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The New Inquisitors

By Bernard D. Davis

Rep. John Dingell (D., Mich.) and his staff have made a habit over the years of using congressional power to allege a crisis of integrity in American science. In the process, they have hounded federally funded researchers in the name of protecting the taxpayer. The removal of David Baltimore as president of New York's Rockefeller University is perhaps the most infamous consequence of Dingell targeting. But at least two Dingell fraudbusters—lab scientists who testified before Rep. Dingell on the Baltimore case—are themselves worthy of the kind of scrutiny that the Dingell team has applied to others.

Walter Stewart and Ned Feder, a scientist and a medical doctor conducting research at the National Institutes of Health, have earned reputations as whistle-blowers in the scientific community. But some scientists have lately come to think that Mr. Stewart and Dr. Feder themselves are guilty of crucial errors of judgment, involving their use of time and NIH resources. The authors have prepared and distributed widely their unpublished attacks on the work of some colleagues. A protest from a most unexpected source, outside science, has now provoked wider discussion of the issue. Recently the NIH closed the laboratory of these two investigators and reassigned them.

Doubtful Value

To understand the Stewart-Feder story, it helps to look back a bit. The scientists used a base at the NIH—specifically at the National Institute of Diabetes and Digestive and Kidney Diseases—for work on a computer program to detect plagiarized phrases in scientific publications. The program scanned and compared texts.

The value of this program seems doubtful, since in science, unlike literature, plagiarism means primarily the theft of ideas rather than of phrases. But the inventors made the situation even odder when they attempted broader, nonscientific uses for their program. They moved into the field of history when they turned to a 1985 biography of Abraham Lincoln published by University of Massachusetts Prof. Stephen Oates. Their work, on taxpayer time, yielded a 1,400-page document that said the Oates book contained plagiarism.

This charge had been raised earlier against Prof. Oates (by people within his field), and had been rejected by committees of his peers. Responding recently to Mr. Stewart and Dr. Feder, Prof. Oates pointed out in an unpublished rebuttal that none of their cited instances of copying amounted to as much as an entire sentence. But apart from questioning their criteria for plagiarism, his protest presented the NIH with a deeper challenge: On what grounds did the institution allow them to spend its money to investigate plagiarism, and to attack a scholar's reputation, in a field so far from its mission? The NIH had to do something about this severe criticism.

Two NIH fraudbusters—lab scientists who testified before Rep. Dingell on the David Baltimore case—are themselves now coming under scrutiny.

Mr. Stewart and Dr. Feder originally developed their strong interest in misconduct after a long period of disappointment in their own research. They had undertaken an unorthodox program on inbreeding snails for research on the nervous system. A database search shows that their efforts unfortunately yielded only one paper in 15 years. It is not unusual for a brilliant and courageous investigator to have a sterile period. But it is most unusual to be willing to persist—or to be allowed to persist—in an unproductive full-time research program for that long.

Eventually Mr. Stewart and Dr. Feder shifted part of their activities to the problem of promoting higher standards in scientific publication. Their first contribution, on a celebrated case of fraud by John Darsee at Harvard Medical School, focused not on the crime, which had been acknowledged, but on the carelessness of Dr. Darsee's co-authors, who had failed to detect internal inconsistencies in papers that carried their names. This contribution was highly original and valuable: It did not destroy any reputations, and it no doubt helped to raise standards and discourage "honorary" authorship.

Mr. Stewart and Dr. Feder next turned to the case of Dr. Baltimore. A postdoctoral fellow, Margot O'Toole, had first demanded retraction of a paper on immunology (the regulation of antibody formation) by Dr. Baltimore and his collaborator, Dr. Thereza Imanishi-Kari. But the Stewart-Feder attacks—charging that Dr. Imanishi-Kari made serious errors and treated data improperly—carried great weight, because these critics presumably were more disinterested than the aggrieved complainant and brought more professional expertise to the analysis. Many scientists, however, believed that the Stewart-Feder criticisms had focused on trivia, just as is now evident in the Oates experience.

Mr. Stewart and Dr. Feder's scientific analysis of the Baltimore paper was weak; at that time Nature magazine rejected the article. Acting as self-appointed policemen, the pair then distributed this damaging material widely, at government expense. In principle, Dr. Baltimore might, as Prof. Oates did later, have demanded that the NIH restrain their activities. Indeed, such action would have been quite logical, especially since Rep. Dingell was becoming increasingly concerned with fraud in science as a cause of waste of tax funds. But Rep. Dingell brought in the Secret Service, which claimed to find unequivocal evidence that Dr. Imanishi-Kari had falsified her research retroactively. As a result, Dr. Baltimore retracted parts of the paper. As for Dr. Imanishi-Kari, the NIH withdrew her eligibility for research grants.

Mr. Stewart and Dr. Feder, however, were on the "correct" side of the political issue of scientific misconduct. In fact, Rep. Dingell later arranged for the NIH to assign Mr. Stewart to his congressional office for over a year to study Dr. Imanishi-Kari's notebooks.

Dr. Baltimore eventually resigned from Rockefeller University, but the facts of his case remain far from clear. Some months ago, well after his resignation, experts called in as consultants (including a forensic specialist and the editor of a relevant scientific journal) provided a rebuttal to the Secret Service report. These experts denounced its key evidence—involving the age of ink on paper—as thoroughly unconvincing. Not long after, the U.S. attorney's office decided not to proceed with a planned criminal indictment.

Evidence, Not Inquisitions

With this collapse of the legal presumption of guilt, Dr. Baltimore informally withdrew his earlier retraction of the paper, and the NIH has very recently restored Dr. Imanishi-Kari's eligibility for research grants. Moreover, she has been continuing the earlier work, and this month she published two papers that explained some previously puzzling features. This is in the best scientific tradition: settling arguments by further evidence, rather than by recriminations and political inquisitions.

The obvious lesson is that while whistle-blowers deserve better treatment than they have often received in the past, we must learn to protect equally the accused and the accuser. This attitude requires a healthy skepticism toward moralistic zealots. The second lesson is that scientists are not very good at politics, and they have not been effective at opposing abuse of governmental power and resources. We are fortunate that some colleagues in other areas, like Prof. Oates, are on hand to defend these principles.

Dr. Davis, emeritus professor at Harvard Medical School, is writing a book on the Baltimore affair.