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Correspondence

Why be nice to the transnationals?

Sir: Geoffrey Cannon's August column says that when we accuse the media, such as the Murdoch empire, and the food processing industry, our finger is pointing in the wrong direction, and that the main fault is with government. To quote: 'When we criticise industry, and specifically the transnational mass media and food and drink corporations, we may well be right to do so, but we are liable to misunderstand the main issue. This is not commerce, but governance, which is the responsibility not of industrialists but of legislators'.

I disagree. The column starts out saying 'we may well have to criticise transnational food and drink corporations'. Well, we actually *do* have to constantly criticise them, and also the media corporations! When doing so, our finger is indeed pointed in the right direction. The fundamental issue here both commerce *and* governance. The responsibility of what the column deplors rests with industrialists *and* legislators. The protection of public health, including public nutrition, depends not only on regulation, but also very centrally on civil society vigilance *and* action; both are in short supply in the world we live in now.

Let us not be fooled: Not only the Murdochs of this world, but also food and drink executives, seek and gain special favours, commercially and politically, in return for backing politicians in power, or indeed supporting UN agencies.

What is the freedom food and drink industry executives seek? They seek to maintain their freedom to make a profit, by negatively influencing the health of populations, and especially of children. Yes, the rule of law is important to keep them at bay. But who makes the laws? People who have similar interests and ideology to these executives, no? Don't legislators know that those industries operate under no rules? This surely is common knowledge.

Indeed, the most powerful industries gradually control the legislature. Consequently, governments do avoid and discard regulations and surrender responsibility and power to industry. Most at fault are the players, the non-regulators (with a duty to govern) and the owners. Our talk against industry is thus not loose talk!

I agree that industry self-regulation does not work, and that it never has and never will. Also that things being like they are, the few ethical companies become the victims of unscrupulous and avaricious competitors: agreed.

For this reason alone, we *do* have constantly to criticise unscrupulous corporations and media outlets! Hanging all the responsibility on governance would be a mistake. The key players in transnational corporations and in the media, plus those who govern *are all* guilty. Pressure has to be kept on all of the above --equally. Agreed that the push back will not come from legislators, it will come from organised and mobilised civil society.

Senior executives of industry *do* behave in the sort of abusive way their equivalents within the Murdoch-owned companies have done. The history of Nestlé is well known to our members.

Finally, I admire the optimism in the column, when it ends by saying: 'A problem once identified is some way towards its solution'. Have I lost my entire professional life then?

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Sir: In his August column Geoffrey Cannon says: ‘To have meaning, criticism needs to be precise.’ As an abstract statement I agree, but what is the context? Precise for whom? Precision can change completely just by changing the way it is measured. For instance, the evidence that links sugary drinks and high energy-dense foods to obesity, which is consistently shown to be precise, is claimed by Big Snack as imprecise – in which case, it does not have meaning. As I entered the conflicts of interest arena, perhaps the author might consider declaring any conflicts of interest regarding this story.

The column also calls attention to the decisive and central role of those who operate in the public interest. I disagree that the guilty are only those who should act in the public interest, and fail to act. First of all, the imbalance of power between the private and public interest ties the hands of those who govern in the public interest. Public health problems are the responsibility both of governments and of industry.

The column seems to be saying that the food industries do what they do only because governments don’t act against them. What does this mean? That even when it comes to unethical actions, the media or the food industry, or the bomb industry, or any sector, are not guilty, even when they violate human rights? This all feels to me like attitudes such as ‘That’s the way things are. Get used to it!’

Also, the column says: ‘In the societies at least of the types most of us know, industry is central and fundamental’. But in several societies there are still traditional ways of living, producing, eating and evolving that are much more sustainable, from which all societies could benefit.

Finally, on the ethical behaviour of companies, the column says: ‘Rules that are inadequate or absent make ethical companies the victims of unscrupulous and avaricious competitors’. Although this happens, in my opinion ethical companies usually stay ethical even when other don’t. At least they should keep ethical, when ethical values are not merely features adopted to give companies a *Santo do pau ôco*, as we say in Brazil – a saintly facade that hides a hollow interior.

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Geoffrey Cannon replies:

Sir: Claudio and Fabio were the reviewers of my August column and kindly agreed to express their wrath in the form of letters, which hopefully will encourage more debate.

Claudio's main point, which Fabio also touches on, is that deterioration in public health, and indeed public goods and public affairs generally, is the fault of industry including the media, as well as of government. Yes, that's true, and I also accept that what I wrote was provocative, but I am on the whole impenitent. Almost all commentary that laments the deterioration of public health not only puts the blame on industry (usually without much idea of what 'industry' is referring to), but also has little if anything to say about government.

I say again, in any game, when there are no rules the winners will be those who play dirty. I say again, with application to our field, that what is missing is statutory regulation in the public interest, for which legislators are responsible. It is above all the successive 'bonfires of regulations' that the Reagan and Thatcher regimes exulted over in the 1980s, which were then magnified at global scale in the years up to and including the creation of the World Trade Organization, that have created the conditions for pandemic chronic diseases.

Claudio refers to the 'revolving door' whereby powerful people move between industry, foundations, academia, and government. Indeed they do, and this practice, which sometimes is scandalous, can be improved only when binding rules including substantial periods between posts inside and outside government and agreed. Legislation again.

Fabio refers to the responsibility of industrialists to be ethical and to desist from violating human rights. True, so they should. But history tells us that they don't, unless they are stopped. Legislation again. He says that ethical companies remain intact even when put under pressure by larger companies using and abusing unfair advantages. This is not my understanding. What usually happens is that they go broke, get taken over, or change their policies in order to stay in business.

Conflicts of interest. Phew; where to start. This is another whole topic. What my good friend and colleague Fabio refers to, I guess, is my mentioning in the column that in the early 1980s when I was a journalist I worked in London for *The Sunday Times*, which was taken over by Rupert Murdoch while I was there. Do I respect ethically-run journals? Yes, I do. Did my experience of the Murdoch regime give me warm feelings? No, it did not.

In my time I have worked for governments and their agencies, the print and broadcast media, and civil society organisations. I have also done academic work and

advised UN agencies and industry. In terms of potential conflicts of interest I suppose this makes me a merry-go-round. Industry? In 2007 I advised PepsiCo on a project devised by me and others, which Derek Yach, when previously at WHO, knew about. Having then moved to PepsiCo, and after reference to his bosses, he said that the project could, with investment from PepsiCo, be in the public interest. And? Well, let's just say that the idea was not so much a dream as a bubble. Did this experience make me more sympathetic to industry? Yes, I think it did, in the sense of gaining a better understanding. Do I regret the experience? No. Does this amount to a conflict of interest? Let others say.

In our world, conflicts of interest documents are usually drawn up by academics and are taken to refer to paid work for interested industrial parties. My view is that a conflict can arise from work for any interested party. Indeed, money need not be involved.

Does somebody with unalterable views, who won't listen to evidence to the contrary, have an ideological conflict? Worth thinking about, I suggest. Can working for governments or their agencies, as Claudio, Fabio and I all do, introduce the possibility of conflicts of interest? Yes, of course. Can work for or involvement in civil society organisations, which we also all do, involve conflicts? This depends partly on the nature of the organisation: let's say usually not material, but certainly ideological, yes. Is research funded by foundations with an agenda which the results of the research are meant to support, conflicted? Obviously, yes. Is any academic work, which we also all do, exempt from conflicts of interest? To ask the question is to give the answer. Of course not. Sorry if this sounds defensive!

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