

Introduction

What is Ethics?

Ethics is a social concept of good behavior. It is a collective concept that evolves gradually, usually over years, as a result of interaction between individuals living or working together.

Over the course of time, based on a common interest, an approved trend becomes established.

As such, apart from moral sanctions and personal disapproval, there is little to ensure that a collective concept is obeyed.

Ethics is therefore a concept with no compelling force other than popular opinion.

In that sense, it is more akin to conscience than to law. In law, graded penalties are devised to suit the

severity of any offense. On the other hand, ethics is seldom enforceable with the threat of punishment and conformity is achieved through the force of group opinion.

The Ethical Code and Medical Registration

Medical ethics is governed by the collective opinion and behavior of the medical profession. It has no legal standing in most situations, other than the disapproval of colleagues.

However, with legal powers granted under the Medical Registration ordinance, medical ethics has, in fact, become more than just medical group opinion.

In many countries, members of the profession are required by law to be registered. In such circumstances, ethical conformity can be enforced by the threat of de-registration.

Nevertheless, it is still different from the law in that the penalties are confined to warnings, suspensions and de-registrations. Only recently were fines introduced. In contrast, criminal law embodies punishment ranging from corrective confinement, imprisonment and fines to corporal punishment and capital sentences.

Furthermore, the rules and regulations of medical ethics are not set out in writing. The professional bodies may publish ethical guidelines for information, which include a few precedents from previous inquires. This is unlike the law which sets out in considerable detail the infringements and the severity of punishments.

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Therefore the profession has been largely unregulated and a question to consider is whether there is a need for a profession to have its own ethics? Is the law of the land inadequate?

While altruism is praiseworthy, it requires unconditional benevolence which goes against human nature.

Self-sacrificing altruism cannot be maintained except by a few. It would therefore be unrealistic for the profession to claim that it can expect such altruism from its members.

It is interesting to observe that self-regulatory activity is adopted by many other respectable bodies such as the clergy and the legal profession.

The Power of Medical Knowledge

The concept that “knowledge is power” has been highlighted and it is well-accepted that power can rule and destroy.

We fear knowledge because we see it as a source of power which can damage if it is not exercised under rigid self-discipline.

It is too readily assumed that a professional man by virtue of his special knowledge will be charitable and benevolent. He can be a source of harm.

Regulation by legislation is inadequate by nature of its operation. It cannot be of much value in prevention by basing on acts already committed and detected. Hence, what is

Hence because the doctor's skill either saves lives or causes deaths, he relies on a code of ethics to prevent his own weakness. Society depends on the doctors' code in order to prevent deviant professionals from becoming a threat.

needed is not a punitive measure — for there would first have to be victims. What is required is a preventive measure before the problem materializes, for ethics represents a regulation of desire even before an act has taken place.

From the community's viewpoint, an ethical code ensure that specialized knowledge was being used for the benefit of patients and society.

It is essential that harm to patients must be prevented.

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The medical ethical code, therefore, must ensure that medical service is being dispensed efficiently, with a clear indication that the interest of the patient is foremost.

Ethics Important for Practising Clinicians

Medical ethics is usually initiated by practising clinicians. This is why it puts so much stress on the aspect of patient-doctor relationship such as professional confidentiality, as well as adultery between the doctor and his patient.

The trend of modern life is towards greater collective efficiency. With the rise of community interest some doctors would be community physicians rather than doctors of individuals. There must be differences between the two.

For example, although professional confidentiality demands that a person's secret be kept confidential when a doctor learns about it through his practice, the community frequently compels the release if such information on the basis of the benefit to society. The doctor now finds himself in a conflict of having two masters to serve, the patient and the community.