

EDITORIAL

This issue is late. Its publication has been much delayed by the precautions our publishers have taken to safeguard both themselves and our authors. This issue's debate is the cause of their concern. The debate is on libel, specifically whether English libel laws are used to stifle academic discussion. Peter Wilmshurst, a British cardiologist, has penned our proposition, outlining the problems he encountered when he raised concerns about a device produced by a Boston company, NMT Medical, to treat holes in the heart. It seemed that the device might cure migraine (there is a known association between such heart conditions and migraine): it did not. Wilmshurst was lead investigator on the trial to investigate the efficacy of the device, withdrawing when he could not concur with findings to be published under his name and was denied access to the data on which the findings were based. Though his doubts were expressed in North America, NMT sued him for libel in England. Reproduction of his comments in the *Heartwire* blog, available on the internet and therefore in England, made this possible, and the whole case has been heard in London. In England, fighting libel cases is very expensive and there is no legal aid. For the average academic, this means selling up. So, the average academic settles and apologises. Peter Wilmshurst is not the average academic. He defied NMT for over three years. Regardless of the merits of his case, one cannot help but admire his courage.

In response to Wilmshurst's paper, Margaret McCartney, an uncommon combination of journalist and doctor, feels for the patients who ultimately lose out when science cannot be openly debated. Emily Cleevely works for the Publishers Association and confirms its concerns. The threat to free speech is a direct threat to the publishing business. Jay Stone is a postgraduate student and relatively new to academic ways; her astonishment at what she found has driven her to work with Sense About Science, a pressure group active in the Wilmshurst case. John Garrow presents his views in the context of a meeting at the Royal College of Physicians and notes how resolute the establishment can be in defending the *status quo* against the maverick. The institution allies with the organisation to repel the unorthodox. Richard Lanigan comes from another background with another experience: he hales from the chiropractic world and compares the Wilmshurst case with that of Simon Singh, who cast doubt on the whole chiropractic field. He notes in both cases the readiness of the organisation to leap to law. Which leaves David Colquhoun, an academic not unknown for his willingness to fight in defence of freedom of speech in academic research. He refers to a survey by the Libel Reform Group which leaves little doubt that editors and publishers feel threatened by the use of libel law against academics and act accordingly.

The authors of the response papers are united in their condemnation of what they see as an horrific system. Their regard for English libel laws can hardly have been enhanced by the fine-tooth comb our publishers' lawyers have used to inspect their

own papers. This has taken ages. Sometimes only a word or two has been changed to avoid ambiguity: sometimes half a paper has been axed. David Colquhoun's paper suffered the latter fate, but the original may be read in its entirety on his blog, *DC's Improbable Science*, at <http://www.dcsience.net/>, a legal nicety that seems to defy all logic. We are deeply grateful to all our debate authors, not simply for their contributions, but for their patience. Though this was never intended, their experience of publishing in *Prometheus* has rather proved the point they are all, in their various ways, trying to make, that English libel law does indeed stifle academic debate.

While the editor should do his best to remain impartial in *Prometheus* debates, impartiality is not appropriate in discussion of the circumstances in which the debate is conducted. The action taken by NMT in the English courts, intended to silence Peter Wilmhurst's allegations, also silences those who would comment on them. Of course, there is still liberty to whisper about such things in dark corners, but commenting openly in traditional academic outlets is quite another matter. While publishers feel threatened, their editors will avoid the contentious, and authors will play equally safe. Universities already drive academics to publish in top journals, which have become most welcoming to what is most orthodox. With customary communications channels closed, revolutionary movements in the most tyrannical parts of the world rely on the internet and modern telecommunications to spread their word: academics are resorting to the same technologies for the discussion of research. Despite the best efforts of editors and publishers, there is a danger that research findings published in the top academic journals will be suspect. Ever closer links between commercial interests, fully aware of their influence on academic research, and universities, desperate enough to oblige these commercial interests, do nothing to reduce this suspicion.

Notwithstanding the devastating effect the libel action must have had on Peter Wilmhurst personally, the impact of such action on academic freedom is a matter of wider concern. It is, perhaps, part of a general effort by the organisation to exert its power over the individual, just one aspect of the triumph of managerialism over professionalism. All too often, it seems, the might of the organisation is brought to bear not against ideas and ideals in conflict with its own, but against those who express them, and often against a single individual *pour encourager les autres*. The tactic works well, though the cost in terms of crushed creativity and stagnant thinking may be considerable. The cost is also likely to be hidden in that what is not known is hard to miss. In the unequal contest between individual integrity and organisational loyalty, Peter Wilmhurst has encouraged other individuals to stand up against might when might is just not right. Reforms to English libel law are currently being discussed, though the reformers were unwilling to join the *Prometheus* debate. If the law is reformed next year to make England less attractive to libel tourists, it will be in no small part because of the stubborn efforts of Peter Wilmhurst.

We tried hard to find people who might defend the system and take Wilmhurst to task. None was found. NMT, of course, was invited more than once to contribute, but did not respond. NMT went into liquidation in April 2011, pursuing its case against Peter Wilmhurst to the bitter end. It is not clear that NMT's creditors will drop the case against Wilmhurst. If they do not, the case will have reached a new level of absurdity at which those with no interest at all in academic research seek to quash academic comment in another country purely to increase the value of their share of a defunct company. English universities, which have not exactly rushed to the aid of Peter Wilmhurst, would probably not appreciate either the absurdity, or that they had any business defending academic freedom.

We also have three research papers in this issue. Hiroshi Shimizu and Yasushi Hara bring to our attention a creature found only in Japan. This is the scientist who gains his Ph.D. entirely on the basis of corporate research. Not surprisingly, they find that such people make a major contribution to corporate research and development. Small worlds is the subject tackled by John Steen, Sam Macaulay and Tim Kastle, more specifically the contribution this sort of network makes to innovation. They are reassuringly sober in their review, concluding that a small world structure still requires real world actors if there is to be innovation. Suzanne Durst and Stefan Wilhelm, our first authors from Liechtenstein, look at the dependence of a small firm on a few key employees. Large firms can plan succession and compensate for the loss of knowledgeable individuals, but what is the small firm to do? The solution is not immediately obvious.

To these authors an apology is owed and made: their research has nothing at all to do with NMT and migraine, yet its publication has been delayed by the precautions that had to be taken to publish our debate. When one piece of academic research is threatened, all academic research is threatened.

Stuart Macdonald
General Editor