

Review Paper

Holocaust, The Ultimate Violation of Human Dignity and The Crystallization of The Foundation of Bioethics, The Nuremberg Code

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ABSTRACT

The aim of my article is to describe the confluence of factors that led to the holocaust, during which, millions of innocent human beings were killed and thousands of unethical experiments conducted on victims, by the nazi doctors. My article aims to bring out the real value of human dignity and the role of the holocaust in violating its very core. It also brings out the emergence of the Nuremberg code from the Nuremberg trials, which formed the foundation of bioethics, for protecting the dignity and rights of every human being in the medical field. Human dignity is the recognition that human beings possess a special value intrinsic to their humanity and are worthy of respect simply because they are human beings. The holocaust was the systematic, state-sponsored persecution and murder of six million Jews by the Nazi German regime and its collaborators. Nazi human experimentation included a series of medical experiments performed on prisoners, including children, by nazi physicians in its concentration camps. The experiments violated the basic principles of bioethics. The Nuremberg trials were a series of trials in which former Nazi leaders were indicted and tried as war criminals for their conduct by the international military tribunal. The doctors' trial ended with the declaration of the judgement, and a declaration of a set of ethical principles, which laid the foundation of the Nuremberg code. One of the most important lessons learned from the holocaust is to restore the dignity of the individual human being.

Keywords: bioethics, holocaust, Nuremberg code, Nazi, human dignity.

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Introduction

The aim of this article is to describe the confluence of factors that led to the Holocaust, during which millions of innocent human beings were killed and thousands of unethical experiments conducted on victims, by Nazi doctors. My paper aims to emphasize the real value of human dignity and the role of the Holocaust in violating its very core. It also highlights the emergence of the Nuremberg Code from the Nuremberg Trials, which formed the foundation of bioethics, for protecting the dignity and rights of every human being in the medical field.

Human Dignity

Human dignity is the recognition that human beings possess a special value intrinsic to humanity and as such are worthy of respect simply because they are human beings. Human dignity is a reminder that every person deserves to be treated with respect and care, regardless of gender, race, religion or socio-economic status. Human dignity is the overarching principle of global bioethics. It is the unconditional worth that everyone has simply by virtue of being human [1]. Human dignity provides real justification for human rights. Human dignity can be violated in multiple ways. The

main categories are humiliation, instrumentalization, degradation and dehumanization. Some practices that violate human dignity include torture, rape, social exclusion, labor exploitation, bonded labor and slavery.

The concept of human dignity changed significantly in the first half of the twentieth century under the influence of eugenics, social Darwinism and other philosophies which eventually led to atrocities and murder of millions of innocent human beings. Charles Darwin [2], Francis Galton [3], Henry Spencer [4] and Ernst Haeckel [5] were scientists and philosophers whose theories and ideas altered the true concept of human dignity. Reformers of the health-care system advocated moving the traditional emphasis on care for the weak and the sick to a view of care as preservation of the health of those who could contribute more to society.

Ideologies that led to the Holocaust

The Holocaust was the genocide of European Jews during World War II. Between the years 1941 and 1945, Nazi Germany systematically murdered six million Jews, which accounted for two-thirds of Europe's Jewish population across German-occupied Europe. A confluence of ideologies led to the Holocaust. These ideologies are discussed below. In his "Essay on the Inequality of the Human Races" (1853), influential French author Arthur de Gobineau, separated humanity into three races corresponding to skin color: white, yellow and black [6]. He asserted the superiority of the white race over others and labelled the Aryan race, i.e. the Germanic people as representing the summit of civilization. Gobinau's view of the Aryans as a master race was adopted by Adolf Hitler and influenced his antisemitic attitudes.

Eugenics was perhaps the single most influential scientific theory behind the Holocaust. Francis Galton coined the term "eugenics" [3]. He defined it as "the science which deals with all influences that improve the inborn qualities of a race. It is both a scientific study of determining how traits are transmitted and a moral commitment to harnessing the knowledge of genetics to improve the traits of the future generations. German scientists and physicians embraced eugenics as a functional, scientific, forward way of thinking. This ideology was proposed by German scholars in an essay written by Karl Binding, a jurist, and Alfred Hoche, a psychiatrist, in 1920, titled "Authorization for the Destruction of Life, Unworthy of Life" [7]. With eugenics as a foundation, they called for the legalization of mercy killing (euthanasia) for the 'mentally dead' who were perceived as a burden on the society. In 1939, a 'euthanasia' program commenced with the murder of mentally and physically disabled children. Subsequently the Nazi government broadened the program to kill mentally and physically disabled adults through what is known as Operation Aktion T4. In fact, the euthanasia program was the opening act of the Nazi genocide, the Holocaust. The entire medicalized killing which started in January 1940 with the murder of helpless and vulnerable human beings, expanded in 1941 to include Jews and Roma (gypsies) and by 1945, six million Jews, including men, women and children were murdered. A German eugenics society was formed named, "Racial Hygiene Society". The "Final Solution" authorized by Hitler, which resulted in mass killing of millions of Jews, was largely a eugenics program, as it aimed at purging Europe of Jews, whom Hitler considered as parasitic communists and a threat to all Europeans, who needed to be annihilated. A compulsory medical ethics course was introduced at every medical school in Nazi Germany. It was taught using a textbook, "Medical Jurisprudence and Rules of the Medical Profession" authored by Dr. Rudolf Ramm, a zealous Nazi family physician and educator [8]. He was the man in charge of supervising German medical education [9]. The textbook, an extremely influential document, was Germany's leading textbook on legal and ethical aspects of the profession and espoused Racial Hygiene Theory and the idea that the job of the National Socialist Physician was to care for the health of the Volk (the nation of Germany), rather than that of the individual. Soon after the Nazi takeover in 1933, a new medical system emerged, whereby, all existing medical systems were annihilated and a new Nazi Physicians' League, subordinated to the Nazi party, was created [9-10]. The medical profession was not just overtaken by Nazi political authorities but played an active and premeditated role in the atrocities perpetrated by the Nazi regime. The National Socialist Party required the co-operation of the medical profession to implement their ideology. The merging of the medicine and

politics was evident in Hitler's quote, "You, you National Socialist Doctors, I cannot do without you for a single day, not a single hour. If not for you, if you fail me, then all is lost" [9].

The Holocaust

The Holocaust was the systematic, state-sponsored persecution and murder of six million Jews by the Nazi German regime and its collaborators. The Holocaust was an evolving process that took place through Europe between 1933 and 1945. Antisemitism (prejudice or hatred of the Jews) was a basic tenet of Nazi ideology. The Holocaust era began in 1933 when Adolf Hitler became the chancellor, and the Nazi party came to power in Germany. The Nuremberg Laws were a set of antisemitic laws introduced in Nazi Germany on September 15, 1935. They provided the legal framework for the systematic persecution of Jews in Germany. In September 1939, Germany invaded Poland, starting World War II. Following this, the Jews were segregated in ghettos, concentration camps and forced labor camps where many died of starvation, disease and inhuman living conditions. The 'Final Solution' was the code name for the systematic, deliberate annihilation of the European Jews. In 1941, Adolf Hitler authorized this European – wide scheme for mass murder. In late 1941, the Nazi regime began building specially designed killing centers, also referred to as extermination or death camps. The sole purpose of these centers was to efficiently murder Jews on a mass scale. The primary means of murder was poisonous gas released into sealed gas chambers or vans. The Nazis chose gas chambers for the mass murder of Europe's Jews because the method had already been tried and tested successfully in destruction of the mentally ill in the Euthanasia Program. The Jews were transported by train, often freight cars, to the killing centers, disguised as 'resettlement actions. The conditions on the transport were inhuman and horrific. Most people were gassed immediately on arrival. Those who were deemed healthy and strong were selected for forced labor. At Auschwitz, after the chambers were filled, the doors were shut and pellets of Zyklon-B (crystalline hydrogen cyanide gas, used as an insecticide) were dropped into the chambers [11] through a vent, releasing toxic prussic acid [12]. Those inside were murdered within 20 minutes; the speed of death depended on how close the inmate was standing to a gas vent.

Nazi human experimentation included a series of medical experiments performed on prisoners, including children, by Nazi Germany in its concentration camps in the early to mid-1940s, during World War II and the Holocaust. The Nazi physicians forced prisoners into participating in the experiments. They did not willingly volunteer, and no consent was taken from them for the procedures. The experiments resulted in death, trauma, illness, shortening of life, disfigurement or permanent disability. They were examples of medical torture and violated the basic principles of bioethics, namely respect for autonomy, beneficence, nonmaleficence and justice. The experiments mainly centered around three topics: survival of military personnel, testing of drugs and various forms of treatment and advancement of Nazi racial ideology. At least 7000 people were victims of Nazi medical experiments. Experiments on twin children were created to show the superiority of heredity over environment in determining phenotypes. The chief leader of the experiments was Josef Mengele, who from 1943 to 1944 performed experiments on nearly 1500 sets of imprisoned twins at Auschwitz. The children were subjected to various degrees of torture. Despite the stated purpose for which he was sent to Auschwitz, Mengele's experimentation had nothing to do with true scientific research. It was instead the result of one man's ambitious and zealous adherence to the Nazi vision of Aryan supremacy.

Nuremberg Trials Nuremberg Code

The Nuremberg trials were a series of trials held in Nuremberg, Germany in 1945 and 1946 following the end of World War II. Former Nazi leaders were indicted and tried as war criminals for their conduct by the International Military Tribunal. There were two sets of Nuremberg Trials. The first, and most well-known, were the trials of the leaders of Nazi Germany. The second set of trials were the 12 follow up trials. These trials were of groups of lower ranking Nazis, like doctors, and officials of the German Foreign Office. Included among these subsequent Nuremberg Trials was the Doctors Trial, (officially called United States of America V. Karl Brandt et al). On December 9th, 1946, an American military tribunal opened criminal proceedings against 23

leading German physicians and administrators for their willing participation in war crimes and crimes against humanity. Twenty of the twenty-three defendants were medical doctors. At the close of the trial, on August 20th, 1947, in addition to giving their verdict on the defendants, the judges decided to include in their verdict unprecedented guidelines on ethically permissible clinical experiments due to the shocking nature of the testimony given during the trial. From 1963, these guidelines were called the 'Nuremberg Code,' thereby investing them with the status of a fundamental document on proper research procedure [13]. The Doctors Trial was unique on many accounts. The Court proceedings ran on two levels. Primarily it was an international trial to determine culpability for war crimes and crimes against humanity. However, it also functioned as an ethics tribunal concerned with the responsibility of science and medicine to the individual, the medical validity of the research and the consent of the research subject. The Nuremberg Trials were a historic moment in the development of international law and justice. They established important legal principles. In their judgement, the Nuremberg judges articulated 10 research principles, known as the Nuremberg Code [13]. It is centered on the rights of participants, not on the rights of doctors. The code goes beyond the Hippocratic physician's obligation to protect the life and welfare of their patients or participants by stating that participants have explicit rights and the authority to protect themselves. These are the right to voluntary, competent, informed and understood consent (principle 1) and the right to withdraw from an experiment before its conclusion (principle 9). Both are necessary for self-protection (autonomy) and human dignity (integrity) in human experimentation [14]. The Nuremberg Code became a cornerstone of clinical research and bioethics.

Transformation of healers to killers- Confluence of influences

What made physicians torture and kill rather than help and heal? A confluence of political, social, scientific and medical influences resulted in the transformation from healers to torturers. Nazi ideologies were indoctrinated into the minds of physicians, scientists and medical students and formed a foundation for their belief system. A warped, corrupt Nazi version of medical ethics was taught in medical schools. Physicians played a pivotal role in the execution of the Holocaust at every stage. What started with euthanasia ended in genocide. The Nazi regime took over the medical system. Previous ideas regarding medical ethics were abolished and a new Nazi Physician's League, subordinated to the Nazi party was created [10], Physicians became 'genetic doctors. 'Race' became a medical diagnosis, and physicians were to administer the 'racial cure' which led to inhuman treatment and extermination through medical intervention of millions of Jews. The loyalty of the physician was to the German state and not to the individual patient. The original covenant between the physician and the patient was irrevocably broken.

Lessons gleaned from the Holocaust

The Holocaust was a unique event. It is the only instance of state sponsored, medically sanctioned genocide, where mass murder was framed as an issue of public health and implementation of the state's ethnic cleansing was overseen by the medical community. It also serves as a unique inflection point where there was an outright violation of professional ethics. Medical ethics and research ethics are founded on the same moral principles: namely, respect for autonomy, nonmaleficence, beneficence and justice. All were violated during the Holocaust.

One of the most important lessons learned from the Holocaust is the need to restore the dignity of the individual human being. Dignity is the central aspect of humanity. It is the element that must be respected and protected at all costs. During the Holocaust, the concept of human dignity was totally violated. The individual was no longer viewed as a human being, but rather as an object without any inherent worth or value, by a process of dehumanization. A professional ethos based on human dignity could prevent the atrocities committed during the Holocaust.

The second important lesson is for the physician to be true to his conscience. Conscience is a person's moral sense of right and wrong, viewed as acting as a guide to one's behaviour. The physician and the patient are both invaluable human beings engaged in a process of bioethical decision making together. The doctor-patient relationship is a covenant relationship, where the doctor has the knowledge and technical skill, but remains at the service of the patient, who is

vulnerable and seeks help in the context of illness [15]. Physicians thus receive authority from the patients to use the power of their medical knowledge to exercise control over their patients' bodies [16]. Conscience represents a potential bulwark against external forces that hold human beings accountable to their moral responsibilities. Physicians must be empowered to speak out against injustice, even if such unjust practices are permitted, tolerated or even encouraged by the society or the political authority as happened under the Third Reich. Physicians have an ethical responsibility to uphold the rights of the vulnerable patients especially when threatened by unethical practices dictated by culture, health systems or political entities.

The history of the Holocaust is forever seared into the history of mankind. It is the collective responsibility of all people that the horrors of the Holocaust should never be erased from our collective memory. The Holocaust raises profound ethical questions about responsibility, complicity and potential consequences of inaction. By studying the choices made by individuals during this period, we can better understand the importance of moral courage, integrity and responding to a sensitive conscience. Patients entrust their lives to physicians. It is deplorable that during the dark period of the Holocaust, doctors blatantly abdicated their moral responsibility to patients and to human life. The medical community has the responsibility to regain the sacred trust in the medical profession that was lost during the Holocaust.

While the Holocaust is a story of profound tragedy, it is also a story of survival, resistance and the endurance of the human spirit. The Holocaust was a defining event of the 20th century with global implications. The Holocaust underscored above all, the inviolable worth of a human being and the global responsibility to uphold human dignity and human rights, to ensure a peaceful, free and just future for all mankind.

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