

# Preventing dentists' involvement in torture

## The developmental history of a new international declaration

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**D**entist and torture." Lay people hearing the pairing of these terms may not be surprised nor confused, as they well might be by the pairings of "nurse and torture" or "optometrist and torture." After all, older populations of patients, having received dental treatment before the advent of modern anesthesia and sedation, might be inclined to label these needed interventions as "torture." Younger generations of patients may not have experienced such a level of discomfort themselves, but movies such as "Little Shop of Horrors" and "The Dentist" may well have sensitized them to the potential.

Farfetched as these films may be, they are inspired by an important reality: physiologically, dental pain is among the most severe that a human being can experience. By virtue of their training, dentists

## ABSTRACT

**Background.** For more than half a century, the risk of physicians participating in torture has received thoughtful attention in the field of medicine, and a number of international organizations have issued declarations decrying such involvement. Despite publications that provide evidence of dentists' having participated in torture as well, until recently the dental profession was quiescent on the subject.

**Methods.** The authors describe the historical background for a new declaration against dentists' participation in torture developed by the International Dental Ethics and Law Society and the Fédération Dentaire Internationale (FDI) World Dental Federation. They review various levels of involvement by dentists in torture and related activities in reference to existing World Medical Association declarations. Finally, they outline the process of drafting the new dental declaration, which was adopted by the FDI in October 2007.

**Clinical Implications.** The authors provide insight and guidance to clinicians who diligently serve their patients, unaware that they may face military or other pressures to participate in torture.

**Key Words.** Codes of ethics; dentists; ethics; international law; human rights; military; profession of dentistry; torture.

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know what disease processes typically cause such pain. They also know that the dental interventions intended to heal such pathology can themselves elicit the same excruciating pain. Under normal therapeutic circumstances, the dentist will inform the patient of any expected pain and proceed only with his or her consent while making all attempts to minimize discomfort. But with modest effort and relatively simple instruments, a dentist is equally able to cause grave pain to another human being, quickly breaking whatever willpower the victim had mustered. Hence, a dentist would be extremely effective in extracting the kind of information from prisoners that intelligence officers or other military authorities would like to obtain, as dentist Dr. Christian Szell (played by Sir Laurence Olivier) in the 1976 movie "Marathon Man" illustrated vividly.

There is near-universal consensus that torture of human beings is a violation of their fundamental and inalienable human dignity. Hence, the means of torture never can be justified by the ends to be achieved, no matter how beneficial those ends might be. Several declarations adopted by the United Nations (UN) underscore this dogma, most notably the Universal Declaration of Human Rights. Adopted in December 1948, this declaration proclaims that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."<sup>1</sup> Of more recent origin, having been adopted in 1984, is the United Nations' Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>2</sup> In Article 2.2, it declares categorically, "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."<sup>2</sup>

Torture is a serious crime for any human being or agency to commit. But it is particularly heinous when committed by health care professionals, who are called—and trusted—to act for the benefit of patients. The maxim "primum non nocere" (first do no harm) is a warning to doctors to guard always against the harmful side effects of therapeutic interventions. It is even more applicable to interventions that are not intended to be beneficial, as aptly expressed in Principle 2 of the UN's 1982 Principles of Medical Ethics Relevant to the Role of Health Personnel, Particularly Physicians, in the Protection of Prisoners and Detainees Against Torture and Other Cruel,

Inhuman or Degrading Treatment or Punishment<sup>3</sup>:

It is a gross contravention of medical ethics, as well as an offence under applicable international instruments, for health personnel, particularly physicians, to engage, actively or passively, in acts which constitute participation in, complicity in, incitement to or attempts to commit torture or other cruel, inhuman or degrading treatment or punishment.

### INTERNATIONAL DECLARATIONS REGARDING HEALTH PROFESSIONALS' INVOLVEMENT IN TORTURE

Unfortunately, history has made painfully clear that some physicians, dentists and other health professionals are simply immoral, that others can be co-opted to engage in degrading practices, and that still others will yield to pressure by powerful authorities. Therefore, the World Medical Association (WMA) has deemed it necessary to issue its own declarations against the involvement of physicians in torture and other inhuman or degrading practices.

As early as 1956, during its 10th assembly in Cuba, the WMA issued Regulations in Times of Armed Conflict. These have been amended several times since, most recently in May 2006 in Divonne-les-Bains, France.<sup>4</sup> During its 1975 meeting in Tokyo, the WMA issued Guidelines for Physicians Concerning Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Relation to Detention and Imprisonment. This document likewise was updated in subsequent years, most recently in Divonne-les-Bains, France, in 2006.<sup>5</sup> Two declarations addressing more specific issues complement the Tokyo declaration. During its 1997 General Assembly Meeting in Hamburg, Germany, the WMA adopted the Declaration Concerning Support for Medical Doctors Refusing to Participate in, or to Condone, the Use of Torture or Other Forms of Cruel, Inhuman or Degrading Treatment.<sup>6</sup> And in 2003 while meeting in Helsinki, Finland, the WMA passed a Resolution on the Responsibility of Physicians in the Documentation and Denunciation of Acts of Torture or Cruel or Inhuman or Degrading Treatment, which was amended in 2007 in Copenhagen, Denmark.<sup>7</sup>

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**ABBREVIATION KEY.** **AMA:** American Medical Association. **FDI:** Fédération Dentaire Internationale. **IDEALS:** International Dental Ethics and Law Society. **UN:** United Nations. **WMA:** World Medical Association.

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