

Reflections on the Nuremberg Declaration of the German Medical Assembly

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When it became known that the 115th annual meeting of the German Medical Association (the Federal Chamber of Physicians of Germany, the *Bundesärztekammer*, BAK) was to take place this year in Nuremberg, Germany, four individuals recognized its historical significance. Nuremberg – the place where the Nazi racial laws were proclaimed in 1935, and where twenty Nazi doctors were put to trial in 1946-47. Also, Nuremberg of the Nuremberg Code, the foundation of modern Medical Ethics, drafted in 1947. These four individuals – Prof. Volker Roelcke (a psychiatrist by training and renowned medical historian from Giessen University, Germany), Prof. Paul Weindling (a Wellcome Trust Research Professor in the History of Medicine at Oxford Brookes University, in England), Dr. Stephan Kolb (from the Nuremberg Municipal Hospital) and Dr. Horst Seithe (a pediatrician at Nuremberg Municipal Hospital) – drafted a petition and a declaration proposal [1]. They recruited 43 physicians, scholars and leaders, mostly German, to sign the petition, and through a series of media and personal contacts and events convinced the BAK to bring the proposed declaration to the voting floor where it was unanimously endorsed. Thus, the Nuremberg Declaration dated 23 May 2012 became official.

What does the Declaration say? It openly acknowledges the German medical profession's "substantial responsibility" in "the killing of over 200,000 [German and Austrian] psychologically ill and disabled people, as well as the forced sterilisation of over 360,000 individuals classified with 'hereditary illness' " (including what is known as the T4 program) from 1933 to 1945 [2].

The Declaration acknowledges the very broad participation of the scientific and medical establishment of Germany and Austria in designing, competing for funding, and executing a wide-ranging program of horrific "research" where prisoners experienced inhumane suffering and often

death [3]. Most important, perhaps, it also states that: "the most serious human rights violations did not originate from the political authorities, but rather from the physicians themselves.....with the substantial involvement of leading representatives of the medical association... as well as with the considerable participation of university medicine and biomedical research facilities."

Finally, it expresses "our deepest regret," asks forgiveness from victims and their descendants, and pledges commitment to further historical research into the underpinnings and processes that led to the atrocities through technical support, financial aid, and unlimited access to archives.

What does the Declaration omit? It refrains from explicitly pointing at the historical sequence connecting sterilization and "mercy" killing of German and Austrian citizens to medicalized genocide through the transfer of personnel, know-how and technology (gas chambers, crematoria) from the T4 program to the death camps [2]. It also does not explicitly acknowledge a central and decisive role of the Academy and organized medicine in the Holocaust itself – the genocide of European Jewry and additional mass killings, a point made by my esteemed colleague Dr. Weisz in this issue of *IMAJ* [4, see also the historical facts in the addendum of the present article]. The reasoning behind the second omission was that although there was certainly involvement and sometimes a local central role of many individual physicians (i.e., Mengele in Auschwitz, Eberl in Treblinka), there is no documentary evidence to date that this was part of the agenda of broader medical discourses. Some scholars are currently investigating this important issue further.

Despite these omissions, the BAK and in particular the four physician leaders who championed it, and forty-three scholars who signed the petition, should be commended for the Nuremberg Declaration. Acknowledgments of responsibility for unprecedented human rights violations, apologies to victims, and commitments toward future research and commemoration have been forthcoming for over a decade from prestigious professional bodies such as the Max Planck Society (known as the Kaiser Wilhelm Society during the Nazi regime) [5], and the German Society for Psychiatry, Psychotherapy and

BAK = *Bundesärztekammer*

Neurology [6]. And though it was past the time for the BAK to follow suit, we should bear in mind that in a number of instances, public and international pressure had to be applied to overcome denial of and resistance to acknowledging individual and institutional roles in the Third Reich. Examples include the Vienna Institute of Anatomy disposition of anatomic specimens obtained from victims [7], and international opposition to Hans Sewering's proposed appointment to the World Medical Association leadership [8]. Some of these confrontations took place as recently as two years ago [9]. Notably, however, recent protests regarding the omission of Sewering's Nazi past from his obituary by the president of the BAK arose predominantly from within Germany [10]. The Nuremberg Declaration came directly from the German umbrella physician organization with no outside or international pressure and through local initiative. This could be very significant. It might herald the emergence of a new culture of disclosure, transparency, investigation of past crimes, and the taking of action on the findings. We can only applaud such a development and wish that it become sustained and universal in Germany and Austria [11].

For colleagues who have been involved in past initiatives to promote transparency, respect and acknowledgment (such as Prof. Bill Seidelman, formerly of Hamilton and Toronto, Canada and now living in Beer Sheva, who worked tirelessly for 22 years to make this happen) [9], this development is particularly meaningful and gratifying.

The Declaration also suggests progress on other fronts that have not been sufficiently aired in the public and professional discourse, such as the supplanting of the "bad apples" theory (that the physician perpetrators were all mad, bad or evil) [12] by the emergence of an understanding that these were mostly ordinary people operating in extraordinary circumstances. In addition, it refutes the image of a dictatorial regime leading the medical profession astray at crucial points along the slippery slope. Rather, these events appear to have resulted from the enthusiastic and innovative contributions of, and effective execution by physicians and a medical establishment leading the way.

These issues, long noted by scholars and now acknowledged in the Declaration, should serve as a stark warning for present and future physicians and not only those represented by the BAK [13]. Framing the issue exclusively as belonging to *them* (i.e., Nazi monsters) is ignoring the imminent risk of abuse of power that always lurks in medical practice, a risk that individual doctors, medical institutions and societies must look squarely in the eye [14]. I hasten to add that in no way does this conclusion absolve the perpetrators, minimize their unprecedented culpability, or imply forgiveness. I urge the reader to make the perhaps difficult distinction between being or feeling for the victims of the medically engineered atrocities and contemplating the implications of such atrocities for the profession of Medicine and for physicians worldwide.

The Declaration requests forgiveness. As a son of Holocaust

survivors, I have asked myself if I will ever forgive. I know my mother (may she have many more healthy years) and my late father would not. Can such a Declaration make a difference on a personal level? Some of those who had it in them to forgive have come forth already [15]. Others may be sufficiently moved by the Declaration to forgive. Yet others will not regard this event as seminal or derive personal meaning from it.

Nevertheless, when descendants of the perpetrators and their organized professional body make such a public apology and place it in the proper historical perspective, a public appreciation is in order from us as Israeli physicians, and serious consideration should be given regarding the lessons that it provides.

Should the Israel Medical Association (IMA) allude to the Nuremberg Declaration? The IMA has been involved in research on Medicine in the Third Reich through conferences and publications in *IMAJ* and *Harefuah* (Hebrew-language monthly medical journal published by the IMA) [16]. Some IMA members are survivors and others are offspring of survivors. I believe that a conversation within the IMA concerning official and personal statements, both at the leadership and the membership levels, are in order. Hopefully the present article will provide an impetus to begin these necessary but difficult discussions.

Moreover, the realization that an almost entire scientific and medical establishment, arguably one of the most preeminent of its time, and many of its leading practitioners and scientists were involved in the absence of coercion, makes it impossible to turn a blind eye to the fact that it could have happened, and could happen again, elsewhere, even to *us* and even *here*. Abuse of power is a risk inherent in being a physician. Jewish and Israeli physicians are not immune. We would be wise to analyze the events and processes of the Third Reich not just as atrocities that were committed by *them*, but also as a threat that we need to immunize ourselves against. We must recognize slippery slopes and make sure we do not get overpowered by them.

The Nuremberg Declaration is a landmark event, commanding appreciation. Its echoes should ripple across the professional world and summon physicians and their institutions to contemplate the lessons of the worst-case scenario organized Medicine has ever perpetrated [17]. While time will tell whether the expression of regret and apology to the victims will be met with the improbable, i.e., either forgiveness and/or reconciliation, it seems clear that this public acknowledgment of culpability will serve us all well by creating additional momentum to prevent such atrocities from blemishing our profession in the future.

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Brief historical sketch

<p>1930 Julius Moses drafts guidelines for human experimentation after the death of 70 infants from BCG vaccination effects in Lubeck, Germany. They are published and become official a year later</p>	<p>1933 January: The Nazi party and Hitler become the legal governance of Germany July: Enactment of the Law for Prevention of Hereditary Diseased Offspring – a forced sterilization law for Germans with mental and hereditary disorders</p>	<p>1935 Laws proclaimed at Nuremberg make Jews second-class citizens</p>	<p>1939 September 1: Hitler issues letter that allows further selections and killings of Germans and Austrians with mental and hereditary disorders October: Initiation of the T4 “euthanasia” program. Killing (usually by carbon monoxide gas) of the population formerly subject to sterilization in six killing centers in Germany and Austria (most within psychiatric hospitals)</p>	<p>1940 May: Auschwitz is established by the SS</p>	<p>1941 August: Official T4 terminated after public protest, “wild euthanasia” (by starvation, medication, etc., and with</p>	<p>continuously expanding “indications”) continues until May 1945 September: First gassing experiments using cyclone B in Auschwitz. Personnel, know-how and technology (gas chambers, crematoria) of T4 transferred to and implemented in death camps. Dr Eberl (a former T4 physician) is the first commander of Treblinka December: Gassing operations begin in Chelmno (Poland)</p>	<p>1942 January: Wannsee Conference for coordination of the “final solution”</p>	<p>1942 May: First selection of victims for gassing</p>	<p>1945 January: liberation of Auschwitz May: Germany surrenders</p>	<p>1946-47 Nuremberg Doctor Trial</p>	<p>1947 The Nuremberg Code</p>	<p>1988 First investigation into background of the Pernkopf Atlas</p>	<p>1989 Request for commemoration (of victims whose remains were kept as anatomical specimens) by Seidelman results in University of Tubingen investigation</p>	<p>1992 Sewering becomes president elect of the World Medical Association</p>	<p>1993 January: Sewering withdraws his candidacy after an international campaign; the BAK supports Sewering and claims his innocence</p>	<p>1995 A request (initiated by Seidelman and Howard Israel) submitted by Yad Vashem to Austrian authorities to commemorate victims and acknowledge the history of the Pernkopf Atlas</p>	<p>1998 Vienna University report confirms allegations against Vienna Anatomy Institute, Pernkopf Atlas, and more</p>	<p>2001 Max Planck Society investigation (begun in 1998) into its activities in the Third Reich shows pervasive involvement. Apology issued</p>	<p>2009-10 Controversy over Herman Stieve’s “research” on executed women results in extensive review of anatomy in the Third Reich</p>	<p>2010 October: Symposium on Anatomy in the Third Reich documents extensive research by local scholars in many institutions teaching anatomy across Austria and Germany investigating involvement and practices Apology of the German Society of Psychiatry, Psychotherapy and Neurology</p>	<p>2012 May: The Nuremberg Declaration</p>
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I do not fear computers. I fear the lack of them

Isaac Asimov (1920-1992), American science fiction writer