

Medicine betrayed: again and yet again

"What do you mean people don't care about torture? We will make them care?"

Dr John Dawson, as quoted in the preface to *Medicine Betrayed*, 1992 (1)

Do medical professionals in India care? A decade after the publication of the *Medicine Betrayed* by the British Medical Association, and barely 40 days after the Medico Friend Circle (2) indicted a section of doctors in Gujarat of gross neglect and violation of ethics and human rights, the media reported that seven people accused in the Godhra train massacre were subjected to interrogation after being administered so-called 'truth serum' - sodium pentothal - at the government's Sir Sayaji General (SSG) Hospital. This was done with the participation of police officials, and of doctors from the hospital's anaesthesia, surgery and psychiatry disciplines. (3, 4)

Interestingly, the hospital's superintendent, Dr Kamal Pathak, refused to answer questions faxed to him by the media by saying, "I can't reveal anything as this is something that pertains to national interest." (3) His reasoning is not clear. Was it to avoid discussing what the Godhra accused revealed in the interrogation? Or was it to avoid discussing his decision to allow police to use hospital facilities — with the direct participation its doctors — in an interrogation, in violation of human rights and ethical standards?

There is no indication that Dr Pathak and his colleagues were coerced by the police. On the contrary, it appears that they are proud of doing their duty in the national interest.

This is not new. Numerous instances have been documented, in India, of doctors' direct or indirect participation in human rights violations. We have reviewed such evidence in the past (5a,b). Such documentation, and the sustained advocacy by doctors committed to ethics and by human rights activists, resulted in a small but important addition to the official code of medical ethics: *"The physician shall not aid or abet torture nor shall he be a party to either infliction of mental or physical trauma or concealment of torture inflicted by some other person or agency in clear violation of human rights."* (6)

This code had already been in force for more than two months when doctors administered sodium pentothal for an interrogation. But despite extensive media coverage of Dr Pathak's participation in pharmacological torture, the medical council has not even sought an explanation, let alone held an inquiry to demonstrate some resolve in implementing its own laws and ethical guidelines.

Arguments in defence

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Three arguments were heard in the defence of these doctors. First, the use of Sodium Pentothal was not torture because it did not cause pain. Second, it was done in the national interest. And third, there is no harm in using torture if it can save lives.

The first argument wrongly limits the definition of torture to pain. Torture includes the use of methods intended to obliterate the personality of the victim or diminish physical or mental capacities, even if they do not cause physical pain or mental anguish. (7) Sodium Pentothal tops the list of methods using 'limited force' advocated by organisations such as the US Central Intelligence Agency whose dirty human rights record needs no introduction. (8) Interestingly, even the CIA acknowledges that it is advocating torture.

Utilitarian arguments about national interest and saving lives are well known. However, this assertion is not backed by evidence that such interest was served, that what doctors did really saved lives.

However, even if there is evidence of national interest, could it be used to justify acting unethically? The elevation of national interest above human morality has always had disastrous consequences.

For the medical profession in India, the writing is on the wall. Gujarat is also emerging as another kind of laboratory — a medical laboratory violating ethics with impunity. The BMA followed up Dr John Dawson's assertion by producing a handbook on human rights for doctors (9), demonstrating its commitment to help doctors educate themselves and be ethical. The question is: does the profession in India care?

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References:

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7. Article 2 of the Inter-American Convention to Prevent and Punish Torture.
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