

## SOME ECLECTIC THOUGHTS ON „STRONG VERSUS WRONG MEDICINE” AND ON THE POETICAL, HISTORICAL AND LITERARY PERSPECTIVES OF MALPRACTICE AND MEDICAL ERRORS

Avi OHRY

*Section of Rehabilitation Medicine, Reuth Medical Center, Tel Aviv, & Sackler Faculty of Medicine, Tel Aviv University, ISRAEL*

### Abstract

*The cornerstones of medicine are both scientific and humanistic. To err is human but physicians' malpractice or erroneous performances bear fatal consequences. This review brings eclectic reminiscences of these topics from a „medical humanities” viewpoint.*

**Key words:** poetry, history, malpractice, errors of medicine

**Corresponding author:** Avi Ohry, aohry@post.tau.ac.il

*Medicus enim nihil aliud est quam animi consolatio.*

“A doctor is nothing more than consolation for the spirit” Gaius Petronius Arbitr (c. 27 – 66 AD).

*Philosophy is odious and obscure;  
Both law and physic are for petty wits;  
Divinity is basest of the three,  
Unpleasant, harsh, contemptible and vile.  
’Tis magic, magic that hath ravished me.*

*De occulta philosophia libri tres* (1551). Act 1, Scene 1, 106-110, by Heinrich Cornelius Agrippa of Nettesheim (1486–1535), German magician, occult writer, theologian, astrologer, and alchemist.

„Suits to recover damages in cases of alleged malpractice have greatly multiplied within the last few years; yet patients renew them, notwithstanding the common failure to enrich themselves at the expenses of the surgeon. The experience of those who have made such attempts have been altogether inadequate to satisfy the morbid desire to collect damages from practitioners, and legal gentlemen as readily advise the institution of suits as though it had been held by the civil code, that the surgeon warranted, in every case, to restore a limb or a joint to its normal condition. Every practitioner, and especially every surgeon, is deeply interested in such medico-legal questions, and each does only a duty to the profession when he reports in full, such cases as may come under his knowledge.”

These words were not written recently, although it sounds written currently. This passage

is taken from the editorial of *Eclectic Medical Journal*, 1857:1:[1],43.

*Ipse loquitur* (the thing speaks for itself). Doesn't it?

William Hazlitt (1778–1830) coined the term *ultracrepidarian* – a man who gives advice, on a subject or field. He just adapted this term from Plinius the Elder's words: „*Ne supra crepidam sutor iudicaret*”, i.e. „A shoemaker should not make anything beyond the sutures in sandals”. If doctors will adhere to this ancient rule many mistakes, errors or malpractices can be avoided. Pliny rants about Roman doctors' adulteries in high places, like Eudemus with the dowager Livia and Vettius Valens with the empress Messalina.

Dr. Francois Rabelais (1494–1553) had added „What cannot be cured, must be endured”.

The practice of medicine has never claimed to be an exact science. In fact, it is very much a hit-and-miss or sometimes trial and error situation, an art based on scientific or empiric knowledge. The ancient Greek sophists, distinguished between *techné* – the knowledge, and *tyche* – the destiny, intuition or even serendipity. In Rome, the terms were translated into *virtus* and *fortuna*. Hippocrates added the term *kairos* – the right moment [1]. This might be, perhaps, the best Hippocratic advice: the doctor should know, or feel, when the „right moment” comes, to treat, to ease, to alleviate, to comfort or to consult.

Francesco Petrarca (1304-74), the founding father of „humanism”, attacked doctors who defended scholasticism: he accused them of being “more apt to diminish the substance than the

sufferings of their patients, and to lighten their purses of gold rather than their bodies of evil humors”.

„Medical treatments are inherently risky. There are occasions when patients are harmed as a consequence of their treatment or absence of treatment. Patient compensation systems are a means by which two objectives can be pursued: the cost of the harm can be transferred away from the patient (the “compensation” objective); and the doctor can be given an incentive to take appropriate care to avoid making mistakes which may harm their patients” [2].

In 1817, a year before the first edition of Mary Shelley’s *Frankenstein* was published, Dr. Weinhold published a book of experiments in which he described how an amalgam of metals caused movement, sensation, and cardiac functions to cats with spinal cord or substantial brain damage. We do not know if Mary Shelley knew about Weinhold’s experiments, or even in 1831, when she revised *Frankenstein* and added more on his findings. Karl August Weinhold (1782–1829) was a German physician and scientist.

Mary Shelley (1797–1851) was an English novelist, short story writer, dramatist, essayist, and biographer, whose Gothic novel „*Frankenstein: or The Modern Prometheus*” (1818) became a famous novel around the world. In this novel, Dr. Victor Frankenstein builds an ugly but strong, sensitive, and emotional creature in his laboratory, after reading works of physicians-alchemists or philosophers as Paracelsus, Albertus Magnus and Cornelius Agrippa. The creature became a symbol of a diabolic consequence of a false science.

„For several years I’ve taught a medical school Literature and Medicine elective called „Dystopia.” Dystopia is utopia gone sour. In stories of dystopia, scientists (or politicians) employ technology in order to make the human race smarter, happier, or more peaceful; but there is always a fatal flaw, and the project results in unanticipated horror... To me, the human drama resides not so much in Dr. Frankenstein’s compulsion to push the limits of science, but in his initial failure, and his later struggle, to accept responsibility for his own actions.” [3]. *Frankenstein’s* work depicts the horrors consequent of scientific experimentation. One medical experiment leads to evil and tragedy. An article argues „that *Frankenstein* is an early and balanced text on the ethics of research upon human subjects and

that it provides insights that are as valid today as when the novel was written. As a narrative it provides a gripping story that merits careful analysis by those involved in medical research and its ethical review, and it is more enjoyable than many current textbooks! To support this thesis, the author will place the book in historical, scientific context, analyze it for lessons relevant to those involved in research ethics today, and then draw conclusions.” [4].

Was Mary Shelly aware of the Jewish legend of the Golem, especially the Golem of Prague? Rabbi Yehudah Leib ben Betsal’el (acronym: the Maharal of Prague, d. 1609) had „created” a mute clay creature in order to defend the Prague ghetto from antisemitic attacks. In Jewish tradition, a righteous person, possessed of esoteric wisdom, could create an artificial human — being out of inorganic matter [5]. The word golem appears once in the Bible in Psalm 139:16, which uses this word for „my unshaped form”. The Golem story was revived by Isaac Bashevis Singer (1904–1991) and the book is recommended by a „must-read books list” [6]. Modern psychoanalytical interpretation was given to this legendary story [7–8]. The Bulgarian prolific writer and psychiatrist, Nikola Schipkowensky, had published an article [9] on Gustav Meyrink’s „*Der Golem*” — „A study in medical malpractice”.

„Whenever a doctor is called upon to treat a case, there is always a risk that, instead of curing the patient or at least alleviating his suffering, he may implant iatrogenic fears in the patient’s mind, or prescribe „iatrosomatopathic” treatment, thereby actually aggravating the victim’s condition”.

„*Der Golem*” was written in 1915 and translated by M. Pemberton as „*The Golem*”, in 1928.

„The Golem is cast as a sort of gestalt entity, a physical manifestation of the ghetto’s inhabitants’ collective psyche, as well as of the ghetto’s own self.” [from Wikipedia].

And then, after discussing iatrogenesis, Schipkowensky gave the example of malpractice made by Dr. Wassory of Prague in Gustav Meyrink’s „*Der Golem*”. Wassory method was persuading patients that they are suffering from glaucoma and need an salvage operation. Wassory published his results in medical journals. Schipkowensky compares this charlatan with Jules Romains’s 1923 delightful “*Doctor Knock, or the Triumph of Medicine*” a symbol of the arrogance of the medical profession [1].

Meyrink converted from Protestantism to Buddhism, was interested in occultism, yoga, telepathy and alchemy. He was present at some of the séances of Baron Albert Freiherr von Schrenck-Notzing (1862–1929) in Munich with the medium „Eva C.“ The Baron was a German psychiatrist, psychic and paranormal events researcher.

Ivan Illich (1926–2002), theologian, philosopher, sociologist and historian, was a devoted fighter for the elimination of the various complications of modern medicine. The various ingredients of this iatrogenic phenomenon are: poly-pragmasia, the false diagnosis of „non-diseases“, over-activity and overconfidence of the medical establishment, non-adherence to logical work-up of diagnostic algorithm, etc. Although medicine has progressed immensely, we often encounter the various maladies of modern medicine [11].

In GB Shaw's „The Doctor's Dilemma“, we may find: „... Doctoring is an art, not a science... doctoring is not even the art of keeping people in health... it is the art of curing illnesses. It does happen exceptionally that a practicing doctor makes a contribution to science... but it happens much oftener that he draws disastrous conclusions from his clinical experience because he has no conception of scientific methods, and believes... that the handling of evidence and statistics needs no expertness“ (p27).

Throughout history, charlatans and mountebanks were very active and influential in various societies [12]. Some obtained a genuine MD degree, and some were impostors. Voltaire, the French author, humanist, rationalist, and satirist (1694–1778) ridiculed, rightly or wrongly, doctors, scientists, politicians and many more.

„Voltaire wrote *Candide* as an objection to Gottfried Wilhelm Leibniz's theory that God created the universe as the best of all universes, or worlds. He mocked Leibniz using the character Pangloss, a philosopher who teaches an optimistic philosophy that is the antithesis of the world Voltaire creates around *Candide*, through violence and mayhem. Pangloss's „best of all worlds“ view, though, is accepted by the naive *Candide*“ [13].

In his satirical essay „*Doctor Akakia*“ (or, *Histoire du Docteur Akakia et du Natif de St Malo*) Voltaire attacked the science of Pierre-Louis Moreau de Maupertuis (1698–1759), the President of the Royal Academy of Sciences at Berlin. He was a French mathematician, philosopher and man of letters who became the Director of the Académie des Sciences, and the first President of

the Prussian Academy of Science, at the invitation of Frederick the Great. He tried to determine the shape of the earth and developed the principle of least action; a version is known as Maupertuis' principle — an integral equation that determines the path followed by a physical system. His work in natural history has its interesting points, since he touched on aspects of heredity and the struggle for life.

„Man associates ideas not according to logic or verifiable exactitude, but according to his pleasure and interests. It is for this reason that most truths are nothing but prejudices.“

(Remy de Gourmont, French novelist, poet, playwright, and philosopher, 1858–1915).

It is said, that Stephen James Napier Tennant (1906–1987), who was a British aristocrat known for his decadent life style, spent most of his life in bed. He is considered to be the model for Cedric Hampton in Nancy Mitford's novel „*Love in a Cold Climate*“; for Lord Sebastian Flyte in E. Waugh's „*Brideshead Revisited*“, and a model for the Hon. Miles Malpractice in some of his other novels. Through Hon. MM the word malpractice is immortalized.

Clive Staples Lewis (1898–1963) was a novelist, poet, academic, scholar, medievalist, literary critic, and essayist from Belfast. In his „*That Hideous Strength*“, he invented „The National Institute of Coordinated Experiments“, „N.I.C.E.“, a scientific and social planning agency, furtively pursues its program of the exploitation of nature and the annihilation of humanity. After the N.I.C.E. would achieve its ends, the earth would only belong to the „macrobes“ [14].

„While re-reading *That Hideous Strength* by C.S. Lewis, the word malpractice occurred to me. Some word stronger than „flawed“ is needed to describe what is wrong with this book. Malpractice has the right connotations. It suggests not a mere lack of skill, but a willful abuse of skill. By its reference to professions such as medicine, it suggests that fiction is something more important than a form of amusement for one's leisure time: it is at once a sort of research, and a treatment applied to the soul and the will.“ [15].

A study of medical mistakes in medical-themed romance novels was the center of Dr. Langeveld's paper [16].

„The series 'Doctors novels' was translated from English, the 'Dr. Anne' novels were written by Dutch authors. The medical situations were located mostly in hospital emergency departments

and operation rooms. Medical specialisms were represented mainly by surgeons, emergency care doctors, orthopedic specialists, cardiologists and gynecologists. In the series 'Doctors novels' most of the patients described to have suffered a trauma. In the 'Dr. Anne' series the patients admitted to the emergency department had a greater range of medical conditions. In the series 'Doctors novels' 3 of the 4 main characters were pregnant. In one case, giving birth was described in detail."

His conclusion was that „The doctors novels which were studied give an unbalanced and distorted view of medical practice. The medical information was sometimes incorrect, partly due to lack of knowledge by the author, partly due to incorrect translation from English. The reality of medical practice was not represented accurately in either of the series investigated, although the medical information in the 'Doctors novels' series appeared to be accurate more often than that in the 'Dr. Anne' series."

*Doctors*

*„ If the doctors cure  
 then the sun sees it.  
 If the doctors kill  
 Then the earth hides it.  
 The doctors should fear arrogance  
 More than cardiac arrest.  
 If they are too proud and some are,  
 Then they leave home on horseback  
 But God returns them on foot..."*

Ann Saxton (1928-1974).

Kathryn Jacobs wrote „Malpractice" in memory of her son Raymond, died November 2005 aged 18:

*Sometimes, you know, the scalpel simply slips.  
 It isn't nice to think of, I admit,  
 and those of you expecting to be prepped  
 for surgery should cut me short – uh, quit  
 the room ere I go further. But it's true:  
 it isn't just the interns that drop hooks  
 where organs ought to be, and all of you  
 have done so in your day – I saw those looks  
 that you exchanged just now. We let it go,  
 unless the patient has the nerve to die,  
 and then God help us. You and I both know  
 that we cut corners – sorry, I don't try  
 to put it like that – but you've got to see,  
 to think I might have killed him – bothers me.*

[<http://www.poetrymagazines.org.uk/magazine/record.asp?id=20334>]

*malpractice  
 it is rumored  
 Jesus walks the halls*

*of a local asylum  
 offering comfort  
 to those who receive  
 his bloody touch  
 lunatics lean into his words  
 hoping for a miracle  
 some measure of peace  
 agitation fills the air  
 doctors tremble  
 arm themselves with needle  
 and pills  
 stumble and shout  
 nail him with hypodermics  
 paralyze him with psychotropics  
 crucify him on iron cots"  
 dear god  
 heavenly father  
 do not forgive them  
 for they know exactly  
 what they do.*

Irene Drennan on: <http://analysands.homestead.com/>  
 IreneDrennanMalpractice.html

PS:

„ ...A bitter part of Jean Louis Baudelocque's (1745–1810) career was the accusations raised against him by Jean Francois Sacombe (1750–1822) that he had caused the death of an expectant mother and her child. This maligning, however, was taken to court; Baudelocque was acquitted of malpractice, and his adversary was sentenced to pay 3000 francs to the Maternité and the poor, but this episode remained a stain to his career..." [17].

„Jean Louis Baudelocque was one of the most influential obstetricians of the eighteenth century. He refined and popularized many of the theories and practices of William Smellie (1697–1763) and André Levret (1703–1780) and made a number of original contributions to the field. His fame rests primarily on the development of a technique for measuring the pelvis before delivery and the invention of a pelvimeter for this purpose, and his efforts in improving the education of midwives. His classic treatise on midwifery went through a number of editions and was widely translated..." [17].

The New York State Court of Appeals in 1898, case of George V. Pike vs. William T. Honsinger, marked the new era of dealing with error and malpractice [18].

1926 – The first malpractice suit in France involved a complication of a cosmetic surgery. A young fashion designer went to a well-known surgeon and asked him to make her calves

thinner. Long before the introduction of liposuction she underwent fat scraping reduction of her calves which was complicated by a severe infection resulting in a leg amputation and she sued her doctor. The judge ruled for the designer [19].

„When a doctor does go wrong, he is the first of criminals. He has the nerve and he has the knowledge“.

Sherlock Holmes: The Adventure of the Speckled Band, by Sir Dr. Arthur Conan-Doyle.

### Resumo

La bazangulaj ŝtonoj de medicino estas kaj sciencaj kaj humanismaj. Erari estas homa, sed neĝusta procedurado aŭ eraraj faroj de kuracistoj havas gravegajn konsekvencojn. Tiu ĉi revizia artikolo memorigas pri tiuj temoj el la vidpunkto de „medicina humanismo“.

### References

- Labhart A, Intuition, luck, and misfortune in diabetes research. *Diabetologia*, 1978;14:353-8.
- Paul Fenn, Alastair Gray, Neil Rickman & Robert Young, Deterrence and Liability for Medical Negligence: Theory and Evidence. <http://eale2002.phs.uoa.gr/papers/Fenn,%20Grey,%20Rickman%20&%20Young.pdf>
- A Jack Coulehan Editor's Choice, on: <http://lit-med.med.nyu.edu/Special?action=view&sid=1&id=127&annid=4> „Frankenstein“ by Shelley, Mary Wollstonecraft
- Davies H, Can Mary Shelley's Frankenstein be read as an early research ethics text? *Med Humanities*, 2004;30(1):32-5.
- [http://www.yivoencyclopedia.org/article.aspx/Golem\\_Legend](http://www.yivoencyclopedia.org/article.aspx/Golem_Legend)
- Bierer J, Love-making – an act of murder. The „Golem“ syndrome (G.S). *Int J Soc Psychiatry*, 1976;22(3):197-9.
- Petrus EP, The Golem: significance of the legend. *Psychoanal Rev*, 1966;53(1):63-8.
- Glaus A, Depersonalization, nihilistic delusions, mirror images, doubles and the Golem in the works of Annette von Droste-Hülshoff. *Monatsschr Psychiatr Neurol.* 1953;125(5-6):398-416.
- Schipkowensky N, Gustav Meyrink's „The Golem“ – a study in medical malpractice. *Ciba symposia*, 1968;16(1):27-33.
- Bamforth I, Knock: a study in medical cynicism. *Med Humanities*, 2002;28:14-18
- Ohry A & Shaked H, Ivan Illich's revenge and death, on iatrogenesis and related phenomena *Harefuah*, 2004;143(4):300-2, 316.
- Ohry A & Tsafrir J, „Running after quacks and mountebanks...“ *Prog Health Sci*, 2012; 2: 171-4.
- Papadimos TJ, Voltaire's Candide, medical students, and mentoring, on: <http://www.pehmed.com/content/2/1/13/>
- [http://en.wikipedia.org/wiki/That\\_Hideous\\_Strength](http://en.wikipedia.org/wiki/That_Hideous_Strength)
- [http://freethinker.typepad.com/the\\_free\\_thinker/2007/10/malpractice-in-.html](http://freethinker.typepad.com/the_free_thinker/2007/10/malpractice-in-.html).
- Langeveld CHK, Medical Mistakes in Doctors Novels, *Nederlands Tijdschrift Geneeskunde*, 2011;155:A4372.
- on: Jean Louis Baudelocque, @ [www.whonamedit.com](http://www.whonamedit.com).
- Hogan NC, Unhealed wounds. Medical malpractice in the 20th century. LFB Scholarly Publishing LLC. NYC, 2003.
- <http://www.cosmeticsurgeryspecialists.org/history.html>