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Seminar in Social Conflict

February 28, 2025

Positionality Statement: It is important to note that I am approaching this conflict from the assumption that pharmaceutical companies should prioritize the well-being of their patients over the success of their product. However, I will attempt to treat all sides of this conflict equally and fairly, beginning with the acknowledgement that the opioid crisis is a systemic issue, rather than one perpetuated by a single company or family.

Conflict Introduction: Purdue Pharma and the Making of the Opioid Crisis

In 2018, the Massachusetts Attorney General's office filed a lawsuit against the multibillion dollar pharmaceutical company Purdue Pharma and its executives, accusing them of intentional deception regarding the addictive nature of opioids. The suit alleged that the company knew about the highly addictive and potentially lethal effects of their drug, OxyContin, but intentionally misled doctors and the general public in order to make a greater profit (Mass.gov 2025). This was not the first lawsuit against Purdue Pharma. It was, however, one of the many that contributed to the company's end. In 2019, following a continuous barrage of lawsuits from more than half of the US states, in addition to hospitals, tribes, insurers, and individual victims, Purdue Pharma filed for bankruptcy (Hoffman 2024).

To the Americans affected by the opioid crisis, this period was the beginning of a reckoning long overdue – OxyContin was approved by the FDA and released to the general

market in 1995, and studies have shown that since then, more than 400,000 people in the US have died from an opioid addiction, with around 115 deaths a year (Kolodny 2020). In addition, it is estimated that 2 million people are currently living with an opioid-related substance use disorder (American Bar Association). One study found that almost 50% of patients who take opioids for chronic noncancerous pain become addicted, and another found that opioids are the leading cause of accidental death in the US (Salmond & Allread 2019, Kolodny 2020).

The media also played a significant role in sealing the Sackler family's reputation as "the most evil ... in America" (Mulvihill 2020). In 2021, HBO released a two part documentary called *The Crime of the Century*, Hulu released its miniseries *Dopesick*, and the film *All the Beauty and the Bloodshed* became an Academy Award nominee. In addition, author Patrick Radden Keefe published his award- winning novel *Empire of Pain*. These pieces of media portrayed the dark realities of the opioid crisis and addiction in a stark and unflinching light, received critical acclaim, and succeeded in reaching many different sectors of the American public.

Purdue Pharma and the Sackler family undoubtedly hold a significant amount of blame in this crisis. It is important to note, however, that the opioid crisis does not begin or end with a single pharmaceutical company. Regulatory failures and governmental oversight also played significant roles in allowing the opioid epidemic to get so out of hand. In order to fully understand all of the intricacies and systems involved in the opioid crisis, it's important to begin in the mid-1900's, with the founding of Purdue Pharma.

The company's origins can be traced back to 1952, when Arthur Sackler, a New York descendant of Galician Jewish immigrants, bought the Purdue Frederick Company along with his two brothers, Mortimer and Raymond Sackler (Rosenfeld 2025). The Purdue Frederick

Company was a relatively small business, dedicated mostly to selling earwax removers and laxatives. The brothers, all of whom had attended medical school, swiftly shifted the focus of the company to the production of “pain management medications,” most of which were opioid based (Chow 2019). The company developed several other hit drugs before creating OxyContin, which they made by developing a controlled-release formula for oxycodone, which is a heroin derivative with pain-relieving effects that are “twice as powerful as morphine” (Rosenfeld, 2025).

By the time OxyContin was released to be used by the general public, Arthur Sackler was dead, and many of his direct descendents had distanced themselves from Purdue Pharma. His two brothers, however, remained CEOs of the company, and many of their relatives also remained closely involved (Walters 2018). The family profited heavily from the sale of OxyContin, generating billions of dollars in revenue for themselves and their company in a matter of a few short years. From the beginning, there were glaringly obvious signs that OxyContin was a dangerously addictive and potentially fatal drug (Rosenfeld 2025). Despite this, Purdue Pharma and the Sackler family were able to evade any and all complicity or blame in the opioid crisis for nearly thirty years. Sure, there were small lawsuits that were settled occasionally, and in 2007 Purdue Pharma was forced to pay the government \$600 million in damages (Walters 2018). But these were minor setbacks, and Purdue Pharma managed to continue its mass distribution of opioids, reputation largely intact, until 2019.

There were (and continue to be) many reasons for the lack of opioid regulation in the US. The first was the Sackler family’s savvy marketing strategies, which included the use of lying and manipulation tactics, in addition to monetary incentives and a strategy known as “reputation laundering” (Rosenfeld 2025). These strategies were used to disseminate opioids on a large scale

while maintaining the family's reputation as philanthropists and charitable donors within elite society (Walters 2018).

To this day, the Sackler family maintains that they were unaware of abuse of OxyContin until early 2000. There are many sources, including court testimonials, that provide substantial evidence otherwise. For example, a copy of a confidential report to the Justice Department asserts that Purdue Pharma and the Sackler family knew about the widespread abuse of OxyContin as soon as 1996, a year after its release (Meier 2018). From the beginning, OxyContin was marketed as a “wonder drug” that was supposed to be superior to other pain relief medications and last for twelve hours – much longer than standard pain relief medications. Spokesmen for the company asserted that the risk of addiction was as low as one percent (Chow 2019). In reality, clinical trials proved OxyContin to be only equivalent to other pain-relief medications, rather than superior. The lived experience of patients prescribed OxyContin proved that in most cases, its effects did not last the full twelve hours. And, various studies pointed to the risk of addiction to be as high as fifty percent (Chow 2019).

These false claims were validated and substantiated by various respectable journals and credited academics, many of whom either worked for or received financial incentives from Purdue Pharma (Armstrong 2019). In addition, the company provided financial incentives for doctors to prescribe Oxycontin. They trained sales representatives with what to say about the alleged benefits of OxyContin, including its “low addiction rate” (Chow 2019). In doing so, Purdue Pharma was able to convince general practitioners all over the country to prescribe highly addictive opioids on a large scale.

Since filing for bankruptcy, Purdue Pharma and the Sacklers have settled many of the lawsuits with payouts worth billions of dollars and promises to fund research to “abate the opioid

crisis nationwide” (Mass.gov 2025). In June of 2024, the Supreme Court denied the bankruptcy claim made by the Sackler family (different from Purdue Pharma’s bankruptcy) on legal grounds. This decision prevented the Sackler family – who have yet to apologize for their leading role in perpetuating the opioid crisis – from evading personal liability and maintaining half of their wealth in a settlement, but it also impeded victims of the opioid crisis from receiving their deserved compensation (Mann & Totenberg, 2024).

Purdue Pharma and the Sackler family were not the only company to sell opioids on a large scale, though they are the most infamous. For years, they were also the biggest and most successful, far outmatching their competitors’ profits (Chow 2019). Their position as one of the leading forces behind the opioid crisis made them the most obvious target for lawsuits and media attacks, which were successful in bringing the company down. Swept up in the urgency of holding one company accountable, many people failed to realize that doing so would not resolve the opioid crisis. Even now, with Purdue Pharma’s settlement reached and the Sackler family scrambling, other pharmaceutical companies are increasing opioid production, promoting their own drugs to physicians who were previously pursued by Purdue Pharma, and targeting counties where the opioid crisis is still severe (Kirschman 2023). Given this evidence, it is obvious that bringing one company down will not enact systemic change. The question is, what will?

Power Imbalances

Power imbalances are entrenched in capitalism. Pharmaceutical companies, whose primary goal is to make a profit off of drugs that they develop and sell, benefit from this imbalance. For almost 30 years, Purdue Pharma held significant power over many populations. For one, they held the power to mediate rewards (ie, monetary incentives) for the doctors and

nurses with whom they collaborated. In the same vein, they held coercive power to take these rewards away should the doctors stop prescribing OxyContin or the journalists stop reporting on its benefits. Over the general public, they held expert power, based on the assumption that pharmaceutical companies have the ability to make effective, nonaddictive medicines. They also held legitimate power in the eyes of the public, founded on the implicit trust that is needed between a drug company and its consumers. In other words, consumers, doctors, and federal agencies needed to trust Purdue Pharma, and thereby assign them legitimate power, to make drugs that wouldn't send the nation into a crisis costing billions of dollars and affecting millions of lives. Once trust between Purdue Pharma and its consumers was broken – and its legitimate power taken away – it began to lose all forms of power and influence that it had previously wielded.

Taking away the power of one pharmaceutical company has not abated the opioid crisis. Other pharmaceutical companies have the potential to hold the same type of power as Purdue Pharma over the same agents – doctors, journals, civilians, etc. And, the actions of many other companies – even the ones that are currently increasing their opioid sales – have not been widely questioned, meaning they also wield legitimate power in the eyes of the public. When the power of one company is taken away, another will merely swoop in to fill the space that it left behind (Kirschman 2023).

To get to the root of the problem, it is necessary to analyze the power dynamics of the systems that allow pharmaceutical companies to operate in this way. The FDA is one of the most powerful organizations when it comes to drug regulation. According to a US government website, the primary responsibility of the FDA is to “[protect] the public health by ensuring the safety, efficacy, and security of human ... drugs” (USA.gov). There are several exceptions, but

most drugs cannot be used in the US without FDA approval (FDA.gov). The FDA therefore wields an enormous amount of expert and legitimate power over doctors and consumers, who must rely on the organization to only approve medications that exhibit a high degree of safety and efficacy.

The nature of the FDA as a regulatory organization means that it holds significant coercive power over pharmaceutical companies – for example, if a drug does not initially meet FDA regulations (or if it's later discovered not to be safe or effective), the FDA has the power to take that drug off the market, thus removing any profit that the pharmaceutical company would make from it. In theory, this type of coercive power provides incentive for pharmaceutical companies to create drugs that are not widely addictive. However, when the FDA fails, for whatever reason, to regulate drugs correctly, the power they hold over pharmaceutical companies decreases significantly. This failure of the regulatory system is one of the biggest reasons the opioid crisis got so out of hand.

One potential reason for the FDA's initial approval of OxyContin was a lack of resources and a lack of sufficient regulatory guidelines. When the FDA first approved OxyContin in 1995, it was dealing with an influx of more than thirty thousand promotional packages that needed to be reviewed. This excess amount of material combined with less than forty staff members made it extremely difficult for all proposed medications to be reviewed closely. The FDA only reviewed Purdue Pharma's proposal in detail a year after OxyContin was released, which is when they found the falsified claims made by Purdue Pharma that made the drug appear less addictive than it actually was (Chow 2019). In addition, the FDA permitted pharmaceutical companies to market their product to physicians even before it was approved. This meant Purdue Pharma was able to advertise their falsely marketed product to physicians before OxyContin was on the

market, thus beginning the flow of mass misinformation (Chow 2019). Instead of implementing institutional reforms in response to opioid regulation failures, the FDA chose to adopt a defensive stance (Kolodny 2020). Governmental agencies similarly failed to admit fault or implement change: rather than increasing FDA funding or enforcing a more thorough regulatory process, they have instead chosen to blame Purdue Pharma and the Sackler family for the entire crisis.

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