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[Just My Thoughts](#)

Authoritarianism at Cochrane

[therealrthorat](#) [Uncategorized](#) October 24, 2018 8 Minutes

The Cochrane Board has not said a lot about their expulsion of Peter Gøtzsche. Perhaps because when they do speak, they tend to make things worse. The latest example is [this](#) summary of webinars they hosted to discuss the issue. I want to focus on the bullet points at the beginning of the document, as they represent a troubling mindset followed by the current board and specifically its chairs (and the CEO):

The Trustees make collective decisions, democratically, by a majority vote, according to our governing document (the "Articles of Association"). "Decisions do not usually have to be unanimous ... but once the trustees have made a decision, they must all comply with it, including any who disagree.... Ultimately, you may feel that you have to resign in order to distance yourself from the decision."

The board is quoting from the UK Charity Commission guidance for trustees. You can read that [here](#). The quote is from section 6.2, titled "Avoid mistakes – be prepared to challenge assumptions". This quote is taken out of context and treated as if resigning is normal. I will go into more in a bit, but a situation where a trustee resigns from a charity due to disagreement with a board decision is NOT NORMAL. It indicates something is fundamentally broken with the board. The Cochrane Board appears to have no sense of irony because this quote is lifted from a section instructing trustees they must challenge decisions and make sure decisions are not being driven by one person. That is precisely what has happened here and one reason why the board members who resigned objected. In other words, they followed the guidance of the Charity Commission to the letter. The Commission's advice to resign is advice for what a trustee must do to further the interests of the charity if the decision making process is fundamentally broken. Finally, note also the directive to "comply" with decisions does not mean you have to publicly defend decisions, as the Cochrane Board has implied or stated. You only have to recognize that it passed and take any actions necessary to comply. Much like a legislator who votes against a law must comply with the law when it passes, but is still free to criticize the law and the process that led to its passage.

Individuals become Trustees either by election or appointment. However, the moment they join the Board they are expected to act not in the interests of those who voted for them, or their own perceived constituents, but "in the best interests of the Charity" above all. Trustees do not represent those who voted for them. "You must avoid putting yourself in a position where your duty to your charity conflicts with your personal interests or loyalty to any other person or body."

This is one of the most troubling statements. It represents not just a fundamental misunderstanding of representation, but an authoritarian mindset. It is not correct to say that

board members do not represent the interests of those who voted for them or their perceived constituents. In fact, this is fundamental to any elected position. Every elected person everywhere necessarily represents the interests of their constituents. Of course, they do not represent their personal interests, but rather their view of how the charity should be governed. Even appointed members represent the views of the person who appointed them, which is why appointed members are so dangerous, particularly for a charity like Cochrane, because they centralize power with whoever is appointing them. By definition voters and appointers will pick people who represent their views. There is nothing you can do to change this – it is fundamental to government and human nature.

The former Steering Group was an entirely elected Board, whose members were elected from a variety of constituencies. Even then, the Board members were supposed only to act in the interests of the Charity as a whole.

As already stated, members act in the interests of the charity as a whole by representing the interests and philosophy of their constituents.

Charity Boards in which all members are elected are becoming increasingly rare and this format is no longer seen as optimal in terms of good governance.

As usual for this Board, this statement is misleading. I will not go into details here, but a charity with Cochrane's history and structure should probably not have any unelected board members. You can see the end result of appointed members right now. Concentration of power in the central executive staff. Many charities are moving to a system where some or all trustees are appointed by an independent group because voting members are sometimes the donors to the charity and that allows too much control over the charity's work. Or the opposite problem occurs: the charity is founded by a small group who maintain control and donors do not want that small group having too much influence over decisions. Generally there is a tension between the donors to the charity and those who control the charity, so a common solution is to have a third party pick board members. In the case of a collaboration like Cochrane, members are a diverse group around the world, and electing board members makes the most sense.

Trustees must:

- *always act in the best interests of the charity – they must not let their personal interests, views or prejudices affect their conduct as a trustee;*
- *act reasonably and responsibly in all matters relating to the charity – acting with as much care as if they were dealing with their own affairs, taking advice if they need it;*
- *only use the charity's income and property for the purposes set out in our Articles of Association*
- *make decisions in line with good practice and the rules set by our Articles of Association (including excluding any trustee who has a conflict of interest from discussions or decision-making on the matter).*

The principles of good governance are embraced by many organisations, including all Cochrane's major funders. They not only expect but require Cochrane to have in place strong governance mechanisms.

Not much to say about these statements, other than the current Board does not follow them. But I want to go more in depth on the first two statements above.

Taken together, these statements indicate not just an inability to grasp basic concepts of democratic leadership, but an embrace of authoritarian methods of leadership. Democratic systems promote transparency and encourage the airing of dissenting voices. When the voters hear dissenting opinions, it helps create a sense that all viewpoints were heard and strengthens the belief that the best decision was made, or at least the process was fair. Debates in parliaments and the US Congress are held in the open. Judges routinely publish dissenting opinions when they disagree with the majority of their colleagues. These principles are fundamental to an open system of governance.

Authoritarian systems silence dissenting voices because they fear if dissenting voices are heard, people will lose confidence in the decisions of the authority. They seek to control information because information is power. By withholding information about the decision making process, they minimize questions about their decision. The only information people receive is that which the authority wants them to receive.

The Cochrane Board has sought to control information on the Gøtzsche expulsion since the beginning. One member instructed the minority members they were to publicly support the decision of the majority. That is an authoritarian position. The Board has further used the concept of privacy to maintain control over information. That is an increasingly common trick when democratic leaders do not want to be transparent. The Board could have easily released more information while taking steps to maintain the very minimal privacy interests involved, but their real reasoning had nothing to do with privacy. That was merely an excuse for controlling information about the process.

Even sillier, the Board has then used Gøtzsche's transparency on his own website as some further vague evidence against him. The legal principle here is simple: when you are the subject of a public smear campaign, you are entitled to release information to defend yourself, particularly when the privacy interests here are so remote and you are no longer bound by them. The only privacy interests here are the names of Gøtzsche's accusers, and rarely does any legal system shield accusers' names from the public. Further, that this information has been made public is entirely the fault of the Cochrane Board. Their expulsion directly led to the exposure of this information. When Gøtzsche was expelled, he no longer owed a duty to maintain privacy in these matters, particularly when his rights are so adversely affected. Note that before he was expelled Gøtzsche did keep these matters private. Only when he came under attack and no longer had an obligation did he reveal any of these details, as he is entitled. If privacy were really a concern of the Cochrane Board, there are many ways they could have handled the matter differently while protecting privacy. Instead, they started a process that anyone could see would lead to exposure of the persons involved.

The Board went even further than this control of information and urged the minority members to resign. They repeatedly highlight that this is part of the advice from the UK Charity Commission, without noting that advice is a last resort. When a Board member resigns in protest, it indicates a potentially serious issue with governance. When four resign in protest, it indicates the governance process is fundamentally broken. The situation is even worse when elected board members resign because, contra the Board's authoritarian beliefs, those members have a constituency. They have members who share their view for the direction of the charity. When they resign, those members are disenfranchised. Resigning in a democratic system is a drastic measure.

Imagine if every time a bill was passed in the United States Congress the majority votes urged all the minority votes to resign. This does not happen. And yet, US Senators and Representatives owe their allegiance to the country first, not their voting constituents, just as Cochrane Trustees owe their allegiance to the charity first. The Cochrane Board would argue the minority Congressmen are obligated to publicly defend every bill they vote against if it passes. Of course, this is absurd. We know that members of Congress represent their voting constituency. They do so by advocating for their vision of how the country should operate. They comply with decisions made by the Congress, but there is no requirement to defend those decisions. And no one expects or even wants a Congressman to resign after every lost vote. If Congressmen resigned en masse, it would indicate a fundamental problem in government. Similarly, elected Cochrane Trustees represent their voting constituencies by advocating for their vision of how the charity should operate. They are not obligated to defend Board decisions, only to follow them. If they resign en masse, it indicates a fundamental problem in governance. It is not normal.

I must also note how this suggestion to resign resembles the way communist parties operate. When one faction gains control of the party, competing factions are asked to resign or forced out of the party. Do we want a scientific organization like Cochrane operating in the same manner as communist leaders?

The Board's authoritarian disposition and their push for more power to be centralized at Cochrane should scare every member, particularly the collaborating centers, who the Board clearly no longer sees as collaborators, but as subordinates. The Board and executive staff have unilaterally decided that collaboration is no longer how Cochrane functions and they are aggressively enforcing that silent coup. They have removed a dissenting voice in an absurd process and used that process to purge the Board of all other dissenting votes. Now they audaciously move forward with a plan to stack the Board with more like minded members and refuse any attempts to obtain accountability for their actions. They have told members and centers concerned over their actions to stuff a sock in it and get over it. Clearly, there will be no backing down or admission of error by this Board. Members and centers must take drastic action to force the Board and executive staff to resign. The time for half measures is over. This Board will not approve any investigation into its actions. Authoritarians never do.