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Sheldon Silver and the Price of Doing Science

By Walter Olson
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Rumors of ethics problems have long swirled around long-time New York assembly speaker Sheldon Silver, many of them connected with his role as a private lawyer associated with a personal-injury firm whose interests extend to many government- and policy-related matters. This morning, according to multiple reports, the FBI took Silver into custody following a corruption investigation.

The complaint (courtesy WSJ, more here and here) alleges improprieties with Silver's income both from a real estate law firm patronized by developers and from asbestos-injury legal work. On the latter, it alleges that Silver directed hundreds of thousands of dollars in state research money to a university doctor in Manhattan, and that the doctor referred lucrative cases over asbestos-related mesothelioma to Silver's law firm. The doctor is described as a "well-known expert" who "conducts mesothelioma research" at a center at his university dedicated to that purpose. The unnamed "Doctor-1" "has entered into an agreement with the USAO SDNY [U.S. Attorney's Office for the Southern District of New York] under which he will not be prosecuted for the conduct described herein, and that obligates him to provide truthful information to and cooperate with the government." [pp. 24-25]

As science has grown more dependent on government funding, libertarians have warned that the money isn't really free. Whatever the stated intentions at first, legislators come to scrutinize science budgets with an eye toward what's in it for them: promoting a favored policy initiative, catering to the whims of some constituent or family member, employing the right people in the right districts. And how deeply embarrassing it must be – assuming the truth of the prosecutors' allegations, which of course are at this stage unproven – to support one's work through state grants for medical research while quietly referring patients to the assembly speaker's law firm. According to the complaint, the state paid \$500,000 to the research center, while the asbestos-suit referrals brought Silver more than \$3 million.

There must be a better way to fund scientific inquiry, and maybe that way involves less appropriation of tax moneys and more voluntary action.

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