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## Interview: Edmond-Luc Henry

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# Hemophiliacs were made 'guinea pigs'

*Edmond-Luc Henry is a hemophiliac—HIV positive. During 1984, he had 62 transfusions, coming into contact with the blood of over 300,000 donors. An accountant by profession, he is also a civil party in the "contaminated blood" criminal case, and has written a remarkable book on the subject. He was interviewed by Emmanuel Grenier in French on July 15.*

**EIR:** One of the most shocking things you discuss in your book, *On Hemophilia in General and the Crime in Particular*, and which is receiving little notice in the press, is this experimentation on the hemophiliac "guinea pigs," with the transmission of the AIDS virus. You went so far as to compare these "experiments" with those of the notorious Dr. Mengele.

**Henry:** All the rules of every moral code were violated in this matter. The first rule when it comes to performing medical experiments is to have the consent of the patient. This was not what happened: Four hundred twenty-five hemophiliacs (out of 3,000 in France) were made the object of this experiment without knowing it. Second, this had nothing to do with a protocol to experiment with a new medication or improve a treatment, but to carry out a statistical study on the mode of transmission of a virus which was known to be deadly to man. The facts are irrefutable since the study, which took place from September 1983 to March 1984, was published in the journal *Blood* in October 1985.

**EIR:** Was this subject brought up during the trial?

**Henry:** It was brought up last week. Dr. Allain defended himself by saying that he informed the National Hemophilia Foundation, which would have given him consent. He is also claiming that he informed some of his patients. The people who were in the courtroom, in every case, say they were never apprised that this had to do with a study on AIDS. He swore that entire services in the Paris region underwent this experimental protocol without the involved parties, the hemophiliacs, being made aware. But, the public health code requires that this authorization be expressly requested. Dr. Allain is claiming that these authorizations had been requested and agreed to orally. In my own case, I learned only about ten days ago that I had been one of the guinea pigs; no one ever asked me to give any authorization.

**EIR:** Your attorney, Sabine Paugham, has demanded that the defendants be found guilty of poisoning.

**Henry:** You must understand that the line the defense took today is to say that there was no intent to kill. But article 301 of the penal code—defining poisoning—is absolutely specific, because it nowhere presumes this intent. The act of poisoning is defined by the combination of two facts: knowing that one has a deadly substance; and, knowing that, administering said substance. This definition obtains even if poisoning does not lead to death. For historical reasons, poisoning is punished far more severely than premeditated murder. And article 301 ends by specifying, "whatever the outcome may have been." Regardless, in the case we have brought, the acts will lead to the deaths of numerous persons, since, after all, nearly 1,200 people were contaminated, and there have currently been 256 deaths. One hemophiliac dies of AIDS every week in France, and 500 hemophiliacs in France now have full-blown AIDS.

It has been established that, whatever other motive there may have been, there was the deliberate intent, in full knowledge of the means, of administering deadly products. So, there was certainly poisoning, and many jurists are supporting us on this point.

**EIR:** To come back to this experiment, during which half of the 425 hemophiliacs were contaminated: In some of the experiments in the Nazi camps, there was also no intent to kill. Some doctors in the camps were only conducting "experiments" which ended in mutilation or death, but that was not their aim. Isn't this a crime against humanity?

**Henry:** The idea of a crime against humanity is quite specific. It presumes the desire of one group to destroy another. I do not think this desire existed among the defendants. A committee of the French association of hemophiliacs swore out a complaint for a crime against humanity, but I doubt that this will succeed. In the present conception, and keeping in mind the magnitude of the tragedy, I can understand that one might use this term, but in juridical reality, I don't think the juridical elements for a crime against humanity are all there.

**EIR:** Many Frenchmen are following your argument on poisoning, and nonetheless, it seems like the media are attempting to rationalize it. For instance, *Le Monde* on July 13 wrote: "This tragedy was therefore the result of a long line of resignations and ignorance, grafted onto real medical and scientific unknowns, and no less real commercial and financial factors."

**Henry:** From the beginning of this affair, there have always been efforts to bring it back to "more realistic proportions," perhaps precisely because it is so abominable. I think there are, in effect, more people who are guilty than just those in the defendants' box today. On one side, the prescribing physicians and political leaders, the ministers at the time of

the occurrences. But a plurality of guilt does not make up a collective guilt. That is what Michel Garretta is trying to establish by saying that "others were equally knowledgeable." Sure, but that doesn't change the fact that a person is guilty.

**EIR:** In your book you quote from a book by Prof. Jean Bernard, *Man Changed by Science*, where he said: "The number of hemophiliacs, which has long stayed constant, is increasing because modern treatment allows hemophiliacs to live, to have daughters who are carriers, who will bear hemophiliacs." Do you make a connection between this statement and what has happened to hemophiliacs over the 1980s?

**Henry:** In quoting this sentence, I wanted to expose the detestable mentality which rules in a certain medical milieu, and especially with Jean Bernard, who, protected by his notoriety, is permitted to put out abominable lines which are reminiscent of eugenics, quite bluntly. He says it in all candor, and no one dares contradict him; that is intolerable. The Ethics Committee, presided over by Jean Bernard, has not been able to find anything abnormal in having someone knowingly contaminate people via transfusions. But, I would like to underscore that other representatives of the medical community have had a diametrically opposed attitude.

Prof. Jean Hamburger, who unfortunately died a few months ago, the former president of the Academy of Sciences, had a conception of medicine and of man totally different. For him, the primary function of the physician is to protect and to save his patient. And he used to love repeating a fundamental principle of his art: *Prima non nocere*, that is, "Above all, do no harm." Jean Bernard had the knowledge and notoriety necessary to intervene and change the course of things. If he had had a humane intellectual outlook, different from the one he expresses in the quote you brought up, closer to Jean Hamburger's, the tragedy could have been avoided.

**EIR:** Some people have yet to comprehend the magnitude of this tragedy, and the fact that such a thing—men deciding for financial reasons to bring death to hundreds of people—should have been able to happen in their country in the 1980s. What would you say to them?

**Henry:** First, I will tell them to distrust everything. I—who thought I had put myself in the hands of competent people—I have learned that I had been entrusted to incompetent and dangerous people. This is a personal reflection that proceeds from my situation.

More generally, as a citizen, I would say that one cannot allow everything. The more one allows the impermissible, the more one is drawn into tragedies such as what we have seen here. One cannot allow lines such as that put forward by Jean Bernard under the pretext that he is the president of

the Ethics Committee. One cannot allow what has happened by saying: "It's not possible that physicians would do that!" Yes! They have done it; they themselves are admitting it! If a minimum of morality is not reestablished in this society, we risk seeing other occurrences as mind-boggling as this one.

I am sending letters to every French member of Parliament, both deputies and senators, to demand that they convoke the High Court of Justice. Only this institution can deliver a verdict on a present or former minister for the acts committed in the exercise of his functions. In order to call it into session, it requires that 10% of the members of Parliament from each of the assemblies demand it. Many of the deputies are sympathetic to our misfortune. I am demanding that they stop weeping for us and act. This affair is not political, but moral. If the High Court cannot be called into session for this, it will never be.

**EIR:** To conclude, we should talk about AIDS in general. The AIDS test is not generalized and made systematic and mandatory, for example, before marriage or surgery. "Human rights" are invoked or even the cost of systematic testing. People who are seropositive are thereby deprived of being aware of their situation and prevented from protecting their loved ones, as well as themselves. From that standpoint, could you say that the crime is continuing?

**Henry:** In France there has long been—perhaps it's because of our Latin culture—a moral judgment attached to illness, which is impermissible.

When it comes to AIDS, tuberculosis, or syphilis, one should not make a moral judgment. We have reached a situation where France is one of the European countries most affected by AIDS, especially when it comes to blood transfusions. By comparison with neighboring countries, such as Germany, Belgium, or Italy, the ratio is 1 to 10: the relative rate of people contaminated by blood transfusions is 10 times higher than anywhere else in Europe. The moral weight attached since the beginning to this illness has led to an unrealistic inaction.

It has been six months since I protested against the fact that we have not always protected people who are transfused from the risk they run and for the necessity for them to get tested in order to avoid, should they become seropositive, contaminating others. I ended up being heard by [AIDS researcher] Luc Montagnier, who has sent out a call for people to get tested. But, up to 1991, they have continued to stick their heads in the sand. They continue to make budgetary decisions which take no account of the vital needs of the population. The defense of life comes before the defense of "human rights." What "rights" will those people who died from contamination have?

I hope the tragedy of the hemophiliacs will have brought about advances in the issue and put a spotlight on the major dysfunction of our public health system.