

Medical journals should not be swayed by fear of libel lawsuits

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(HealthDay)—Fear of corporate defamation lawsuits should not prevent medical journals from investigating corporate products, according to a perspective piece published online Feb. 16 in *Pediatrics*.

Joel Bakan, L.L.M., from the University of British Columbia in Vancouver, Canada, and colleagues examined whether the fear of libel lawsuits influences what gets published in [medical journals](#). The authors describe the case of a manuscript reporting findings on children's responses to television advertisements, considered for publication in *Pediatrics*. The publisher recommended removal of company names from the manuscript. The article was subsequently rejected due to the possibility of a defamation claim.

The authors note that rejecting publications on the basis of possible defamation claims limits scientific discourse on corporate practices and products. Corporate products are responsible for most of the preventable deaths that occur in the United States. Research into the contribution of corporate products to morbidity and mortality necessitates naming of companies and products. In various court decisions, it has been ruled that scientific controversies must be settled by scientific methods rather than litigation. Furthermore, legislature is acting to protect free speech in terms of sound scientific work from Strategic Law Suits Against Public Participation, lawsuits threatening libel to ward off legitimate criticism.

"Modern corporations go to great lengths to protect their [free speech](#) rights to market and advertise their products; medical publishers should do the same for research that scrutinizes the ill effects of those [products](#) on human health," the authors write.

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