

POINTS OF INTEREST

- Courses and Conferences
- Book Review
- Ethical Legal Case Study
- Meet-Up - Monthly Discussion Group

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Hippocrates' Cave

A BI-MONTHLY NEWSLETTER ON CURRENT ISSUES IN MEDICAL PHILOSOPHY AND LAW

Primum non nocere

VOLUME 1, ISSUE 1

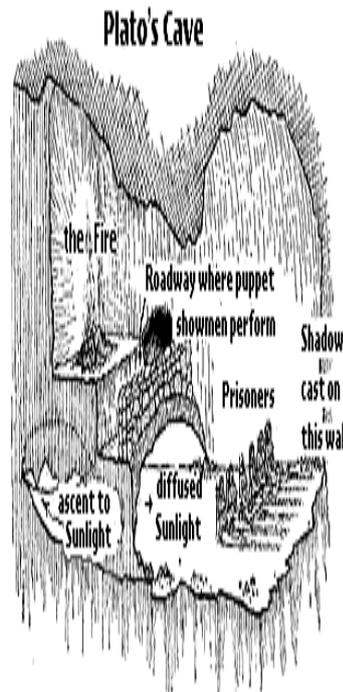
JULY 2015

Introduction

Welcome to the first issue of Hippocrates Cave—A bi-monthly newsletter keeping you up to date with medical philosophy, specifically medical ethics and law. I imagine the first question that you are asking is why call a newsletter a Cave?

Philosophers have a funny sense of humor! If you ever feel the urge to socialize with a bunch of us, you will find that we hang out in various groups that we quaintly call Caves, a slight variation on the title of a parable by the philosopher Plato.

Imagine you have been imprisoned all your life in a dark cave - Whilst you have been in this cave both your hands and feet are chained and all that you can see is a wall in front of you. Behind you is a walk way that separates you from a fire that is blazing. Your captors use this walkway to carry statues and other objects to cast shadows on the wall in front of you and they are the only things that you and your fellow captors have ever seen ,thought about and talked about. Strange? Not quite!



This is probably one of the best analogies used by the Greek philosopher Plato in his work 'The Republic' (360 BC). The parable of the cave becomes clearer as the story continues. Now suppose you are released from these chains. At first you are confused by the fire and the walkway but gradually you come to see the situation of the cave properly and understand the origins of the shadow that you previously believed to be real. Eventually you make your way out of the cave into the sunlight and the fullness of reality illuminated by the Sun. Those who escaped the cave were fit to rule as Philosopher-Kings.

So, Welcome to Hippocrates Cave—I hope you too will find your own way around the cave and maybe find the 'Philosopher – Doctor' within.

David F Munns
 Founding Editor - Hippocrates Cave

Hippocrates - Who Da Man?!

I suppose that if one is going to name a newsletter after someone it would be only polite to do a short introduction of that person.

Hippocrates was born on the island of Kos, near present day Turkey, around 460-370 BC.

Hippocrates was credited with being the first person to

believe that diseases were caused naturally, not because of superstition and gods.

Medicine during the 6th Century was merely a branch of natural philosophy. Hippocrates was credited by the disciples of Pythagoras of allying both philosophy and medicine.

He also separated the discipline of medicine from religion, believing and arguing that disease was not a punishment inflicted by the gods but rather the product of environmental factors, diet, and living habits. Indeed there is not a single mention of a mystical illness in the entirety of the Hippocratic Corpus, the collection of medical treatise dated 510-300 BC. also called The Corpus Hippocraticum.

“Men think epilepsy divine, merely because they do not understand it. We will one day understand what causes it, and then cease to call it divine. And so it is with everything in the universe.”

Hippocrates
(c.460—377 B.C.E)

Hippocrates Who Da Man?! (Cont.)

It is a text composed of two major topics, biomedical methodology and ethics. Little is known of Hippocrates's death other than a range of date possibilities. Different sources give dates of either 374 B.C.E. , the earliest date, or 350 B.C.E. , the latest date. The world and philosophy of Hippocratic medicine was very different from modern medicine. Hippocratic medicine stood on therapeutic approach. Hippocratic therapy followed nature and believed in the healing power inherent in nature. Hippocrates worked on

being kind with his medicine while treating a patient. The main foundation stone of Hippocratic medicine was its humble and passive nature. Hippocratic treatment was also believed to be gentle and always aimed at keeping the patients clean and sterile.

We will visit Hippocrates and his philosophies again in a later edition of Hippocrates cave.



Are You Who You Were?

Theseus Ship - Are you who you were?

Theseus ship is a paradox that raises the question of whether an object which has had all its component parts replaced remains fundamentally the same object.—This classic philosophical puzzle is fundamentally about identity.

Imagine you have a wooden ship in your backyard and decide that one day you want to take it apart piece by piece. You go about taking it apart, delicately removing each part as if you were going to use those same parts to rebuild it later (should you decide to do so) and storing it in your garage.

Now, here's part of the problem. When you remove each piece, it still seems to be (intuitively) the same Ship. Removing one plank from the floor, for example, doesn't seem to make it a different ship. However, if you keep up

with the process, you will end up with all of the pieces of the Ship in your garage, but it will no longer be the Ship of Theseus, since, by hypothesization, you won't have a ship – you'll have a pile of wood that used to be a ship. But at some point in your deconstruction, the Ship had to move from existence to non-existence, unless you want to say all the pieces in the garage is the Ship.

At what discrete point did the Ship cease being the Ship?

A further wrinkle: suppose that, rather than just tearing the Ship apart, you decide to replace every wooden piece you removed with an aluminium piece of the exact same dimensions. So, when you start, you have a completely wooden Ship, but at the end, you have a completely aluminium

Ship. But, at each discrete stage of time, you only have a ship that is one piece different than it was in the previous moment.

An even further problem: suppose that you decide to use the wooden planks you removed in the case above to build another Ship which is materially identical to the original ship.

At the end of that project, you'll have two Ships, one aluminium and one wooden, that each have a claim to being the Ship of Theseus. They can't both be THE Ship of Theseus, but it could be true that they both could NOT be the Ship of Theseus, but the problem becomes, when was the Ship of Theseus destroyed?

David F Munns



Does The Ship Represents Us?

Now, the real problem is not at all about ships, but instead about that *that makes us who we are*. We know that parts of who we are changes from year to year, but we still think we're the same people.

Is it because of our parts – i.e. the individual matter that makes us up? Breathe, and you're no longer the same you.

Is it because of our structure? Lose a limb or cut your hair and you're no longer the same person.

Is it because of our history in the world? Were you to be duplicated, you'd either have a existential twin, or you'd cease to be.

Is it because of our thoughts, feelings, and all the other stuff that goes on in our heads? Lose your memories, and you're no longer you. Have a radical change of heart, and the person you were once before is gone.

The Ship of Theseus



Ethical-Legal Case Study

Separating Conjoined Twins - Letting die or killing



On 8 August 2000 conjoined twins, known as Mary and Jodie, were born at St. Mary's Hospital, Manchester.

An ultrasound scan at three months into the pregnancy had revealed that the foetuses were conjoined. The parents lived on the island of Gozo, off Malta,

in a strongly Roman Catholic community where abortion is widely condemned as evil and where medical facilities are inadequate, they travelled to Britain for specialist care. At this stage the parents were apprehensive but hopeful of a successful outcome. The reality of the health status of the twins was revealed at their birth. Their bodies were fused at the base of their spines and so had the appearance of a continuous trunk with legs splayed sideways. Additionally there was fusion of circulatory systems and the twins shared a single bladder. Mary, the weaker twin, had no effective heart, her lungs had never inflated and she had only a primitive brain. She was using Jodie as a life support machine and was growing at her expense. Jodie was thought to have normal brain function. Surgery to separate the twins would inevitably result in Mary's death but without being divided, the strain on Jodie's heart would kill both twins at between 3 and 6 months old. Surgery was Jodie's only chance of survival.

The medical team were of the opinion that surgery to separate the twins should go ahead. The parents refused to give consent for the operation on grounds of devout religious convictions that their children's future should be entrusted to God's will and that nature should take its course even if it meant that both twins would die. They claimed to love their daughters equally and believed that each had an equal right to life. They could not contemplate choosing to save the life of one at the expense of the other's death. Additionally, it was likely that Jodie would need specialist care following surgery and could be left with serious long-term handicaps following surgery and they could not envisage returning home without her. The hospital applied to the Family Division of the High Court for a Court Order giving permission for surgery.

(Continued overleaf)

“In civilized life, law floats in a sea of ethics”

Justice Earl Warren
US Supreme Court
Judge

(Continued)

Case Study - Separating Conjoined Twins—Killing or letting die

On August 25, the judge ruled in favour of the medical team and gave permission for the operation to go ahead. Although he considered seriously the feelings and rights of the parents, he finally overrode their decision in favour of medical evidence that both twins, unless separated, would die and it not being in Mary's interests to live.

This judgment was badly received not only by the parents but also by the media and public opinion was divided. There were comments that the decision was legally and ethically insecure in that it supported the idea that doctors could turn to the support of the Courts when they failed to reach agreement with parents; could set a precedent for babies lives being sacrificed to save others; and undermined respect for parental rights and concerns.

By mid September, although Mary was getting bigger, Jodie was found to have stopped growing normally. The ProLife Alliance came forward at this time with an offer of care, negotiated with the Vatican, for the twins at a hospice in Italy. The parents, however, were in a no-win situation. Should they try to return home or to Italy with the twins then the law could intervene by making the children wards of court in the interests of their welfare thus prohibiting their being taken outside the country. The parents took their case to the Court of Appeal.

The Appeal Court Judges deliberated long and hard on issues raised by the case. Are there justifiable grounds for disregarding the parents' right to decide for their children? Can killing ever be lawful? Could parents consent to or the law condone such an act? Does Mary have an interest in her existence? Should her life be viewed as futile? Is Mary merely a "creature" in the eyes of the law? Might it be God's will that Mary die since she was not born with the capacity to live? On 22 September, the Court of Appeal upheld the earlier High Court decision. The majority of medical opinion supported the judgment. The Roman Catholic Church condemned it. The parents still had the option of taking the case to the House of Lords and ultimately the European Court of Human Rights but did not take it up and reportedly became reconciled to the operation. On 3 November, legal moves by lawyers for the ProLife Alliance failed to remove the Official Solicitor, Mary's guardian, in a last-minute attempt to take the case to House of Lords.

The 20-hour operation to separate Jodie and Mary took place on 6 November, amidst worldwide media attention, just before the twins were 3 months old. Mary died during the surgery despite doctors' efforts to revive her. Jodie survived, though still needing extensive reconstruction surgery and skin grafts over a number of years. She is now approaching her third birthday. She is walking, has normal brain function and is expected to have an average life span.

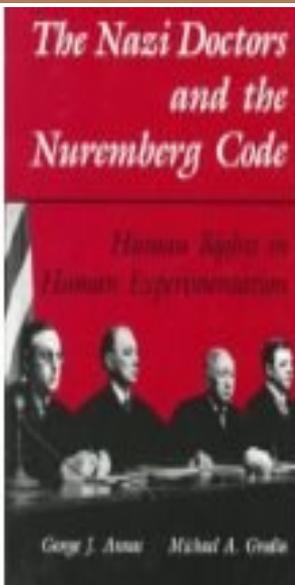
Further suggested reading:

<http://pmj.bmj.com/content/77/911/593.full>

<http://myweb.lmu.edu/ckaczor/jodiemary.pdf>

http://www.daat.ac.il/daat/kitveyet/assia_english/rosen-1.htm

Book Reviews

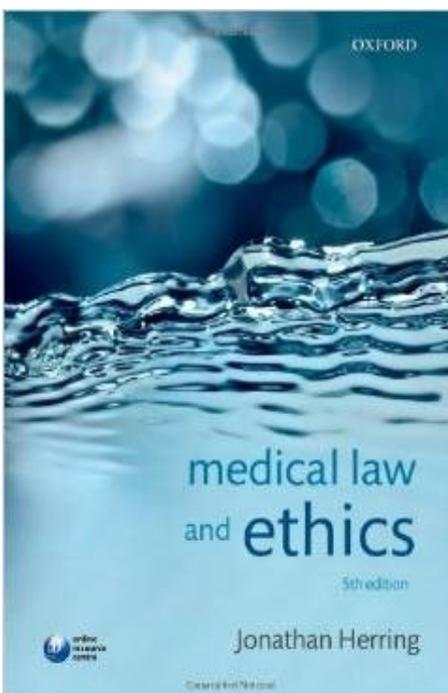


The Nazi Doctors and the Nuremberg Code - Human Rights in Human Experimentation

The atrocities committed by Nazi physicians and researchers during World War II prompted the development of the Nuremberg Code to define the ethics of modern medical experimentation utilizing human subjects. Since its enunciation, the Code has been viewed as one of the cornerstones of modern bioethical thought. The sources and ramifications of this important document are thoroughly discussed in this book by a distinguished roster of contemporary professionals from the fields of history, philosophy, medicine, and law. Contributors also include the chief prosecutor of the Nuremberg Military Tribunal and a moving account by a survivor of the Mengele Twin Experiments. The book sheds light on keenly debated issues of both science and jurisprudence, including the ethics of human experimentation; the doctrine of informed consent; and the Code's impact on today's international human rights agenda. The historical setting of the Code's creation, some modern parallels, and the current attitude of German physicians toward the crimes of the Nazi era, are discussed in early chapters. The book progresses to a powerful account of the Doctors' Trial at Nuremberg, its resulting verdict, and the Code's development. The Code's contemporary influence on both American and international law is examined in its historical context and discussed in terms of its universality: are the foundational ethics of the Code as valid today as when it was originally penned? The editors conclude with a chapter on foreseeable future developments and a proposal for an international covenant on human experimentation enforced by an international court. A major work in medical law and ethics, this volume provides stimulating, provocative reading for physicians, legal professionals, bioethicists, historians, biomedical researchers, and concerned laypersons.

"Provides stimulating reading, and will appeal to a broad audience of clinical researchers, physicians, ethicists, historians or lay persons interested in the Nuremberg Code and the historical, legal, or ethical issues surrounding human experimentation."

Communique



Medical Law and Ethics

Medical Law and Ethics covers not only the core legal principles, key cases, and statutes that govern medical law, but also explores the key ethical debates and dilemmas that exist in the field to ensure that the law is firmly embedded within its context.

Carefully constructed features highlight these debates, drawing out the European angles, religious beliefs, and feminist perspectives which influence legal regulations. Other features such as 'a shock to the system', 'public opinion' and 'reality check' introduce further sociological aspects, contributing to the lively and engaging manner with which the subject is approached.

Contact Details

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Discussion Group/meet-up

Meet-up site: <http://www.meetup.com/hippocratics>

(Visit this site and contact me to set up a discussion group ('Cave') in your Medical School or University)

Current Vacancies

Assistant Editor - Preferably someone who is currently undertaking medical training or qualified medical professional who is interested in developing their knowledge in bio-ethics and would like to assist the editor in producing the bi-monthly newsletter. Good research and writing skills required.

Apply to: hippocratescave@hotmail.co.uk with CV and supporting information.

Book reviewers - Would you like to review books on bio-ethico-legal issues and submit the review to the newsletter ?

Apply to: hippocratescave@hotmail.co.uk with CV and supporting information

Courses and Conferences

Intensive Course on Medical Ethics

14-18th Sept 2015

"Excellent and Knowledgeable presenters and would be recommended for anyone wanting an introduction to medical ethics" -

(previous participant)

Imperial College London

SW7 2AZ,

Tel: +44 (0)20 7589 5111

Duration: 5 days

Cost:: £975

Website: <http://www3.imperial.ac.uk/cpd/courses/subject/medical/medet>



MA/PG Dip Medical Ethics and Law (p/t distance learning)

October intakes

Keele University
Centre for Professional Ethics
Keele
Staffordshire
ST5 5BG

Tele: 01782 732000

This course provides an opportunity to study the ethical and legal issues that arise in healthcare and related fields. The course content explores the moral problems that those working in these fields face in the course of their work

"Excellent, high calibre teaching "

<http://www.keele.ac.uk/ethics/courses/medicaethicsandlaw>