

Letter from the Editor

Medical Ethics between International Charters, Treaties and Religious Beliefs

In the modern era and after the end of the Second World War and the emergence of the United Nations and its related international organizations, human rights were at the forefront and priorities of these international organizations.

The international recognition on the right to health began with the reference to health in the United Nations Charter and took form in the 1946 Constitution of the World Health Organization. The Announcement of the first international treaty on medical ethics was in 1947, known as The Nuremberg Code, which is a set of research ethics principles for human experimentation set as a result of the Subsequent Nuremberg Trials at the end of the Second World War.

In 1948, the General Assembly of United Nations approved the Universal Declaration of Human Rights, which clarifies a common standard of achievement for all peoples and all nations.

In 1964, The World Medical Association developed the Declaration of Helsinki which is a statement of ethical principles that provide the guideline to physicians and other medical researchers regarding human experimentations and its latest amendment was in 2008.

The Declaration of Alma-Ata, which was approved by the International Conference on Primary Health Care in 1978, further proclaimed this right as a “most important worldwide social goal whose realization requires the action of many other social and economic sectors in addition to the health sector.”

In 1991, the Council for International Organizations of Medical Sciences published the International Guidelines for Ethical Review of Epidemiological Studies. In 1993, this guideline involving Human Subjects; and in 2002, it was updated and published.

In 1995, the Guidelines for Good Clinical Practice was prepared by the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use (ICH), and it was reviewed in 2004.

The Islamic Medical Oath and the Hippocratic Oath are two of many pledges which have been sworn by physicians embarking on their careers in medicine over the centuries. Both Oaths sets rules for the physician all in his beliefs.

Islamic Medical Oath

Muslims believe that character traits of the moral and honest physician are already embedded in the Holy Quran and the Sunna “Hadith”, the two primary sources of Islamic law. The Quran is the guiding spirit that every Muslim has to follow, including the physicians in treating their patient and the patients in handling their illness. In addition, very early in the Islamic era the Sunna literature had accumulated the sayings and traditions of the Prophet Mohammed under a collection that called the ‘Prophetic Medicine’. This collection explained virtues of diet, natural remedies, and management of simple illnesses such as headache, fever, sore throat, conjunctivitis.

The Islam sets the foundations for behaving well and possessing necessary character traits to become a good person and by extension, a physician with good moral. Muslim physician are guided by Quran which clearly states: “If anyone slays a human being, for anything other than in punishment of murder or for spreading corruption on earth, it shall be as though he had slain all mankind; and if anyone saves a human life, it shall be as though he had saved all mankind” (Surat Al-Ma’idah, 32).

A large number of hospitals were developed early during the Islamic state and the hospitals were totally adopted by the early Caliphs. The first hospital is credited to Caliph Al-Walid I an Ummayyad Caliph and after that a large number of hospitals were developed early during the Islamic era. The first true Islamic hospital was built during the reign of Caliph Harun Al-Rashid. After he heard about the famous medical institution at Jundishapur, the Caliph invited the son of the chief physician, Jibrail Bakhtishu to come to Baghdad and to head the new ‘bimaristan’. It rapidly achieved fame and led quickly to developments of other hospitals in Baghdad. One of these hospitals was the ‘Al-’Audidi’ hospital and for selection the best location for the hospital he had pieces of meat hung in various sites of the city and watched their putrefaction and advised the Caliph to site the hospital where the putrefaction was the least and slowest and by extension, that making him the first physician to infer indirectly the bacteriologic putrefaction of meat, and suggesting the environmental role that contaminated air plays in the spread of infection, predating by centuries the modern concept of air borne infection.

In Baghdad in 931 AD Caliph al-Muqtadir learned that a patient had died as a result of a physician's error. So he commanded the chief physician Sinan bin Thabit bin Quraa to examine all medical practitioners, and from that time, licensing examinations were required and administered in various places. Licensing Boards were set up under a government official called Muhtasib and the license gave to physician after oral and practical examination by the chief physician.

The Waqf document stated: "The hospital shall keep all patients, men and women until they are completely recovered. All costs are to be borne by the hospital whether the people come from far or near, whether they are residents or foreigners, strong or weak, low or high, rich or poor, employed or unemployed, blind or signed, physically or mentally ill, learned or illiterate. There are no conditions of consideration and payment; none is objected to or even indirectly hinted at for non-payment. The entire service is through the magnificence of Allah, the generous one."

The Muslim physicians have to follow the Ten Commandments which regulating the practice of medicine in the Islamic State and theses commandments are summed up as the following:

Physician must believe in God and his reward and punishment. The medicine teachers are preferred and must give them utmost respect and favor. Commandments encourage whoever wants to learn medicine, never deny who ever qualifies to study medicine, and do not ask them to pay for it. The physician should be most diligent in when treating the sick. In addition, they emphasize that exercising the maximum care when prescribing medication, and never perform abortion. Also, a physician should never prescribe a fatal drug or poison, never lead anyone to it or even mention it. The confidentiality between the patient and physician must not be broken and the patient's secrets must not be mentioned to anyone else. It must be abstinence from pleasures, desires and drinking alcohol. The physician must study continually and seek new knowledge, and constant presence in 'bimaristan', and seek the company of prominent physicians and teachers. The physician should seek specialist advice and second opinions.

Hippocratic Oath

Hippocrates is the famous Greek physician and the author of a number of medical works known as the Hippocratic Collection is traditionally regarded as the "father of medicine." This Oath indicates a common believes rather than a professional approach, and it is still regarded as the backbone and foundation of the medical profession. Medicine in Ancient Greece was strongly influenced by the values of classical philosophy as introduced by its main representatives who are Plato and Aristotle. Hippocrates himself has been recognized as a pioneering physician and outstanding philosopher. In his writings, he claimed that "the physician must insert wisdom in medicine" and disapproved the technocratic aspect of the medical profession. The medical philosophical basis of the Hippocratic tutorship consists of three elements (patient, disease, and physician) that are organized on an interactive triangle.

The classical version of the Hippocratic Oath is: "I swear by Apollo Physician and Asclepius and Hygieia and Panacea and all the gods and goddesses, making them my witnesses, that I will fulfill according to my ability and judgment this oath and this covenant." In its original form, the oath requires a physician to swear by a number of healing Gods to raise specific ethical standards.

In the modern era, when the medicine profession is codified and the ethics of medical practice are considered as the base for the physician's work whatever his specialty, the supporting and raising the efficiency and skills of physician are achieved by the following of modern rules which include the Continuous Medical Education (CME) and the Continuing Professional Development (CPD) to ensure the physician follow-up and receiving the latest information; and that was clear in the Islamic Covenant and the contents of the charters were mentioned above.

Whatever the physician's belief, humanity remains the basic element in medical practice and good morals, knowledge, skills and experience are the basis for his success in performing the task he qualified for and devoted his life to.

Professor Mohamed Swehli
Editor-in-chief
Secretary General of the Arab Board of Health Specializations