

GARNETT, (A.Y.P.)

at

No 9

LETTER

OF

A. Y. P. GARNETT, M.D.,

IN REPLY TO

HENRY I. BOWDITCH, M. D.,
OF BOSTON, MASS.

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WASHINGTON, D. C., *November 22, 1887.*

To Dr. HENRY I. BOWDITCH, *Boston, Mass.*

MY DEAR SIR: I have the honor to acknowledge the receipt of your kind favor of the 13th instant and to express to you my grateful appreciation of the complimentary terms in which you have manifested your commendation of my paper. In making this acknowledgment, if I were controlled alone by considerations of propriety and courtesy, I might very properly satisfy myself with the above brief response to your note, but a profound sense of duty which I owe to the American Medical Association, as well as to myself as an humble member thereof, impels me to notice more at length the following paragraph, which appears in that letter:

"Pardon me if I allude to another subject. I neither know nor care for your opinion upon the code question, but I rarely write to any member of the American Medical Association out of my State without making some allusion to the unhappy bickerings that have arisen, which, in my opinion, need not have arisen in the profession. When an association will exclude from its membership such honorable and able men as Barker, Lomis, of New York; the excellent, venerable Dr. Hun, of Albany, and many others in various parts of the country, it certainly seems as if bigotry of the worst type had become rampant."

As the expression employed by you in the beginning of the above paragraph admits of no doubt regarding the value that you may attach to any opinion I might advance and affords but little encouragement for me to embark in a discussion with you on that question, I must crave your forgiveness for my obtrusiveness in calling your attention to what I propose to submit as a fair, truthful, and unprejudiced exposition of the subject-matter upon which we seem to differ so widely.



Permit me to premise my remarks by assuring you that the very frank manner in which you have been pleased to allude to my opinion has been received by me in the most amiable and friendly spirit. Cheerfully conceding to you, as I do, the prerogative which, in my judgment, rightfully belongs to one of the distinguished and honored fathers of the profession, I can therefore honestly claim to address you with feelings of reverential friendship, unclouded by the slightest shadow of irritation or resentment.

Among the several objects set forth by the founders of the American Medical Association in 1847, when its organization was perfected, was one which declared that it is expedient, for the purpose of promoting the usefulness, honor, and interest of the medical profession in the United States, that it should be governed by one national code of ethics; and the present code, with a few slight modifications, subsequently made, was then adopted.

Dr. Hooper, in his address, as late as 1882, referring to the excellence of our code, used the following language: "Had the American Medical Association done nothing else than to adopt the code of ethics it would have been entitled to unending gratitude," whilst many of the wisest, most liberal, and distinguished members of our profession have also given expression to similar commendatory judgments of it.

For thirty-five years have the beneficent influence and harmonizing effects of this code been exerted over the entire domain of our country, enfolding the hitherto scattered members of a common profession within the sphere of its authority and cementing them into one compact brotherhood, demonstrating its practical good by promoting love of profession, personal honor, integrity, and self-respect.

'Tis true that many years previously, antecedent, I believe, to our civil war, a fierce internecine strife had raged in the city of Boston touching the *personnel* of the delegates who were to represent Massachusetts in the American Medical Association. In this controversy much "*unhappy bicker-*

ing" was indulged in and very bitter personal animosity displayed, concerning which, I believe, you, my dear Doctor, can truthfully exclaim, "*Quorum pars fui!*"

It is needless for me to remind you how that controversy resulted and the consequences which followed the action of the association in declining to assume a partisan position by rejecting Dr. R. H. Storer as a delegate. From that period to the present date the majority of those who acted with you on that occasion have been hostile, I believe, to the American Medical Association and sullenly stood aloof, seemingly satisfied to occupy for the nonce a negative position, and whilst some of our hypercritical New York brethren who sympathized with you did not hesitate to express dissatisfaction with the ethical feature of the constitution no organized effort was made for the avowed purpose of rebelling against it and destroying the unity and good feeling which had existed for so long a period under its operation, until 1882, when the New York Medical Society formally seceded from the American Medical Association and adopted what they styled a new code of ethics. This action on the part of the New York Society had the effect of so unsettling the views of many upon the subject of medical ethics that a large number of the profession declared themselves in favor of abolishing all codes of medical ethics and inferentially permitting every man who wished it to play the rôle of a free lance in the profession of medicine. If no other mischief resulted from the lamentable and disastrous conduct of the new code organization this alone should condemn it in the estimation of every true and honorable lover of our profession.

In a spirit of liberality and generous concession the American Medical Association, in 1884, appointed a committee of five (of which I had the honor to be a member), including such men as the late Dr. Austin Flint, of New York, and Dr. N. S. Davis, of Chicago, to review and prepare an authorized construction of its code of ethics.

This duty was done chiefly by the two distinguished members above named and the work submitted at the following meeting of the association, when it was unanimously adopted. It will be seen by reference to this report that the broadest construction and most liberal and conciliatory interpretation consistent with professional honor and a conservative policy was recommended, thus removing, in my judgment, even an equivocal pretext for the opposition of any unprejudiced ^{and} mind, and yet the fight on the part of these malcontents still goes on.

German to this subject it occurs to me that in an address delivered by you some years ago before the Rhode Island Medical Society you advocated the abolishment of all codes of medical ethics and planted yourself upon the oft-repeated and sophistical platitude that gentlemen needed no code or law requiring them to deal honorably with each other. In the abstract and as a general rule this may be true, but let me ask you if you have passed through the last quarter of a century with your eyes and ears closed?

Of what material do you find a large portion of the medical graduates at this date composed? Under the pernicious stimulus and misdirected forces of progress do you not perceive the widespread demoralization and decadence of personal integrity and honor? Do you not know, despite the restraining and coercive power of our existing codes of ethics, that professional success is often achieved by cunning tricks and by pursuing disreputable and dishonorable modes and methods? Are you willing that this class of men should be encouraged and multiplied by imposing no check upon their conduct? Instead of approaching, the civilization of to-day is fast drifting away from the Utopia of social perfection, and the day is far distant, I fear, when the *mens sibi conscia recti* shall so pervade society that it will be the only governing rule of our conduct towards each other.

Your much boasted progress of moral ideas is all a sham and a delusion, a mere fictitious pretext for *immoral* practices.

In the race between virtue and vice in this life do you not perceive, my dear sir, that the fleet-footed and ubiquitous Satan has far outstripped the tardy Bourbons of Christ, and that at this advanced period of so-called moral ideas men are only restrained from wrong-doing by the apprehension of some punitive consequences to themselves?

I might here, if I were disposed to indulge in just criticism, enter into an analysis of the motives which impelled the leaders of this new-code movement in New York to declare war against the American Medical Association and to throw off the restraining influence of its authority. It is, however, so well known who would be the principal beneficiaries that were to reap the pecuniary rewards of such a licentious and meretricious construction of medical ethics that it is not necessary for me to do more than express my profound regret and astonishment that men of such high standing and well-merited distinction should have been so far tempted by the *auri sacra fames* as to embark in such a fratricidal conflict.

You say "when an association will exclude from its membership such honorable and able men as Barker and Loomis, of New York, and the excellent and venerable Dr. Hun, of Albany," &c., let me ask you at what time and by what means did the American Medical Association ever exclude these gentlemen from its membership? On the contrary, did not they voluntarily withdraw from all connection with that body after having been prominent and distinguished supporters of the association for years? Had the association at that time abrogated any of those principles promulgated at its organization or changed in any way the constitution and by-laws which these gentlemen had acknowledged and supported for years? Certainly not.

Without availing themselves of their constitutional right to come into the association and there take such legal action as they desired to modify or abolish our code of ethics, they chose to attach themselves to a hostile organization, renounce

all allegiance to the American Medical Association, and commence a system of warfare upon that body.

As a matter of self-preservation, the American Medical Association at a subsequent meeting found it necessary, in order to distinguish friend from foe, to require each delegate before registering to declare his fealty to the association. It is not reasonable to suppose that the association would have been guilty of such supreme folly as to voluntarily admit into its councils a Trojan horse filled with declared enemies. To the deep regret of the entire membership of the American Medical Association these prominent and able ornaments of our profession, unwisely and without adequate cause, withdrew of their own volition and assumed the attitude of enemies.

When you and I entered the profession of medicine such a thing as infanticide for the purpose of concealing crime was scarcely ever heard of—certainly not connived at or practiced by members of the regular profession; not even in progressive and cultured Boston was such a crime known to be perpetrated or tolerated. How stands it now? What have the investigations into the secrets of this heinous practice in your own city developed? What have been the results of your own observations concerning this matter and what the lesson taught by such observations? If the statistics of this atrocious crime could be procured from the larger cities of the United States, with the names of the perpetrators in each case, do you think that it would justify the conclusion that because a man had M. D. attached to his name he must *ex necessitate* be a gentleman and a man of honor, and hence needed no binding obligation to keep him in the path of professional rectitude?

I might multiply illustrations in support of my belief upon this subject almost *ad infinitum*, but forbear to do so lest I should weary you before calling your attention to another subject upon which there seems to be a decided discrepancy of sentiment between us.

I refer to the organization and management of the Ninth International Congress. Having already extended this communication far beyond, I fear, the limits of your patience, I shall be very brief in presenting the facts connected with the unfortunate controversy which has produced so much disgraceful crimination and recrimination within the ranks of our profession upon the subject of this meeting. The action of the American Medical Association in 1884, when it met in this city, appointing a committee to attend the meeting of the International Medical Congress at Copenhagen, as well as the position taken by that committee and its work, has so often been discussed that I will not vex your patience with a tedious repetition. By reference to these you will perceive that this committee of seven had power to elect its own officers, add to its membership, perfect its own organization, and make all necessary arrangements for the meeting of the congress, thus constituted as a committee of arrangements, only, having no authority to nominate officers of the congress. When the chairman of this committee of seven presented his report at the next meeting of the American Medical Association in New Orleans, one year only having elapsed, it contained an elaborate statement of what it had done, including the appointment of most of the officers and a perfected programme for the work of the congress, thus far exceeding the authority given it by the association. The association, after receiving and discussing this report, declined to endorse or accept that portion of it which included the appointment of officers, and subsequently recommitted (as it had a parliamentary right to do) the whole subject to a new and enlarged committee, composed of the original committee of seven, with the addition of one representative from each State, Territory, District of Columbia, the United States Army, Navy, and Hospital Marine Service. This new committee was given full powers to appoint the officers of the congress and to perfect the entire programme for its proceedings.

During the discussion of the subject a resolution was offered in the association that all new-code men should be excluded from official position in the congress. This was voted down by a vote of 129 to 88. At the first meeting of the enlarged committee, in Chicago, several of those who belonged to the original committee of seven were present and participated in its proceedings. The question of discriminating against the new-code men came up and was incidentally discussed, and whilst it was evident that a majority of those present favored such discrimination no definitive action was taken. Meanwhile the medical journals of Boston, New York, and Philadelphia who represented the new-code sentiment had commenced a bitter attack upon the association. A short time after the enlarged committee again met in the city of New York. No one of the original committee of seven was present.

At this meeting it was found expedient to fill up as far as it was practicable to do so at that time the official positions of the congress, when it became necessary to decide finally the question of admitting as officers those who represented the new-code organization. It was argued that as these gentlemen in the cities of Boston, New York, and Philadelphia had inspired or permitted the attacks made by the several medical journals of those cities upon the American Medical Association, advocating its abolition, and declaring that it "had outlived its usefulness," attempting to destroy its influence and discredit it with the medical profession of the country, the committee could not consistently with its own self-respect and the duty which it owed to the association so far insult that body as to appoint to office under its authority open and declared enemies. It, however, offered every honorable inducement to those who were less hostile to abandon their opposition to the association and accept prominent positions in the congress. This was unanimously declined and the order passed along the entire line to withdraw from all connection or affiliation with the Ninth International Medical Congress.

Whilst many of those who were not new-code men, but who were included in the original list of officers appointed by the committee of seven, felt inclined, I believe, to remain in the congress, so peremptory were the demands and so fierce the hostility of the leaders that they had not the moral courage to follow the direction of their own inclinations, but finally yielded to the Mephistophelian whisperings of those implacable fomenters of discord.

And here permit me to say that because the committee had been placed in a situation by the conduct of this new-code faction which compelled it to exclude them from official position in the congress *non constat* that they could not have participated in its proceedings by preparing papers for its scientific work and taking part in the discussions, they were not excluded from membership by any action of the committee. On the contrary, many of those who acknowledged their allegiance to the American Medical Association, such honorable gentlemen as my friends Kenloch, of Charleston, S. C., and Battey, of Georgia, were personally solicited to do so.

Not satisfied with withdrawing from and refusing to aid or assist those upon whom the responsibility had been imposed by their own act of receiving our foreign friends and making the congress a success, they commenced a systematic effort to defeat and destroy it at home and a clandestine and contemptible attempt to do so abroad. We have positive evidences that emissaries were persistently working with leading members of the profession in Europe to induce them, by misrepresentations, not to attend the congress, and even after its assembling here in Washington, in the presence of our foreign guests, malicious attacks, inspired, no doubt, by some of those who had been fighting the American Medical Association, were published in one of the daily journals of Philadelphia.

Now, my dear Doctor, if you have taken the trouble to read this discursive and somewhat prolix epistle with an im-

partial judgment you must acknowledge that "bigotry of the worst type" was a little more rampant on your side than on mine.

In conclusion, permit me most respectfully and kindly to express the hope that after so long a career of usefulness, enviable distinction, and merited honor, when those crepuscular shadows of that eternal gloom by which you are soon to be enshrouded are fast closing around you, you may add a crowning glory to that career by proclaiming with patriarchal authority *let there be peace, good will, and unity among professional brethren.*

With sentiments of the highest esteem and respect,

I remain, most truly yours,

ALEX. Y. P. GARNETT, M. D.