

## ***Virtual Mentor***

**American Medical Association Journal of Ethics**

**July 2000, Volume 2, Number 7: 59-67**  
**Medicine and Human Rights**

### **Case and Commentary**

- 
- |  |           |
|--|-----------|
| <b>Should Physicians Advocate for Political Issues and Candidates?</b> | <b>60</b> |
| Commentary by Audiey Kao, MD, PhD                                      |           |

### **In the Literature**

- 
- |  |           |
|--|-----------|
| <b>Access to Essential Drugs in Poor Countries</b> | <b>61</b> |
| Faith Lagay, PhD                                   |           |

### **Art of Medicine**

- 
- |  |           |
|--|-----------|
| <b>The Biology of Ethics: Genetics, Evolution and Moral Behavior</b> | <b>62</b> |
| Faith Lagay, PhD   |           |

### **Personal Narrative**

- 
- |   |           |
|---|-----------|
| <b>Through the Patient's Eyes: Gertrude Stein Reads</b> | <b>64</b> |
| Audiey Kao, MD, PhD                                     |           |

### **Viewpoint**

- 
- |   |           |
|---|-----------|
| <b>Codifying the Rights of All Humans, Children, and Prisoners of War</b> | <b>65</b> |
| Audiey Kao, MD, PhD   |           |
| <b>Inge Genefke, MD</b>   | <b>67</b> |
| Audiey Kao, MD, PhD   |           |

### **Upcoming Issues of *Virtual Mentor***

- 
- August: An African Olympic Winner and Sub-Saharan AIDS  
September: The Demands of Professionalism  
October: Medicine at the Olympics  
November: Doctors and Dying

## ***Virtual Mentor***

American Medical Association Journal of Ethics  
July 2000, Volume 2, Number 7: 60.

### **CASE AND COMMENTARY**

#### **Should Physicians Advocate for Political Issues and Candidates?**

Commentary by Audiey Kao, MD, PhD

#### **Case**

Dr. Henry is an internist at a university teaching hospital, and also has clinical responsibilities at a local prison hospital. He has strong views about the corporatization of medicine, and is outspoken in his conviction that universal health coverage is a human right. Dr. Henry often discusses his political views with his patients. A few of his physician colleagues have expressed concern about him bringing his political views into the examination room. In response, Dr. Henry says, "It's a free country. Besides, what does expressing my views about the political system have to do with treating my patients? If anything, I'm acting as an advocate for patients when I discuss with them why we need universal health coverage."

#### **Questions for Discussion**

1. Do you think it is appropriate for Dr. Henry to discuss his political views with his patients?
2. If not, does Dr. Henry not have a [First Amendment](#) right to express his political views?

See what the AMA *Code of Medical Ethics* says about this topic in Opinion 9.012 Physicians' political communications with patients and their families. American Medical Association. *Code of Medical Ethics 1998-1999 Edition*. Chicago, IL: American Medical Association; 1998.

Audiey Kao, MD, PhD is editor in chief of *Virtual Mentor*.

*The people and events in this case are fictional. Resemblance to real events or to names of people, living or dead, is entirely coincidental. The viewpoints expressed on this site are those of the authors and do not necessarily reflect the views and policies of the AMA.*

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## ***Virtual Mentor***

American Medical Association Journal of Ethics  
July 2000, Volume 2, Number 7: 61.

### **IN THE LITERATURE**

#### **Access to Essential Drugs in Poor Countries**

Faith Lagay, PhD

**Pécoul B, Chirac P, Trouiller P, Pinel J. Access to essential drugs in poor countries: a lost battle? *JAMA*. 1999;281(4):361-367.**

#### **Questions for Discussion**

From a human rights perspective, the authors of this article argue for a more substantial role for the World Health Organization in ensuring access to essential drugs in developing countries.

1. Do you see globalization changing the ethical duties of developed countries?
2. What structures should be in place to ensure that essential drugs are available in developing countries?

Faith Lagay, PhD is managing editor in of *Virtual Mentor*.

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## *Virtual Mentor*

American Medical Association Journal of Ethics  
July 2000, Volume 2, Number 7: 62-63.

### ART OF MEDICINE

#### **The Biology of Ethics: Genetics, Evolution and Moral Behavior**

Faith Lagay, PhD

Since the publication of Charles Darwin's *Origin of Species* in 1859, considerable attention has been devoted to the question of whether our moral behavior can be related to our biological nature. Darwin's thesis - that traits arise over time for the benefit of survival — has raised questions pertaining to the nature of human action, the origin of moral behavior and personal responsibility. Can moral behavior — as a trait of human action — be explained as an adaptive strategy for human survival in terms of the evolutionary process? If so, what are the implications of a biological model for moral (or immoral) behavior?

Conceptual and philosophical questions abound regarding the implications of genetics for human behavior, and have given rise to concerns about notions of genetic determinism and human responsibility. Knowledge about the genome is becoming an increasingly significant element in the relation between individuals, institutions, and political bodies. Not surprisingly, then, fears of discrimination based on genetic profiling have led to scientific discussions previously assigned to the realm of human rights issues.

To protect against the discrimination based on genetic profiling, the International Bio-Ethics Committee of the [United Nations Educational, Scientific and Cultural Organization](#) (UNESCO) has put forward a [Universal Declaration on the Human Genome and Human Rights](#) which was adopted by member nations (the United States withdrew from UNESCO in 1984) on November 11, 1997. The UNESCO Declaration attempts to set up guidelines to protect freedom, autonomy, privacy, and confidentiality for all investigations related to one's genome sequence. It also specifically warns against notions of genetic determinism:

Article 2: "a) Everyone has a right to respect for their dignity and for their rights regardless of their genetic characteristics, b) That dignity makes it imperative not to reduce individuals to their genetic characteristics and to respect their uniqueness and diversity."

The answer to the question posed by Darwin's work of the 19th century, as to whether human behavior and morality is the result of evolutionary modification, may well remain unanswered until well into the next century. As of yet, the results of the human genome project do not address the unique — and potentially problematic — evolutionary interactions between genes and environmental influences, and those between genomic inheritance and social influences.

To protect individuals against policies that may discriminate on the basis of genetic information and unproven conceptions regarding behavior and genetic determinism, the ethics of genetic research may do well to draw on principles of human rights such as those outlined in the UNESCO Declaration.

Faith Lagay, PhD is managing editor of *Virtual Mentor*.

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American Medical Association Journal of Ethics  
July 2000, Volume 2, Number 7: 64.

### **PERSONAL NARRATIVE**

#### **Through the Patient's Eyes: Gertrude Stein Reads**

Audiey Kao, MD, PhD

What is it like to be a patient experiencing a debilitating, potentially life-threatening illness or encountering the health care environment, perhaps for the first time, from a position of vulnerability? Through the stories of patients, physicians come to see themselves, and most especially their communications, from the other side of the equation. When patients — including physicians who become patients — voice their most intimate thoughts, feelings, and reactions, much can be learned.

#### **July Patient Story**

Wineapple B. [Gertrude Stein Reads](#). *JAMA*. 1996;276(14):1132-1133.

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## *Virtual Mentor*

American Medical Association Journal of Ethics  
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### **VIEWPOINT**

#### **Codifying the Rights of All Humans, Children, and Prisoners of War**

Audiey Kao, MD, PhD

- On December 10, 1948, the General Assembly of the United Nations adopted the [Universal Declaration of Human Rights](#) as a "common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society...shall strive by teaching and education to promote respect for these rights." Article 25 of the Declaration reads as follows:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control

In 1994, a [Human Rights Fax Hotline](#) was established by the United Nations [Commissioner for Human Rights](#) in order to provide a means for reporting potential human rights abuses around the world. The Hotline fax number in Geneva, Switzerland is 41-22-917-0092.

- Every year, up to 3 million children's lives worldwide are saved by immunization. However, almost the same number of children die from diseases preventable through vaccination. According to the [World Health Organization](#), 1 of 4 children did not receive routine immunization with the 6 basic vaccines against polio, diphtheria, whooping cough, tetanus, measles and tuberculosis. In 1998, the [Bill and Melinda Gates Foundation](#) established a [Children's Vaccination Program](#) with a \$100 million grant to reduce the time required to deliver lifesaving vaccines to children in developing nations. Since its inception, the Gates Foundation has committed an additional \$750 million towards vaccination programs for children.
- Viruses of the electronic variety can inflict significant harm, similar to the human costs wrought by their biological counterparts. The financial impact of the "Love Bug" computer virus unleashed on May 4, 2000, is estimated to be nearly \$10 billion (mostly in lost data and work time). This whopping figure, incidentally, would have been sufficient to purchase vaccines to inoculate more than 250 million children against the polio virus.
- On December 9, 1946, an American military tribunal opened criminal proceedings against 23 German physicians for committing war crimes and crimes against humanity. Evidence from the "Nuremberg Trial of Doctors" shed light on the horrific acts of medical experimentation conducted on thousands of concentration camp prisoners. On August 20, 1947, 16 of the

physicians were found guilty, and the remaining 7 were sentenced to death and subsequently executed on June 2, 1948. Arguably, the greatest legacy of these trials was the [Nuremberg Code](#), which explicitly spells out protections of individuals from the potential abuses of medical research. The first of the 10 Nuremberg Code principles establishes that "voluntary consent of the human subject is absolutely essential" in the conduct of medical research.

- The Star Spangled Banner, a symbol of the personal freedoms and rights that we enjoy, is threatened by more than 180 years of weathering. The flag, made by Mrs. Mary Pickersgill in 1813, was seen flying over Fort McHenry in the aftermath of a great battle on September 14, 1814. Inspired by this glorious scene, Francis Scott Key subsequently penned the words to what would become our national anthem. Today, the Banner is undergoing a multimillion-dollar restoration, scheduled for completion in 2002.
- The Declaration of Independence, our nation's cherished symbol of human liberty and freedom, was drafted by Thomas Jefferson in less than 3 weeks. Meeting in Independence Hall in Philadelphia, the Second Continental Congress adopted, after tortuous debate, the Declaration of Independence on July 4, 1776. George Washington, who presided over the Congress, sat in a [chair](#) on which was carved a figure of the sun. Before the final vote, Benjamin Franklin intimated that he had been looking at the sun throughout the deliberation. He was convinced that, for the colonies, it represented a rising and not a setting sun.
- The sun will not set on the *Virtual Mentor* - Version 2.0 is on the way!

Audiey Kao, MD, PhD is editor in chief of *Virtual Mentor*.

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### **VIEWPOINT**

**Inge Genefke, MD**

Audiey Kao, MD, PhD

The need for treatment and rehabilitation then led, in 1982, to the establishment of the Rehabilitation and Research Centre for Torture Victims (RCT) in Copenhagen, with Dr. Genefke as medical director. In 1986, the International Rehabilitation Council for Torture Victims (IRCT) was established by RCT to foster the growth of rehabilitation centers worldwide. Today over 120 centers throughout the world provide treatment for thousands of torture survivors by helping them look to the future, and think about rebuilding their lives. The intelligence of Dr. Genefke and her team is "a tonic in itself - one for which the demand is far too great."

For her pioneering clinical research and humanitarian advocacy for torture survivors throughout the world, we are honored to present Dr. Inge Genefke with the Virtual Mentor Award for being an exemplary role model in medicine.

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