MEDICAL ETHICS.

THE

ANNUAL ADDRESS

DELIVERED BEFORE THE

CONVENTION

OF THE

Connecticut Medical Society,

AT

HARTFORD, MAY 23D, 1860.

BY ASHBEL WOODWARD, M. D., OF FRANKLIN,
PRESIDENT OF THE SOCIETY.

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ADDRESS.

Mr. Vice-President, and Gentlemen:

Recent occurrences have suggested the propriety of offering to the Convention a few thoughts on the subject of Medical Ethics. It is unnecessary to revert at length to particulars still fresh in the memory of all present. The Society acting in strict conformity to regulations adopted for the management of its internal affairs, deemed it an imperative, though painful duty, to exclude an individual from membership. Whenever a controversy arises in a corporation, be it large or small, civil or religious, the popular mind naturally sides with the weaker party. If the person subjected to censure, has been guilty of no misdemeanor in the eye of the municipal law, and no transgression against the requirements of the Divine laws; if the offense relate to interior stipulations wholly unconnected with the affairs of the world at large, he is morally sure to receive the spontaneous sympathies of the public. This impulse, though apparently generous, is frequently most unjust. It is a blind, reckless, illogical impulse, dashing at conclusions without regard for intermediate facts. It ignores the right inherent in every corporation to institute by-laws conformable to the provisions of its charter—by-laws that can never impose hardships, or be made implements of oppression, because freely enacted or freely assented to by every one on whom their demands are laid. It would withdraw the matter in dispute from the cognizance of the appropriate tribunal, referring it to another which acknowledges no allegiance to the violated rule.

The history of the past year amply illustrates the truth of what we say. Several newspapers of the State officiously interfering, have thrown the gauntlet with words of gratuitous provocation. On the floor of the legislature our Society has been the subject of bitter attack. While so many filling positions of influence have been forward to condemn, have *disinterested* voices in any quarter been lifted

in defense? Some of our own number ably vindicated the action we were compelled to take. But for reasons already hinted at, any justification issuing from the immediate members of an injured society is too often prejudged and precondemned.

It is no part of our purpose to review the merits of that controversy. Far be it from us to rake the ashes from dying embers and kindle a flame over the fading sparks. Leaving all personal matters behind we desire to investigate principles; to show the deceitfulness of trusting to extraneous sources for aid in the furtherance of philanthropic plans, and to exhibit the necessity and advantage of a conscientious adherence to the provisions of a carefully digested medical code.

In one respect the endeavors of the medical profession to ameliorate the condition of the unfortunate have been promoted by legislative assistance. Unaided by governmental appropriations, they could never have erected the magnificent charities which in the more important cities of the civilized world offer an asylum to thousands who otherwise would be left homeless and friendless to languish and die. In the establishment of institutions for the reception of the blind, the insane, and others whose misfortunes make peculiar demands on human sympathy, the benevolence and wisdom of the physician have been seconded by generous donations from the State.

Beyond this, equally unselfish attempts to advance the public welfare through the medium of legislative enactments have signally failed. Occasionally medical organizations have been tempted to petition for the passage of such laws as would guard the people against the impositions of the charlatan. They have simply demanded that he should lay aside the mask of secrecy, so that the suffering, ready to catch at every straw of hope, and peculiarly exposed to the arts of the empiric, might know the value of the support thus thrust upon them in the hour of need. The futility of all these endeavors, however, is now apparent. The motives of the physician have been studiously misinterpreted. Disinterested intentions have been credited to the suggestions of jealousy or avarice. Reproach and ridicule alone have rewarded unselfish efforts to protect the public health against one of the most insidious and destructive of its foes.

These and numerous other coincident facts should teach us lessons of wisdom. It is high time to arrive at the unqualified conviction that the honor, the dignity, the social standing and moral power of the medical profession are committed entirely to its own guardianship. Extrinsic aid we should neither expect nor desire. The

sources of usefulness and strength lie within. Buried beneath our feet are mines of priceless value. *We* must sink the shafts and develop the hidden wealth. Whether we aim at self-improvement or the promotion of the public good, fortunately the same means fulfill both objects at once. Through superiority of professional skill and the force of argument alone, can we hope to exact an acknowledgment of our claims.

When an individual enters a vocation designing to make the discharge of its duties the business of life, a new class of obligations is at once imposed upon him. As a common origin, a common history, common language, manners and laws ought to imbue the soul of the citizen with feelings of devoted attachment to the land of his birth; as in a narrower sphere, the same blood, the same associations, the same joys and sorrows, ought to unite the members of a family with inseparable bonds of love, causing each to experience habitually the tenderest solicitude for the wellbeing of the rest; so the many points of common sympathy and common interest should lead every one on admission to the privileges of a professional brotherhood, to devote to the support, and advancement, and honor of the fraternity, a share of his choicest thoughts. Patriotism, natural affection, and the *esprit de corps* are all flowerings from one root whose radicles are intertwined with the fibres of the universal human heart. Whoever regards with unconcern the welfare of his chosen calling, feeling no thrill of pleasure or pain as prosperity brightens or adversity darkens its pathway, could witness the desolation of country or the ruin of kin, so far as he escaped unscathed, without a groan or a tear.

The establishment of the American Medical Association and the adoption of an ethical code introduced a new era in the progress of the profession. Until then it lacked a center. There was no adequate medium through which the enthusiasm of the earnest and the ardent could be brought to bear upon the spirits of others. If the reformer lifted his voice against abuses his words were audible to but few. If the scholar glowing with generous zeal, devised plans to increase its usefulness, his labors, the result perhaps of years of patient thought, were published under the sanction of his individual name alone. Former isolation and independency of action were most unfavorable to the general prosperity of medical science.

Now not only do the annual meetings draw together from all parts of the country men whose rich stores of wisdom and experience are thus made available for the common benefit, but far more than this, the precepts of the code penetrating everywhere, have brought order

out of confusion and impressed the signet of unity upon all who obey its rules.

From the nature of our profession ethical principles laid down in the form of binding laws can constitute the only rational bond of union. The parallelism between the state and associations of men within the state is of course imperfect. Yet it may not be unprofitable to notice some of the particulars in which the code applied to a voluntary society, resembles in operation a national constitution adopted for the commonwealth. Points of difference will be instructive likewise.

Constitutional limitations affording guarantees against the two extremes of despotism and anarchy, conferring equal rights, securing privileges, enforcing duties, and drawing every citizen within the shelter of the law, make millions, otherwise defenseless, invincible through the union of their strength. The code working upon similar motives, though employing different means, gathers into one community the laborers in thousands of widely scattered fields. National government supreme, acknowledging no superior among the sovereignties of earth, is vested with the power requisite to compel obedience. It bars the ways of crime with fines and with prisons, that where the restraints of conscience are weak, the terrors of punishment may be strong. The force inherent in the code is wholly of a moral character, and instead of acting upon the fears, appeals to the noblest sentiments of humanity. In a series of rules adopted for the observance of physicians in intercourse with each other and the sick, are embodied the wisdom and virtue of ages. Every section breathes the spirit of philanthropy and benevolence, of manly honor and christian charity. Legislators frame laws to regulate the conduct simply. The statute contemplates only overt acts. It does not attempt to purify the fountains of human manners, for its restraints depend on the weight of penalties, and penalties are inflicted for open transgressions. Bad men can plot villanies and do wickedness with impunity so long as crafty discernment enables them to keep within the strict letter of the law. Our ethical system, on the other hand, strives to ennoble the outward life by first ennobling the heart. Deriving its entire efficacy from the purity of its principles, it addresses the conscience directly. The members of the Association are obligated to pursue a specified line of conduct because it is both reasonable and right that they should do so. Regulations characterized by justice and magnanimity, if inflexibly adhered to, put the sting of disability into the temptation to act unfairly.

The citizen is in duty bound to obey the laws of the state. Yet in most instances he has had no personal share in the enactment of those laws. He was born under them, lives under them, and except by expatriation can not avoid their binding force if he would. Much more then ought the physician to yield cheerful obedience to the requirements of a code which he deliberately subscribed to, on admittance to the privileges of the Association. The obligation was not thrust upon him, but assumed of his own free will, so that it has the additional sanction of his sacred word and honor. And is it not the crowning glory of man to value truth more than life—under all circumstances to keep promises inviolate?

The Medical Society has invariably shunned every appearance of espionage, and instead of hunting for delinquencies, has been disposed to pass them unnoticed whenever this could be done without too great a compromise of self-respect. It employs no coercive power to compel observance of the compacts mutually agreed upon, nor does it hold out penal consequences to deter from the breaking of voluntary pledges. If any considering the platform of the Society too high, the doctrines too severe, the morality too rigid, become dissatisfied and prefer to conform to a lower standard, the doors of exit are freely open. But upon a change of views if he would act honorably, so that his name may appear without a stain of reproach, let him *first* seek the severance of former ties by a regular withdrawal. Then he is free to act as impulse may impel. Old associates have no right to question his motives or to reflect upon his conduct.

The right to exclude from an association a member who openly violates its laws, no one will question. In this quiet method of purification a society possesses a great advantage over the state. Governments have successively tried the most varied expedients, ranging between extreme leniency and extreme cruelty to secure obedience from subjects. Success has always been partial because punitive measures fail to eradicate evil propensities. Fear may restrain from overt crimes, yet malcontents remain within the national borders, and if chance gives them power, may strike the parricidal dagger into the heart of their country. More empires have fallen through internal treachery than the might of foreign foes.

When, on the other hand, a voluntary association removes a member, the separation is complete. By pruning the branches the symmetry of the tree is preserved. Disaffection, the fruitful germ of discord, departs, leaving behind harmony and united strength. Efforts are not distracted by jarring councils, nor is time lost or thought con-

sumed in applying remedies to domestic wounds. All the talent of the society is ready for employment in the far happier work of improving present methods of usefulness, or devising better methods to take their place.

If our motives for enforcing the terms of a code were selfish, we might be justly liable to censure. But that reproach can not be laid at our door. It is the province of medicine to attach her ministering servants to the forlorn hope of the army of philanthropists. They move to the contest prepared to suffer every hardship and brave every danger, to secure for others boons too often denied to themselves. When charges of bigotry and illiberality are thrown in our teeth, we can with clean hands and swelling hearts point to the deeds of our brethren. Let the destroying angel flap his pinions over the turrets of the city. Let pestilence come, and in a night, without heralding his approach, or pausing to knock for entrance, cross alike the threshold of stately mansion and filthy hovel. Shafts of death fall everywhere. Merchant-prince and needy laborer, blooming maiden and grey haired sire, are indiscriminately struck by the fatal barb. The destroyer sways a terrible sceptre, showing no deference to the sage, no respect for the mighty, making no obsequious bow to wealth, yielding no homage to beauty, nor even offering pity to the poor creature of affliction whose cup already is crowned with sorrows. Around fashionable squares the door knobs are hung with the sable knot of mourning. Yonder quarter, that a few days agone contained many happy homes, is buried in grief too deep for utterance save in muffled sobs. From the haunt of vice comes the mingled wail of lamentation and despair as the wretched victims of sin curse God and die. The hum of business is hushed. Highways no longer rattle with the wheels of industry, and the sound of hoofs but marks the progress of funeral trains. Whoever can, hurries to escape from such scenes of desolation and woe. Child-reft parents, orphaned children, widowed wives, leave behind their buried treasures to seek safety for what remains.

But *one* class never join the flight. True, unfaltering, the physician is present in the thickest danger, opposing the ravages of disease, turning the scale in favor of life as the balance hangs quivering, or if the fatal crisis be past, easing the pangs of dissolution. As one and another fall and are borne away to the silent chambers of the dead, others unasked step forward to fill the broken ranks, and too often to share a similar fate. When we think of the noble men who at the call of suffering have rushed to almost certain doom, of the

thousands who have voluntarily laid their own lives upon the altar for the preservation of others, we thank God that in the vineyard given to the medical profession for tillage, such heroism and such self-devotion are natural products of the soil. Where else can the like be found? As the soldier moves to battle, his senses are intoxicated with the strains of martial music, the waving of banners and all the gorgeous pageantry of war. In the wild excitement of fight the coward forgets his fears. With the physician how different! Instead of the tumultuous swell of music, he hears the moans of the dying! Instead of gay pennons he sees the coffin and the crape; instead of the triumphal march, solitary hearses hurrying the dead to the grave.

The occurrence of plagues or pestilence only render more conspicuous the heroic virtues and self-denials everywhere practiced in the physician's ordinary round of toil. In the morning he starts upon his endless circle of duties with no assurance that evening shadows will bring rest to wearied limbs. Burthened with the responsibilities of life and death, he bears the heavy weight through summer heats and winter storms, midday suns and midnight gloom. Sisyphus struggling ceaselessly to roll the rock to the mountain top and find release from his "long labor," hardly exaggerates the self-imposed fate of the physician. His work is never ended. Notwithstanding the multiplicity of hardships willingly borne, notwithstanding the individual surrenders his time, his talents, his very *liberty* to the public, notwithstanding the ever-recurring responses to the calls of charity, and the cheerful performance of countless tasks for no earthly recompense, he is still accused of selfishness and illiberality! The noisiest in flinging the charge are those who have reared sumptuous palaces and live in magnificent ease on the wealth beguiled from millions. Singular accusation, considering its source and its objects!

The gratuitous attacks made upon our society must be my apology for thus digressing to show that the imputation of low or sordid motives is as ungenerous as unjust.

While we meet together to interchange words of friendship and cheer, to mutually strengthen hands and hearts, we should also investigate patiently, dispassionately, and earnestly, the *status* of the profession, the dangers that threaten, and the obstacles that oppose. All human institutions are imperfect, nor have we the presumption to claim for ours any exemption from the common lot. Yet there is an ideal excellence to which noble impulses aspire. As Bunyan's pilgrim, gazing afar from the Delectable Mountains, dimly discerned the

gates of the Celestial City and caught a glimpse of its glory, so peering into the mists of futurity, with the eye of faith we may see the votaries of the healing art widening and deepening their knowledge, and purifying their aims as time rolls on, till the present morning twilight shall ripen into perfect day. The road may be long, and many successive generations find graves by its side. At whatever point Providence has stationed us, whether near the goal or distant by wearisome leagues, it behooves us, since precious interests are intrusted to our charge, to labor faithfully in our day, adding what we can to the cumulative light that shall at length leave no dark corners where ignorance or deception may lurk in safety.

If individuals are tried by a proclivity toward "besetting sins," the different pursuits of life also are each exposed to peculiar temptations. The code aimed a deadly blow at an evil which formerly impeded greatly the advancement of medical science. We refer to the jealousies and contentions of professional neighbors. Dissentions may arise in numberless ways. The respective friends of physicians occupying the same territory, are often extremely officious in partisan interference. Accident often temporarily throws the patient of one into the hands of another. Frequently the sick, disappointed in expectations of sudden cure, abandon their former attendant to seek counsel and remedies from a rival. Sometimes the doctor by relinquishing a hopeless case subjects his course of treatment to the animadversions of a successor. Consultations, too, have been conducted in a manner suited to insinuate the poison of distrust into the minds of a confiding family—not always by words or overt acts, but through the more subtle medium of significant looks and gestures. In many cases there is a collision of interests. In others the force of circumstances gives an individual the power, if he is disposed to use it, to reflect injuriously upon the skill of his competitor. Were the question of duty now referred to the arbitrament of conscience, inclination might prove a most persuasive advocate. A person judging in his own cause is apt to make a loose application of the golden rule. If he presses advantages discourteously, the unsuccessful party, equally biased in deciding on the merits of the controversy, regards himself as the victim of unpardonable injustice. A slight breach widens into marked alienation, and under the influence of mutual irritation and innuendo, alienation may develop itself in life-long enmity.

But we may congratulate ourselves on the fact that this evil, once seemingly incurable, has almost wholly disappeared through the

beneficent workings of the code. That has prescribed an honorable method of procedure, suited to all the contingencies of medical practice. So equitable are its requirements, so forcibly do they appeal to the conscience, that disagreements between those who have accepted it as a rule of conduct, are well nigh impossible. That its generous provisions for the security of good-will were at once adopted by acclamation everywhere throughout the United States, shows how deep and strong was the under-current of genuine charity flowing calmly beneath the surge above.

The general observance of rigid rules of ethics and etiquette offers the most available means of counteracting the pernicious results consequent on the multitude of our educational institutions. State legislatures by injudiciously chartering medical schools have the ability to work unlimited mischief. If competition developed itself solely in endeavors to afford the best facilities for instruction, complaints would be groundless. Such, however, has not been the case. In efforts to gain students, higher aims have fallen prostrate before the whisperings of ambition. Whether struggling doubtfully for existence, or entering the lists to excel in the presentation of a long array of names, our colleges are strongly tempted to lower the standard of qualifications in order that the dread of rejection may drive none away to swell the ranks of less scrupulous rivals. This more than all other causes has antagonized the exertions of the American Association to render the possession of high attainments and thorough culture indispensable to the award of the diploma. The only hope of reformation lies in the reiteration of powerful appeals to the conscience. And in the gradual enlightenment of conscience we put great trust in the widespread diffusion of the sentiments embodied in the code. While many in conventions and with the pen are eloquently urging the claims of education, this leaven, disseminated far and near, is also working silently in the popular mind. Since lessons of duty are thus inculcated, we may indulge the confidence that all will soon unite in decreeing that henceforth none unworthy through deficiency of virtue or knowledge shall receive the honor of our degree.

Owing to the laxity of the present system of medical instruction, and the ease of graduation, currency has been given to the false notion that a slight smattering of general information constitutes an ample preparation for attendance upon lectures. The mistake is preposterous. Indeed to embark in the study of a science or combination of sciences, so profound in principles, so comprehensive in relationships, so subtle in reasonings, sciences to which no truth in

the broad domain of physics is foreign, and to which the most interesting departments of metaphysics are closely akin—to commence such studies with the faintest assurance of making high attainments, one should bring to the task a mind trained to deep and patient thought. Familiarity with departments of abstruse learning is not absolutely necessary to qualify the physician to discriminate diseases or administer remedies. Yet if he would elevate his labor above mere drudgery, if he would extend an influence beyond the narrow circle of his daily toil, if he would contribute his mite to swell the total aggregate of knowledge ever enlarging as the generations of men pass on; if, in short, he would be a true man, true to the dignity of his calling and the interests of humanity inseparably involved, he must improve to the fullest every faculty which God has given.

While a goodly proportion of the number annually admitted to the honor of the doctorate are thorough scholars, others go forth from the schools with the meagerest mental outfit. So long as access to the ranks of the profession continues as easy as at present, it would be idle to imagine that *all* at the time of graduation are duly impressed with the nature of the moral obligations imposed upon the practitioner. Coming from all classes of society and all the various occupations of life, they are wholly unacquainted with the ethical relations of the pursuit they have chosen. During the period of pupilage the ordeal of the green-room occupies infinitely more thought than the severer ordeal beyond. That imaginary whirlpool passed, the beginner enters the wide world to encounter trials, vexations and hardships. In the absence perhaps of friendly counselors, with no extrinsic support to lean upon, the youth, aroused to the full realization of the difficulties encircling his pathway, discovers the need of a chart. If the code is now placed in his hands and he follows the guidance of its teachings, it will prove at once both a weapon of deliverance and a shield of defense. If unpleasant occurrences have revealed the poverty of his moral resources, and his mind is enveloped in doubts, the code will disclose the way of exit from the maze of perplexities. If he is plodding unambitiously onward, never thinking upon, and therefore never caring for the broad ethical principles which underlie all that is most beautiful, and generous, and ennobling in medical life, the perusal of its precepts may awaken the thrills of a new-born love.

The code has scattered good seed in every section of our country. Returns of ten-fold, thirty-fold, sixty-fold, according to fertility of soil, have already rewarded the diligence of the sower. In highly

cultivated communities its power has been more marked, because the omnipotence of public sentiment, expressed and enforced by the influential members of the profession, has compelled loiterers to quicken step or fall hopelessly behind. In isolated quarters remote from the great working centers of intelligence, the process of germination is slower. Yet the mass *si non passibus æquis*, if not with equal pace, are moving onward in obedience to one mighty impulse. Not only has the National Association, by great ingatherings and soul-stirring appeals broken the slumbers of the lethargic, and awakened dormant energies, and from its warm heart sent the gushing blood of life to the remotest capillaries, causing every artery to pulsate with the beats of renewed existence, but has still further given completeness to its plan by elaborating for a law of development a code, the purest that virtue could conceive, the most perfect that the united intelligence of the wisest could devise.

Paul the apostle says, "I magnify mine office." The *honor*, as well as the purity and beneficence of that office were dear to the veteran soldier of the cross. He wore its sacred vestments, and approached its sacred mysteries reverently and affectionately. That example is worthy of all imitation, and deeds, not words, are the appointed means. In pursuit of this end it is incumbent on the physician to exhibit the benignity of the profession in kindness of manner and integrity of conduct; to preserve professional trusts inviolate; to avoid remarks reflecting on brethren or the faculty at large; to shun representations that may induce doubts in the popular mind respecting the efficacy of the healing art; and to keep clear of all participation in the counsels of men whose course is founded in secrecy or deceit. As our system is based upon no exclusive dogma, but embraces every method of cure proved by experience to be really valuable; as it tolerates no concealment of remedies, but requires their unbought publication for the common good; as it denounces artifice and imposition in every form, whether gilded with the show of great names or employed by the petty trickster; and as it has clearly enunciated these principles in the form of rules, no one can find an apology to cloak dishonorable or equivocal practices. The walk of the physician should be pure and truthful, marked by earnest zeal to discharge every duty well, that when summoned from his stewardship he may appear with a clear conscience before the bar of God. He should cultivate assiduously the intellect and the heart. Then, in devoting all his ennobled faculties to the relief and melioration of mankind, he will at the same time most effectually "magnify the office" of his choice.