



Written by [Selwyn Duke](#) on March 27, 2024

Harvard Dishonesty Researcher Accused of Dishonesty (Fraud) Mounts a Liberty-endangering Defense

A shocking three-quarters or more of research studies in many fields are bunk, reported the *Economist* in 2013, illustrating the troubling fact that scientific fraud is far worse than most imagine. Thus is it also troubling that, if a Harvard dishonesty researcher's actions are any guide, criticizing and ferreting out scientific fraud could become more difficult.

At issue is the work of one Francesca Gino of Harvard Business School. The academic fraud case against Professor Gino appears airtight, but that hasn't stopped her from suing critics for defamation. The issue?



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It's not that Gino will win; that appears nearly impossible. It's that as with "climate scientist" Michael Mann's lawsuit against columnist Mark Steyn (which *was* [recently won](#); Steyn is appealing), defending against such charges in court can bankrupt the guilty and innocent alike. (It can destroy health, too, sometimes. Did Steyn's legal travails, for example, contribute to [the two heart attacks](#) he suffered in 2020?) The process is the punishment.

Vox's Kelsey Piper provided background on Gino's story on June 29, 2023, [writing](#) that "it's been a rough few years for the field of dishonesty studies because it has turned out that several of the researchers were, well, [making up their data](#). The result is a fascinating insight into dishonesty, if not the one that the authors intended."

The alleged fraud is vast, too. Piper also informed that in a 2023 report,

a team of independent investigators laid out their evidence that there was actually a lot more fraud in the academic dishonesty world than that [referencing a 2012 paper, co-authored by Gino, that was retracted in 2021].

"In 2021, we and a team of anonymous researchers examined a number of studies co-authored by Gino, because we had concerns that they contained fraudulent data," the [new report begins](#). "We discovered evidence of fraud in papers spanning over a decade, including papers published quite recently (in 2020)."

Gino has [been placed](#) on administrative leave at Harvard Business School, and Harvard has requested that three more papers be retracted....

I highly recommend the [series of blog posts](#) in which the report authors explain, paper by paper, how they detected the cheating. Some impressive work went into proving not just that the data must have been tampered with, but that the tampering was deliberate.

Perhaps even more significant than the data dishonesty, however, is what can prevent its discovery.



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And what is Gino's defense against the absolute proof of fraud?

Well, remember MSNBC talking head Joy Reid's 2018 [claims](#) for why un-woke "slurs" appeared on her pre-fame website?

That's right: Gino essentially says that she was framed.

But as with Reid, her claims don't exactly pass muster. As Piper [reported](#) on Friday:

Harvard commissioned an independent investigation into the allegations [against Gino]. The resulting report is almost 1,300 pages.... It details how the research team systematically determined that, for each of the four papers, the data was indeed manipulated. And it includes Gino's theories of who did it and why.

One explanation Gino offered Harvard for the manipulated data stands out: her theory that the data was manipulated by an academic rival of Gino's seeking to take revenge over a disagreement.

If that sounds fanciful, the Harvard report authors do concur. Piper points out that while many researchers could've altered data for any individual study, the only common denominator across all of them over *eight years* was Gino. Piper then informs:

"In order to falsify data across all four studies' records," the report observes, "actors with malicious intentions would have needed the following: First, they would have needed access to both Professor Gino's Qualtrics accounts and her computer's hard drive, as two allegations (1 and 2) involve discrepancies in Qualtrics data and one allegation (3) involves discrepancies in the computer's data."

Then they'd also have needed a co-conspirator in order to falsify the data associated with allegation 4. Then they'd also have needed deep familiarity with how Gino stored and labeled data on her computer and her planned timetable for each study, just to maliciously alter the study to make her look bad.

Then, having carefully engineered this evidence of data misconduct, they would need to sit still for years before revealing the evidence of falsification.

In other words, Gino's defense is right up there (read: down there) with Bill Clinton's 1990s [claim](#), "I did not have sexual relations with that woman, Miss Lewinsky." But that doesn't help the bloggers the academic is suing (along with Harvard) for publishing the allegations. A court victory for them could be beyond Pyrrhic. How expensive could it be?

Well, publication *National Review*, which was also sued by the aforementioned Michael Mann (the case was dismissed), is now itself [suing the climate scientist](#) to recover \$1,037,248.41 in legal fees — and implies this is only *part* of what his action cost them.

Of course, Harvard can certainly afford this, and *National Review* will remain standing. But most bloggers and others — people whose whistle-blowing sometimes uncovers much wrongdoing — can't mount expensive legal defenses. Thus do these malicious lawsuits have a chilling effect on speech and even legitimate investigation.

So there are two takeaways here. First, as Gino and the *five* Harvard figures (including ex-president



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Claudine Gay) [found guilty of plagiarism](#) *again* illustrate, the rot runs deep even at our most “prestigious” academic institutions.

Second, enacting a “loser pays” law for litigants is imperative. (If some worry about limiting the little guy’s capacity to seek redress against the powerful, a compromise could be to apply the standard only to plaintiffs who are substantially wealthier than those they sue.) The idea that you can legally torment someone via the legal system, with impunity, is profoundly unjust. In fact, much as with [squatters](#) and shoplifters, it’s another example of how the system today too often advantages the wicked and enables their evil.



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