

CORPORATE CONSPIRACIES

By Ed O'Rourke

U.S. corporations are committing murder and getting away with it. Millions have died due to tobacco, vinyl chloride, asbestos, benzene, and radiation exposures. There is no need for additional laws. Murder has been unlawful since the times of Cain and Abel.

Manufacturers have known for many decades about the harmful effects of their products and have refused to disclose this knowledge to their employees, customers, the general public, or regulatory authorities.

Devra Davis describes this cynical and criminal behavior in her book, *The Secret History of the War on Cancer* (Basic Books, a member of the Perseus Book Group, 2007, 505 pages.). She may have chosen catchier titles such as *Murder, Inc.* She has impeccable credentials as the director of the Center for Environmental Oncology at the University of Pittsburgh Cancer Institute.

Many well meaning people such as President Nixon and the American Cancer Society have emphasized cancer cures rather than prevention. This is the easier road. Prevention would mean that manufacturers would have to change production techniques, provide proper training, equipment, scrubbers, and capture emissions. They may have to make safer products and abandon some profitable products altogether.

Rudimentary knowledge of what causes cancer has been known for many centuries. Medical accounts and literature have identified mining, painting, smelting, forging, distilling, curing, smoking, grinding, and cleaning as dangerous occupations since the Middle Ages.

In 1936, more than two hundred of the world's top cancer scientists met in Brussels for the Second International Congress of Scientific and Social Campaign Against Cancer. The three volume report issued by the congress included comprehensive laboratory and clinical reports that indicated many widely used products or processes to

be carcinogens: ionizing, solar radiation, arsenic, benzene, asbestos, synthetic dyes, and hormones.

In the 1920s and 1930s, manufactures retained industrial hygienists as consultants to determine workplace hazards. The contracts were restrictive. The industrial hygienist had to have management's approval to publish data or pass it on to others. This was a pact with the Devil but there was no other way for the industrial hygienists to obtain information on their own.

Noted pathologist, Wilhelm Hueper, in his unpublished autobiography, listed four basic methods that manufacturers used to avoid responsibility at their facilities:

- 1) refusing to enter cancer cases in company records;
- 2) excluding evidence (only counting cancer cases of those who have been employed for a short period of time and excluding those with long-term exposure who are neither working or alive);
- 3) include employees with no exposure to the agent examined (to dilute the evidence of the effect); and,
- 4) suppressing the information.

Manufacturers have skillfully used top notch attorneys to broadly define information on the health and safety of workers as trade secrets. This extends to workman's compensation claims. The attorneys have convinced the courts and regulatory agencies to accept highly restrictive rules for evidence of harm.

The general public takes the lack of statistically significant evidence of harmed humans to mean that no harm has occurred. In fact, the absence of human evidence on environmental harm shows how hard it is to collect the information and how easy it is for manufacturers to drum up intensive, inventive ways to induce doubt when none exists.

In 1993, the U.S Supreme Court threw out the precautionary principle in its entirety in *Daubert vs. Merrell Dow Pharmaceuticals, Inc.* The Court rejected animal studies as scientific grounds for predicting human harm and rejected clinical case studies. The only proof of harm that the Court would accept was sufficient numbers of sick, deformed or dead children confirmed by epidemiological studies.

The best documented case of deceit comes from the tobacco companies. In the 1920s, the master of modern public relations, Edward Barnays, portrayed cigarettes as symbols of freedom and fitness for woman who had recently obtained the unrestricted right to vote. Cigarettes were “torches of freedom.” At that time, most men, including cancer researchers smoked. Surgical conventions were full of smokers.

In the decade from 1940 to 1950, tobacco consumption in the US more than doubled and in the following decade doubled again. In the 1950s, advertising revenue from tobacco surpassed everything else including cars.

In 1954, the tobacco companies hit a crisis when dozens of articles about the dangers of smoking appeared in the New York Times, Good Housekeeping, Reader’s Digest, and other publications. When sales dropped, the tobacco companies called in John Hill, founder of the public relations firm, Hill and Knowlton to design a brilliant and expensive campaign to soothe the public and avoid governmental action.

The strategy used to this day was simple: create doubt. Insist that more research is necessary before reaching conclusions. When studies showing new dangers from tobacco surfaced, the tobacco industry flooded the press with counter arguments that nothing had been proven. John Hill’s strategy is used today with global warming, a field where scientific debate ended with Naomi Orestes’ December 2004 article in Nature Magazine, which tabulated scientific journal articles on global warming.

The tobacco industry professed a highly touted interest in gathering information on cigarettes’ effect on public health when in fact they did not give two hoots about public health. It is always easier to talk about a problem than it is to solve one. The tobacco industry conjured up a protracted artificial debate about the dangers of its product. This was a brilliant business strategy to disguise self-interest which science and invoking the virtues of “keeping an open mind.”

The American Cancer Society, the American Medical Association, the British government, and the American government went along with the exaggerated scientific dispute about the harms of tobacco. As long as the tobacco industry could find some scientists who felt that more research was necessary, the tobacco industry could claim that the issue was not yet settled.

Vested interests fight hard to give the appearance that there is something to debate. Devra Davis observes, “Those who confront the tobacco industry’s successors and imitators need to remember that when organizations promoting ‘sound science’ have an economic interest in the prevention of science, no amount of proof may be enough.”

Raising the excise taxes on tobacco to fund public education (on the dangers of smoking) and treatment programs is probably the way to go

Almost unmentioned in the media is the danger from radiation. A typical CT of the chest can be the equivalent of 400 chest X-rays. Many physicians have no idea how much radiation their patients are exposed to from regular diagnostic procedures. The Journal of the College of Radiology in 2007 stated, “The current annual collective dose estimate from medical exposure in the United States has been calculated as roughly equivalent to the total worldwide collective exposure generated by the nuclear catastrophe at Chrenobyl.”

There are at least two approaches to achieve justice. One is to indict the officers and board of directors of many corporations for murder. There is precedent for this. After the Second World War, Imperial Japanese General Tomoyuki Yamashita was hung for war crimes in the Philippines. Troops under his command without his orders or knowledge committed atrocities in the Manila area. Cut off from these troops, he had no idea that the atrocities were taking place. The US Supreme Court upheld, in a six to two vote, the conviction by the military tribunal, even though the decision was a miscarriage of justice. The court specifically held that all military commanders were legally required to control their subordinates and that a breach of duty was a punishable violation of the laws of war.

Using this case for a guide, when there are widespread deaths or disease in a factory incurred by use of the product or in the area near the factory, mine, or refinery, the prosecutors would not have to prove knowledge or orders on the part of the company’s officers and board of directors. They would only have to show damages.

Devra Davis advocates a softer approach, something like the South African Truth and Reconciliation Commissions. In return for a pardon, company officials would disclose the health effects of their products from now on out. Trade secrets would no longer cover health and environmental effects.

Since one out of every two American men and one out of every three American women will contract cancer, I am hoping that the public would pay more attention to the causes (prevention) of cancer and less on the cure. Age adjusted statistics show that this is not the effect of a population that is living longer. Cancer is second only to accidents for the cause of death to children.

Given the expensive and frequently ineffective treatment of operations, chemotherapy, and radiation (slash, poison, and burn), I recommend two books stressing alternative medicine, yoga, meditation, message, acupuncture, herbs, detoxing systems, and prayer: Anne E. Frahm with David J Frahm, *A Cancer Battle Plan*, and Tanya Harper Pierce, *Outsmart Your Cancer: Alternative Non-Toxic Treatments That Work*.

Some readers may feel that the medical establishment is on their side, constantly looking for the best cures and inexpensive drugs. Poor delusioned people! The medical establishment as a group ridiculed penicillin until late in the Second World War. For a long time, they supported the Sabin polio vaccine which used the live virus. Unfortunately, they are good at doing things the old-fashioned, expensive way which brings in more revenue. They have more interest in curing disease than preventing its occurrence in the first place.

Ed O'Rourke is an environmental accountant in Houston, Texas.

eorourke@pdq.net