



HARVARD UNIVERSITY
Edmond J. Safra Center for Ethics

2011 2012

REPORT ON ACTIVITIES



Left to right: Paul Thacker; Kate Elgin and Charles Fried; Gabriel Wollner;
Genevieve Pham-Kanter and Paul Jorgensen

CONTENTS 2011-12 REPORT ON ACTIVITIES

4	Report of the Director
6	Edmond J. Safra Research Lab
11	Edmond J. Safra Graduate Fellowships in Ethics
13	Appendix I: Fellows
14	2011-12 Reports of the Graduate Fellows
21	2011-12 Reports of the Lab Fellows
41	2011-12 Reports of the Network Fellows
47	Appendix II: 2010-12 Edmond J. Safra Research Projects
53	Appendix III: Public Lectures and Events
	Past Events 2011-12
	Upcoming Events 2012-13
57	Appendix IV: New Fellows
	2012-13 Edmond J. Safra Fellows
59	Lab and Faculty Committees, Faculty Associates, Advisory Council, Leadership & Staff



I. REPORT OF THE DIRECTOR LAWRENCE LESSIG

4

EDMOND J. SAFRA CENTER FOR ETHICS REPORT ON ACTIVITIES



Dennis Thompson. And it was timely that we would begin this conversation then, as the world was still reeling from a financial collapse that had led many to doubt the integrity of our most important institutions.

Three years ago we launched a conversation about a practical ethical problem that we called “institutional corruption.” It was appropriate that the Edmond J. Safra Center for Ethics would be the home for that conversation, since the idea of “institutional corruption” had first been introduced by the Center’s founder,

This growth is community building. It was conceived by our then-research director, Neeru Paharia. Neeru’s insight was that we needed to inspire a different mix of scholars and practitioners if we were to make progress in this new field. Indeed, if we were to create a new field. So she recruited an extraordinary mix, including our first investigative journalist, and charged them with a single task: show us how your work helps us understand this problem.

When I look back at the product of these first three years, I am enormously hopeful and grateful. *Hopeful* that we have developed a framework that will achieve what we set out to do—a way to map “institutional corruption,” and remedy it—as well as seed a generation of scholarship addressing it. And *grateful* for the opportunity made possible by this amazing institution, and its donors, to help focus this issue. When we began

this work, people were puzzled—what is the *general problem* that “institutional corruption” is meant to describe? Now—after the debacles of Wall Street, the continuing questions about academic and medical research, and the scandals at institutions such as Penn State—people are just impatient. When will the

...it was timely that we would begin this conversation...

“institutional corruption” meter be built? When will the vaccine be complete?

We launched that conversation quite literally—with a series of public lectures from a wide range of fields aiming to map what we sought to study. In the following year, we invited 9 fellows to continue the work at the Center’s newly formed “Lab.” But not just fellows in residence. In addition to those residential fellows, we also had 5 non-residential fellows and we supported 5 large-scale research projects conducted at Harvard and beyond. In 2011-12, a second class of fellows joined them and we expanded the Lab to include two new programs, the Network Fellowships and the Israeli Lab Fellowship. The Lab hosted 11 residential fellows, 11 non-residential fellows, and 9 Network Fellows, all working in a diversity of fields to help us advance our understanding of “institutional corruption.”

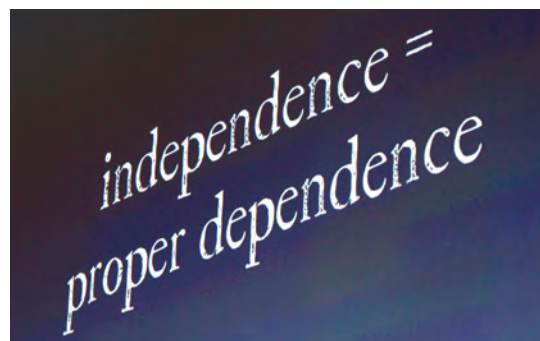
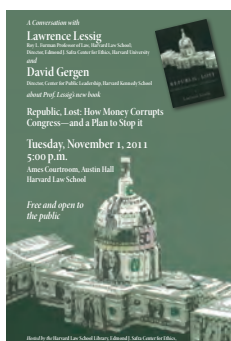
We have three more years to deliver. The coming year continues the growth, both in size and diversity, of the community that will participate. In 2012-13 we have invited our largest fellowship class to date, including 14 residential Lab Fellows (4 of whom are investigative journalists), 23 non-residential Lab Fellows, and 24 Network Fellows. And we are again sponsoring large-scale research projects happening outside of the Lab, including a partnership with the Center for Public Integrity in Washington, DC. As we enter the mid-point of this project, it is on the basis of what we have done, that we have begun to think through to solutions. And with the gifts of our

new research director, Mark Somos—having lost the great Neeru Paharia to the academy—I am confident this experiment will prove worth it.

There is of course a great deal left to do. Who, understanding our times, could doubt that? But I am proud of the work of this army of ethicists. And I am confident that the insights this work will produce would do good if understood and will do good when it eventually persuades.

The Lab works within a Center that remains a critical part of Harvard, and that is supported by faculty from across the university. And within a Center that supports a great deal beyond the Lab. Working with faculty from across the university, Eric Beerbohm is mapping an ethics curriculum for the undergraduates at Harvard. That curriculum will launch this year with courses by Mathias Risse and Frances Kamm, and the inaugural Lester Kissel Lecture in Ethics for undergraduates, which will be given by Michael Sandel. And at the same time Eric has led an enormously successful workshop of Graduate Fellows, a program that aims to train younger scholars studying practical ethics in a wide variety of subjects. With Eric's help, the Center is infiltrating both the undergraduate and graduate populations with its mission to encourage teaching and research about ethical issues in the professions and public life.

With all of this, and the support of our extraordinary staff, the Center aims to dig deep, and to influence broadly, both scholars and would be scholars, as well as the inspiration that we know as Harvard's students. We will continue to draw a wider range of Harvard into the ethical framework that this Center helped found. And I hope we will also be able to contribute insight to the community beyond Harvard that will help address significant ethical challenges.



Left to right: Paul Volcker, Malcolm Salter and Lawrence Lessig; Lessig/Gergen Poster; Lessig lecture slide; Lawrence Lessig

II. EDMOND J. SAFRA RESEARCH LAB

6

EDMOND J. SAFRA CENTER FOR ETHICS REPORT ON ACTIVITIES

Neeru Paharia, *Research Director, 2010-2012*



The Edmond J. Safra Research Lab, launched in 2009, is a major initiative designed to address fundamental problems of ethics in a way that is of practical benefit to institutions,

governments, and societies around the world. As its first undertaking, the Lab is tackling the problem of institutional corruption. The Lab aims to better understand the nature of institutional corruption by examining its causes, consequences, and remedies using methods from economics, psychology, and sociology, among other disciplines. Our mission is both to build theory and scholarship around the idea of institutional corruption, as well as to identify possible real-world tools and solutions that can be deployed to strengthen the integrity of our institutions.

...identify possible
real-world tools
and solutions...

The work of the Lab is carried out by its fellows. Inaugurated in 2010, the Edmond J. Safra Lab Fellowship program draws scholars and researchers from a wide range of disciplines across academia, industry, and government. The Fellows spend a year or two at the Center conducting their own research on related topics, while also participating in a weekly seminar to build a collective understanding around the nature of institutional corruption. In 2011-12, the Lab Fellowship program hosted a talented class of 11 residential Lab Fellows, 11 non-residential Lab Fellows, and 9 Network Fellows. The Network Fellowship program, launched in 2011, is a new initiative that aims to connect a cross-disciplinary group

of scholars and practitioners around the world who are currently working independently on issues of institutional corruption as academic research projects or applied within their organizations. The purpose of the network is to connect these researchers and practitioners with each other to inspire new works of scholarship, and applications that are designed to solve problems of institutional corruption. The Network Fellows are non-residential, but are invited to attend events, present their work, and stay connected within the broader Lab community. Our hope is therefore to build a network of people from around the world engaged in research and practice on the topic of institutional corruption.

The academic year began on a high note with an event dubbed the “Research Bonanza,” where fellows from all three fellowship programs were invited to Cambridge for a two-day meeting to give rapid-fire, 10-minute presentations to each other about their projects. The Bonanza afforded fellows an opportunity to learn about the work of their cohort early on, and to understand the connections between them. As was the goal of this meeting, many fellows formed new collaborations that carried on through the year and beyond.

The cornerstone of the Lab’s residential fellowship program is a weekly seminar where fellows and others from the Harvard community convene to discuss various topics on institutional corruption. This year, the Lab Fellows explored the structural enablers of institutional corruption (such as incentive systems and individual psychological mechanisms that predict unethical behavior) and possible solutions to mitigate the problem across a variety of sectors and contexts. The topics covered during the seminar were both diverse and complementary. Professor **Lawrence Lessig** opened the seminar series by introducing the topic of improper dependencies from his book, *Republic, Lost: How Money Corrupts Congress—and a Plan to*

Stop It. Lessig pointed out that the purpose of the Lab is to isolate the different costs that institutional reform would entail, and attempt to discern the most cost-effective solution. Lab Committee member Professor **Mahzarin Banaji** continued the seminar series by introducing a topic of focus for the year: institutional corruption in academia. She discussed how commercial relationships with academic departments may corrupt the unbiased nature of academic discourse. On the topic of academic-industry relationships, Lab Fellow **Garry Gray** approached the same problem from an ethnographic lens, suggesting that commercial relationships in academia can become normalized, so much so that people within the system would be oblivious to potentially corrupting forces. Professor **Luigi Zingales**, *Robert C. McCormack Professor of Entrepreneurship and Finance* at the University of Chicago Booth School of Business, was invited to discuss how regulatory capture, a common theory in economics, can be applied to academics, where researchers may become beholden to commercial interests and therefore be “captured” to serve them. He suggested a number of reforms to the academic publication process that would allow greater transparency, and thus limit the effects of capture.

Switching gears, Lab Fellow **Jennifer Shkabatur** discussed the potential of the internet to allow for greater transparency, and thus greater accountability in government. Though promising, her findings suggested that for a myriad of reasons, government-mandated open data projects have for the most part been ineffective. She suggested a number of policy recommendations that would increase the robustness of these efforts. Continuing his work from last year, second-year Lab Fellow **Michael Jones** discussed his research on cultural cognition and how the role of narratives could be used as a method of conveying information about campaign finance reform, such that people could analyze the issue in an unbiased manner. He found that in general, while people felt campaign finance was an important issue, it trailed far behind other issues, such as the economy. Also continuing her work from the



Left to right: Carl Elliott and Marcia Angell; Garry Gray; Celia Moore

previous year, Lab Fellow **Abigail Brown** discussed how the auditing profession is dependent on its clients (those whom they audit), and is therefore less likely to offer unbiased audits.

Moving into the topic of the pharmaceutical industry and medicine, Lab Fellow **Marc Rodwin** discussed some possible reforms that would limit the amount of influence that pharmaceutical companies could have on both clinical trials and safety information. Lab Fellow **Genevieve Pham-Kanter** continued to explore if new sunshine laws that require pharmaceutical companies to make publicly available information about payments to doctors are effective. Her preliminary evidence found that these laws were having little effect on the prescribing habits of doctors for brand name cholesterol drugs when generics were also available.

II. EDMOND J. SAFRA RESEARCH LAB/CONTINUED



Left to right: Alek Chakroff; Genevieve Pham-Kanter; William English; Lawrence Lessig; Marc Rodwin

The second semester started with the highly-anticipated Conference on Institutional Corruption, a one-day event held on February 4th, 2012, and the first of its kind. The purpose of the conference was twofold: to enable accomplished scholars from a variety of fields to lend their insights on the topic of institutional corruption, and to convene a space where interested scholars and those from the community could explore the topic of institutional corruption together. The day was structured into three consecutive sessions with three corresponding panels. We first heard from a number of scholars well-versed on the topic of standard conceptions of corruption. Participants included Michael Johnston, Bruce Cain, Robert Putnam, Susan Rose-Ackerman, Dennis F. Thompson, and Mark Warren. After learning about the history of corruption research from leading scholars, the panel switched gears

to focus on the psychological processes that may lead to corrupting behaviors. Social psychologists Mahzarin Banaji, John Jost, Eldar Shafir, Ann Tenbrunsel, and Jim Uleman were on this panel. Finally, the day closed with a case study considering how to better manage institutional corruption within academia. Lawrence Lessig chaired this panel and was accompanied by Ian Ayres, Oguzhan Dincer, David Moss, and Luigi Zingales. Hundreds from the Harvard community, and many who traveled from afar, attended this one-day event and participated in a thought provoking discussion with experts in the field to push the envelope on institutional corruption.

After an exciting inaugural conference, the second semester seminar series continued with a **mapping seminar**, which has become somewhat of a tradition in the Lab. In preparation for the mapping seminar, Lab Fellows were asked a series of questions on the definition and structure of institutional corruption. Their answers were collected, and the themes that emerged were then mapped onto a common framework to further aid in the discussion. As a result, the Lab devised a graphical map of how corrupting forces can influence various aspects of an institution, which could be used as a common framework across projects, and also as a tool to conceptualize solutions.

After the mapping seminar, Network Fellow **Jennifer Bussell** began the spring semester seminar series by discussing how bribery in India could potentially be reduced by allowing citizens to engage in government transactions online, as opposed to dealing with an agent who could demand a bribe. Moving onto psychological processes that may enable institutional corruption, Lab Fellow **Yuval Feldman** presented his research on whether individuals will use perceived vagueness and ambiguity in the language of the law, either strategically or automatically, to promote their various interests. Continuing on the subject of psychological processes and extending the work on academia, Lab Fellows

Aleksandr Chakroff and **Brandi Newell** discussed their project on scientific misconduct noting how scholars may be motivated to take liberties in their statistical analyses that lead to results in support of their initial hypotheses. Lab Fellow **William English** shared with us some overarching views of institutional corruption in addition to exploring data he collected on the interaction of ethical motivation and financial incentives. Network Fellow **Carl Elliott** gave a seminar on his investigation into the troubling practice of pharmaceutical companies recruiting homeless schizophrenics to participate in their clinical trials. Network Fellow **Sergio Sismondo** continued by sharing his work on ghost management of medical journal articles and the role of key opinion leaders in the pharmaceutical industry.

Transitioning into the arena of government, Lab Fellow **Paul Jorgensen** discussed his work on the effect of campaign contributions on votes in Congress. Lab Fellow **Sheila Kaplan** discussed her work on the Environmental Protection Agency and the financial pressures that have disabled the organization from protecting the public. Lab Fellow **Mirko Draca** discussed the gap in pay

between congressional staffers and lobbyists, noting that given the discrepancy, many staffers view their role as a stepping stone to a more lucrative lobbying position. Lab Fellow **Celia Moore** presented her work which found that police were less lenient with marginal drunk driving offenses when a new sheriff was in residence. Wrapping up the year, Network Fellow **Elizabeth Tenney** presented her work on voting, finding that people were more likely to indicate they would vote in a subsequent election if the language on the ballot was more readable.

Beyond the weekly seminar, the Lab explored real world solutions to solve the problem of institutional corruption. To that end, we partnered with **Innocentive**, an organization that crowd sources solutions to difficult problems from scientists and thinkers around the world. (For example, during the BP oil spill in the Gulf of Mexico, Innocentive challenged its network of solvers to develop an efficient way to clean up the mess and collected a number of successful approaches.) The Lab challenged Innocentive's network of solvers to consider the question: *What are innovative ways to monitor institutions such that they are more account-*



Members of the 2011-2012 Edmond J. Safra Research Lab



Robert Whitaker, Lisa Cosgrove, and Garry Gray

able to the public? We received over forty submissions to our challenge, and the Lab went through an extensive review process to select the winners. In the end, Juan Pablo Marín Díaz and Sebastián Pérez Saaibi, won for their proposal to develop an early detection system for institutional corruption. Both Juan Pablo and Sebastián are computational statisticians from Columbia, and will be Network Fellows in the coming year.

As the Lab now enters its third year in 2012-13, we welcome a much larger and more diverse set of fellows from around the world to continue to explore the topic of institutional corruption. The incoming Lab group will consist of 10 residential academic Lab Fellows, 6 investigative journalist Lab Fellows (4 of whom will be residential), 23 non-residential Lab Fellows, and 24 Network Fellows, more than doubling the number of fellows associated with the Lab last year (and almost 5 times as many as in the Lab's first year!). Next year's class is a broad and interesting mix of scholars and professionals, and also includes a significant number of international fellows. Furthermore, the investigative journalist contingent has widely expanded to six journalists. A listing of the 2012-13 Edmond J. Safra Lab and Network Fellows can be found in Appendix IV.

Finally, as the coming year brings an exciting group of new fellows, it also brings an amazing new research director: **Mark Somos**. Mark is a unique individual, who has, like the Lab project, straddled two worlds—the academic and the practical. He has a PhD from the Government Department at Harvard, and prior to accepting the position as research director, he taught political science and law at Sussex in the United Kingdom. He has also worked extensively in the private sector, providing strategic advice, most recently as a managing partner at Cornerstone Global Associates. In his academic work, Mark has distinguished himself by developing a historical, yet empirical understanding of trust within societies. In his private sector work, he has managed and overseen the development of highly technical empirical models for use within business. The Center is extremely excited to welcome Mark to carry forward the Lab's project on institutional corruption.

On a personal note, it is with some sadness that this also marks my departure from the Lab and the Center. I will be transitioning into a tenure track job at Georgetown University as an Assistant Professor. While I am excited for the next phase in my career, it comes at the great expense of leaving behind a wonderful place, and a wonderful experience. It has been an amazing two years at the Center, and in particular with the Lab. I am as inspired by the project of solving institutional corruption as I am with the people associated with it: Lawrence Lessig, Stephanie Dant, Jennifer Campbell, and the amazing cohorts of fellows that I have had the honor of working alongside and getting to know. I hope to continue to be involved with the Lab in my future intellectual endeavors, and with the many friends I am grateful to have made here.

II. EDMOND J. SAFRA GRADUATE FELLOWSHIPS IN ETHICS

Professor Eric Beerbohm, *Director*



This year the Edmond J. Safra Graduate Fellowship program was outsized in two ways. Eight Fellows moved into the Center, their intellectual backgrounds stretch-

ing from legal theory to intellectual history, from normative ethics to public policy. With the addition of **Frances Kamm**, who brought her legendary rigor and philosophical acuity, the Graduate Fellow seminar contained a record-setting ten participants. We met weekly for a three-hour stretch of arguments, rejoinders, and counter-replies. This generated an intensity that kept all of us on our feet—sometimes on our tip-toes—as we argued across disciplines.

...this generated an
intensity that
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The seminar was also supersized in its intellectual scope. “Cosmic” comes to mind when the Fellows’ research interests are laid out in one omnibus list. Fellows presented papers on such topics as the moral limits of philanthropic giving, the institutional background of U.N. peace-keeping, the plight of stateless individuals in a post-Westphalian era, and the ethical salience of humanity’s survival. And amidst this busy backdrop, Erica Jaffe Redner continued to manage the fellowship program with remarkable care.

What united this philosophically motley crew was their willingness to pursue hard ethical problems to where their arguments led them. **Tarun Chhabra**, a legal theorist, investigated international fact-finding missions—from the U.N. Weapons Commission to the Intergovernmen-

tal Panel on Climate Change. He reports that our seminar forced him to “re-examine some of his project’s fundamental assumptions.” **Johann Frick**, an ethicist working on contractualism and risk, considered the problems of agent-relativity in his paper, “What We Owe to Hypocrites.” **Adriane Gelpi**, a health policy scholar, took up the problem of deliberation of health policy questions by stakeholders themselves. **David Langlois** wondered whether we are rationally required not to have contradictory or inconsistent beliefs or intentions. In his year-end report he notes that he completed all three of the core chapters of his dissertation.

Emma Saunders-Hastings, a democratic theorist, worried about philanthropy’s relationship to problems such as economic inequality, unequal influence, and paternalism. **Mira Siegelberg**, an intellectual historian, focused on the position of

stateless individuals in the international order and their standing to exercise their human rights. **Gabriel Wollner**, a political philosopher, devoted his attention to the respective responsibilities of bystanders and

victims of injustice. And **Bernardo Zacka**, a political theorist, reflected on the standard operating procedures of bureaucrats—thankfully using the most un-bureaucratic prose.

The seminar was organized around two themes. The wide-angle curriculum in the Fall raised the problem of nonideal theory. Ordinary ethical problems are even more insoluble when we take seriously known human foibles—our weakness of will, cognitive limitations, and difficulty in honoring norms that we publicly acknowledge. This theme was especially pressing in light of the topics that the Fellows brought to the table: the quandaries faced by bureaucrats with considerable discretion, the publicly-expressed judgments of citizens on health policy, and the divergence

II. EDMOND J. SAFRA GRADUATE FELLOWSHIPS IN ETHICS/CONTINUED



2011-2012 Edmond J. Safra Graduate Fellows, Director Eric Beerbohm, and Senior Scholar Frances Kamm

between moral oughts (“I ought to keep this promise”) from rational oughts (“I ought to accept this conclusion on the pain of inconsistency”).

The Spring brought a seminar that grew out of a nagging question in our early discussions. What’s the relationship between normative theory and social science? How should an ethical theory—whether directed at individuals or institutions—be updated in light of the empirical findings? On this topic there was considerable disagreement among the participants. Some believed that the principles of a moral or political theory should not co-vary with our empirical knowledge of individuals or governments. Others held that social science can play a fruitful, and even principal role, in helping us develop principles that deliver guidance to moral agents. What resulted from this disagreement was, I hope, fruitful and stimulating to all participants. The Spring seminar benefited enormously from guest appearances from faculty mentors from across the Faculty of Arts and Sciences and the professional schools, including: Dennis Thompson (Government), Jenny Mansbridge (Harvard Kennedy School), Mathias Risse (Harvard Kennedy School), Thomas Scanlon (Philosophy), David Armitage (History), Nancy Rosenblum (Government), and Selim Berker (Philosophy).

The Center’s lectures included a crypto-anarchist and an eco-theorist, and its small seminars were especially well-attended by the Fellows. They

helped introduce speakers in Nir Eyal’s New England Consequentialism Workshop series, which involved a half dozen philosophers. And, for the first time, this gathering included some card-carrying deontologists—to the gratitude of Kantians around campus. These regular sessions kept philosophy at the Center. A culminating event in the Spring was a conference organized around Frances Kamm’s latest book, *Ethics for Enemies: Terror, Torture, and War*. The caliber of panels was unusually high, and the Fellows’ peppered questions improved this memorable event.

The curriculum of the Graduate Fellow Seminar was designed with the hope of jump-starting dissertation projects. If the Fellows’ reports are any indication, it was a productive year for all. Of course, the route to productivity on a thesis is often quite indirect, and our discussions reflected this willingness to take up topics that can seem quite removed from the urgent problems that the Center’s Lab was taking up each week. An outsider who listened in to our discussions might have recalled Ludwig Wittgenstein’s quip about the philosopher in the garden, who is overhead saying again and again, “I know that that’s a tree,” pointing to a tree. The way to answer the concerned outsider is to remind them, “This fellow isn’t insane. We are only doing philosophy.”

The 2012-13 Edmond J. Safra Graduate Fellows in Ethics are an impressive bunch. We’ll be trying on for size a new curriculum that revolves around ethical theories of law and lawmaking. These new scholars cover government, law, philosophy, and health policy, and study topics ranging from intellectual property to theories of movement to the history of religious freedom. And this year, we are hosting two Visiting Graduate Fellows—scholars from Harvard or other institutions who will sit in on the seminar and no doubt enhance the experience for all. We are also happy to welcome back resident Senior Scholar, Frances Kamm, who will once again join our seminar and keep us asking if we’re certain that’s a tree. A listing of the 2012-13 Edmond J. Safra Graduate Fellows in Ethics can be found in Appendix IV.

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APPENDICES I-IV



APPENDIX I REPORTS OF THE FELLOWS

14

Reports of the Edmond J. Safra Graduate Fellows in Ethics 2011-12

Tarun Chhabra, Johann Frick, Adriane Gelpi, David Langlois, Emma Saunders-Hastings, Mira Siegelberg, Gabriel Wollner, Bernardo Zacka



Eric Beerbohm and John Simmons

Tarun Chhabra

I surmised the talent, intelligence and erudition of my Graduate Fellowship colleagues well before our first weekly seminar. But whether we would develop a fellowship in the best sense of the word—one never knows. I believe we did.

In the years to come, I will call on Adriane, Bernardo, Dave, Emma, Gabriel, Johann, and Mira not only to reminisce about ill-fated trolleys, or to discuss—respectively, health policy deliberation, the requirements of rationality, the ethics of philanthropy, global financial transaction taxes, the survival of humanity (no fussing with frivolity), and the intellectual history of human rights. The real dividend is simpler: I will call on them when I have hard questions. This is the most valuable and enduring gift of my fellowship year.

It's tough to have productive interdisciplinary conversations. I know that I could have been a more skilled and dedicated participant in ours. But I think we came to appreciate how valuable such conversations can be, and how to become better interlocutors when we participate in them. Eric set the gold standard by showing that genuine curiosity, generosity, and good humor can get us much of the way there. And while I doubt

I ever answered Frances' consistently penetrating questions to her satisfaction, I am grateful to her for helping me re-examine some of my project's fundamental assumptions.

I also thank the Center and its benefactors for the great luxuries of ample time and a serene space to write. These enabled me to make significant progress on my doctoral dissertation, which focuses on the politics—crude and subtle—of fact-finding processes in international organizations. The progress I have been able to make will allow me to complete my dissertation by the end of the calendar year.

The Graduate Fellowship also afforded an opportunity to remain engaged with mentors, colleagues and events at Harvard Law School, and to remain engaged as a pro bono advocate for a prisoner of conscience through the organization Freedom Now. In addition, I had the privilege of teaching extraordinary undergraduates in a section of Professor Richard Fallon's course on U.S. Constitutional Law.

Although my own project is not closely tied to the Lab's focus on institutional corruption, I have benefited enormously from exposure to its important and rich agenda. I thank the Edmond J. Safra Philanthropic Foundation and Larry Lessig for allowing the Graduate Fellowship program to continue to prosper within the Center.

Last but far from least: I thank Erica for coordinating our fellowship in a manner that allowed us to focus on what we were brought here to do. And I am grateful to Abigail, Jennifer and Stephanie for keeping the ship afloat. I know that the talents of the Center's staff could take them many other places. I know they are here because of an inspired dedication to the intellectual and moral agenda of the Center. I can only hope we have lived up to their expectations.

Johann Frick

I embarked on my year as an Edmond J. Safra Graduate Fellow with two main goals. On the one hand, I wanted to bring to completion a number of paper-length projects that I had begun during the first three years of my PhD; on the other, I aimed to advance towards a full draft of my dissertation prospectus. I am glad to report that I have made progress on both fronts.

The first paper I presented as part of the Graduate Fellow Seminar ("What We Owe to the Hypocrites: Contractualism and the Speaker-Relativity of Justification") explores the idea that the justificatory force of a moral argument may vary depending on who utters it. Insightful comments from my respondent Gabriel Wollner and the other seminar participants allowed me to significantly refine the paper. I presented it at the Princeton Graduate Conference in Political Theory in April and plan to send it off to *Ethics* this summer.

A second essay, "Uncertainty and Justifiability to Each Person," brought to a close a project on moral contractualism and the ethics of risk imposition. It will appear in a volume on *Health Inequality: Ethics, Measurement and Policy* (edited by Nir Eyal and Ole Norheim), to be published by Oxford University Press next year. The topic of risk and uncertainty was also at the heart of the 7th Annual Program in Ethics and Health Conference on "Identified vs. Statistical Lives," which was co-sponsored by the Center and took place at Harvard this April. I was invited to speak, sharing a panel with Jonathan Wolff—whose work on the ethics of risk Eric Beerbohm (with characteristic sagacity and foresight) had assigned as reading for the seminar earlier that semester. This is one of the many ways in which my graduate fellowship experience turned out to be much more than the sum of its parts.

The third paper I presented in the seminar, "On the Survival of Humanity," will form the backbone of my dissertation prospectus. In my thesis, I aim to provide an in-depth discussion and defense of the so-called "Asymmetry" in population ethics, and to explore its implications, both for questions



Johann Frick, Bernardo Zacka and Norm Daniels

of individual procreation and for larger issues concerning the survival of humanity. According to the Asymmetry intuition, while it makes the world worse to create an additional person whose life would be so wretched as to be worth not living, there is a whole range of positive levels of well-being at which adding an additional person to the world's population is axiologically neutral (i.e. there is no consideration stemming from the well-being of the future person herself that counts either for or against bringing her into existence). To quote Jan Naverson's famous dictum: "we care about making people happy, but are neutral about making happy people." I hope to show that, suitably fleshed out, the Asymmetry allows us to solve many seemingly intractable puzzles in population ethics, for instance Derek Parfit's "Mere Addition Paradox."

While I am happy to have progressed in my writing, I will remember my fellowship year for much more than my own research. I write these words having just returned from a fabulously stimulating symposium on Frances Kamm's new book, *Ethics for Enemies*—truly one of the intellectual highlights of my year. Financial support from the Center also enabled me to travel further afield, to attend a workshop on interpersonal aggregation at McGill University in Montreal. Last but certainly not least, the seminar, under the expert guidance of Eric Beerbohm and Frances Kamm,

allowed me to experience the joys and potential, but also the challenges of interdisciplinary academic dialogue.

Perhaps nothing better captures the essence of my past year than the many happy hours spent in my personal locus amoenus, the sunny rooftop terrace of the Center, engaged in lively conversation with my fellow Fellows or engrossed in a book; ideal material conditions, and the intellectual freedom to lift my gaze and look to new horizons.

Adriane Gelpi

Spending the past year as a Graduate Fellow at the Center has been a remarkable privilege. My goal for the year was to make substantial progress on my doctoral dissertation, entitled “Priority Setting for HIV and Mental Health Policy in Mexico: Ethical, Quantitative and Historical Perspectives.” Across three thematically interrelated but methodologically distinct papers, my dissertation analyzes a range of issues raised by the need to make difficult choices about the allocation of scarce resources in health. During my fellowship year at the Center, I moved all three papers along, but made the biggest strides in advancing the normative paper, which considers the question of the value of stakeholder participation in deliberative processes for priority setting in health.

The main impetus for this progress for me was the support of our weekly seminars. Beginning with our first discussions of nonideal theory in September through our final workshop sessions in April, the seminar provided a critical anchor to a year otherwise devoted to the often solitary project of dissertation writing. The seminar sessions provided a refreshing opportunity to look beyond the dissertation to broaden my understanding of moral and political philosophy.

In the fall, the most valuable aspect of the seminar for me was the opportunity to workshop several drafts of the normative paper of my dissertation. The groups’ insightful critiques of my writing in progress helped to crystallize the normative problem at the heart of my project. During the

spring term, Eric’s choice to make the thematic focus of the seminar the intersection between ethics and the social sciences was an inspired one, given that many of the fellows engage in projects that span the empirical and the normative. This theme served as a catalyst to discussions of the methodological as well as conceptual challenges posed by such interdisciplinary undertakings.

The highlight of the spring term seminar for me came when each fellow invited a guest to participate in a final discussion of their work. The illustrious series of guest participants who attended these sessions injected a vibrant dynamism into our discussions. I was lucky that Professor Jane Mansbridge attended the session in which we discussed the historical component of my dissertation. Given the prior familiarity of the group with the normative component of my dissertation, the feedback that emerged from that ninety-minute seminar was particularly insightful and useful for revising and better integrating both the historical and ethical projects.

In addition to the intellectual challenges brought by the fellowship, the personal gains have been substantial as well. I count myself as extraordinarily fortunate to have been joined during this year by such an extraordinary group of fellow Fellows. Their intellectual firepower, good humor and thoughtful insights not only elevated my own thinking and helped improve my own work, but also opened my eyes to new subjects and questions that I would otherwise have not been exposed to. I am particularly grateful to Eric Beerbohm for so ably leading our group. His remarkable combination of analytic precision, breadth of knowledge, and personal warmth and kindness made the seminar experience a joy as well as an enriching learning experience. In addition, this year’s seminar experience was elevated by the attendance of Professor Frances Kamm, whose penetrating comments kept us all on our toes. For all of these experiences, intellectual and personal, I feel grateful to have been granted the chance to serve as a Graduate Fellow at the Center this past year.



David Langlois

David Langlois

My time as a Graduate Fellow at the Center was tremendously productive, stimulating and fun. I benefited greatly from the opportunity to spend the year writing, presenting my own work, and interacting with other ethicists in the program.

I am writing a dissertation on the requirements of structural rationality: the principles according to which we ought not to have certain combinations of beliefs and intentions. (For example, we are rationally required not to have contradictory or inconsistent beliefs or intentions.) I believe that all previous efforts to explain the normative foundations of these requirements have failed, and my dissertation is an effort to develop a successful account of the normativity of these rational requirements. When I entered the Center in September, the critical component of my dissertation was further developed than the positive component. My year at the Center gave me the time, financial support, and academic resources to make considerable progress. By the end of my second semester at the Center, I had completed a draft of all three theory-building chapters and come very close to having a full draft of my dissertation. Had it not been for the Center's generous support, I would not have made such progress.

The Graduate Fellow Seminar was a wonderful success. Our discussions were always lively and educational, in large part due to the thoughtful guidance and hard work of Eric Beerbohm and Frances Kamm. Eric is a masterful leader, who created a warm and collegial environment and helped to bring the various disciplines at work into dialogue. Frances' careful and penetrating comments were deeply enriching. And, of course, I benefitted a great deal from the opportunity to engage with the other Graduate Fellows.

The presentations of my fellow Fellows in the seminar were hugely beneficial to me. During my own presentations, I was given many helpful comments that have shaped the development of my dissertation. During others' presentations, I learned a great deal about how work in ethics is carried out in other academic disciplines; I was struck by the depth, creativity and quality of others' work. Presenting to, and receiving presentations from, people working in other departments has improved my own writing and made me better equipped to engage in interdisciplinary work.

I am deeply thankful for all of the work being done at the Center, by the administration, staff, researchers and theorists, and the Graduate Fellowship program facilitators. The Harvard community is fortunate to have such a wonderful group of people dedicated to research in ethics.

Emma Saunders-Hastings

My year as a Graduate Fellow at the Edmond J. Safra Center for Ethics has been immensely productive and rewarding, thanks to the research support and intellectual community that the graduate fellowship program provides. The opportunity to dedicate a full academic year to research and writing allowed me to move beyond the conceptual stage of my dissertation project and to make great advances in the writing process. More than this, exposure to other researchers with interests in practical ethics forced me to reconsider and, ultimately, to strengthen important parts of my argument. Much of the credit goes to Professor Eric Beerbohm, who designed the Graduate Fellow seminar in such a way that it complemented, rather than distracted from, my own research, and who was unfailingly generous with his time and advice.

The working title of my dissertation is "Private Virtues and Public Vices: Governing Philanthropy." The dissertation investigates philanthropy as a problem in political as well as ethical theory; I consider the relationship of philanthropy to problems such as economic inequality, unequal influence, and paternalism.

The fall semester was a challenging one. I presented partial drafts of an introduction and a literature review in the seminar. This experience—and the helpful comments of the other Graduate Fellows and our faculty advisors—alerted me to important, unresolved issues in the early versions of my arguments. At times, this process of reworking central claims was frustrating, but it led to an extremely productive spring semester. I end the year with three draft chapters completed and with a real sense of momentum in my work.

One of these chapters, on the special democratic issues raised by elite philanthropy, is largely the outcome of my participation in the broader intellectual community of the Center. Contact with the work of the Lab helped me to clarify the parallels (and differences) between political and philanthropic influence. I was able to better articulate (through analogies with unequal electoral influence and debates about campaign finance) the ways in which the philanthropic influence of the “super-rich” can undermine democratic equality.

A second chapter is more philosophical and more directly the product of the Graduate Fellow seminar (and, through the seminar, my increased exposure to moral philosophical literature that is relevant to my own work). This chapter is about

philanthropic paternalism: it argues both that philanthropy (though generally non-coercive) can nevertheless be paternalistic and that government regulation of philanthropy need not itself be understood as paternalistic. I presented a draft of this chapter in the seminar this spring, where it benefited from scrutiny by Dennis Thompson (the former director of the Center) as well as by the regular seminar participants.

Finally, and perhaps belatedly, I have written a draft chapter on “Giving Philanthropy Its Due.” This will likely become the first chapter of the dissertation. It surveys the goods that philanthropy is capable of producing and the good liberal democratic reasons that can be advanced for endorsing philanthropy. While I argue that these goods say little about what kind of regulation or incentivization of philanthropy is most compatible with democratic equality, I do attempt to give appropriate weight to the real personal and social benefits of (some) philanthropic giving and participation. This chapter again reflects my experience at the Center. My year here was a reminder, if any were needed, that well-designed philanthropy can provide both great benefits and great freedom to its recipients.

Mira Siegelberg

After conducting archival research in 2010-11, the Center was an ideal setting for settling down to write the core sections of my dissertation and to present my conclusions in the congenial, but also exceptionally rigorous, context of the Graduate Fellow seminar. As a doctoral candidate in History concerned with moral and political thought, and particularly with the historical development of ideas about rights and international order, it was enormously fruitful to see how philosophers and political theorists approach existing moral dilemmas and policy questions. I have a far better sense now of the distinct methods cultivated by philosophers and political theorists for thinking critically about social and international justice and how works of history might productively contribute to contemporary ethical debates.



Emma Saunders-Hastings



Mira Siegelberg

My dissertation examines the international legal and political conception of statelessness in the twentieth century and its relation to the intellectual history of international society and human rights. I contend that attempts to define and regulate statelessness show that the postwar

development of rights in relation to statehood were continuous with trends emerging not from World War II, but from World War I. Since the fellowship began, I have been able to complete three draft dissertation chapters, present one of these chapters at the German Historical Association conference, and prepare an article for publication.

In the Fall, I presented a chapter at the seminar on the ideological context out of which a particular conception of international rights emerged in interwar Europe. I examine the conflict between different populations of stateless people in interwar Europe over whether to include in the protected category created by the League of Nations stateless people who lost their citizenship as a result of peace treaties after World War I. This conflict not only staged a clash between different groups of victims, but also between their legal advocates, who came to represent different attitudes towards humanitarianism and the international rights of man. Reconstructing the logic of this conflict indicates that those who were protected by the nascent international refugee regime sought to distance themselves from what they defined as a “humanitarian” approach to human suffering. The seminar participants brought their own expertise to bear on the draft, and helped me to think through the way in which contemporary concerns about paternalism and contemporary practices of human rights could

illuminate the significance of this historical episode. Eric encouraged me to read work by Charles Beitz and John Simmons on human rights and citizenship and to think more carefully about how to integrate contemporary theory into a historically grounded project.

In the Spring, I presented a chapter on the period after World War I when international lawyers and other critics of state sovereignty began positing that individuals, rather than states, were the subjects of international legal order, and on the way in which statelessness inflected this debate in unexpected ways.

I want to thank the staff at the Center, Eric Beerbohm, and the other Graduate Fellows for providing a wonderfully engaging space in which to research and write. I hope that my future historical work will remain in dialogue with moral philosophers and political theorists, and I believe that this year spent in conversation with the other Graduate Fellows, and with Eric and Frances, formed the basis for such intellectual ties.

Gabriel Wollner

The community of Graduate Fellows at the Center provided an ideal setting for research and academic work over the past year. Not only did I benefit from the seminar discussions, lectures, and events, but also many conversations with other Graduate Fellows, Eric Beerbohm, and Frances Kamm greatly helped my research. In particular, there are two projects that I worked on as a Graduate Fellow at the Center.

The first project is about individual obligations of justice under conditions of moderate or injustice. Taking Rawls’ principle of fairness and the idea of natural duties of justice as a starting point, I develop a framework for thinking about what people owe to each other as a matter of justice if the institutions they share are moderately unjust. The question is not merely of philosophical interest in the context of contemporary debates about nonideal theory, but as many real world institutions seem to be moderately unjust, an answer to the question of what individuals owe



Gabriel Wollner

to moderately unjust institutions will inform what actual people ought to do within the institutions they inhabit.

My second project examines the recent policy proposal of an international financial transaction tax from the point of view of normative political theory. Even though

there has been an increased interest in questions of applied global political philosophy (for example about justice in trade), a theory of justice in finance remains relatively underdeveloped. My project contributes to filling this gap and I argue that an international financial transaction tax will render the international financial system more just, in particular in terms of how it affects the prospects for national democratic sovereignty and the ability of the state to deliver social justice at home.

Moving on to teach moral and political philosophy at the London School of Economics, and further developing the research agenda I began at the Center, I am looking forward to continuing the interdisciplinary conversation with Adriane, Bernardo, Dave, Emma, Eric, Frances, Johann, Mira and Tarun.

Bernardo Zacka

My work during the fellowship year was devoted to two projects. I spent much of the Fall semester writing and revising a paper on the later work of Michel Foucault. The paper seeks to clarify what is involved in saying that subjects are “self-constituting.” I distinguish between four meanings of “self-constitution” (self-recognition, self-transformation, self-fashioning, and self-creation), and I use these categories to articulate the conceptions of agency and autonomy that are latent in Foucault’s writings on liberalism and Ancient ethics.

Most of my work during the rest of the year focused on articulating more clearly the questions with which my dissertation is concerned, and on getting acquainted with the various literatures that it touches upon. I was able to complete a draft of the first and second chapters of the dissertation, and to develop a tentative structure for the rest of the project.

The first chapter of my dissertation, which I presented at the Graduate Fellow seminar in the Fall, seeks to uncover the reasons for which street-level bureaucrats (police officers, case workers, intake workers, labor inspectors, etc.) have discretion, and the normative grounds on which such discretion can be justified. It engages with organization theory, empirical work in public administration, and normative theories of the state.

The second chapter, which I wrote and presented in the Spring, looks at the various ways in which street-level bureaucrats inhabit these spaces of discretion. The chapter begins with first-person accounts written by street-level bureaucrats, and aims to distill, from these accounts, something of the phenomenology of moral judgment and decision-making in the course of face-to-face encounters with clients. The chapter also identifies three kinds of “pathologies” that are common in street-level work, and that will serve as a guiding thread for the rest of the dissertation: capture by the client, hostility to the client, and indifference to the client.

The Center provided a stimulating environment to pursue these projects, and the weekly seminar offered both the impetus and the constructive criticism required to do so. I am very grateful to the Center for its support, and to everyone who has contributed to making this year a rewarding and productive experience. I would like to thank, in particular, Eric Beerbohm, Frances Kamm, and the other Graduate Fellows for their searching comments, sincere interest, and generous advice. I am also grateful to Erica Jaffe Redner for her patient and friendly guidance throughout the year.

APPENDIX I FELLOWS/LAB 2011-12

Reports of the Edmond J. Safra Lab Fellows 2011-12

Abigail Brown, Alek Chakroff, Lisa Cosgrove, Sreedhari Desai, Mirko Draca, Daniel Effron, William English, Yuval Feldman, Garry Gray, Michael Jones, Paul Jorgensen, Sheila Kaplan, Jonathan Marks, Celia Moore, Brandi Newell, Clayton Peoples, Genevieve Pham-Kanter, Marc Rodwin, Susannah Rose, Sunita Sah, Jennifer Shkabatur, Robert Whitaker

Abigail Brown

I have had a productive second year at the Center, despite the incredible time-sink of conducting a job search. I made significant progress on the elements of my Lab proposal, though the book is taking longer than originally planned. I finished my article on optimal contracting for monitors, "When monitors don't help: The high cost of collusion-proof contracts," which is now under review. I also presented the article at the Allied Social Science Associations meeting in Chicago via the International Banking, Economics, and Finance Association.

I began and have a substantially completed draft of the second theory paper that was a part of my Lab proposal, "The effect of market structure and the regulatory franchise in reputation-dependent industries." I presented it twice, first at the Paul Woolley Conference on Capital Market Dysfunctionality at the University of Technology, Sydney, from which I also received a travel grant to attend the conference, and then at the International Industrial Organization Conference in Washington, D.C.

I also presented an older paper, "The economics of auditor capture" at the CFA-FAJ-Schulich Conference on Fraud, Ethics, and Regulation in Toronto. The conference was a great opportunity to meet other researchers who are studying aspects of what we would call institutional corruption in a variety of aspects of the capital markets. The paper has had a tortured history in the review process, and I am very grateful to my Lab colleague Celia Moore for her help in revising the paper to appeal to a non-accounting audience, where it may have a chance at a fair review.

In addition to the planned projects, I was approached last year by a former professor of mine, Jacob Klerman, now at Abt Associates, who

has become very concerned with the potential for what could fairly be termed institutional corruption of contract government program evaluations. Together we wrote a piece, forthcoming in *Evaluation Review*, on the parallels in contracting difficulties between auditing and program evaluation. We drew on the insights gained from the far better studied auditing experience and applied them to parallel reform suggestions in program evaluation. In addition to the direct rewards from working on this paper with Klerman, I found it extremely useful to consider the problems I have been studying in auditing in another context. That experience has fed back into my auditing work by helping me identify aspects of my work that I had previously considered background context and instead recognizing them as central to some aspects of the problem.

I have written an outline and several chapters of my book, and am currently in the process of looking for a publisher. My work on the economics articles has been incredibly important in focusing my argument. The PwC archives, my main source of historical material, are so rich in interesting documents that without the discipline imposed by the theoretical work, the book would quickly become a sprawling, unfocused mess. Having said that, I have made a couple of additional trips to the archives this year and found some additional material that will be very helpful in making my case.

My colleagues at the Center continue to be sources of amazing inspiration and support. The seminars are interesting and informative, and over the course of two years, I see clear structure in the problems of institutional corruption, regardless of the area, which I intend to study and articulate in future years. I look forward to my continued association with the Center.

Alek Chakroff and Brandi Newell

Our project, “Obstructions to Truth: Institutional Corruption within Academia,” investigated corruption within the academy—not as the result of special interest groups swaying results to their ends, but as a result of researchers being beholden to their own pet theories. Our experiments are designed to demonstrate that, in attempts to confirm and propagate our pet theories, academics become vulnerable to unintentional corruption. Our studies include: a public trust survey probing the public trust of the academy; a confirmation bias study investigating whether analyzing data with desired results in mind encourages the use of strategies that maximize our desired results; and a memory bias study exploring whether papers that make grandiose claims based on mediocre results influence our subsequent memories about the strength of those results.

For our first research project, we collected survey responses from across the United States, investigating levels of trust of 30 professions (including 4 academic professions), as well as the reasons for (dis)trusting those professions. We expected that academics would fall short in the public eye. We found, however, that professors of four disciplines ranked in the top third of professions for trustworthiness, beaten only by doctors, pilots, and engineers. This suggests that the integrity of academia has not been compromised in the public eye. This cannot be said of “Members of Congress,” who were rated the least trustworthy of all—less trustworthy than “Religious Leaders,” “Lawyers,” “Drug Manufacturers,” and “Homeless People.”

Regarding the reasons for distrust, we investigated whether people assign blame to individuals or to the structure of the institution as a whole. To give a flavor of the measure, we found that people distrust “the military” because of the institution (e.g. bad barrel), while they distrust “auto mechanics” because of individuals (e.g. bad apples). Interestingly, “Professors of Psychology” (a profession dear to our hearts) were rated as untrustworthy because of individuals, relative to the other three academic professions. In sum, our

national survey suggests that public trust in the academy has not been compromised, despite the controversies currently plaguing our own field of psychology.

We have also prepared two studies that will be released to a national sample of academics in the coming weeks. Our first experiment is a study of “confirmation bias,” a well-known phenomenon in which people seek data that confirm already-held hypotheses. Our study extends the literature by using trained experimenters (psychology graduate students and postdoctoral fellows) as participants. We anticipate that despite their training, our “experts” will fall prey to confirmation bias. We hope that this will raise awareness regarding the fallibility of academics to this bias, and will encourage experimenters to take further steps to ensure that their research is objective.

Our second experiment is a study of “memory bias,” another well-known phenomenon in which one’s memory is biased by one’s expectations. To examine this, half of our expert participants read research summaries written in grandiose, exaggerated language, and the other half read research summaries of the exact same experiments and findings, but written in more scientifically modest, circumspect language. We then test subjects’ memories of the strength and direction of the original findings. We predict that participants will remember the exact same data differently, depending on the language in which the findings were couched, suggesting that we should be careful not just in how we do our science, but also in how we talk about it.

We would like to thank the Edmond J. Safra Center for Ethics for making our research possible through its funding and rigorous interdisciplinary support. In particular, as we are both second-year graduate students finishing up our coursework, this research would not be possible without the funding provided for a research assistant to aid in our efforts.

Lisa Cosgrove

During the fellowship year I published three peer-reviewed articles and have two articles in-press. In addition to working on my fellowship project, *The Ethics of Modern Psychiatry: An Investigation into Institutional Corruption*, with co-author and Lab Fellow Robert Whitaker, I also continued work on another co-authored book (with Dr. Harold Bursztajn, among others), *Ethical Issues in the Pharmaceutical Industry*, to be published by the bioethics division of the United Nations Educational, Scientific, and Cultural Organization (UNESCO). Finally, Drs. Allen Shaughnessy and Harold Bursztajn and I have completed the data analysis for a third paper in a series on the American Psychiatry Association's practice guidelines on depression. ("A critical appraisal of practice guidelines for major depressive disorder" which was submitted to the *British Journal of Medicine*).

I was fortunate to be able to attend most of the weekly Lab seminars and the Center's public lectures; they continue to be a rich resource and have helped me refine my thinking. For example, I used the material from two of the seminar presentations to develop in-depth case analyses for the UNESCO book. Indeed, it is unusual for a non-residential fellow to feel so much a part of this intellectual community; I am most grateful for my being able to continue the friendships that I developed last year and for the opportunity to forge new ones this year. I would like to thank Neeru Paharia for being a wonderful sounding board, and Stephanie Dant, Jennifer Campbell, Szelenia Gray, and Abby Bergman Gorchach for being so helpful and supportive.

Sreedhari Desai

My year as a non-residential Lab Fellow has been very eventful. As a fledgling assistant professor at the University of North Carolina's Kenan-Flagler Business School, I have had my plate full. Also, as the mother of a tiny infant, named after none other than our very own Lab Committee member Max Bazerman, I've been a bit busy!

I am very happy to report that I have had a successful year. My paper with another Lab Committee member, Francesca Gino ("Memory Lane and Morality") was accepted for publication by the *Journal of Personality and Social Psychology*. In this paper, we focused on a specific type of autobiographical memory: childhood memories. Drawing on research on memory and moral psychology, we proposed that childhood memories elicit moral purity, which we define as a psychological state of feeling morally clean and innocent. In turn, heightened moral purity leads to greater pro-social behavior. I also published a Harvard Business Review article titled, "Adults behave better when teddy bears are in the room." In this paper, I reported studies conducted with Francesca Gino which show that cues related to childhood can non-consciously cause people to behave more pro-socially. This work received a lot of media attention from outlets such as *The Boston Globe*, *The Christian Science Monitor*, *Financial Times*, *The Economic Times*, *CBC News*, and *The Nation*, to name a few.

One of the biggest challenges and most satisfying experiences I had this year was to design and teach an MBA core course called "Ethical Leadership" at the Kenan-Flagler Business School. This course, which was co-designed with my wonderful colleague, Dr. Jeffrey Edwards, centered on the ethical and moral aspects of leadership. The goal of the course was to stimulate students to understand ethical concepts and frameworks, and to see how they apply to leadership situations typically encountered in the field of business. The course, of course, did not presume to dictate what is right and wrong. Rather, it offered different perspectives relevant to ethical decision-making and moral reasoning, and incorporated values into how one may conduct oneself as a business leader and as a member of society. Throughout the course, we used cases, scenarios, and experiential activities that engaged students in recognizing the ethical aspects of business situations, diagnosing the ethical dilemmas and tensions embedded in these situations, and developing action plans that best fulfill the ethical principles at hand. In this

sense, we wanted our students to go beyond the role of passive observer and evaluator to project themselves into the situations considered in class, analyze the ethics of these situations drawing from frameworks developed in class and their own personal values, propose solutions they were willing to implement and defend, and receive feedback from us as well as their fellow students. We also invited students to work actively with others in class to sort out ethical issues, debate different courses of action, and present their views. Their active engagement brought to life the ethical principles covered by the course and gave them the chance to work through ethical situations like those they would be likely to experience in their career.

In closing, I would like to thank the Center for supporting me in my various endeavors. I am particularly thankful to Stephanie Dant, Jennifer Campbell, Celia Moore, Abigail Brown, Francesca Gino, Max Bazerman, and Mahzarin Banaji for their kindness and thoughtfulness. And a big 'thank you' to Larry and Bettina for guiding me in my professional as well as personal life. I had a very rough pregnancy but with Bettina's kind words of encouragement, I was able to hang in there, and now, I have a delightful little boy! Thank you, Larry, and thank you, Edmond J. Safra Center for Ethics!

Mirko Draca

During my year with the Center, I greatly increased my research in the area of institutional corruption. I think this topic has a lot of potential to inform policy and academic debates in my main fields of economics and political science. Indeed, in economics I think the concept of 'institutional corruption' has the potential to make a major contribution to the study of political economy.

My work has been focused on three areas. Firstly, I have been finalizing the results of my earlier study, 'Revolving Door Lobbyists', co-authored with Jordi Blanes i Vidal (London School of Economics) and Christian Fons-Rosen (Universitat Pompeu Fabra). This research measured the value

of a political connection to a Congressman for Washington lobbyists. It found that such a connection was worth around 25% of lobbyist revenues. Given that connections to Congressmen are only one part of a lobbyist's total political network, this 25% figure is actually a lower bound for how important connections are in the lobbying business. The paper has been accepted for publication by the *American Economic Review* and has been covered by media outlets including *The New York Times* and *The Washington Post*, as well as prominent blogs such as Marginal Revolution.

Secondly, I have been working on my Center-sponsored project on 'revolving door' movements of Congressional Staff into lobbying. The main objective of this project is to measure the strength of the financial pull of K Street on Congressional Staff career decisions. The practical focus of the project is the very wide gap between Congressional and lobbying salaries that has emerged over the 2000s. This increasing gap therefore causes us to ask whether the revolving door has been 'spinning faster' due to the increased amount of money flowing into the lobbying industry. In terms of policy this is important because of the potential of the revolving door to hive off Congressional policy expertise in favor of special interests. The first results of the research were reported at the Lab seminar and showed some evidence of increasing absolute flows of staffers into lobbying, with a peak in 2007.

Finally, I have also been active in debates over the regulation of lobbying in the U.K. There is no formal disclosure of lobbying expenditures required in the U.K. and a series of scandals has led the government to accept the introduction of a lobbying register. I have been active in debates over the register, providing a submission to the Cabinet Office consultation on the register, and writing posts for the Politics and Policy Blog run by the London School of Economics.

Daniel Effron

My research concerns the psychological processes that allow people to act in ethically questionable ways without compunction. Funding from the Center has allowed me to pursue a line of work examining how people use thoughts of the “unethical road not taken” to reduce their concerns about feeling or appearing unethical. During my time as a non-residential Lab Fellow, I conducted several experiments and wrote two working papers, both of which I will be presenting at conferences this summer, and one of which I am currently revising for publication in a top social psychology journal.

Prior research suggests that when people can point to good deeds that they performed in the past, they feel licensed to act less-than-virtuously in the future. My research demonstrates that people similarly feel licensed when they can merely point to bad deeds in the past that they could have performed, but did not. I examined this phenomenon primarily in the context of race and racial discrimination. For example, in one Center-funded experiment, my colleagues and I found that giving research participants an opportunity to do something blatantly racist—an opportunity that all participants declined to act on—led them to express less sensitivity about racism on a subsequent task. Apparently, the ability to point to a “racist road not taken” made participants feel that they had proven their lack of racism and that they were thus less compelled to express racial sensitivity.

Additional research suggests that when people wish to reduce concerns about seeming racist, they will invent “racist roads not taken” that they in fact had no opportunity to go down. For example, my collaborators and I found that when participants expected to complete a task that could make them seem racist, they exaggerated the number of opportunities that they had had (and passed up) to make racist judgments earlier in the study. Presumably, this exaggeration allowed participants to point to a “racist road not taken” as proof of their own racial egalitarianism, thus reducing their concern about seeming racist during the upcoming task. These results illustrate how

people’s desire to feel and appear moral can affect their memories of the road not taken.

This desire can also shape people’s beliefs about what the road not taken says about their morality. I recently found evidence that people are more likely to interpret foregone bad deeds as evidence of their morality when they expect to do something morally questionable in the future. To license themselves to give into an ethical temptation in the future, people may convince themselves that their past choices speak volumes about their good character. Ongoing work is examining how related psychological processes can allow people to act consistently with conflicts of interest without compunction.

In sum, my research illustrates how people strategically use thoughts of the “unethical road not taken” to maintain an ethical image despite acting in ethically questionable ways. This psychological process could allow managers to make discriminatory hiring decisions without feeling prejudiced and allow experts to sway their judgment in light of conflicts of interest without feeling biased. Understanding the nature of this process and the situations that activate it can provide important insights into institutional corruption and effective means of preventing it.

William English

My first year at the Center proved both intellectually stimulating and highly productive on many fronts. During the fall semester I conducted (and wrapped up) a number of discrete research projects, while developing a better theoretical grasp of the concept of “institutional corruption.” The spring semester has involved refining and launching various data gathering projects that I look forward to analyzing through the coming summer and fall. I continue to see my work as divided into two tracks: 1) a series of focused, empirical studies that advance scholarly debates about the nature of ethics, trust, and corruption; and 2) a number of more theoretical reflections aimed at understanding the “big picture” and communicating it to popular audiences.

I could not have asked for a better environment in which to pursue this unique mix of empirical and normative inquiries. It has been a particular delight to be surrounded by such wonderful colleagues who have opened my eyes to new ideas and findings throughout the year. The Center's events have likewise been a source of continual insight and inspiration, as has the larger Harvard milieu.

To account for my year in a bit more detail: Early in the fall I presented a paper (currently under review) at the annual meeting of the American Political Science Association, which documented widespread instability in risk preferences and considered the implications for issues of social justice, insurance, and policy design. The following month, I wrote two short but related papers: one examining the ethical dimensions of demographic challenges that underlie fiscal crises in Europe, the other on the role that civil society must play in satisfactorily addressing deep structural problems laid bare by the financial crisis. The former was presented at the "Science of Virtue" Conference, co-sponsored by Berry College and the University of Chicago, and will be published in *The New Atlantis*. The latter was presented at the "Economic Challenge" conference at Princeton University, cited in the *Wall Street Journal*, and will be published as a chapter in the conference proceedings. During the fall I also co-authored a long article on "Corruption" that is forthcoming in Springer's *Compendium and Atlas of Global Bioethics*, which aimed to provide a synoptic overview of problems of corruption that arise in bio-medical fields. This article formed the basis for a presentation I later delivered at the Southern Political Science Association annual meeting on the topic of "why defining corruption is harder than you think." I also had the opportunity to write a short review of David Brooks' bestseller *The Social Animal* that an editor immodestly titled "Can Neuroscience Tell Us Anything About Virtue?"

Having spent most of my remaining time in the fall thinking about the nature of institutional corruption, I was excited (and better prepared) to

develop data sources this spring. I collaborated with Lab Fellows Alek Chakroff and Brandi Newell to design an experimental survey that investigates rationales for distrust in various professions while also testing how people perceive group versus individual responsibility (data collection is currently underway and we have sought additional outside funding). I also developed a novel experimental protocol that enables me to test how sources of ethical motivation interact with financial incentives to increase or decrease cheating rates on a questionnaire with significant public health implications (data collection in the Harvard Decision Science Lab to begin soon). Finally, thanks to the help of Fellows at the Harvard Kennedy School's Institute of Politics, I hope to survey a number of former members of Congress concerning their judgments of how money operates politics, and possibilities for reform. I will also continue to pursue opportunities to survey and interview professionals from other key institutions of concern. In addition to these data-driven projects, I was recently invited to write an essay on institutional corruption for *The American Interest*, which will help showcase the importance of the Lab's work to a popular audience.

Although only tangentially related to the theme of corruption, I should mention that I presented a paper this spring at the Public Choice Society meeting showing that considerations of merit powerfully influenced distribution decisions in an economic experiment in ways that directly contradicted predictions made by the prevailing theory of inequality aversion (currently under review). Also, a paper on which I had worked throughout the last year appeared as the lead article in the February issue of the *American Political Science Review*. Entitled "Candidate Genes and Political Behavior," my co-author (and former Graduate Fellow), Evan Charney, and I document the corruption of scientific standards in the field of behavioral genomics and show that single genes do not, in fact, predict complex political behaviors, contrary to previous claims. Our article received modest publicity from outlets such as *National*

Geographic, *Science Daily*, and *Psychology Today*, and we have summarized the main points in a piece targeted to popular audiences that will appear in *Scientific American*. I continue to work on controversies in behavioral genomics in my spare time.

It's been a great nine months, and I'm excited about the work that lies ahead. Needless to say, none of this would have been possible without the Center's generous support. I am deeply grateful for that and delighted to be returning for a second year.

Yuval Feldman

I look back on this past year as one of the most academically stimulating years of my life. As a newly tenured professor, I thought my years of learning as a student were behind me, and I would now impart my knowledge to others. I realized shortly after arriving at the Edmond J. Safra Center for Ethics that my role as a student was far from over.

I cannot exaggerate how fortunate I feel to be a part of two incredible and different academic communities this past year. My year at the Center, under Larry's leadership, provided me with the unique experience of working in a multidisciplinary community. Collaborating with scholars from a myriad of disciplines and working together on the same topic was an amazing opportunity. My colleagues at the Center exude both a passion for research and a willingness to learn from others. Presenting ideas and getting substantive feedback during our weekly seminars was both a unique and valuable experience.

At the Center, my colleagues helped change my perspectives on my areas of interest: the relationship between law, money, and unethical behavior. Before arriving at the Center, I was under the impression that the rule of law is very important in the United States and hence understanding how people understand the law is the key to understanding corruption. I've now taken the position that, in many important aspects, money has a

more powerful influence on behavior than the law, which caused me to update some of my research hypotheses. While conducting my research, I have appreciated that the Center highly values both basic research and the possibility of changing public policy. The administrative staff, led by Stephanie, is incredibly accommodating and efficient, which facilitated the cooperative environment of the Center.

When not at the Center, my second home is at the Implicit Social Cognition Lab headed by Professor Mahzarin Banaji. The lab has an impressive group of students who are well versed in lab methodologies. With their help, I was exposed to many new research methods that have significantly influenced my own research techniques. Mahzarin has been truly invaluable in teaching me both how to design a study and how to manage a team of researchers (knowledge which I intend to use in the future).

In addition to being grateful for my exposure to these stimulating communities, I appreciate being able to collaborate on theoretical and experimental projects with some of the world's most renowned experts. My joint projects with Mahzarin focus on understanding the interpretative processes through which people reduce the relevancy of various laws that might conflict with their desired actions. In our series of studies, we are examining whether individuals will use perceived vagueness and ambiguity in the language of the law, either strategically or automatically, to promote their various interests (financial, esteem, organizational). My other projects examine how organizations can develop ways to train their members to be conscious of situations containing subtle conflicts of interest. In a related project, we are trying to reevaluate the efficacy of classical enforcement; in particular, the authorities' ability to curb major self-serving biases, even in contexts of limited self-awareness. I am grateful to lab research assistants Steve Lehr, Paul Meinshausen and Sabrina Sun, who have helped me with my many projects.

I am currently in the preliminary stages of projects that represent exciting questions based on an experimental and normative approach to corruption. With Henry Smith from Harvard Law School, I focus on the broader normative consideration of the optimal design of law, with particular focus on the effect of vagueness on opportunism on the one hand and performance on the other. I am also working on a project with Jennifer Lerner from the Harvard Kennedy School that examines the mediating role of anger in accounting for the effect of perceived distributive injustice on people's belief in state institutions. Finally, with Ian Ayres of Yale Law School, I am working on a project that attempts to understand how lowering the costs of social enforcement might affect people's investment in acquiring relevant information, behaving strategically, and engaging in the reporting of wrong-doing in organizations.

I am able to make progress in so many projects due to the superb group of research assistants with whom I am lucky to work. My research assistants are: Jonathan Deng, Ryan Galisewski, Allison Goffman, John Lyon, Ryan Romain, Troy Schuler, Sabrina Sun, Daniel Sung, and Justin Zelin. I continue to meet weekly with each of my research assistants where we discuss readings, brainstorm study designs, and work on writing detailed IRB applications.

It is clear to me that my experiences and collaborative projects here will contribute significantly to my professional development. I hope that my work will contribute also to the greater product of this fascinating initiative to empirically study institutional corruption.

Garry Gray

The following Henry David Thoreau quote is a favorite of our Director, Larry Lessig, and I've found it inspiring on many levels: "There are a thousand hacking at the branches of evil to one who is striking at the root." First, it forces us to go beyond simply asking "Why did he or she do it?" to instead ask, "What are the economy of influences that lead good people to do such things?" This

latter question encourages us to participate in a quest to make visible the various systems in which individuals are embedded. It also suggests that in order for us to better understand the root causes of institutional corruption we need to go beyond the comfort levels of our specific academic disciplines so that we are capable of appreciating alternative disciplinary views, theoretical lenses, and methodological strategies. The Edmond J. Safra Center for Ethics provides this type of intellectual environment.

During my first of a two-year fellowship, I embarked upon an ethnographic study of the modern research university. I endeavor to develop grounded theoretical explanations for the processes of taken-for-granted ethical behaviors among academic faculty and staff. Universities are in an era of uncertainty. There are many economies of influence operating simultaneously across our roles as teachers and researchers. I have designed a project that examines both the funding environment of academic research and also the everyday routines of teaching, research, funding, and ethics. Through in-depth interviews with professors across various disciplines of a university, I am beginning to provide an account of how funding environments intersect with micro-level behaviors inside institutions. This project, I am pleased to report, is progressing nicely. I benefit enormously from my collaboration with Susan Silbey, Head of the Department of Anthropology at MIT, who provides terrific direction and insights into the project.

My time at the Center has also been deeply enriched by my interactions with other Lab Fellows, with whom I have developed research collaborations. This past March I attended a workshop (co-sponsored by the Center) at The Pennsylvania State University on industry sponsorship of health-related food research. This led me to focus a portion of my interviews with faculty in the areas of nutrition and food in order to understand the norms of academic-industry relations within these particular academic fields. I am also presenting my recent findings at the 2012

Annual Law and Society Meetings in a panel entitled, “Rethinking Regulatory Paradigms: Challenges of Identity, Inclusion, and Participation.”

During this past year I also contributed to the development and instruction of a new course on transdisciplinary research at the Harvard School of Public Health. Previously, there was no methodological course available that actively recognized the research process as being part of an open, dynamic system that operates simultaneously on multiple levels, justifying the synthesis of knowledge through disciplinary collaboration. The experience of teaching this course parallels my own role as a Lab Fellow at the Center where I am surrounded by researchers from a variety of disciplines, all attempting to better understand institutional corruption. This unique environment is a constant reminder of the value of both interdisciplinary and transdisciplinary research. It has fueled tremendous synergies that I am channeling into a book on academic-industry relations. I plan to have this manuscript completed by the fall of 2012.

I am very grateful to Larry Lessig and the Edmond J. Safra Center for Ethics for providing me with an opportunity to participate in the quest to make visible the various everyday systems that divert individuals from their intended roles. I want to also thank Jennifer Campbell, Stephanie Dant, and Abigail Bergman Gorlach for providing me daily assistance as I navigated the administrative matters of the research process.

Michael Jones

The two years I have spent at the Edmond J. Safra Center for Ethics have been both memorable and productive. Working as part of a larger team comprised of members from the Cultural Cognition Project at Yale Law School, we have made significant advances in understanding how the general public processes factual information about campaign finance. With the support of the Lab, our efforts have produced an unprecedented collection of qualitative and quantitative data that speak not

only to campaign finance, but also to elite and public understandings of the political process more generally. While what we have already learned from these data is substantial, we expect these data will yield insights for years to come.

Our approach to exploring the question of how cultural cognition shapes the processing of factual information about campaign finance has been cautiously incremental, with each step building upon the preceding step. During the first year we acquired campaign finance survey and focus group data from several existing sources, including Westen Strategies, Inc. and Lake Research Partners. We then supplemented these data sources with nearly 30 stakeholder interviews followed by four focus groups. Against the backdrop of the existing but modest collection of studies assessing campaign finance and public opinion, these data allowed us to begin to form basic intuitions, conjectures, and—in some cases—hypotheses about the expected orientations of the public toward campaign finance.

Beginning our second year, we endeavored to test our intuitions. The first step involved fielding a nationally representative internet survey. Exploratory in nature, this first survey was designed to assess various variable groupings previously identified as likely to offer explanatory power in relation to the public’s general campaign finance knowledge and preferences, and what variables were likely to facilitate or impede the processing of factual information. For several variable groupings we needed to develop new measurement scales. For example, new scales were tested for campaign finance knowledge, orientation toward reform, and political process orientations toward efficiency, competitiveness, and consensus.

Building upon our qualitative and survey work, we fielded another nationally representative survey in the spring of 2012. This survey contained seven experimental conditions designed to assess the effectiveness of various messaging strategies when communicating factual information about campaign finance. Our preliminary

analyses of these data suggest that messaging is important, but works differentially dependent upon the characteristics of the respondents. That is, among other characteristics, the cultural orientation of the respondent seems to predispose individuals to be more receptive to some messages while predisposing them to reject others.

Our analyses are not complete. We also have more data to collect. However, what we have already unearthed is enough to provide optimism regarding our initial expectations: there does appear to be a meaningful relationship between cultural cognition and how people process factual information about campaign finance and other political process issues. As the Cultural Cognition Project moves forward with this research, I will maintain my affiliation with the Edmond J. Safra Center for Ethics as a non-residential Lab Fellow. We look forward to exploring the nuances of our data and thank the Center, its staff, and the supporting cast at Harvard that has made our endeavor both enjoyable and productive.

Paul Jorgensen

My overarching goal is to describe and explain electoral and lobbying coalitions within Congress, from 1980 to 2010, and to determine the policy effects of these coalitions. The best theory to help answer this question is the *investment theory of politics* developed by Thomas Ferguson. He and I continue to work closely to complete this endeavor. His theory requires information that is difficult to extract, which is why I have taken this opportunity to not only improve the accuracy of campaign finance data, but to give it additional context with political and economic data obtained through several sources. My progress could not have happened without the resources of the Edmond J. Safra Center for Ethics, and the incredible network of people connected to the Center. Together, we are pushing the boundaries of campaign finance knowledge.

In campaign finance data, the most reliable measure of a donor's geographic area is zip code; however, zip codes alone are not a useful unit for

political geography. To link campaign donors to a useful political-geographic unit, zip codes must be linked to congressional districts and census tracts. To my knowledge, this linkage has never been completed successfully because of overlapping boundaries, especially in urban areas. I commissioned Harvard's Center for Geographic Analysis (CGA) to mitigate this problem by measuring the overlap using population size, and accounting for changes in map boundaries from the mid-1970s to 2011. This work will allow the merger of campaign finance information with data from the Census Bureau. CGA also produced congressional district adjacency matrices (a 1 or 0 indicating if different congressional districts share a boundary), which allowed me to run spatial regressions accounting for the correlation of those donations deriving from proximate districts.

I have spent most of my time this year improving donor identification within the campaign finance data. Using donor-matching algorithms, I am able to match donors who may appear to be different people across multiple transactions, assigning individuals and groups unique identification numbers. In contrast with other studies, I find that a smaller group of donors fund federal elections. For example, in 2008, there were over 3.5 million transactions producing over \$3.086 billion dollars, and only slightly over 1.35 million donors accounted for all the individual contributions. The average contribution per donor (who gave a net of \$200 or more) was \$2,316.

American federal elections are hardly financed by small donors. Identifying the economic interests of these donors is also difficult with 20-30% of the occupations listed as blank, retired, or homemaker in any given electoral cycle. To help solve this problem, I gathered information from various corporate registries to conduct a second round of donor matching; in essence, merging corporate information with the campaign finance data.

Linking campaign finance information to corporate registers is a difficult process. I obtained the top-level managers from S&P 500 companies since

the early 1990s, and the top fifteen executives for every unique company on the S&P 500/600, the Russell 2000 Index, Fortune 1000, and Forbes 2011 Largest Private Company List. Unfortunately, this list is limited to 2011, and most digital information is not historical. To obtain historical information, I am working with librarians at the Harvard Business School's Baker Library to begin digitizing a substantial portion of Standard and Poor's *Register of Corporations, Executives, and Directors from 1971–2009*, and some select years prior to 1971. The results of this work will be posted online.

Sheila Kaplan

The Environmental Protection Agency (EPA) has a vast mandate—protecting air, water, land, and people from pollutants. But year after year, through both Republican and Democratic administrations and Congresses, strong economies and weak ones, the institution fails the American public in many ways. Among the EPA's toughest challenges are: improving the role of science in decision making; reducing greenhouse gas emissions; revamping the legal framework to manage chemical risks; safeguarding drinking water; and developing a strategic plan to protect children's health. The EPA has thousands of dedicated employees who truly believe in its mission. So, why has the agency fallen short so often? The evidence points to the influence of regulated industries over Congress, top-level agency staff, and the White House—an example of dependence corruption at work. Since September, I've been researching and writing an ethnography of the EPA, highlighting the everyday routines, practices, and relationships which distort the agency's mission and harm both the environment and public health.

Thanks to the invaluable guidance of Lawrence Lessig, and the generous assistance from the advisors, staff and my colleagues at the Lab, I've been able to document the forces that cause the EPA to stray from its mission. I've interviewed more than 125 present and former EPA staffers, GAO employees, Inspectors General, and science advisory panel members—the vast majority of

whom acknowledge the power of industry to put its own financial interests over the public good in the minds and on the agendas of lawmakers and administration officials.

I've collected thousands of letters that lawmakers have written to the EPA over the past five years, which I received under the Freedom of Information Act. I'm in the process of analyzing them and will finish over the summer. Some of these letters merely seek information on certain issues or help for constituents with environmental concerns, but many of them seek specific favors for donors, such as reduced fines for violating environmental regulations or waivers from rules.

These interviews and letters have helped me develop case studies highlighting institutional corruption at the EPA, and also to come up with tools to quantify similar institutional corruption at other federal agencies. I've focused on: the revolving door between the EPA and industry—including lobbyists and scientists-for-hire; the revolving door between Congress/Congressional staff and K Street; the role of business representatives on science advisory boards; the practice of joint industry-federal funding for environmental programs; the impact of campaign donations; and the ability of other federal agencies, such as the Defense Department, to trump the EPA when they are worried about their own financial liability in cleaning up hazardous materials or contaminated water. Additionally, I've been working on proposals to reduce institutional corruption and my monograph on the EPA will be completed over the summer.

In all these efforts, I've benefited greatly from the weekly Lab seminars with my colleagues from different disciplines, and from our inspiring lecturers, among them: Paul Volcker, Drummond Rennie and Franz Adlkofer. These events helped broaden my knowledge of the corrupting influences on public institutions, deepened my thinking, and improved my techniques for collecting and analyzing data. I've also received very generous assistance from Michael Toffel and

Arthur Daemmrich of the Harvard Business School; and David Bellinger, Susan Korrick and Robert Wright of the Harvard School of Public Health.

I have spent more than 25 years as an investigative reporter. My work has won numerous journalism awards, spurred congressional hearings and changes in state and federal law. But, it was only by spending the year as a Lab Fellow at the Center, instead of as a journalist, that I have been able to reach so many EPA staffers and other government officials, and have them open up to me; without first having to get permission from their press offices, or having “minders” sit in on our interviews. And I learned to ask much better questions. The result is that I’ve been able to get much closer to the truth than I ever have before. I am grateful beyond words to have had this opportunity.

Jonathan H. Marks

It has been a real pleasure to continue my association with the Edmond J. Safra Center for Ethics this year. After two years as a residential fellow, I returned to Penn State in the summer of 2011 and continued my work at the Lab as a non-residential fellow. While running a lecture series on food ethics (broadly construed) at my home institution, I also co-organized—with my colleague and collaborator, Don Thompson—a symposium entitled “Industry Sponsorship and Health-Related Food Research: Institutional Integrity, Ethical Challenges, and Policy Implications.” The event was held at Penn State in March 2012, and co-funded by the Center and the Rock Ethics Institute at Penn State. This joint funding also supported the invaluable assistance of Chris Mayes, our bioethics postdoc, and Atia Sattar, our graduate research assistant.

The symposium focused on functional foods—put simply, foods marketed for their purported health benefits above and beyond basic nutrition. It had three core objectives. The first was to examine challenges to the integrity of health-related research on functional foods sponsored by industry, including the distortion of research

agendas, the risk of bias, impacts on the interpretation of nutrition studies, and related concerns. The second was to explore the ethical implications of industry funding of this research for the academy (both academic institutions and their researchers), editors and reviewers of nutrition journals, and the leaders and members of relevant professional associations. The third was to explore the potential policy implications of these issues, and to lay the foundations for the analysis of some principled policy responses.

The symposium began with a lecture on institutional corruption by Lawrence Lessig that drew attention to the impact of the food industry on nutrition policy. The lecture provoked animated audience responses, and set the scene for two days of engaging presentations and discussion. Don and I opened the deliberative part of the symposium by providing an overview of health-related food research viewed through the lens of institutional corruption. We also heard presentations from two other Lab Fellows—Garry Gray who spoke on organizational self-censorship and academy industry-relations, and Susannah Rose, who addressed the interactions between patient advocacy organizations and the food industry. Other presenters included the editors of medical and nutrition journals, and researchers with current or previous leadership positions in relevant professional associations. In addition to the speakers there were a number of attendees who actively engaged in discussion, including Lab Fellows Lisa Cosgrove and Sheila Kaplan. It was a privilege and a delight to be able to draw on the expertise and thoughtful contributions of so many members of the Lab community.

It should come as no surprise that the symposium has enabled me (and my co-authors) to refine the ideas we are developing in works in progress, and has planted the seeds for a number of future publications. Just as importantly, the symposium also set the stage for empirical research to support the normative work we are doing. As a result, I am working on building teams with other Penn State faculty and Lab Fellows to conduct this research.

A number of intriguing—and in some cases, very ambitious ideas—emerged from the symposium. It is premature to discuss them here. However, I am extremely grateful that I will be able to continue my association with the Lab in the coming year, and I plan to report on these developments in next year's report.

In addition to expressing my gratitude to Larry and all the staff at the Center, I would like to take this opportunity to wish the Lab's first research director, Neeru Paharia, a fond farewell. Her good humor cultivated a collegial atmosphere that promoted the kind of creative collaborations the Lab thrives on. At the same time, I look forward to getting to know Mark Somos, the new research director. I am confident that his intellect and multi-faceted talents augur extremely well for the next stage in the life of the Lab.

Celia Moore

Ten years into my return to academia (after spending eight years in the “real world”), and five years after starting my first academic post as an Assistant Professor of Organizational Behavior at the London Business School, I can honestly say that this year as a Lab Fellow at the Edmond J. Safra Center for Ethics has been the most inspiring and mind-blowing yet.

Institutional corruption is a deeply intractable problem, and thus solutions to it require both creativity and efforts from multiple disciplines. The projects I focused on during my year as a fellow centered on the intractability of the problem of institutional corruption.

The first investigates the impact of leadership change on officer discretion in drunk driving enforcement using a multi-year sample of State Patrol records in Washington State (259,855 DUI arrests from 1993-2009). Though this may seem tangentially related to corruption, the reasons why individuals in positions of authority change the extent to which they treat misconduct with leniency is at the heart of the problem. My co-authors and I identify the stringency of DUI

enforcement for officers by observing how often they arrest offenders who are clearly over the blood alcohol level limits compared to marginal offenders. Comparing the relative frequency of arrest of marginal offenders relative to borderline offenders thus reflects the individual patroller's decision to punish marginal offenders.

The main project I engaged in this year using these data was to explore how leadership change affects changes in leniency towards individual misconduct. Working with two research assistants, we identified 82 changes in Sheriffs across 39 counties/offices and 413 changes in police chiefs across 232 local police departments. We discovered that drunk driving arrests are treated with increased stringency in the first months after a leadership change, but quickly return to the base rate level. Changes in arrests are larger in police departments in the first months after a new Sheriff has been elected. We are now analyzing whether electoral data influences these changes. Supported by the Center, I was able to present these data at a conference on Behavioral Ethics at the University of Central Florida in February of this year.

In a second project, I am investigating how firms recover in the aftermath of discovered and prosecuted institutional corruption. Starting with a proprietary sample from the U.S. Sentencing Commission of several hundred firms that were criminally convicted in federal courts over an 11 year period, I spent the year compiling a data set of all major criminal convictions of American public corporations over the period of 1991-2010. Working with two research assistants, we have collected data on 381 such convictions, which I believe is the largest assembled data set of criminally-convicted public corporations, and we are now in a position to analyze the actions these firms take in the aftermath of the penalties they face by the legal system. The data set is a clear testament to the prevalence and persistence of institutional corruption throughout the business world.

Clayton Peoples

It has been a wonderful year for me with the Edmond J. Safra Center for Ethics. As a non-residential Lab Fellow, I was able to extend my work on campaign finance to examine how contributors impacted the bills that led to the Global Financial Crisis. I focused on two bills, specifically—the Gramm-Leach-Bliley Act of 1999 and the Commodity Futures Modernization Act of 2000. We now know that the deregulations enacted within these two bills were crucial in legalizing risk and, ultimately, inducing financial collapse.

The fellowship with the Center allowed me to allocate the time necessary to carefully examine contributor effects on these bills via a “social model” I had developed in previous research. Through nonparametric techniques (quadratic assignment procedure regression), I was able to identify statistically significant contributor influence on both bills—independent of the effects of party and other intra-legislative factors. This shows that contributors helped lay the groundwork for the policies that led to the Global Financial Crisis. I will be presenting the findings of this paper at the American Sociological Association conference in August, and will be sending it to the journal *Analyses of Social Issues and Public Policy* in the coming months.

The fellowship has been extremely helpful to me in the research process by allowing me to benefit from the eclectic, multidisciplinary perspectives of Center affiliates. In particular, I benefited tremendously from the comments and suggestions of fellows and affiliates at both the Lab’s research meeting in September and my Lab seminar in April. Their insights have been invaluable as I revise the paper and prepare it for submission to a journal.

The fellowship has also been beneficial to me in a more general sense. By building connections with scholars who are doing similar work in other fields (or outside of academia), I have had the opportunity to think about campaign finance in new and enlightening ways. For instance, connecting with

Lab Fellow Sheila Kaplan has helped me see campaign finance and lobbying through a journalist’s perspective. Moreover, connecting with Network Fellow Dan Newman of MapLight has spurred many new and exciting research ideas, which I am happy I will be pursuing in a continued affiliation with the Center in the coming year!

Genevieve Pham-Kanter

The Edmond J. Safra Center for Ethics has provided a research environment in which any scholar would feel exceedingly fortunate to work, and I am grateful to Lawrence Lessig and the Center for giving me the opportunity to spend two years as a residential Lab Fellow. This past year, my first as a Fellow, has been productive and intellectually inspiring. I have made good progress on my primary Center-funded project and have begun a number of other collaborative projects.

My primary project, which critically examines the evidence for whether the financial interests of Food and Drug Administration (FDA) advisory committee members influence the drug approval process, is proceeding as scheduled. With the help of several resilient research assistants, all of the primary data collection for the project has been completed, and we are in the process of cleaning and preparing the data for study. The full data set should be ready for statistical analysis by the beginning of my second fellowship year.

In addition to the FDA work, I was also able to complete two papers on state physician payment sunshine laws. The first paper, joint with G. Caleb Alexander at Johns Hopkins University and Kavita Nair at the University of Colorado, looks at whether there was a deterrence effect of state physician payment sunshine laws on physician prescribing (answer: no). This paper was published in the *Archives of Internal Medicine*. The second paper reviews state physician payment sunshine laws and analyzes the legal and regulatory implications of the federal Physician Payments Sunshine Act. This paper, co-authored with third-year Harvard Law School student, Igor Gorlach, is currently under review.

Through the Center, I have been able to begin several collaborative projects. This past year, I was fortunate to have had the opportunity to work closely with Lab Committee member Eric Campbell of Harvard Medical School and Massachusetts General Hospital, a kind and immensely helpful advisor. He and I, along with Darren Zinner of Brandeis University, have been working together on a project examining professional ethics in the life sciences, with a particular focus on secrecy in data practices. The survey for that project will be fielded this coming fall. I have also been working with Paul Jorgensen, a residential Lab Fellow, on several projects examining the empirical relationship between political campaign dollars and health policy.

Along with the research made possible by the Center, the Lab seminars have been an important and valuable part of my experience. The interdisciplinary conversation, focused on a single overarching problem, supplemented with the wisdom of Lab Committee members David Korn and Malcolm Salter, has helped us clarify many of the recurring conceptual and empirical issues involved in studying how financial flows can distort institutional incentives.

Finally, in addition to the Lab's research and seminar activities, I have been able to engage with the broader academic community, both within and outside Harvard. Within the University, I have joined the Catalyst Research Ethics Working Group and served as a tutor/discussion leader in the Harvard Medical School Medical Ethics course during the section on conflicts of interest. Outside Harvard, I presented a paper at a national conference and have been asked to be part of an expert panel to develop an ethics curriculum for medical students.

All of these activities would not have been possible without the financial and research resources of the Center; the moral, intellectual, and professional support of Lawrence Lessig; and the able and dedicated staff support of Stephanie Dant, Jennifer Campbell, and Abigail Bergman Gorchach.

I am grateful to have been a part of the Center this past year and look forward to an exciting and productive second year.

Marc Rodwin

My year as a residential Lab Fellow at the Edmond J. Safra Center for Ethics allowed me to engage with an interdisciplinary community of scholars interested in ethics, institutional corruption, and public policy. I also benefited from contacts with other scholars at Harvard working on related issues. It was a pleasure to work with my able and engaging colleagues across academic disciplines as well as with journalists and with policymakers. The weekly seminars with Lab Fellows, as well as lectures, seminars and dinner meetings with scholars from outside the university enriched my year. The fellowship released me from one-half of my teaching responsibilities and provided a wonderful setting for me to conduct research on institutional corruption and the pharmaceutical industry.

My research examined a variety of ways in which institutional corruption compromises drug policy and public health. I explored options to reform the pharmaceutical industry and drug policy. I found that a core problem is that the United States has created a system that makes government officials, physicians, and the public improperly depend on pharmaceutical firms to perform crucial activities where their interests diverge from that of the public.

For example, we depend on drug firms to set priorities for research and development rather than providing targeted incentives to encourage important therapeutic developments. We also depend on them to conduct clinical trials that the FDA uses to evaluate new drugs rather than having independent researchers design and conduct the trials. In a similar vein, we rely on pharmaceutical firms to disclose their clinical trial data rather than requiring that they make public full trial data. In addition, we rely on drug firms to monitor adverse drug reactions and oversee pharmacovigilance as well as to supply doctors

with information about drug benefits and risks. Financial incentives, however, compromise drug firms from performing this work diligently so we need to have alternatives as a safeguard. At the same time, the medical community and public depend on drug firms to finance continuing medical education through discretionary grants and also to finance medical societies, conferences, journals and important medical activities; yet firms use their funding in ways that skew medical education and professional medical activities toward marketing products.

I explored numerous options to eliminate this dependence in a talk at a conference on *Conflicts of Interest in the Practice of Medicine*, sponsored by the American Society of Law, Medicine and Ethics. I developed these ideas in an article, "Conflicts of Interest, Institutional Corruption and Pharma: An Agenda for Reform" that will be published in the *Journal of Law, Medicine and Ethics*.

Pharmaceutical industry control over most clinical trials that test the safety and effectiveness of drugs has compromised the integrity of medical knowledge. Drug firms have buried results of unfavorable studies and published positive results several times. Moreover, published results have often not accurately reflected the results of the actual clinical trials. This problem led to legislation that required drug firms to register clinical trials in a public database so that researchers and clinicians can access the information. However, the information disclosed in clinical trial registries is partial and does not provide a good basis for assessing the findings of the study. This problem led me, along with my colleague, John Abramson, M.D., to propose legislation that would require making public the clinical study report of clinical trials for all drugs approved for sale in the U.S. These clinical study reports include much more detailed information about the study. Our commentary "Clinical Trial Data as a Public Good" will be published in a forthcoming issue of the *Journal of the American Medical Association*.

Public access to clinical trial data, however, is insufficient. Drug firms can bias trials results by designing the trials and employing the researchers. In recent years, this problem has led some physicians to call for removing drug firm influence over the clinical trials used by the FDA when it decides whether to authorize their sale. In analyzing the feasibility of this reform, I was surprised to learn that many people have advocated similar proposals for more than half a century. In fact, Senators introduced legislation in the 1960s and 1970s that would implement the proposal. It would have a federal agency select independent firms to design and conduct such drug trials. The debate over this proposal and the alternative paradigm for drug regulation that the U.S. has adopted illuminates the problem and the politics of reform. I summarized my analysis in "Independent Clinical Trials That Test Drugs: The Neglected Reform," which will be published in a symposium on drugs and money in the *Saint Louis University Law Review*.

I also wrote an article, "Reforming Pharmaceutical Industry-Physician Financial Relationships: Lessons from the United States, France and Japan" for the *Journal of Law, Medicine and Ethics*. I was invited to give a plenary session presentation titled "Conflicts of Interest, Expertise and the Pharmaceutical Industry" at the French Society for Public Health and invited to give a plenary presentation entitled "Conflicts of Interest in three Countries: Lessons for Drug Policy in France" at the National Encounter on Pharmacology and Clinical Trials sponsored by the French Ministry of Health.

Let me offer one illustration of the benefits of having Lab fellowships granted over several years focused around a common theme. Working with my fellow Fellows, I was able to organize a symposium issue of the *Journal of Law, Medicine and Ethics* around the theme of institutional corruption and the pharmaceutical industry, which will be published in the fall of 2013. This project brings together approximately nine Lab Fellows to work on a common goal. I hope to engage in future joint projects with the expanding network of Edmond J. Safra Fellows.

A final note, Professor Lawrence Lessig's early seminal work on intellectual property and the internet revealed ways to create networks, expand access to knowledge and resources, and to promote the common good. As director of the Center he continues this project by creating networks of scholars among the multiple independent schools at Harvard University; schools that typically work in separate spheres. He has also built networks between Harvard and other universities. Under Professor Lessig's leadership the Research Lab is seeding innovative research and I think it is likely to create new intellectual and policy agendas. It has been a pleasure to watch Professor Lessig this year as he spurs dialogue, prods thinking, and supports fellows, faculty and staff.

Susannah Rose

My primary project this year as a non-residential Lab Fellow at the Edmond J. Safra Center for Ethics has been to continue my empirical research aimed at assessing the nature of financial conflicts of interest among patient advocacy groups in the United States. This project started last year, while I was a residential Lab Fellow, and has continued during the time of my transition to being a faculty member in the Department of Bioethics at Cleveland Clinic. This is an exciting project that focuses on important concerns regarding institutional conflicts of interest among non-profit organizations in the United States. This year has focused on survey development, database creation, qualitative research, and interviews. The upcoming year will be filled with data collection and analysis, which is an exciting phase of any research endeavor. In addition to my patient advocacy group study, I also collaborated this past year with Lab Research Associates Dr. Christopher Robertson (University of Arizona) and Dr. Aaron Kesselheim (Harvard Medical School) on a randomized trial investigating the impact of different forms of conflicts of disclosure on physicians' perceptions of the methodological rigor of clinical drug trials. We are currently writing the final manuscripts based upon this research. The full report of this research is contained in a separate report provided by Dr. Robertson.

In addition to my research funded by the Center, I have actively participated in Lab activities, including visiting the Lab and continuing key collaborations among the fellows. Even though I am not in-residence this year, I find that the support, information and collaborative opportunities are key to my research in corruption. Partly as a result of these collaborations, I have expanded my research into conflicts of interest and the food industry, and I have completed additional research related to conflicts of interest and physicians. I am also embarking on a new study in the coming academic year, supported by the Lab, related to conflicts of interest and disclosure among academic medical centers and physicians.

I thank Larry Lessig for giving me the opportunity to be a residential Lab Fellow last year and a non-residential Lab Fellow this year; his support and mentorship continues to challenge me to expand my research in institutional corruption, and to think about the implications of my research in new, important ways. I also want to thank Ms. Stephanie Dant, Dr. Neeru Paharia and Ms. Jennifer Campbell for their continual support of my research, and for coordinating all the research and activities centered at the Edmond J. Safra Center for Ethics. I also want to thank all of my fellow Fellows; I continue to learn and grow as a result of these collaborative relationships and friendships. I look forward to another year as a Fellow as I finish my advocacy group research and begin new projects.

Sunita Sah

During my fellowship year, my research focused on examining conflicts of interest in professional advisors (such as physicians), and the potentials and pitfalls of disclosure. Disclosure is one of the most commonly proposed and implemented solutions to dealing with conflicts of interest but it can sometimes have unexpected results.

I was resident at Duke University's Fuqua School of Business during the fellowship year but had the opportunity to visit the Center on a number of occasions. First, the research meeting that kicked off the academic year in September gave all the

new Lab Fellows the opportunity to meet one another and learn about each other's research. This gathering was invaluable and enabled me to get involved in the Center's intellectual community. The opportunity to meet a group of talented people all interested in the same fundamental issue of institutional corruption, but approaching it from different disciplines and methodologies has greatly enriched my understanding and research approach. Throughout the year, I had further opportunities to meet members of the Center at various conferences. Recently, as part of a subgroup from this year's Lab Fellows who are particularly interested in conflicts of interest in the medical profession, we decided to combine our papers on "Institutional Corruption and Pharmaceutical Industry," for a special theme issue of a journal targeted for next year.

This year has also been productive in terms of publications from my ongoing research in this area. Recent publications include, "The Unintended Consequences of Conflict of Interest Disclosure," in the *Journal of the American Medical Association*, and "More Affected = More Neglected: Amplification of Bias in Advice to the Unidentified and Many," in *Social Psychological and Personality Science*. Also, to be published later this year is "Conflicts of Interest and Your Physician: Psychological Processes that Cause Unexpected Changes in Behavior," in the *Journal of Law, Medicine and Ethics*.

My particular interest in disclosure or sunshine policies is to understand when they work and when they do not. Prior research found that disclosure can backfire and lead advisors to give even more biased advice: this is partly due to advisors feeling morally licensed to offer biased advice once they have disclosed their conflict of interest, and partly due to 'strategic exaggeration'—giving more biased advice to offset the expectation of greater discounting of advice as a result of disclosure. In a series of studies examining disclosure, I found differing results. First, using the same paradigm as in previous studies (advice on the sale price of a house), I replicated

the finding that disclosure causes advisors to give more biased advice. Second, I also conducted studies in a different experimental paradigm (participants playing the role of doctor and giving treatment advice) that showed the opposite effect; advisors demonstrated strategic restraint with disclosure and gave less biased advice. This was the case whether it was the first interaction or a series of interactions; in other words, experience did not drive this effect. The effect was also present when it was difficult for the recipient to know if the advice was biased or not. The medical paradigm primed participants to feel differently about giving biased advice with disclosure compared with a non-medical paradigm. One possible answer to this finding is that advisors give less biased advice when they feel guilty succumbing to their self-interest, or feel empathy for the advice recipient, and/or feel more responsible for the advice recipient. I am exploring these findings in additional studies where I examine guilt, empathy, and responsibility in advisors.

Next year, I will be taking a position as Assistant Professor of Business Ethics at the McDonough School of Business at Georgetown University while I continue a second year of fellowship with the Center. These roles will complement each other, and my research and work (and future teaching) on conflicts of interest has undoubtedly been influenced by the diverse insights of my colleagues at the Center. I would like to thank everyone at the Center for their support and collegiality, and I look forward to continued collaborations.

Jennifer Shkabatur

I was incredibly fortunate to spend this year at the Edmond J. Safra Center for Ethics, dedicating my research to the design, implementation, and effects of various transparency policies in the United States and in other countries.

Regulatory transparency is traditionally regarded as the primary means for strengthening the accountability of government to the public. However, the effectiveness of transparency

policies is often undermined by: governmental resistance to exposure, difficulties of accessing and using governmental information, and lack of public engagement. The introduction of technology into regulatory transparency policies has therefore been envisioned as a powerful game-changer that could overcome these past hurdles. My research this year aimed to challenge this common perspective, complicating the marriage between transparency, technology, and governmental accountability to the public.

I spent the first semester of the year studying the legal design of transparency and open government policies in the U.S., and the potential of these policies to strengthen the accountability of federal agencies to the public. As part of a study forthcoming in the *Yale Law & Policy Review*, I developed an analytic typology of online transparency policies that included: mandatory transparency (e.g. e-rulemaking and online disclosure of federal spending); discretionary transparency (online release of governmental databases); and involuntary transparency (regulatory reaction to online leaks of information). Analyzing the effects of these policies on the public accountability of federal agencies, the study shows that both their design and implementation are flawed. They do not account for agencies' resistance to exposure; they reinforce traditional pitfalls of transparency policies; and they fail to strengthen public accountability. Against this backdrop, the study advocates a major reappraisal of online regulatory transparency. It argues that transparency policies should be goal-oriented and more narrowly tailored to target accountability-related information. As part of this, regulatory agencies should be required to release structured information on their decision-making processes and performance. This transparency regime should be complemented with effective institutional and civil society-oriented enforcement measures—an element which is currently missing from the architecture of regulatory transparency. The study examines the strengths and weaknesses of the proposed transparency regime and discusses the role of the internet in this framework.

My second semester at the Center was dedicated to the study of transparency policies and their effects in developing countries. The research aims to identify the enabling conditions and factors that translate transparency policies into tangible outcomes on the ground. The study focuses on four categories of transparency policies and initiatives prevalent in developing countries, including: transparency in public service provision (e.g. education, health, transportation); transparency in budgets and expenditures; transparency in governmental procurement contracts; and transparency of policymaker performance (e.g. voting patterns, campaign contributions, etc.). In order to understand the enabling conditions required for effective transparency policies under each category, I have been conducting extensive primary and secondary research on specific cases of transparency policies in developing countries. These cases include Public Expenditure Tracking Surveys in Uganda and Tanzania, land rights transparency in India, transparency of education expenditure in the Philippines, open data policy in Kenya and Moldova, procurement transparency in India and in Russia, citizen report cards on policymaker performance in India and Mexico, and more. The preliminary results of the study reveal a mixed picture with regard to the effectiveness of transparency policies in achieving accountability results. They demonstrate that the introduction of a transparency policy is merely a first step on a long and complex road toward tangible accountability results, and that several enabling factors are a prerequisite for the achievement of these results. The major factors identified so far are the importance of a general democratic reform context for the success of transparency policies, the need for government champions genuinely dedicated to the implementation of the policy, and the importance of organized civil society efforts on the ground. I am continuing this research during the summer and developing it into a book project.

Robert Whitaker

When Lisa Cosgrove and I applied for this fellowship, our goal was to research and write a monograph on the American Psychiatric Association (APA) and organized psychiatry, through the lens of institutional corruption. Very quickly, in the beginning of 2011, we decided to pursue a more ambitious task, and rather than write a monograph we chose to focus on writing a book on this topic.

We now have a proposal for a book, titled *The Ethics of Modern Psychiatry: An Investigation Into Institutional Corruption*, that we are submitting to publishers and expect to write within the next nine months.

I had written two books on the history of psychiatry prior to the fellowship, but from the perspective of a journalist. What I needed to do this year, as a first step, was try to gain a sense of how the framework of institutional corruption that has been developed at the Lab can be a lens for investigating the history of the APA, and how it affects our society. I suppose for many this is a fairly easily understood prism for researching an institution, but for me, it took some time to appreciate the illuminating power of this prism.

At the same time, the fellowship provided me with the time and financial support to pursue the following, all of which will be essential to writing the book. I wrote a chapter on the use of antipsychotics in children for a book titled *Drugging Our Children*, which was published this spring.

I am writing an article for UNESCO on psychopharmacology, which will be published as part of an online encyclopedia. I continued to research how the APA's interests as a guild (i.e. as an association that represents a trade) and organized psychiatry's ties to the pharmaceutical industry led to the improper reporting of results in trials of psychiatric drugs funded by the National Institute of Mental Health, which will serve as examples of institutional corruption in the book. I lectured widely during the past nine months on this history, including giving plenary talks to the APA, the Group for Advancement of Psychiatry, and numerous other professional associations, and grand rounds talks at many medical schools. These experiences dramatically deepened my understanding of organized psychiatry's point-of-view, and of the social injury that has resulted from institutional corruption within organized psychiatry, which will be critical to the book that Lisa Cosgrove and I will now write.

In sum, the fellowship provided me with the opportunity to learn a new way of "seeing" a particular history, that of the American Psychiatric Association, and to continue to investigate that history as well.

I am deeply appreciative of this opportunity, and I am confident that Lisa Cosgrove and I will now write and publish a book that is consistent with the mission of the Lab's project on institutional corruption at the Edmond J. Safra Center for Ethics.

Reports of the Edmond J. Safra Network Fellows 2011-12

Michael Blanding, Jennifer Bussell, Carl Elliott, Marc-André Gagnon, Daniel Newman, Sergio Sismondo, J.H. Snider, Elizabeth Tenney, Heather White

Michael Blanding

I spent the past year exploring the culture of influence within the Nuclear Regulatory Commission (NRC) and prospects for reform of the agency in the wake of last year's nuclear accident in Japan. Through interviews with nuclear industry insiders and research into public records, reports, and news articles, I explored to what extent the agency shows the effects of regulatory capture, the phenomenon whereby regulatory agencies become unduly influenced by the industries they are designed to oversee.

The past few decades since the United States' last nuclear accident have seen a marked weakening of safety standards and enforcement, as documented through government and watchdog reports. In some cases this has led to severe safety concerns and "near-miss" nuclear incidents. At the same time, the nuclear lobby has been effective in placing industry-friendly commissioners at the head of the agency with the help of supportive members of Congress, who have pursued a "nuclear renaissance" to increase the use of nuclear power within the U.S. It can be difficult to separate honest ideological differences from corrupt influence. However, to the extent commissioners have created a culture whereby staff members are rewarded for lenience and punished for dissenting opinions, this represents a worrying shift away from the agency's mission "to ensure the safe use of radioactive materials for beneficial civilian purposes while protecting people and the environment."

Attempts at reform of the agency since the Fukushima disaster have cast a further spotlight on industry influence. Despite an initial strong response led by NRC Chairman Gregory Jaczko to implement reforms that have been pushed by watchdogs for decades, those reforms were slowed and in some cases blocked by other commissioners, resulting in a weakened response. The nuclear

lobby has proposed its own response to the disaster that falls short in significant ways.

The biggest casualty of this perceived culture of influence has been the loss of public trust in the agency, as demonstrated by polls showing increasing skepticism over the safety of nuclear power even before Fukushima. I explored this issue in an article for *The Nation* about the lawsuit over the Vermont Yankee Nuclear Power Station. That case hinges heavily on the issue of public trust, as the state of Vermont has attempted to close down the plant based on constituent concerns despite insistence of the plant's safety by the NRC.

In future work, I will continue to explore the issue of industry influence on the NRC and other regulatory agencies through magazine articles. I have also partnered with Network Fellow Heather White to write a book to be published by Nation Books in 2014.

Jennifer Bussell

In my work as an Edmond J. Safra Network Fellow, I have been working on a new research project to understand the nature and causes of variation in corruption within India. The key components of this project in the past academic year have been the development of a new typology of corruption in India, the collection of a new set of corruption measures, and the launch of a set of politician, bureaucrat, and citizen surveys in India.

The conceptual and typological work that I completed in the last year is part of an effort to increase our understanding of different types of corrupt behaviors in a single setting, so as to increase our ability to understand the diverse incentives for engaging in corrupt behavior. The resulting typology differentiates between the types of activities for which government elites are receiving corrupt rents and the type of elite receiving the rents.

In parallel, I collected data to serve as measures for a number of these different types of corruption, including data from citizen questionnaires and audits of government programs and finances. I used these data to develop tests of existing hypotheses regarding the relationship between electoral competition and levels of corruption. I presented an early version of a paper highlighting these tests at the Lab seminar, as well as in workshops at the University of Chicago and Brown University, and at the Midwest Political Science Conference.

Finally, I designed and implemented a survey of politicians and bureaucrats in India, in parallel with a related citizen survey. This survey includes questions regarding elites experience with and perceptions about corruption, as well as their relationships with citizens and their sources of campaign finance. A number of survey experiments are utilized to facilitate gaining information on these activities despite their clandestine nature. Respondents include politicians at all levels of government in India, from village councils to the national parliament. This survey is nearly complete in one Indian state, Bihar, and will be expanded to additional states over the coming months.

Each of these activities has benefited from my association with the Edmond J. Safra Center for Ethics, and I in particular valued the opportunity to present in the Lab seminar and to participate in the Conference on Institutional Corruption. The discussion and feedback that I received as a part of the seminar was very valuable in terms of helping me to think about both the details of the research itself and the implications of the project within a broader setting of research on corruption and alternative institutional environments. The conference also brought out a number of issues that I had not considered in my own work and forced me to rethink some of the assumptions I had built into my project. The inclusion of a range of researchers doing work on related but different topics, both at the conference and within the context of the Lab, has been very helpful for informing my specific research.

Carl Elliott

My only regret about this excellent fellowship is that I was not able to spend more time at the Center. Nonetheless, it has been a rewarding and productive year. For the past nine months I have been investigating a troubling new development in medical research: the payment of mentally ill subjects to enroll in clinical trials. Unlike most drugs, which are tested for safety on healthy volunteers, antipsychotic drugs are being tested for safety on patients, often patients with schizophrenia. These subjects are usually poor and unemployed, and they are often homeless or living in halfway houses. As a consequence, they are highly vulnerable to exploitation. Because the trials are generally conducted in private trial sites and reviewed by commercial Internal Review Boards (IRBs), they are shielded from public scrutiny. Over the past year I have been investigating a number of private psychiatric clinical research sites, mainly in Los Angeles and Philadelphia, with the aim of shedding some light on the conditions under which these studies take place. I have a contract with *Harper's Magazine* to produce an article about the investigation, and most of the research for that article is complete. But thanks in large part to my fellowship at the Center, the project has been expanding. After I gave a presentation at the Lab seminar in March, Sheila Kaplan (Lab Fellow and investigative journalist) put me in touch with her colleagues at the Investigative Reporting Workshop at American University. As a result, we are now talking to producers at *60 Minutes* about the possibility of a project on the same issue for television, in collaboration with *Harper's*.

Exploitation of research subjects was also the topic of a number of talks I gave this year, including the Cathy Shine Lecture at the Boston University School of Public Health. In addition, I spoke at the annual meeting of the American Society for Bioethics and Humanities and gave lectures at Yale University, Harvard University (Division of Medical Ethics), Northwestern University, Minnesota State University at Mankato, the University of Rochester, and the University of Toronto.

I have also completed a related project: an article forthcoming in the *New England Journal of Medicine*, "Justice for Injured Research Subjects." Unlike research sponsors in most of the developed world, sponsors of medical research in the United States are not obligated to pay for the medical care of subjects who are injured in research studies. Nor are they obligated to compensate subjects for pain, suffering or loss of income—even if the study is clearly unethical. In this article, I argue that the current system is exploitative and unfair, and I explore some possible solutions.

Marc-André Gagnon

The focus of my Lab research was, "The Political Economy of Pharmaceutical Corruption," which I undertook as a non-residential Lab Fellow in 2010-11, and pursued as a Network Fellow in 2011-12. This research analyzes how the profit-motive in the pharmaceutical sector is embedded in a market structure that encourages unethical practices instead of innovative therapeutics. And if that is the case, what could be done to re-organize the market structure and the business model in order to have a profit-motive that serves the interests of patients as well? How can we reconcile pharmaceutical profits and public health? My research provides an important empirical analysis of the rising profits in the pharmaceutical sector while comparing this to the decline in therapeutic innovation.

In October 2011, I was invited by Halmed, the Croatian Agency for Prescription Drugs, to present my research on the dominant business model in the pharmaceutical sector during a symposium held in Dubrovnik, and attended by a dozen European and American regulatory agencies. In January 2012, I also presented my research results in Paris during the "Golden Pill" Gala organized by *Prescrire*, one of the world's most important independent medical journals. I also published an article in French on the topic in the April issue of *Prescrire*, and an English version of the article will be published in *Prescrire International*.

During a scientific conference called *The Capitalist Mode of Power: Past, Present, Future*, held at York University (Toronto) in October 2011, I presented the analytical framework of my research in a presentation titled: "Veblenian Analysis of Big Pharma's Intangible Assets: Capitalizing Medical Bias." I also discussed the analytical framework in the papers, "Marx's social analysis of value and Big Pharma" and "Rethinking the Social Determinants of Value in Cognitive Capitalism," waiting for publication in the *European Journal of Economic and Social Systems*.

I am still working to finalize articles about the dominant business model. I hope to publish the empirical dimension of the research in *Nature Drug Discovery* and the full analytical framework in *BioSocieties*.

Finally, I included a new dimension in my research, in which I look at the costs and benefits of public financial subsidies in the brand-name pharmaceutical sector. I did an analysis for Canada in which I show that, based on very conservative assumptions, it costs Canadians at least \$3.41 to generate \$1 in private R&D, which represents a net return on investment of -71%. I intend to publish a summary of the report in *The Lancet*. Meanwhile, I published a peer-reviewed article applying the same analysis to the province of Quebec, "L'aide publique à l'industrie pharmaceutique québécoise : le jeu en vaut-il la chandelle?" in *Interventions Économiques / Papers in Political Economy*.

I am also currently working with Jillian Clare Kohler on a book related to my research titled, *Reconciling Profits and Public Health in the Pharmaceutical Sector: A Critical Overview*, to be released in 2013 by University of Toronto Press.

As a Network Fellow this year, I must say that I benefited a lot from discussing the various themes on institutional corruption with people at the Lab. I stayed in contact with some of the fellows and continue to collaborate with them on other projects.

Dan Newman

MapLight has had tremendous success over the past year in receiving attention for our money in politics findings. In 2011, we reached 55 million people with our data—doubling our audience reach from 2010—and have already reached 25 million people thus far in 2012.

Some select research highlights include: On the same day the full roster of the Super Committee was announced, MapLight began reporting on the money behind it. We exposed the top industries and top PACs funding Super Committee members, and our data was featured in *The New York Times*, the *Los Angeles Times*, *Fox Business News*, *USA Today*, *the Hill*, and other outlets.

Revealing that sponsors of the Stop Online Piracy Act (SOPA) received nearly four times as much money from the entertainment industry as from opponents, MapLight contributed greatly to the discourse surrounding the bill. Our findings were cited in over 150 stories in major media outlets, as well as by the online advocacy tool SOPATrack and Public Campaign's SOPA blackout page—reaching nearly 3 million people.

MapLight provided custom research for *The Guardian's* coverage of the Keystone XL Pipeline, revealing that, of the 118 House members who have the oil and gas industry among their top 10 campaign contributors, 116 supported fast-tracking the pipeline. Our findings were widely cited by major media outlets, and the decision has been postponed until 2013.

In collaboration with Tableau Public, MapLight launched an interactive visualization called "Who Owns Your State's Member of Congress?" that displays logos of the top contributing company or organization to each state's sitting senators and representatives. Out of thousands of Tableau "vizzes," "Who Owns Your State?" was the #70 most viewed in the first quarter of 2012; among the top 100, it ranked as the #24 most interacted-with and the #27 most viewed in the category of politics and government.

We have also succeeded in launching a variety of new transparency tools, including: The first of our online Voter Guides, designed to radically reduce the difficulty of gaining clear and complete information on ballot measures. Our pilot guide—available in English and Spanish—covers all the statewide California ballot measures and contains summaries, impact analyses, funding information, news articles, and more, plus daily updates reflecting breaking developments. MapLight is expanding our Voter Guide to states and cities across the country.

We created Topic and Company pages that allow users to view in one place all of MapLight's findings—as well as all of the bills, interest groups, and lawmakers in our database—related to a given topic or company. These new, powerful portals into our data and research have been profiled by the Society of Environmental Journalists, the Knight Digital Media Center, and others.

My tenure as a Network Fellow has enriched MapLight's work, paving the way for future accomplishments. Discussions with Lab Fellow Clayton Peoples and others have been invaluable in mapping future directions for MapLight's research that will build upon our past success.

Sergio Sismondo

During my term as a fellow at the Center, I have been working on a project on the ethical justifications employed by "key opinion leaders" (KOLs) in connection with their work as speakers and authors for the pharmaceutical industry. I also have been working on a related project on the "ghost management" of medical journal articles. Both of these projects explore aspects of institutional corruption, in this case the corruption of medical research and practice. The pharmaceutical industry's extensive influence over medical research, shaping large trajectories and producing particular results, shifts the goals of research such that health and pharmaceutical company profits are thoroughly entangled.

As part of this research, I conducted unstructured in-depth interviews with 13 KOLs and 5 publication planners or pharmaceutical marketers, and I have coded and analyzed the transcripts. I also attended and gathered data at two pharmaceutical industry conferences on KOL management and one on publication planning (in addition to others, already attended). These, too, have provided valuable data for my Lab project and on-going work.

I presented this work at a variety of meetings and seminars, in locations from Vancouver to Madrid. At the Center, I presented preliminary work at the research meeting in September, and more developed results at the weekly Lab seminar series in March. Presentations at the Lab initiated very productive and on-going conversations with several Lab Fellows, especially Marc Rodwin and Lisa Cosgrove.

During the time of my fellowship, I published two articles related to my Lab project, and a number of unrelated and shorter pieces. Three other chapters or articles have been accepted for publication or submitted. A proposal for a book co-edited with Harvard historian Jeremy Greene, on *The Social Lives of Drugs*, has been tentatively accepted by Wiley-Blackwell; collaboration with Greene was aided by my visits to the Center.

Marc Rodwin has submitted a proposal to the *Journal of Law, Medicine, and Ethics* for a special issue on institutional corruption and the pharmaceutical industry, entirely consisting of papers by authors with affiliations to the Lab. I will be participating in this issue, which to my mind will be an excellent way of showcasing the Lab and its work on institutional corruption.

J.H. Snider

At the fall convening of Fellows, I presented my thoughts on next generation open government in the U.S. My presentation focused on the use of simple and more complex ontologies to automate government-wide information sharing. The Center for Technology Innovation at the Brookings Institution subsequently published a related

paper, "Government-wide Information Sharing for Democratic Accountability" in December. The same Center published another paper of mine, "Making Public Community Media Accessible," in July, which focused on automating another area of open government.

One of my long-term research interests is spectrum policy, and I continued my series of op-eds in *The Huffington Post* on the government's corrupt management of spectrum, including: "Secrecy and Corruption at the NTIA;" "On Behalf of the 1%, the Best Bargain Since Manhattan;" and "The Broadcast Industry's Free TV Scam Redux." I also continued my research and advocacy on democratic reform via state constitutional conventions and published several op-eds in daily newspapers on the topic. During the 2012 session of the Maryland General Assembly, I testified on bills relating to legislative ethics, legislative transparency, and local school board democracy. During the 2011-12 academic year, I also tried to keep my finger on the pulse of the democratic reform community, especially the burgeoning open government community in its Washington, D.C. hub. Accordingly, I attended more than forty democratic reform related events in the Washington, D.C. area. Meanwhile, my democratic reform commentaries were routinely carried on the major listservs read by the democratic reform, open government, and media policy public interest communities.

My greatest delight during the year was seeing interest in government-wide open government ontologies become part of the mainstream democratic reform agenda, highlighted by the April 25, 2012 passage of the Data Act by the U.S. House of Representatives. The Data Act is merely a cautious first step into next generation standardized data structures. But it signaled the arrival into the mainstream democratic reform community of a fundamentally new mindset toward open government, one that I've pushed at every opportunity since Spring 2009.

As a Fellow, I followed and occasionally contributed to the Center's group discussion list. One of the great benefits of being affiliated with the

Center was learning about analogous corruption in areas outside my expertise, which helped sharpen my own thinking about corruption.

Elizabeth Tenney

This past year as a Network Fellow I have enjoyed the opportunity to learn from scholars across disciplines and to consider human decision processes, such as the decision to vote, in a broader context. Most Americans claim that voting is important, but voter turnout rates are low. One reason rates are low could be that people are unsure that voting is for them—something that is part of their personal identity and their lives. Previous research has demonstrated that getting people to think about their identity as a voter, rather than just the behavior of voting itself, made them more likely to vote in an election. Given people's tendency to pay attention to subtle messages about their own identity as a voter, what happens if people get to the polls to vote, and the wording on the ballot is written in legalese and is difficult for them to understand? My research this semester in conjunction with the Center for Ethics focused on whether the experience people have while voting could alter their future intentions to vote. I explored this question with collaborators at the University of Virginia, Ben Converse and Liz Gilbert. We had undergraduates come into a lab voting booth and vote on an amendment to the Virginia Constitution that had appeared on the ballot in 2010. We manipulated the wording of the Amendment so that it was either written in easy or difficult-to-understand language. Our preliminary results suggest that ballot wording that is difficult to understand lowers people's intentions to vote in the future compared to ballot wording that is easy to understand. This effect was mediated by people's beliefs about how enjoyable it would be to vote in the future. As a next step, we hope to further explore the effect that the voting experience has on people's intentions to vote and on their beliefs about government credibility and effectiveness.

Heather White

This year with the Center has enabled me to build upon my own research of the previous ten years on supply chain risk in the areas of human rights and labor issues. My work has generally focused on revealing structural flaws and implementation challenges in the emerging systems created to manage the increased global mobility of labor.

I developed a questionnaire for professionals working in the social auditing industry to learn their perspectives on why social monitoring results have been uneven. Interviews with social compliance auditors and senior management are being performed to gain insight into their views on best practices in methodological approaches. The survey, which includes interviews with professionals working in the field, is ongoing to the end of 2012.

I am exploring why workers are often left out of the interview and reporting process in audit reports when it is well known that worker contributions are essential to understanding the conditions in factories.

The January 2012 media coverage of working conditions at Foxconn, a key supplier to Apple Computer, led to interviews with several media outlets, including *The New York Times*, CNN, Bloomberg, NPR, and *The Philadelphia Inquirer*.

Network Fellow Michael Blanding and I have developed a book project that we will be working on during the next 18 months.

APPENDIX II EDMOND J. SAFRA LAB RESEARCH PROJECTS 2011-12

Mahzarin Banaji, *Richard Clarke Cabot Professor of Social Ethics, Harvard University*
"Generating Evidence from Psychology and Neuroscience on Causes, Consequences, and Change"

Daniel Carpenter, *Allie Freed Professor of Government, Harvard University*
"Clearinghouse Institutions for Conflict-of-Interest Issues in Medical Products: A Theoretical, Empirical and Policy Study"

Dan Kahan, *Elizabeth K. Dollard Professor of Law, Yale Law School*
"Cultural Cognition and Public Campaign Financing"

Robert Reich, *Associate Professor of Political Science, Stanford University*
"Nonprofit Politics"

Christopher Robertson, *Associate Professor, Rogers College of Law, University of Arizona*
"Institutional Corruption and Perceptions of Methodological Rigor in Medical Research "



Aaron Kesselheim



Luigi Zingales and Lab Committee member Mahzarin Banaji

Mahzarin R. Banaji

"Generating Evidence from Psychology and Neuroscience on Causes, Consequences, and Change"

Why do good people do terrible things? This question has stood at the center of social psychology since the 1960s in the work of Stanley Milgram on obedience to authority, in Phil Zimbardo's Stanford Prison Experiments, and Latane and Darley's analysis of bystander nonintervention. Although social psychologists don't conduct dramatic experiments of this sort anymore, the question of why good people do terrible things has remained a guiding force in basic and applied psychological research. In my lab we have focused on the unconscious mental processes that underlie and explain why good people do terrible things with applications to two areas of corruption: discrimination; conflict of interest; and the cognitive and affective representation of money and what it predicts about human behavior.

In a public lecture sponsored by the Center, Eliot Spitzer listed three key corruptions and the unique role of government in addressing them, one of which is discrimination. In my lab, we have conducted research on the building blocks of discrimination: unconscious attitudes and beliefs about others. Over the course of this year we have undertaken a major analysis of research using the IAT to demonstrate the link between implicit attitudes and discrimination. With Sabrina Sun supervising a team of research assistants, the starting pool of papers numbered over 7000. These were narrowed down to those that document the relationship between the IAT and acts of intergroup discrimination as observed in the ecologically realistic behaviors in the lab and studies with "real world" samples. A meta-analysis is now being conducted involving studies that contain an IAT measure of attitudes toward a stigmatized group and a corresponding criterion measure of discrimination or prejudice. Results of this meta-analysis will provide insight into whether and the degree to which implicit biases predict intergroup discrimination, a marker of corruption that renders societies unjust.

Conflicts of interest are generally described as situations that put a person's professional or ethical obligations in conflict with personal interests. In our research we have asked the most basic questions about the role of intention in perceptions of conflicts of interest (Does it matter if a city official did something ethically questionable because it is an act that is in the interest of the city?), and the role of formality (Does it matter to our perception of conflicts of interest when we hear about it in a third-person narrative or an email or an informal conversation between friends?). In this line of research, led by Paul Meinshausen, we are investigating how people think about conflicts of interest, and examining the conditions that systematically cloud our ability to foresee, identify, recognize, and stand up to conflicts of interest. By understanding how (good) people *actually* represent conflicts of interest, we hope to understand this complex process as it lives in human minds where it influences what we think is right and wrong, and whether we tolerate or challenge institutional corruptions.

What little we know about the psychological nature of "conflict of interest"—how it is cognitively represented, how it hinders ethical behavior, and the umbra of its influence—has been learned from the behavior of adults. But if the mental representation of conflicts of interest is to be fully understood, we must understand how it develops. If understanding what a conflict of interest means is acquired slowly as cognitive processes develop that allow this complex idea to be grasped, children should not represent conflicts of interest nor respond to them in the same ways as the adult mind can; children should not find conflicts of interest to be problematic. On the other hand, if the contaminating effects of conflicts of interest are sufficiently basic and a part of the moral building blocks of human nature such that "even a child can see it," then children and adults should respond in similar ways to situations representing conflicts of interest. Our research, led by Sabrina Sun and Arpi Karapetyan, investigates the views of young children on conflicts of interest

(If Joe wants a promotion, is it okay for Joe to give his boss a present?) and how they contrast with adult views. This research has the potential to teach us about the degree of deliberate thought, and explicit control that is needed to perceive the effects of conflicts of interest and to overcome them.

With Piercarlo Valdesolo and Steven Lehr we have also completed two studies to examine the impact of “mere suggestion” of financial conflict of interest, independent of actual conflict of interest. We show that suggestions of financial conflicts undermine trust in doctors, politicians, and consumer product researchers about whom participants read. Moreover, these trust judgments spill over such that reading about a few doctors, politicians, or researchers drives trust in these groups more generally and even in one’s own primary care physician, senators, or cell-phone provider. A second sample of subjects proved unable to predict these effects, suggesting that they may not operate consciously. A paper “Contagious Inferences in Institutional Trust,” is completed and under review and presented at the annual convention of the Association for Psychological Science.

Finally, nine experiments have been conducted by Steven Lehr to explore how people unconsciously perceive and process the concept of “Money.” To do this, we created and analyzed 14 different IATs looking at attitudes towards “Money” and “Wealth” relative to things like “Values,” “Relationship,” and “Sex.” We then ran a number of studies selectively correlating these tests with a number of variables including financial riskiness, responses to ethical dilemmas, Behavioral Activation Scales, Social Dominance Orientation, behavior in gambling games, and actual dishonest behavior in cheating tasks.

As we get deeper into our work on money, it has become clear that past tools used to assess the way we *explicitly* think about money are woefully inadequate. In this set of studies, we have created our own tool for assessing the way people think about money. In study 1, we used exploratory

factor analysis to identify 16 highly reliable and relatively orthogonal facets of participants’ attitudes towards money. In study 2, we replicate the findings of study 1, demonstrating our scales’ test-retest reliability, convergent and discriminant validity, and demonstrating that our scales are superior in terms of both reliability and independence relative to the two most frequently utilized tools from the past literature. In study 3 (in progress), we add three Implicit Association Tests to the nomological net of our scales, and demonstrate criterion validity for 10 of the 16 subscales.

**Daniel Carpenter (PI), Lisa Lehmann (Co-PI),
Eric Campbell, Steven Joffe**

“Clearinghouse Institutions for Conflict-of-Interest Issues in Medical Products: A Theoretical, Empirical and Policy Study”

In 2010, we gathered an interdisciplinary team of bioethicists, physicians, and social scientists to undertake a multi-year project on clearinghouse institutions that deal with conflicts of interest in the realm of medical products. Clearinghouse institutions collect information of interest and render their individual and aggregate forms available to the general public and to interested consumers and third parties. In the field of conflict-of-interest, a clearinghouse would collect data on physician payments received from drug and device companies, for instance, and make them available in individual and aggregate formats to the public. Our aim was to conduct a three-part study of these institutions and their possibilities. As such, our work has been centered upon three tasks. First, we conducted a critical survey of existing disclosure institutions (with a focus on the historical and institutional context of the institution as well as some of the specifics interfaces by which it operates). Second, using provider data, we conducted an empirical study of the possible effects of the Massachusetts disclosure reform of 2008. And third, we worked on mapping the theoretical and informatics-based possibilities of a clearinghouse. We now discuss each of these in turn.

Lisa Lehmann took the lead on the first part of the project, and conducted the first systematic examination of existing disclosure websites. The paper that resulted from that survey, “Quality of Information and Usability of Physician Payment Disclosure Websites: A Comparative Empirical Study,” reviews industry and state government websites for the information available (and the concomitant ease-of-use) on disclosure of pharmaceutical company payments to physicians (including Johnson & Johnson, Eli Lilly, GlaxoSmithKline, Pfizer, Merck, Cephalon, and Viiv); the medical device industry (including DePuy, Zimmer, Smith and Nephew, Stryker, and Biomet); and three states (Massachusetts, Minnesota and Vermont). These sites are compared among 34 variables, ranging from whether precise payment values are included to the number of ‘clicks’ that it took a sample user to access the disclosure website from the main website of the company or state agency (tellingly, this ranges from 1 to 6). Two drafts of this paper have been completed and will shortly be under review. Additionally, Lehmann, along with incoming Lab Fellow Alison Hwong, published “Putting The Patient At The Center Of The Physician Payment Sunshine Act,” in the *Health Affairs* blog.

The second part of the project, led by Dan Carpenter, is a set of theoretical and technical papers examining the informatics and statistical characteristics of clearinghouses for use in conflict-of-interest regulation and other realms of regulation. The first paper from this work, co-authored with Dr. Joffe, is entitled “A Unique Physician Identifier for the Physician Payments Sunshine Act,” and was published in the *Journal of the American Medical Association* in the summer of 2011. A second, more mathematical paper has been presented at Duke University, and to the White House’s Office of Science and Technology Policy, and the next draft is scheduled for presentation at a conference on financial regulation in the spring of 2013 in Washington, D.C.

The third part of the project will result in a paper that is an empirical examination of the effects of the Massachusetts disclosure law of 2008 using provider data from a major health insurance company operating in the state of Massachusetts. Our threefold aims for this piece are to: 1) estimate and analyze the association between firm payments to physicians and physicians’ firm-specific prescribing; 2) determine whether the 2008 law restricting gifts and payments induced a shift in prescribing away from branded drugs towards generic drugs; and 3) estimate changes in insurer cost per patient associated with any prescribing shifts attributable to the 2008 law. We are currently in the process of procuring the data.

Separately, Professor Carpenter has also been finishing his work on a new volume—co-edited with David Moss and entitled *Preventing Regulatory Capture: Special Interest Influence and How to Limit It*—to be published in 2013 by Cambridge University Press. Although the book is empirically distinct from this particular project, Professor Carpenter has drawn intellectually upon his work with his collaborators Lehmann, Campbell and Joffe, and upon the intellectual dialogue at the Center for Ethics, in developing the theoretical approach of the book. There is also some preliminary discussion of advancing clearinghouse solutions to capture dilemmas in federal regulation (e.g. agency-based summaries of the revolving door, or of informal and *ex parte* contacts that could facilitate ‘cultural capture’).

In sum, the last two years have been quite productive. Under the auspices of the Edmond J. Safra Research Lab, the team has produced a publication (*JAMA* 2011), a paper ready to be sent for review (Lehmann et al.), another theoretical paper to be submitted in early 2013, and at least one paper that we hope to publish from the empirical analysis of the Massachusetts disclosure institution. We are grateful to the Edmond J. Safra Center for Ethics for the support and funding necessary to undertake this large project, and hope that it is a significant contribution to the Center’s Lab project on institutional corruption.

Dan Kahan

"Cultural Cognition and Public Campaign Financing"

See report by Michael Jones on page 29.

Robert Reich

"Nonprofit Politics"

This project led by Rob Reich, Associate Professor of Political Science at Stanford University, aims to provide a public database of the formal ties of various elected federal public officials and their immediate family members to nonprofit organizations. A beta version of the site is now available at <http://congressnpo.stanford.edu>.

Formal connections between elected officials and nonprofit organizations are not worrisome as such. It is natural that wealthy politicians might also have family foundations, that spouses of elected officials may be employed by nonprofit organizations, or that politicians might serve in an advisory or board of trustee capacity for nonprofit organizations. But these formal connections can also be the source of potential corruption. There are three distinct avenues by which the intersection of government and nonprofits may cause concern: the first two involve the flow of money to nonprofits and the third involves using nonprofits for personal benefit.

First, government officials can earmark to nonprofits they are formally associated with. Second, registered lobbyists, corporations, or other donors can donate to nonprofits that a politician is formally associated with. Third, politicians can set up nonprofits in order to enhance their status or reputation or otherwise receive personal benefit, even where those nonprofit organizations are little more than a shell or ineffective operation. The database strives to be as comprehensive as possible and pulls data from a number of sources, including officials' Personal Financial Disclosure Forms, Guidestar, Project Vote Smart, and officials' websites. The team began the project by focusing solely on members of Congress.

However, given the many complex relations between other branches of government and nonprofits as well, the team is expanding the project to include Supreme Court justices and state governors. In the future, the project plans to include more state officials and big city mayors. The site strives to be a tool for researchers, journalists, or any American citizen interested in greater transparency of their government and the nonprofit sector.

Christopher Robertson, Aaron Kesselheim, and Susannah Rose

"Institutional Corruption and Perceptions of Methodological Rigor in Medical Research"

Dr. Christopher T. Robertson, Associate Professor of Law at the University of Arizona, Dr. Aaron S. Kesselheim, Assistant Professor of Medicine at Harvard Medical School, and Dr. Susannah L. Rose, Assistant Professor at Case Western University, sought to examine the impact of institutional corruption on the field of medical science, and to investigate whether physicians believe that scientific rigor can "cure" biases relating to this corruption. In the past decade, pharmaceutical industry-funded medical research has come under increasing scrutiny because of high-profile instances where the company funding the research has withheld critical data from trials or presented only positive results while withholding negative results. As a result of these episodes, do current-day physicians reading about clinical trials examine conflict of interest disclosures and account for the possibility of funding source bias in trial design? How does the methodological rigor relate to physicians' perceptions of the trial? Do physicians trust data emerging from well-designed randomized controlled trials no matter what the funding source? Or does funding disclosure have a similar impact (or lack of impact) on physicians' perceptions of methodologically strong and weak studies? Should journals add conflict of interest disclosures to the abstracts of studies that physicians read? Drs. Robertson, Kesselheim, and Rose conducted a randomized study to investigate

these questions by varying reported funding disclosures in new drug trials and surveying physicians' perceptions of the trials. In collaboration with the American Board of Internal Medicine, the team recruited a random national sample of Board Certified internists and presented them with different abstracts describing trials of hypothetical new drugs. They then assessed the interaction between the types of funding disclosures provided in those abstracts and the quality of the trial. The authors have recently collected their findings into a research manuscript intended for the medical literature. The goals of this study were to shed light on how funding disclosures impact the translation of clinical research findings into practice and address the need for blinding mechanisms or other strategies that promote physician trust (when appropriate).

APPENDIX III PUBLIC LECTURES AND EVENTS/PAST EVENTS 2011-12

PUBLIC LECTURES

- **Paul Thacker**, "Dollars for Doctors: Who Owns Your Physician?"
- **Franz Adlkofer**, "Protection Against Radiation is in Conflict with Science"
- **Melissa Lane**, "When the Experts are Uncertain: Scientific Knowledge and the Ethics of Democratic Judgment"
- **Drummond Rennie**, "Clinical Trials: Is Corporate Sponsorship Compatible With Credibility?"
- **Charles Ferguson**, "Ethics, Governance, and National Economic Performance"
- **A. John Simmons**, "Democratic Authority and the Boundary Problem"
- **Paul Volcker and Malcolm Salter**, "A Conversation with Paul Volcker"

OTHER EVENTS

- **Conference on Institutional Corruption**
- **In the Dock:** "Lawrence Lessig Interrogates Jack Abramoff About Corruption"
- **"Inside Job"** Film Screening
- **Christopher Hayes**, "Twilight of the Elites: America After Meritocracy"
- **Frances Kamm**, "Ethics for Enemies: Terror, Torture, and War"

CO-SPONSORED EVENTS

"Republic, Lost: A Conversation with Lawrence Lessig and David Gergen"

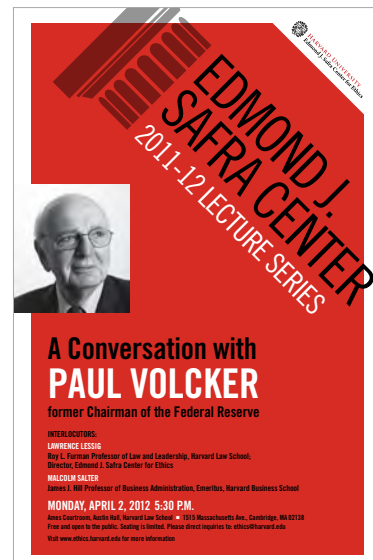
Co-sponsored with the Harvard Law School Library, the Center for Public Leadership, and the Berkman Center for Internet & Society

"Industry Sponsorship and Health-Related Food Research: Institutional Integrity, Ethical Challenges, and Policy Implications"

Co-sponsored with the Rock Ethics Institute at Pennsylvania State University

The 7th Annual Program in Ethics and Health Conference: "Identified vs. Statistical Lives - Ethics and Public Policy"

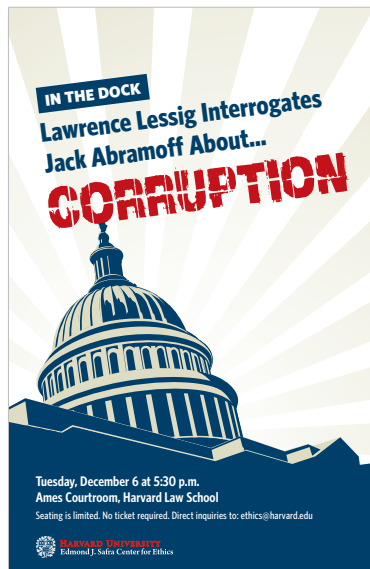
Co-sponsored with the Harvard University Program in Ethics & Health



Top and bottom: conference posters
Middle: Paul Volcker and Malcolm Salter

APPENDIX III PUBLIC LECTURES AND EVENTS/PAST EVENTS 2011-12

54



Top to bottom: Drummond Rennie lecture; Richard Fallon and Frances Kamm; lecture poster

NEW ENGLAND CONSEQUENTIALISM WORKSHOP (NECW)

- **Jeff McMahan**, "What Rights May Be Defended by Means of War?"
- **Tim Scanlon**, "Ideas of the Good in Moral and Political Philosophy"
- **Dan Brock**, "Separate Spheres and Indirect Benefits"
- **Debra Satz**, "Race, Class and Schooling"
- **David Enoch**, "Statistical Evidence, Sensitivity, and the Legal Value of Knowledge" (by David Enoch, Talia Fisher, and Levi Spectre)
- **Julia Driver**, "Fictions and Ideals in the Development of Consequentialism"
- **Caspar Hare**, "It is not so Easy to Separate People"
- **Kasper Lippert-Rasmussen**, "Mental State Principles and Moral Permissibility"
- **Lukas Meyer**, "Individual Expectations and Climate Justice" (by Lukas Meyer and Pranay Sanklecha)



Robert Putnam, Conference on Institutional Corruption

APPENDIX III UPCOMING EVENTS 2012-13

PUBLIC LECTURES

September 20, 2012: Jonathan Wolff

October 18, 2012: Henry Richardson

November 8-9, 2012: John Sarbanes

December 3, 2012: Norm Ornstein

February 21, 2013: Martin Gilens

March 7, 2013: John S. Reed

April 4, 2013: Elizabeth Anderson

April 18, 2013: Charles Lewis

OTHER EVENTS

October 11-12, 2012: "Office and Responsibility"

A symposium in honor of the career and contributions of Dennis F. Thompson

November 2, 2012: "Institutional Financial Conflicts of Interest in Research Universities"

Organized by Dr. David Korn and co-sponsored with the Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics at Harvard Law School

January 22-24, 2013: "Political Philosophy for 21st Century Europe"

A Workshop with Philippe van Parijs

February 7, 2013: Inaugural Lester Kissel Lecture in Ethics

Professor Michael Sandel

Please check our website for updates on the 2012-13 event series.



Genevieve Pham-Kanter

NEW ENGLAND CONSEQUENTIALISM WORKSHOP (NECW)

September 26, 2012: Peter Vallentyne (joint paper with Bertil Tungodden)
"Resourcism for Advantage and Wellbeing"

October 3, 2012: Gillian Brock
"Emigration, Losses, and Burden-Sharing: Which arrangements are fair?"

November 28, 2012: Gustaf Arrhenius
"Inequality and Population Change"

February 14, 2013: I. Glenn Cohen
"Rationing Legal Services"

March 13, 2013: Toby Ord
"Moral Trade"

April 3, 2013: Jennifer Hawkins
"Well-Being, Time, and Dementia"

May 8, 2013: Sarah Conly
"One Child: Do We Really Have a Right to More?"

Please check our website for updates on the 2012-13 event series.

APPENDIX IV NEW FELLOWS

Edmond J. Safra Fellows 2012-2013

Graduate Fellows: Sean Gray (Visiting), Michael Kenneally, Heidi Matthews, Stephanie Morain, Alexander Prescott-Couch, Hollie Russon-Gilman (Visiting), Anna Su, Andrea Tivig (Frances Kamm, Senior Scholar)

Lab Fellows: Abigail Brown, Hansoo Choi, Lisa Cosgrove, Sreedhari Desai, Oguzhan Dincer, Yoav Dotan, William English, Yuval Feldman, Gregg Fields, Zachary Fox, Adriane Gelpi, Garry Gray, Marie Gryphon Newhouse, Ted Gup, Katherine Hall, Alison Hwong, Michael Jones, Paul Jorgensen, Hyoung-Goo Kang, Sheila Kaplan, Jessica Kennedy, Maryam Kouchaki, Changmin Lee, Donald Light, Jonathan Marks, Maggie McKinley, Jennifer Miller, Clayton Peoples, Kimberly Pernell, Genevieve Pham-Kanter, Marc Rodwin, Susannah Rose, Sunita Sah, Irma Sandoval, Lisa Shu, Ken Silverstein, J.H. Snider, Paul Thacker, Daniel Weeks, Brooke Williams

Network Fellows: Elinor Amit, Pavel Atanasov, Rifat Azam, Michael Blanding, Eli Bukspan, Jennifer Bussell, Elizabeth Doty, Mirko Draca, Alexander Funcke, Roman Galperin, Yehonatan Givati, Nancy Lubin, Juan Pablo Marín Díaz, Michael Morisy, Mahdi Naamneh, Daniel Newman, Sebastián Pérez Saaibi, Fabio Polverino, Mildred Schwartz, Rebecca Weitz-Shapiro, Heather White, Matthew Winters, Jay Youngdahl



Charles Ferguson lecture

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