comprehensive report in 2017 on *Fostering Integrity in Research*. It stated:

Evidence accumulated over the past several decades, and particularly the past several years, provides strong support for the proposition that failing to define and respond strongly to research misconduct and detrimental research practices constitutes a significant threat to the research enterprise... [Should events] call into question the rigor of an institutional response to allegations of misconduct in research, top institutional leaders should be expected, as a matter of course, to examine the shortcomings of the process and share lessons learned with the larger community of scholars. Institutional leaders should reiterate the importance of critical standards such as appropriate authorship practices, data sharing, and complete reporting of results.⁴²



Figure 1. First page of corrected second galley proofs of "Massive Faculty Donations..." Received Jan 25, 2018 and returned corrected Jan 27, 2018.

We saw precisely the opposite behavior.

"Massive Faculty Donations..." shows, in documents obtained through Washington State's sunshine law, university leaders acting with disregard towards dishonesty in science and academic work. The manuscript was submitted for publication to *ACR* on July 29, 2017. It was favorably reviewed. One referee wrote, "MUST PUBLISH, if your lawyers will let you." The other comments of the referees were incorporated into a revised manuscript that was accepted for publication on December 10, 2017. Corrected galley proofs were returned to the T&F production office. The second set of proofs was requested to ensure that all of the corrections had been faithfully recorded. The production assistant informed Kahr and Hollingsworth on January 25, 2018, that she would post the

article online the day after the second proofs (Figure 1) were received: "I would like to let you know that I am waiting for your approval for the article GACR 1417045 to proceed with the issue 2. Once I publish your article online, I will publish issue 2 online."⁴³ By this time, the paper was assigned a DOI number: 10.1080/08989621.2017.1417045, but it was never posted. Instead, the authors were informed that their paper had developed a "situation."⁴⁴ Neither the authors nor the *ACR* editors were apprised of the nature of the "situation" for some three months. After a long correspondence with a number of persons in the T&F hierarchy, none of whom was empowered to disclose the nature of the "situation," Kahr and Hollingsworth finally succeeded in reaching Elaine Stott, introduced above, who informed the authors on April 6, 2018, that their paper had been withdrawn by the editor-in-chief of *ACR*, Shamoo. Kahr and Hollingsworth insisted that this could not be true, having exchanged numerous emails with Editor Shamoo, who had had many opportunities to tell us that he had withdrawn our paper. He never did.

Rather, he said that our work was still under internal review, and in a March 15, 2018 email stated, "in the absence of a decision many rumors fill the vacuum."⁴⁵ Stott ultimately conceded on the telephone that the withdrawal was her decision, that T&F was afraid of the paper, and that she preferred to publish analyses that were not so consequential.

T&F's block on "Massive Faculty Donations..." obstructed a view of public university leaders failing to protect faithful reporting of science. In our view, this undermines the mission of *Accountability in Research*. The emails cited and an exhaustive analysis of this case can be found in this inaugural issue of the *Journal of Science Practice and Integrity*.

Curiously, McHenry and Kahr/Hollingsworth were separately contacted by an editor of the *Cogent OA* (open access) series owned by T&F and asked if they would like to transfer their manuscripts to one of the *Cogent* Series journals for a significant pay-to-publish transaction. One of these journals, *Cogent Social Sciences* had accepted a hoax article, "The Conceptual Penis as a Social Construct," in 2017, exposing the sham peer review process of a so-called "predatory journal."⁴⁶ Later, several T&F journals had been deceived into accepting a group of fake papers, conceived as nonsense, part of a well-publicized⁴⁷ hoax emphasizing how inconsequential some specialized academic literature can be. It is not our intent to bring more attention to the hoaxsters, but rather to make a distinction between a preference for fiction with made-up citations, as opposed to non-fiction, based on hard-won legal documents. See for example, "Human Reactions to Rape Culture and Queer Performativity in Urban Dog Parks in Portland Oregon," retracted from *Gender, Place, & Culture*,⁴⁸ and three others

in various states of acceptance and revision in T&F's *Fat Studies*, *The Journal of Poetry Therapy*, and *Porn Studies*.⁴⁹

No one at T&F appears to recognize that the offers to transfer our papers to *Cogent OA* undermine their claims of potential defamation. If a paper is defamatory in one of their journals, how is it suitable for transfer in another? It appears to us that *Cogent OA* routinely steps in whenever a manuscript founders, for whatever reason, with the hope of recouping a fee from frustrated authors.

The Changing Face of the Academic Publishing Industry

Academic publishing is undergoing major changes, precipitated in the digital era by the rise of pay-to-publish vanity journals, insistence on open access, and massive increases in submissions, driven in part by publishing metrics that distort the incentives of individual investigators.⁵⁰ These pressures have contributed to a consolidation of academic publishing among five especially large for-profit publishing companies including Reed-Elsevier, Wiley-Blackwell, Springer, and Sage, in addition to T&F. A 2015 analysis of the "oligopoly of academic publishers" showed that these five companies are responsible for 50% of all academic publishing in the natural sciences, social sciences, and humanities.⁵¹ (The social sciences have seen the greatest degree of monopolization, whereas the humanities have best preserved their independence.) The members of the so-called "big five" publishers are, in some cases, parts of even larger conglomerates. T&F, for example, is a subsidiary of the Informa Group. Thus, decisions by T&F publishers that compromise the responsibilities of editors may be pressured by larger business units only tangentially connected to the business of telling true stories.

T&F⁵² began its rise to the status of publishing behemoth when it acquired a raft of titles from Gordon & Breach Science Publishers, Harwood Academic Publishers, Scandinavian University Press, Carfax Publishing, and Routledge in the late 1990s. This growth continued apace. T&F merged with Informa in 2004, and in 2007 they boasted growth in citations of the papers in their 625 journals.⁵³ Most recently T&F absorbed titles of Focal Press, Earthscan, Haworth Press, and Heldref Publications. Meanwhile, they have launched *Cogent OA*, the aforementioned open-access initiative. Today, the T&F Group publishes more than 2,700 journals.⁵⁴

Putting on weight is a natural hedge against lean times anticipated. But, by its own account, Informa's revenue and profits both grew by 31% in 2017.⁵⁴ The largest publishers do not appear to be against the ropes, so to speak. They are growing, profitable enterprises.

No one publisher of such considerable girth can manage the content of titles as diverse as T&F's *International Journal*

of Art Therapy, *Ethnomusicology Forum*, *Alcoholism Treatment Quarterly*, *Journal of Applied Management Studies*, *International Review of Sport and Exercise Psychology*, *Biological Rhythm Research*, *Journal of Tourism History*, and *Accountability in Research: Policies and Quality Assurance*, among thousands of others. No steward of such wide-ranging content can make informed decisions on what should or should not appear in print on the merits of the content. Given the spectacular diversity of subjects about which the T&F Group publishes, it must cede independence to specialized, expert editors. It may be that Informa is concerned foremost with whether the publication of a journal article might jeopardize its profits or cost money in defense of truth. As a consequence of fewer and larger publishers, decision making in academic publishing may continue to lose whatever democratic character remains.

Despite the fact that ACR is a COPE member and agrees to editorial independence over decisions of content, and despite the widespread adoption of the COPE mission by more than 1500 T&F journals, T&F has built a trapdoor into its author agreement that allows it to wiggle out of any contractual situation. Authors are asked to sign agreements following the acceptance of a manuscript. They are *pro forma* legal documents that spell out copyright terms and the like. They resemble mortgage documents, which must be signed and filed for a process to continue, but are rarely examined for content. Having published several hundred academic papers, the authors have never needed to question the contents of an author agreement and have never read one word for word, given the exigencies of the more important tasks of teaching and research. But now we have read T&F's author agreement. It reads: "If deemed acceptable by the Editors of the Journal, we shall prepare and publish your article in the Journal," a COPE-affirming statement that gives license to the editors to make decisions about content. It continues, however, "we reserve the right not to proceed with publication *for whatever reason*" (our emphasis).⁵⁵ These two statements are at odds with each other, but the latter is an explicit cover for disregarding any codes of ethics to which T&F may subscribe.

American and English Libel Law

The T&F author agreement also states that "[It] is subject to English law and the parties hereby submit to the exclusive jurisdiction of the Courts of England and Wales." (Scotland has a separate legal system.) In the case of "Massive Faculty Donations...", Publishing Director Stott claimed on the telephone in April of 2018 that English libel law gave T&F pause. She conceded that the decision of T&F was grounded in fear of being sued and fear of violating the law.

In United States libel law, the burden of proof rests with the plaintiff to demonstrate that a potentially defamatory

claim is false and that the defendant intentionally maligned the character of the defamed.⁵⁶ In English libel law, the burden of proof is reversed; the defendant must prove his/her claims are true. Defendants frequently lose even when claims are demonstrably true, and then they may face enormous legal fees. The essential difference between American and English libel law is the comparative weighting of free speech versus protection of reputation.⁵⁷ In England and Wales, the consequences include diminished free speech protections.^{58, 59}

The case of Quentin Scheiermeier, a reporter for the London-based periodical, *Nature*, the world's premier science journal, is instructive. Scheiermeier recounted his sobering story in 2012, "I was sued for libel under an unjust law,"⁶⁰ describing his defense of a lawsuit filed against him and the Nature Publishing Group by a physicist, who had published hundreds of papers in a journal for which he was editor-in-chief.⁶¹ Scheiermeier exposed unseemly practices, including "editorial abuse of power, inflated impact factors and, not least, Elsevier's 'package' sales strategy that requires libraries to subscribe to second-rate journals." Error! Bookmark not defined. The fact that such a case was brought to court "demonstrates," according to Scheiermeier:

how English libel law can stifle justified discourse, including open scientific discussion. The burden of proof falls too heavily on the defendants to prove what they said was true, not on the accuser to show that it is false. The law is therefore more likely to stifle free speech and suppress legitimate criticism than to defend the interests of science or society at large.

A particularly perverse feature of English libel law is the willingness to entertain defamation cases that have no relationship to England, the United Kingdom, or any of the British Isles. This is known as "libel tourism." Marc Stephens, a London-based lawyer who works with media companies, told National Public Radio:

Crooks and brigands from around the world come here [England] to launder their reputations, where they couldn't get exculpation in either their home country or indeed in the United States of America... So you've got the rich and powerful shutting down and chilling speech which is critical of them.⁶²

The 2013 UK Defamation Act, championed by scientists,⁶³ aimed to correct some of these excesses by protecting "responsible publication on matters of public interest" such as companies evaluating their own toxic products, or public universities supporting demonstrably incorrect science for money. T&F seems unaware of the measure's intent, or perhaps, they are very aware that it has been ineffectual. According to one English solicitor, "Frankly, I cannot see this [new law] having made any difference in any case I have

been involved in, and I wish an opportunity had been taken to re-think defamation law *ab initio*."⁶³

In light of these comments, one can understand why T&F would fear a wealthy scientist, a large university, or a multinational corporation about whom unflattering things—albeit true and well documented—are exposed to the public. But then, in our view, T&F should withdraw from COPE and the imprimatur that comes with the fiction that it relies on editors to determine the content of its specialized journals. It does not, but instead relies on the antiquated law. If T&F is afraid of "crooks and brigands"—a reasonable concern—it should not dare to transport so much unfamiliar cargo in thousands of varied journals. Alternatively, it could relocate its business to a country where telling the truth is a defense against libel. At the very least, scientists should be aware that any attempt to correct the scientific record in a UK-based publication, in particular, T&F, it seems, may meet the resistance that we faced.

Conclusions

In our view, T&F's interference in the editorial process has clearly revealed the conflict between corporate, corporate-university, and academic values. The company blocked legitimate, critical evaluations of competing interests in science and science administration and failed to be transparent in their dealings with the editors of *ACR* and the authors of the accepted manuscripts. T&F has therefore defeated the purpose of *ACR*. The irony of a journal called *Accountability in Research* blocking the publication of articles attempting to hold irresponsible conduct of research practices to account will be lost on only a few.

We stress that it is not our intent to paint with a broad brush all of T&F, a large company with many decision makers. We merely record our experiences so as to highlight the increasingly fearful position of academic publishers.

The philosopher of science Karl Popper wrote: "My own misgivings concerning scientific advance and stagnation arise mainly from the changed spirit of science, and from the unchecked growth of Big Science, which endangers great science."⁶⁴ In an age when a handful of publishers have taken control of the publication of academic books and journals, there is the danger of censorship, especially when there is collusion between publishers and corporate-sponsored science or between donors and administrators. Great science is threatened by big commerce when corporate decisions undermine scientific integrity, but as Popper was well aware, criticism is crucial to the advance of science.

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B. McHenry has been a research consultant to the law firm of Baum, Hedlund, Aristei & Goldman, Los Angeles, California, since 2003.

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