

BOND (Y. H.)

A Knowledge or a time
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A KNOWLEDGE OR A TIME REQUIREMENT.

A PLEA FOR A MORE RATIONAL SYSTEM OF MEDICAL
LEGISLATION.

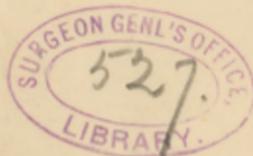
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The very general move in the direction of medical legislation, during the past year or so, indicates the urgent demand, on the part of the profession, for the just and proper regulation of the practice of medicine. In addition it is significant of the increase in competition and of the growing metamorphosis of the art of medicine into the science of medicine, of which the precepts and teachings follow such fixed laws, that he who studies may learn.

THE NINETEENTH CENTURY.

Our nineteenth century is a wonderful one—the like of which has never been seen in the whole compass of earthly years. Born during the great struggle of freedom against tyranny and oppression, living through the



downfall of the ancient superstition of the divine right of kings, it is about to make its exit from a world whose democracy is stamped in every act and whose parting requiem to the hoary century will be "*Vox populi, vox Dei.*" The people—the Demos rule. Throughout this whole century an equalizing power has been exerted which has been so thoroughly engrafted upon the lives and actions of men, that it has become the spirit and temper of the age.

Such a condition must have a positive bearing upon our civilization and its effects may be concentrated in the one expression, competition. Fair, open competition is the life of our institutions, but when it begets expulsion, it becomes the very bane of their existence.

MECHANICS AND DOCTORS.

"Too many mechanics" is the cry, and forthwith in not a few branches of labor, an elaborate system of restriction is practiced and the number of artisans is maintained small by control of apprenticeship vested in the workers of that special line. As a consequence we find an undue limitation of the number of apprentices, and an equally undue extension of the time of apprenticeship, all because those within the inner circle fear honest competition.

What a decided similarity, certain misdirected members of the medical profession would encourage between their high-aiming profession and these restricted divisions of labor. Do we not hear on all hands the cry: "Too many doctors, too many medical colleges, let both be limited." Again, like the apprentice-restricting mechanic they say: "Make them study longer, make the restrictions greater," in face of the fact that they who

rant and cry "reform" underwent the application of no such law, nor would. They cry very lustily "The wolf, the wolf" but fail to protect their charge by just and equable safe-guards, preferring, it appears, to resort to artificialities.

MEDICAL LEGISLATURE.

It is a sad feature for our vaunted, fraternal and unselfish feeling for one another, that such an affair as medical legislation is necessary. Its origin, coeval with that of medicine, dates back to the time of Hippocrates, whose stringent oath formed at once an obligation and a text for future laws. Throughout the middle ages medical laws prevailed, though more or less crude. In these more modern times medical legislation is an element in every civilized set of laws, some natural and just, others artificial and presumptuous.

Our own country is at present in the throes of the subject and each state is prodded here and there, with persuasive prayers or emphatic demands, emanating not from the people but from the doctors. The consequence is that many legislators and the public look upon the medical profession as a band of sycophants, always boasting of their professional regard for one another, yet, ever anxious to outdo each other, ever seeking protection, yet, becoming the most violent and persistent of persecutors.

Is it strange that sarcasm should, now and then, creep into our legislatures, such as, for instance, the bill introduced by a Missouri legislator, fixing the uniform rate of \$1.00 for visits, and fifty cents for office consultations? Other bills, of a like strain, have been presented, a recent one being an act to compel each physi-

cian to advertise in the local papers his name, age, years of practice and source of medical diploma. A more recent bill introduced in the Texas Legislature exhibits more severely the ridicule and sarcasm that such endeavors entail. All this is medical legislation.

Every time a State Legislature meets there is a pilgrimage of doctors to the state capitol, asking that certain laws be enacted, the sum and substance of all being the lessening of competition and exaltation of the few.

Some years ago the animus appeared directed toward the annihilation of quacks and impostors. Much good was accomplished, but the more the charlatans were persecuted, the more they prospered, and to-day according to the provisions of the courts, the only restriction is "Thou shalt not lie." They may advertise what they will, so long as falsehood does not appear.

The people did not eventually look so kindly upon the efforts of the profession to efface quackery, not as has been so often represented, because of their desire to be humbugged, but because they knew there were two sides to every question, and because they felt certain that so notable an effect must have some deep-seated cause. Adding to this the great stampede of doctors for medical legislation they arrived at the conclusion that doctors were, perhaps, actuated by selfish motives, just as much as by their interest in humanity, and they decided that opponents and prosecutors should not be made judges and executors. What was the result? We hear of the Board of Health being refused support year after year; in more than one case the Board has been compelled to cease its prosecutions as a condition of its existence, and in one notable instance, the official mem-

ber was compelled to resign in order that an appropriation might be made.

THE THREE-COURSE REQUIREMENT.

The contest for a three-course qualification is far more in opposition to democratic principles than what has just been mentioned. The *raison d'être* of its advocacy by the profession is evident. Shuddering at the laxness of its conditions it seeks to improve itself. Commendable, indeed, for there are many doctors who do not deserve the title and whose knowledge of medicine is confined to exceedingly narrow limits. Many are graduates who attended two courses, some three courses, others, perhaps, still more. I too agree that this is due to the fact that two years of attendance at a medical college has been the standard of license. But, believe me, I consider this the fault of the whole system and not of the lack of a three-term requirement.

If these doctors, if all doctors, would have been examined by a Board, the number of ignoramuses would have been immeasurably less, in fact, would be *nil*. What assurance have we that the adoption of a three-years course will change the existing order of things? Will the fact that three years are required make the professors any better as teachers, or the students any more faithful? Will it not encourage laxness on the part of the teachers and idleness on the part of the students? It is, indeed, plausible to consider that many students will spend their time after the fashion of so many of their continental co-workers whose time and money wax so heavy on their hands that they spend the half in riotous life and dissipation.

Of courses if the instruction is improved coincidentally

and the examinations made more rigid and effective, in so far will good be accomplished. This is, however, by no means due to the lengthened course, but to the knowledge requirement which has been added.

THE KNOWLEDGE REQUIREMENT.

And here is just where I rest my oars, in the calm and righteous waters of knowledge. Knowledge the basis, knowledge the foundation, and knowledge the standard of qualification and excellence.

Make the two or three course student pass a satisfactory examination before a competent board, and you settle the question at once upon a basis both rational and just. No school's *ipse dixit* is taken; all submit to a fair and impartial test. Under this system a student who is a good chemist, on account of his academic education, need not worry through two or three years of reiteration of what he already knows, and the capable druggist will be saved much time that otherwise he would squander in listening to lectures, useless to him. Equally would there be given to a nurse of experience or to one who had much to do with invalids, the opportunity of deriving whatever benefits he deserves, and not to be hampered by a time requirement, the same for tyros and for more experienced students.

With three courses a compulsory condition to graduation, a competent graduate of a good two-years school, whose professors have been conscientious, would be denied the right to practice and to exercise his hard-earned knowledge, as he should, while the incompetent graduate of a three-term college of the most questionable reputation would at once, by the power and might of an unjust act, enter into the joys of the professional

kingdom. Observe, the whole system which should be an encouragement to industry and knowledge, by reason of the unnatural restriction of time, simmers down to an impalpable and foolish mixture of sentiment which is both unreal and ridiculous. Unreal, because its basis is artificial and inefficient; and ridiculous, because its application accomplishes but slight improvement at best, and that at the expense and hardship of injustice to the very men, whose entrance into the profession is so desirable.

It is evident, then, that the three-term qualification places us no nearer the goal of our efforts than we are at present, for under its action, as now, the whole matter of licensing practitioners would rest in the hands of the professors of medical colleges—interested parties, and not vested, as it should be, by the divine right of the people, in a board whose standard is knowledge and fairness to all.

Yet so long have doctors advocated the deification of time in this particular, that what should be the foundation of medical legislation is overlooked, yea ignored, in the fetish worship of the time god.

This appears the more astonishing from the fact that the knowledge requirement is such a taking argument with legislators and men whose work and study is law-making. In the recent consideration, before the Missouri legislature, of the three-course measure, the bill was lost, not as has been falsely represented, by personal influence, but because the senators saw the fallacy of considering time, and not knowledge, as the proper requirement.

To say that every medical student shall attend for three years a medical college is to minimize the differ-

ence which exists between intellects, and to deprive many a competent man from enjoying, on account of a few paltry dollars, the fruits of his industry and knowledge, thus defeating the purpose and sense of all law.

I believe in trusts of no kind, and I most decidedly enter a protest against what is nilly-willy a medical students trust. Any combination having for its avowed purpose a limitation based upon a standard which is unjust, which dictates unfairly and summarily, and which excludes deserving individuals from the enjoyment of such rights which, by virtue of their knowledge, they should have—when such a combination exists by agreement, it must answer to the name of trust. As such, it is detrimental to our country's interests, and is in direct opposition to the old sterling principles of our government, that each man should receive fair treatment by the laws and that justice be given in accordance with each man's deserts.

FOREIGN DOCTORS.

Much has been said of the superiority of the European doctors over the American production, a statement whose deprecation is accompanied by the information that the fault is in the two-years' course. Again I beg to take issue for the palpable reason that the rigid examination to which each foreign student is subjected, furnish proof which no argument as to time can belittle.

In Germany two examinations are held, the university and the state, each being independent of the other. It might be interesting to mention the number of rejections by the Prussian state examiners of those who had already passed the university examinations. In the year 1890, out of 563 applicants, 231 or 29.09% failed.

Forty per cent. of the applying graduates of the University of Berlin were rejected. Where in the efficiency of the long term school compared with a good examining board? Certainly there is much valid argument in this little statement of the Prussian examinations.

In France the whole matter is left to six medical faculties who constitute virtually six examining boards and who alone are authorized to issue diplomas to students of all the French schools.

In England, while the diploma issued by the university faculties (in themselves almost equivalent to an impartial examining board) carries with it a licensing power, the various royal colleges make examinations granting to the successful applicant what is distinctive evidence of the knowledge he has acquired.

Austria and Russia have laws similar to Germany, and hence present a proper solution of the question.

These illustrations are given to indicate as clearly as possible that the circumstances of the high intellectual standing of European physicians depends upon the constitution of what is equivalent to examining boards and upon the strictness of the examinations rather than upon the number of days, hours and minutes devoted to medical study.

It is a very serious question whether or not the un-american legislation based upon a time requirements and excluding all who do not comply with its provisions is constitutional. Certain it is that the recent resolutions of the various boards of health, which define the term "college in good standing" to signify a three-term school will not hold in any court in the land. Efforts on the part of boards of health, such as has just been indicated, are valueless as they are misdirected. Any

college which fulfills the significance of the term "college in good standing" at the time of the passage of the act, can by mandamus compel the board to grant licenses to its graduates.

A more rational definition of the term, the Board might adopt, to-wit: Such colleges, all of whose students are able to pass a satisfactory examination before the Board of Health. It does seem to me that this would be equally as legal and far more satisfactory and just.

OBJECTIONS TO A THREE COURSE REQUIREMENT.

1. It possesses an eroneous basis, viz.: the standard of time and not of knowledge.
2. It is unfair in that it takes no cognizance of the superior intellectuality and industry of students.
3. It allows no credit for previous work and study, no matter how extensive, unless pursued regularly in a recognized medical school.
4. It is unjust because it works a hardship upon deserving young men who happen to be poor in worldly goods; the rich are thus given the advantage and preference.
5. It perhaps would encourage laxness of teachers and indifference of students.
6. The ends would not be accomplished because second class colleges would exist under its enforcement just as well as now and they would be equally well patronized.

ADVANTAGES OF THE EXAMINING BOARD.

1. It possesses a just and rational basis, that of knowledge.
2. Every student would perforce depend upon his own

efforts and zeal, and would not be indifferent of his studies unless he was not anxious to practice.

3. It is impartial, the rich have no advantage over the poor.

4. The licensing power being taken away from the medical colleges, their instruction, by the sheer force of competition, would be the drawing card, for students would go where they could learn most, rather than where they could most easily graduate.

5. Second class colleges (and by this I mean those characterized by loose management and incompetent instruction) would be forced out of existence, because so many of their graduates would be rejected by the various state boards.

In conclusion let me restate a remark that I have already made, to the effect that it will be easy to convince the legislators of the wisdom of this measure; it is so thoroughly in keeping with fairness and right that to the law-makers it so smacks of the very essence of all law, that they advocate it in preference to all other measures.

Then let the right prevail; relieve the boards of health of the annoying duty as censors of the medical profession, and dictators of medical colleges; let the State's money be expended not for the compilation of statistics, their publication and circulation, of value to the doctors alone, but for the prime object of such a board, the hygiene of the State; let the impartial board of examiners pass on every new graduate who seeks the privilege of practicing in the State.

In such a commonwealth, the law of medicine will be the law of fairness, democracy and right and the licensed doctor will lie more comfortably on the bed of roses,

nurtured by his own industry and the incompetent one will seek some more congenial occupation.

Three results will obtain:

1. An ever increasing number of good, competent and worthy doctors.
2. An ever decreasing number of unworthy, unprofessional and incompetent physicians.
3. Medical colleges upon a higher, better and more intelligent plane.

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