

Correspondence to *Nature*, Vol. 363, 20 May 1993, p. 202. Words struck through were deleted by the journal; those in bold were added.

SIR—Several writers have proposed **the unproven theory** that AIDS developed from polio vaccines used in Africa in the 1950s that were contaminated by simian immunodeficiency viruses from the monkey kidneys on which they were cultured.<sup>1 2 3 4</sup> Hilary Koprowski has threatened or launched defamation actions against some of the media outlets that have raised this theory, notably *Rolling Stone* and journalist Tom Curtis.<sup>5</sup>

Whatever one may think of ~~the polio vaccine-AIDS~~ **this particular** theory, the use of the courts against writers and publishers discussing scientific issues is an unwelcome development. It is likely to have an inhibiting effect on open scientific discussion.<sup>6</sup> This can be considered to be an analogue, in the scientific arena, of what have been called “strategic lawsuits against public participation” or SLAPPs, in which legal actions are used to harass citizens who speak out in a way threatening to developers, government bodies and other vested interests.<sup>7</sup>

One can imagine the effect on science if it had been considered ~~legitimate~~ **appropriate** to take legal action against Darwin for his writings on the origin of species, against writers commenting on nuclear weapons policy-making, against publishers dealing with the issues surrounding genetic engineering, ~~etc~~ **and so on**. In such cases, it is almost inevitable that someone’s views will be explicitly or implicitly brought into “disrepute.” Fortunately, it is generally recognised that scientists sometimes make mistakes, are wrong, or undertake research or applications with inadvertent adverse consequences. Without learning from mistakes, they are bound to be repeated. It would be unfortunate if discussion of possible inadvertent consequences of scientific activity could be inhibited by legal action.

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<sup>1</sup> Lecatsas, G. & Alexander, J. J. *South African Medical Journal* **76**, 451 (1989).

<sup>2</sup> Pascal, L. Science and Technology Analysis Research Programme Working Paper #9, University of Wollongong, NSW 2522, Australia (1991).

<sup>3</sup> Curtis, T. *Rolling Stone* **626**, 54-61, 106-108 (19 March 1992).

<sup>4</sup> Elswood, B. & Stricker, R. B. *Research in Virology* (1993, in press).

<sup>5</sup> *Science* **259**, 180 (1993).

<sup>6</sup> Martin, B. *Philosophy and Social Action* **12**, 5-23 (Jan-March 1986).

<sup>7</sup> Canan, P. & Pring, G. W. *Social Problems*, **35**, 506-519 (1988).

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Whatever one may think of the polio vaccine-AIDS theory, the use of the courts against writers and publishers discussing scientific issues is an unwelcome development. It is likely to have an inhibiting effect on open scientific discussion.<sup>6</sup> This can be considered to be an analogue, in the scientific arena, of what have been called “strategic lawsuits against public participation” or SLAPPs, in which legal actions are used to harass citizens who speak out in a way threatening to developers, government bodies and other vested interests.<sup>7</sup>

One can imagine the effect on science if it had been considered legitimate to take legal action against Darwin for his writings on the origin of species, against writers commenting on nuclear weapons policy-making, against publishers dealing with the issues surrounding genetic engineering, etc. In such cases, it is almost inevitable that someone’s views will be explicitly or implicitly brought into “disrepute.” Fortunately, it is generally recognised that scientists sometimes make mistakes, are wrong, or undertake research or applications with inadvertent adverse consequences. Without learning from mistakes, they are bound to be repeated. It would be unfortunate if discussion of possible inadvertent consequences of scientific activity could be inhibited by legal action.

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Science and  
technology in  
their social context

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23 March 1993

John Maddox, editor  
Nature  
4 Little Essex Street  
London WC2R 3LF

Dear Dr Maddox,

Enclosed is an item for your consideration for the correspondence section of *Nature*. It should be self-explanatory, but I might mention that I have been following this particular issue for a couple of years as well as the general issue of free speech in science for much longer.

Yours,

A handwritten signature in cursive script that reads "Brian Martin". The signature is written in black ink and is positioned above a horizontal line.

Brian Martin

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