

Agent Orange initiatives

I share Brian Martin's concerns (AS, November 1986) regarding the alleged plagiarism of substantial parts of Monsanto Australia's submission in the final report of the Agent Orange Royal Commission.

However, I resent the implication of inaction behind his statement that 'one response of the Australian government was, eventually, to set up a royal commission...'. The announcement of the commission was my first substantial policy initiative after becoming minister in March 1983.

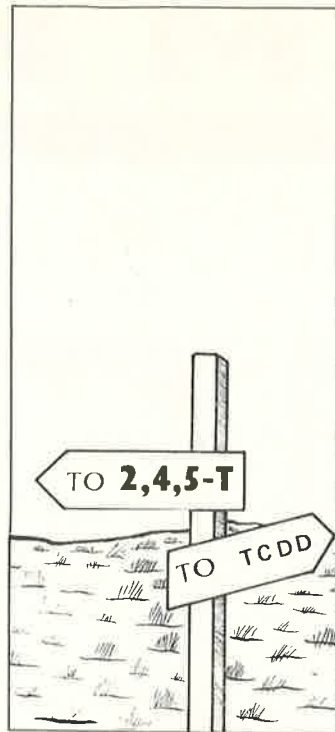
I also dispute Mr Martin's claim that 'many people who actively opposed the (Vietnam) war have provided at most grudging support for the veterans...'. The members of the federal ALP caucus who were prominent in the anti-Vietnam war

movement were generally among those who agitated most strongly for the establishment of the royal commission. Their numbers included several ministers, among them Messrs Beazley, Holding, Dawkins and, of course, myself.

*Arthur Gietzelt
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Unfair reading

I refer to the article by Brian Martin 'Agent Orange: a New Controversy' (AS, November 1986). I have already expressed to Dr Martin my disappointment at his failure to address the concerns that I had expressed to him in a telephone conversation responsive to his sending me an earlier draft. It is a tragedy that well-meaning people continue to promote in the minds of veterans of the Vietnam war the quite false idea that



they have been poisoned and that sickness, birth defects and other disasters are their inevitable lot.

The truth is that Vietnam veterans are significantly more healthy than the Australian male population. They are dying significantly more slowly

than other Australians and cancer death rates for Vietnam veterans are lower than the general male population, age corrected. A very thorough study shows that the Vietnam veterans are no more likely to father children with birth defects than are Australian males of the same age. Any fair reading of the Evatt Report establishes the above.

More importantly Dr Martin has misquoted me in a most significant respect. I did *not* say that it is normal practice for a commission to receive submissions and then to incorporate those which are thought to be the best, what I said with great care, was:

it is perfectly appropriate for a Judge or Commissioner to adopt submissions of Counsel and to incorporate them in a Judgement or report, provided that the Judge entirely agrees with them. In the case under discussion the Judge had two submissions on Hardell's and Axelson's work, with both of which he broadly agreed: he chose the better of the two as a basis. He altered and edited this in many respects so as to make the final form conform to his own precise views.

Dr Martin's impression of what I said entirely falsifies the position.

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What is plagiarism?

JOHN COOMBS QC (AS, JANUARY 1987) has answered the allegations that the report of the Agent Orange Royal Commission plagiarised solicitors' submissions. His answer is predicated on the idea that it is not plagiarism if the appropriator agrees with the substance of what he or she has appropriated. It is difficult to imagine circumstances where there would not be such agreement. However, the essence of plagiarism is not whether there is agreement or not, but whether the appropriation is acknowledged. In the report, scores of pages were reproduced verbatim from submissions by the solicitors of the chemical company opposing the veterans' claims. These pages were not 'altered and edited' as Mr Coombs stated. Some other appropriated pages did contain minor changes. The idea that agreement is sufficient justification for appropriation is the direct opposite of the standards inculcated into me and my fellow students during our law course. Lack of acknowledgement could lead to expulsion and I think two students were so treated during my four years.

The validity of the rest of Mr Coombs' answer requires that the commission's scientific approaches were correct and that the commission came to reasonable scientific conclusions. So much criticism of the report has now been published that it seems possible that the commission erred in both these respects.

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