Do the ends justify the means? (Ethical)

Research involving human subjects has anything but a glorious legacy. The term ‘human experimentation’ still evokes, in many, the ghastly impression of the infamous experiments conducted on war prisoners during World War II (Nardini, 2014, p.387). What may be ‘‘scientific curiosity’’ for some can literally be a ‘‘pain in the bottom’’ for others. Although ‘informed consent’ seemed to have been obtained, it is clear that the intervention ‘chili consumption’ does not have any potential benefit (Balasubramanian, 2008, p.494). Pharmaceutical companies find it increasingly difficult these days to recruit enough patients to test the drugs coming out of their laboratories. On average, more than 4000 patients are required for the Food and Drug Administration to approve an experimental drug for marketing (Maiti, Raghavendra, 2007, p.2). The site cost per patient will increase, as the investigator has to spend more time per recruited patient (Bhatt, 2014, p.53). As revealed in 2008, 49 babies died during clinical trials for new drugs at India’s premier medical institution over a period of 2·5 years. Several published reports, taken together, thus confirm that clinical trials are taking a toll on human life in India and raise some disturbing ethical questions (Chattopadhyay, 2012).

Clinical testing is a huge cost to companies but do the ends justify the means? Many researchers support the theory that the ends do not justify the means and that clinical testing is not an ethical way of testing products, especially on humans. There is a small number of academics who believe that the media is creating a bad portrayal of clinical testing, such as Drennan (2001, p.597) who believes the recent portrayal of research scandals is called ‘whistle blowing’ by patients and, more frequently, employees peripheral to the research study, who inform the media of perceived misconduct by the researchers. However, many researchers accept that clinical testing in places such as India and Russia is being conducted in an unethical manor. Furthermore, Lexchin (2013, p.1) discovered that in January 2004 when Pfizer pleaded guilty to marketing gabapentin (Neurontin) for unapproved uses its lawyers assured the United States Attorney’s Office that this practice would stop. However, in 2009, Pfizer once again pleaded guilty to the same practice, this time regarding the marketing of valdecoxib (Bextra). Highlighting that companies will act in unethical ways in whichever way possible in order to maximize their profits. Thus, from the literature it can be determined that it is likely that behaving in a socially responsible manner will not increase profitability. As it will massively increase the costs of the testing, reducing the profit margin, although the testing will be conducted in an ethical manner. Due to the amount of literature readily available on clinical testing and whether it is ethical or not, it would not appear necessary to conduct any further research on this topic as there is sufficient evidence.

Although, where does the metaphorical line have to be drawn? Severe consequences need to be put in place for those companies who are not only being unethical but unlawful as well. Illegitimate activities are being carried out daily by corporations all around the world in order to maximize profit, but why does this continue?

Legal

Government regulation of CSR has a variety of forms and emanates from regulatory bodies at different levels. As a point of departure, government regulation may be formal, binding law, or it may be recommendations that are intended to have a guiding effect but have no legal standing (Buhmann, 2006, p.194). As larger companies are under scrutiny from the government and pressure from other social groups (Cowen et al., 1987; Brammer and Pavelin, 2008; Siregar and Bachtiar, 2010), they develop CSR disclosure to avoid regulation, absorb the extra cost of disclosure and reduce political costs (Gray et al., 1995; Adams et al., 1998; Alsaeed, 2006). According to Companies Act, Section 135, every company having in every financial year the net worth of `5000 million or more, or a turnover of `10,000 million