

## Situations vacant

Italy's universities should be free to hire who they want — and should be accountable for the result.

It took violent street demonstrations to force the Italian government to backtrack on its proposal to enact — hot on the heels of a hefty budget cut — a major reform of the nation's universities through decree. Last week, education and research minister Mariastella Gelmini agreed instead to put her planned reform through normal legislative procedures, which, unlike a decree, will involve parliamentary debates and, hopefully, consultation with the universities.

But on 6 November, Gelmini rushed through part of the reform in a decree anyway. With a round of *concorsi* — the national competitions to select academic staff — due to start within days, Gelmini introduced a relatively minor change in the procedures of the committees that select the staff. The not-so-minor result is that those *concorsi*, for 1,800 professorships, will be delayed by at least three months. And if the change is challenged in court, as it may well be, the delay could stretch beyond a year — at a time when Italian universities have already been unable to recruit new professors for more than four years.

The cumbersome *concorso* system does not need such tinkering, it needs to be abandoned. Imagine if the Massachusetts Institute of Technology (MIT) in Cambridge had to tell Washington whenever it had an vacancy; then wait for the administration to collate enough empty posts nationwide to warrant opening a competition; and then allow academics from all universities to elect a national, discipline-related committee to choose the candidate — a committee

on which only one MIT representative could sit.

Such centralized recruitment has been a feature of Italian universities for the best part of a century. It wasn't until the 1990s that universities gained sufficient control of their budgets to decide how many professors they wanted to recruit, even if they couldn't choose the successful candidates. The government refuses to grant them that last authority partly because politicians fear that, left to themselves, some universities would appoint professors on the basis of their local political and personal connections rather than their scientific merit. There is good reason for this worry: it happens even within the *concorso* system.

Nonetheless, Italy's universities should be allowed to recruit whomever and however they want — with the all-important proviso that they also be evaluated on their academic performance. If the best-performing universities received more state support, and the underperformers received less, the incentive to play politics when hiring would plummet.

Italy's previous, centre-left government paved the way for such a system just before it fell in April, when it passed a law to create ANVUR, an agency to evaluate university and academic performance. Gelmini simply needs to complete the establishment of ANVUR, get it working and put an end to the *concorso* system. Her predecessor had recognized that it would take a while to establish the new institution and so had set in motion the current, now frozen, round of *concorsi* to allow university life to go on. Gelmini was wrong to interfere with it.

A level of reform is clearly needed. Because Italian universities don't have to take responsibility for any recruitment decisions, some have become lax, bloated and lazy. But reforms need to be done with a strong, knowledgeable and clever hand — something that Gelmini has so far failed to provide. ■

## Science by litigation

A company's lawsuit against researchers should not be allowed to intimidate others.

The curious case of Biopure versus Natanson pits a struggling biotechnology company against a biomedical researcher in a libel case (see *Nature News* doi:10.1038/news.2008.1219; 2008). Historically, such attacks on the scientific literature have been given short shrift by the courts. The case is dangerous nevertheless.

Biopure of Cambridge, Massachusetts, is attacking an analysis performed by Charles Natanson, a senior investigator at the US National Institutes of Health, and his colleagues, and published in *The Journal of the American Medical Association* (*JAMA* — C. Natanson *et al.* *J. Am. Med. Assoc.* **299**, 2304–2312; 2008). Natanson's article was a meta-analysis: a statistical lumping together of several small clinical trials. Such analyses can be complex and problematic. A bad meta-analysis has the power to needlessly frighten or groundlessly assure consumers, but a good meta-analysis can protect the public from a previously unrecognized — or unpublicized — safety risk. Regardless of quality, a well publicized meta-analysis can cost a firm millions in lost sales.

Biopure alleges that this analysis was not sufficiently sound to warrant one of the paper's conclusions: that a blood substitute produced by the company is not safe.

Natanson and his colleagues combined data for different blood substitutes that share a mechanism of action; Biopure says this means that the results could not be applied specifically to its product. The researchers also lacked access to critical data — a common lament of the meta-analysers, and an inevitable result of companies refusing to disclose the results of their clinical trials. *JAMA*'s editors — who have declined to comment — and their reviewers presumably felt that the evidence as described justified the conclusions.

There is a traditional forum, in science, to air such grievances: the journal itself. And indeed, after the article was published, *JAMA* published numerous critiques from readers and the authors' response. Biopure elected to put its questions about scientific quality into the hands of the law. It claims that it has suffered financial loss and that its corporate mission, financed to the tune of \$600 million, has been put at risk.

The US legal system has historically treated scientific publications with respect under the US constitution's first amendment, which protects freedom of the press. That does not mean that scientists are exempt from laws on libel and slander simply because they are scientists. But those involved should be aware that this action potentially threatens public trust in the very industry of which Biopure is a part, which is founded on open scientific analysis and debate. Researchers (and their editors) must never forget what is at stake in a meta-analysis, but above all must not be intimidated by this action. ■