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SPECIAL ARTICLE

ETHICS AND CLINICAL RESEARCH*

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BOSTON

HUMAN experimentation since World War II has created some difficult problems with the increasing employment of patients as experimental subjects when it must be apparent that they would not have been available if they had been truly aware of the uses that would be made of them. Evidence is at hand that many of the patients in the examples to follow never had the risk satisfactorily explained to them, and it seems obvious that further hundreds have not known that they were the subjects of an experiment although grave consequences have been suffered as a direct result of experiments described here. There is a belief prevalent in some sophisticated circles that attention to these matters would "block progress." But, according to Pope Pius XII,¹ "... science is not the highest value to which all other orders of values ... should be subordinated."

I am aware that these are troubling charges. They have grown out of troubling practices. They can be documented, as I propose to do, by examples from leading medical schools, university hospitals, private hospitals, governmental military departments (the Army, the Navy and the Air Force), governmental institutes (the National Institutes of Health), Vet-

erans Administration hospitals and industrial hospitals. The basis for the charges is broad.†

I should like to affirm that American medicine is sound, and most progress in it soundly attained. There is, however, a reason for concern in certain areas, and I believe the type of activities mentioned will do great harm to medicine unless soon corrected. It will certainly be charged that mention of these matters does a disservice to medicine, but not one so great, I believe, as a condemnation of the practices to be cited.

Experimentation in man takes place in certain areas: in self-experimentation; in patient volunteers and normal subjects; in therapy; and in the domain of experimentation on a patient not for his benefit but for that, at least in theory, of patients in general. The present study is limited to the last category.

REASONS FOR URGENCY OF STUDY

Ethical errors are increasing not only in number but in variety — for example, in the recently reported problems arising in transplantation of organs.

*At the Brook Lodge Conference on "Problems and Controversies of Clinical Research" I commented that "what seem to be breaches of ethical conduct in experimentation are by no means rare, almost, one fears, universal." I thought it was obvious that "universal" referring to the fact that examples could easily be found in all categories where research in man takes place to any extent. Judging by press comments, that was not obvious to some.

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There are a number of reasons for concern to the general public. Of transcendent importance is the continuing increase in the number of patients who are subjected to experimental procedures. This is particularly true in the case of the newly developed drugs and procedures. The number of patients who are subjected to experimental procedures is increasing rapidly. This is particularly true in the case of the newly developed drugs and procedures.

MONEY
MASSACHUSETTS GENERAL HOSPITAL
1945
1955
1965

*National Institutes of Health, excluding funds for the support of National Institutes of Health, Massachusetts General Hospital.

Since World War II, research (in large part) has been conducted in the Massachusetts General Hospital. At the National Institutes of Health, there has been a marked increase in the number of patients who are subjected to experimental procedures. This is particularly true in the case of the newly developed drugs and procedures.

Taking into account the emphasis of recent years on the need for more research, it is not surprising that the number of patients who are subjected to experimental procedures in therapy has increased. This is particularly true in the case of the newly developed drugs and procedures. The number of patients who are subjected to experimental procedures is increasing rapidly. This is particularly true in the case of the newly developed drugs and procedures.

Implementation of the President's Commission on the Causes and Prevention of Stroke means that more money will be available for research. In addition to the money available for research, there are others who are interested in the study: a general public which is interested in the greater power for research and development.

new operations and procedures which were formerly considered experimental. The number of patients who are subjected to experimental procedures is increasing rapidly. This is particularly true in the case of the newly developed drugs and procedures. The number of patients who are subjected to experimental procedures is increasing rapidly. This is particularly true in the case of the newly developed drugs and procedures.

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There are a number of reasons why serious attention to the general problem is urgent. Of transcendent importance is the enormous and continuing increase in available funds, as shown below.

MONEY AVAILABLE FOR RESEARCH EACH YEAR

	MASSACHUSETTS GENERAL HOSPITAL	NATIONAL INSTITUTES OF HEALTH*
1945	\$ 500,000†	\$ 701,800
1955	2,222,816	36,063,200
1965	8,384,342	436,600,000

*National Institutes of Health figures based upon decade averages, including funds for construction, kindly supplied by Dr. John Sherwin, of National Institutes of Health.

†Approximation, supplied by Mr. David C. Crockett, of Massachusetts General Hospital.

Since World War II the annual expenditure for research (in large part in man) in the Massachusetts General Hospital has increased a remarkable 17-fold. At the National Institutes of Health, the increase has been a gigantic 624-fold. This "national" rate of increase is over 36 times that of the Massachusetts General Hospital. These data, rough as they are, illustrate vast opportunities and concomitantly expanded responsibilities.

Taking into account the sound and increasing emphasis of recent years that experimentation in man must precede general application of new procedures in therapy, plus the great sums of money available, there is reason to fear that these requirements and these resources may be greater than the supply of responsible investigators. All this heightens the problems under discussion.

Medical schools and university hospitals are increasingly dominated by investigators. Every young man knows that he will never be promoted to a tenure post, to a professorship in a major medical school, unless he has proved himself as an investigator. If the ready availability of money for conducting research is added to this fact, one can see how great the pressures are on ambitious young physicians.

Implementation of the recommendations of the President's Commission on Heart Disease, Cancer and Stroke means that further astronomical sums of money will become available for research in man.

In addition to the foregoing three practical points there are others that Sir Robert Platt² has pointed out: a general awakening of social conscience; greater power for good or harm in new remedies, new operations and new investigative procedures than was formerly the case; new methods of preventive treatment with their advantages and dangers that are now applied to communities as a whole as well as to individuals, with multiplication of the possibilities for injury; medical science has shown how valuable human experimentation can be in solving problems of disease and its treatment; one can therefore anticipate an increase in experimentation; the newly developed concept of clinical research as a profession (for example, clinical pharmacology) and this, of course, can lead to unfortunate separa-

ration between the interests of science and the interests of the patient.

FREQUENCY OF UNETHICAL OR QUESTIONABLY ETHICAL PROCEDURES

Nearly everyone agrees that ethical violations do occur. The practical question is, how often? A preliminary examination of the matter was based on 17 examples, which were easily increased to 50. These 50 studies contained references to 186 further likely examples, on the average 3.7 leads per study; they at times overlapped from paper to paper, but this figure indicates how conveniently one can proceed in a search for such material. The data are suggestive of widespread problems, but there is need for another kind of information, which was obtained by examination of 100 consecutive human studies published in 1964, in an excellent journal; 12 of these seemed to be unethical. If only one quarter of them is truly unethical, this still indicates the existence of a serious situation. Pappworth,³ in England, has collected, he says, more than 500 papers based upon unethical experimentation. It is evident from such observations that unethical or questionably ethical procedures are not uncommon.

THE PROBLEM OF CONSENT

All so-called codes are based on the bland assumption that meaningful or informed consent is readily available for the asking. As pointed out elsewhere,⁴ this is very often not the case. Consent in any fully informed sense may not be obtainable. Nevertheless, except, possibly, in the most trivial situations, it remains a goal toward which one must strive for sociologic, ethical and clear-cut legal reasons. There is no choice in the matter.

If suitably approached, patients will accede, on the basis of trust, to about any request their physician may make. At the same time, every experienced clinician investigator knows that patients will often submit to inconvenience and some discomfort, if they do not last very long, but the usual patient will never agree to jeopardize seriously his health or his life for the sake of "science."

In only 2 of the 50* examples originally compiled for this study was consent mentioned. Actually, it should be emphasized in all cases for obvious moral and legal reasons, but it would be unrealistic to place much dependence on it. In any precise sense statements regarding consent are meaningless unless one knows how fully the patient was informed of all risks, and if these are not known, that fact should also be made clear. A far more dependable safeguard than consent is the presence of a truly responsible investigator.

EXAMPLES OF UNETHICAL OR QUESTIONABLY ETHICAL STUDIES

These examples are not cited for the condemna-

*Reduced here to 22 for reasons of space.

tion of individuals; they are recorded to call attention to a variety of ethical problems found in experimental medicine, for it is hoped that calling attention to them will help to correct abuses present. During ten years of study of these matters it has become apparent that thoughtlessness and carelessness, not a willful disregard of the patient's rights, account for most of the cases encountered. Nonetheless, it is evident that in many of the examples presented, the investigators have risked the health or the life of their subjects. No attempt has been made to present the "worst" possible examples; rather, the aim has been to show the variety of problems encountered.

References to the examples presented are not given, for there is no intention of pointing to individuals, but rather, a wish to call attention to widespread practices. All, however, are documented to the satisfaction of the editors of the *Journal*.

Known Effective Treatment Withheld

Example 1. It is known that rheumatic fever can usually be prevented by adequate treatment of streptococcal respiratory infections by the parenteral administration of penicillin. Nevertheless, definitive treatment was withheld, and placebos were given to a group of 109 men in service, while benzathine penicillin G was given to others.

The therapy that each patient received was determined automatically by his military serial number arranged so that more men received penicillin than received placebo. In the small group of patients studied 2 cases of acute rheumatic fever and 1 of acute nephritis developed in the control patients, whereas these complications did not occur among those who received the benzathine penicillin G.

Example 2. The sulfonamides were for many years the only antibacterial drugs effective in shortening the duration of acute streptococcal pharyngitis and in reducing its suppurative complications. The investigators in this study undertook to determine if the occurrence of the serious nonsuppurative complications, rheumatic fever and acute glomerulonephritis, would be reduced by this treatment. This study was made despite the general experience that certain antibiotics, including penicillin, will prevent the development of rheumatic fever.

The subjects were a large group of hospital patients; a control group of approximately the same size, also with exudative Group A streptococcus, was included. The latter group received only non-specific therapy (no sulfadiazine). The total group denied the effective penicillin comprised over 500 men.

Rheumatic fever was diagnosed in 5.4 per cent of those treated with sulfadiazine. In the control group rheumatic fever developed in 4.2 per cent.

In reference to this study a medical officer stated in writing that the subjects were not informed, did not consent and were not aware that they had been involved in an experiment, and yet admittedly 25

acquired rheumatic fever. According to this same medical officer *more than 70* who had had known definitive treatment withheld were on the ward with rheumatic fever when he was there.

Example 3. This involved a study of the relapse rate in typhoid fever treated in two ways. In an earlier study by the present investigators chloramphenicol had been recognized as an effective treatment for typhoid fever, being attended by half the mortality that was experienced when this agent was not used. Others had made the same observations, indicating that to withhold this effective remedy can be a life-or-death decision. The present study was carried out to determine the relapse rate under the two methods of treatment; of 408 charity patients 251 were treated with chloramphenicol, of whom 20, or 7.97 per cent, died. Symptomatic treatment was given, but chloramphenicol was withheld in 157, of whom 36, or 22.9 per cent, died. According to the data presented, 23 patients died in the course of this study who would not have been expected to succumb if they had received specific therapy.

Study of Therapy

Example 4. TriA (triacetyloleandomycin) was originally introduced for the treatment of infection with gram-positive organisms. Spotty evidence of hepatic dysfunction emerged, especially in children, and the present study was undertaken on 50 patients including mental defectives or juvenile delinquents who were inmates of a children's center. No disease other than acne was present; the drug was given as treatment of this. The ages of the subjects ranged from thirteen to thirty-nine years. "By the time the patients had received the drug for four weeks the high incidence of significant hepatic dysfunction . . . led to the discontinuation of administration to the remainder of the group at three weeks. (However, only two weeks after the start of the administration of the drug, 54 per cent of the patients showed abnormal excretion of bromsulphalein.) Eight patients with marked hepatic dysfunction were transferred to the hospital "for more intensive study." Liver biopsy was carried out on these 8 patients and repeated in 4 of them. Liver damage was evident. Four of these hospitalized patients, after their liver-function tests returned to normal limits, received a "challenge" dose of the drug. Within two days hepatic dysfunction was evident in 3 of the 4 patients. In 1 patient a second challenge dose was given after the first challenge and again led to evidence of abnormal liver function. Flocculation tests remained abnormal in some patients as long as five weeks after discontinuation of the drug.

Physiologic Studies

Example 5. In this controlled, double-blind study of the hematologic toxicity of chloramphenicol it was recognized that chloramphenicol is "generally known as a cause of aplastic anemia" and that

is a "proliferative aplastic and induced aplastic anemia." The aim of the study was to determine the toxicology of

Forty-one patients, either 2 or 3 control patients, developed depression, and 18 of 21 given smaller doses

Example 6. on the survival of a half of the patients who undergo surgery selected. Efficacy of part of the controls. As part of the homographs of the tumor is occurring the primary whereas it is necessary of are not known long-range survival of the groups.

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to this same prolonged morbidity and high mortality of "toxic aplastic anemia" and that "... chloramphenicol-induced aplastic anemia can be related to dose..." The aim of the study was "further definition of the toxicology of the drug..."

In a study of 20 randomly chosen patients were given 2 or 6 gm. of chloramphenicol per day; 12 patients were used. "Toxic bone-marrow depression, predominantly affecting erythropoiesis, was observed in 2 of 20 patients given 2.0 gm. and in 2 of 21 given 6 gm. of chloramphenicol daily." The dose is recommended for routine use.

Example 6. In a study of the effect of thymectomy on the survival of skin homografts 18 children, three to half months to eighteen years of age, about 50% of whom had undergone surgery for congenital heart disease, were selected. Eleven were to have total thymectomy as planned, and 7 were to serve as controls. As part of the experiment, full-thickness skin homografts from an unrelated adult donor were sutured to the chest wall in each case. (Total thymectomy is occasionally, although not usually part of primary cardiovascular surgery involved, and it may not greatly add to the hazards of the operation, its eventual effects in children are unknown.) This work was proposed as part of a large study of "the growth and development of children over the years." No difference in the survival of the skin homograft was observed in the 2 groups.

Example 7. This study of cyclopropane anesthesia and cardiac arrhythmias consisted of 31 patients. The average duration of the study was three hours, ranging from two to four and a half hours. "Minor procedures" were carried out in all but 1 patient. Moderate to deep anesthesia, with endotracheal intubation and controlled respiration, was used. Carbon dioxide was injected into the closed respiratory system until cardiac arrhythmias appeared. Toxic levels of carbon dioxide were induced and maintained for considerable periods. During the cyclopropane anesthesia a variety of arrhythmic cardiac arrhythmias occurred. When the carbon dioxide tension was elevated above normal, ventricular extrasystoles were more numerous than when the carbon dioxide tension was normal, ventricular arrhythmias being continuous in 1 subject for ninety minutes. (This can lead to fatal fibrillation.)

Example 8. Since the minimum blood-flow requirements of the cerebral circulation are not accurately known, this study was carried out to determine "cerebral hemodynamic and metabolic changes... before and during acute reductions in arterial pressure induced by drug administration or postural adjustments." Forty-four patients were involved. They included normotensive subjects, those with essential hypertension and a group with malignant hypertension. Fifteen

had abnormal electrocardiograms. Few details about the reasons for hospitalization are given.

Signs of cerebral circulatory insufficiency, which were easily recognized, included confusion and in some cases a nonresponsive state. By alteration in the tilt of the patient "the clinical state of the subject could be changed in a matter of seconds from one of alertness to confusion, and for the remainder of the flow, the subject was maintained in the latter state." The femoral arteries were cannulated in all subjects, and the internal jugular veins in 14.

The mean arterial pressure fell in 37 subjects from 109 to 48 mm. of mercury, with signs of cerebral ischemia. "With the onset of collapse, cardiac output and right ventricular pressures decreased sharply."

Since signs of cerebral insufficiency developed without evidence of coronary insufficiency the authors concluded that "the brain may be more sensitive to acute hypotension than is the heart."

Example 9. This is a study of the adverse circulatory responses elicited by intra-abdominal maneuvers:

When the peritoneal cavity was entered, a deliberate series of maneuvers was carried out [in 68 patients] to ascertain the effective stimuli and the areas responsible for development of the expected circulatory changes. Accordingly, the surgeon rubbed localized areas of the parietal and visceral peritoneum with a small ball sponge as discretely as possible. Traction on the mesenteries, pressure in the area of the celiac plexus, traction on the gallbladder and stomach, and occlusion of the portal and caval veins were the other stimuli applied.

Thirty-four of the patients were sixty years of age or older; 11 were seventy or older. In 44 patients the hypotension produced by the deliberate stimulation was "moderate to marked." The maximum fall produced by manipulation was from 200 systolic, 105 diastolic, to 42 systolic, 20 diastolic; the average fall in mean pressure in 26 patients was 53 mm. of mercury.

Of the 50 patients studied, 17 showed either atrioventricular dissociation with nodal rhythm or nodal rhythm alone. A decrease in the amplitude of the T wave and elevation or depression of the ST segment were noted in 25 cases in association with manipulation and hypotension or, at other times, in the course of anesthesia and operation. In only 1 case was the change pronounced enough to suggest myocardial ischemia. No case of myocardial infarction was noted in the group studied, although routine electrocardiograms were not taken after operation to detect silent infarcts. Two cases in which electrocardiograms were taken after operation showed T-wave and ST-segment changes that had not been present before.

These authors refer to a similar study in which more alarming electrocardiographic changes were observed. Four patients in the series sustained silent myocardial infarctions; most of their patients were undergoing gallbladder surgery because of

development of the daughter to her volunteering and informed mother, the hope of gaining a little better understanding of the cancer immunity and in the hope that the production of tumor antibodies might be helpful in the treatment of the cancer patient." Since the daughter died on the day after the transplantation of the tumor substances into her mother, the hope expressed seems to have been more theoretical than practical, and the daughter's condition was described as "terminal" at the time the mother volunteered to be a recipient. The primary implant was widely excised on the fourth day after it had been placed in the mother. She died from metastatic melanoma on the hundred and fifty-first day after transplantation. Evidence that this patient died of diffuse melanoma that metastasized from a small piece of transplanted tumor was considered conclusive.

Technical Study of Disease

Example 19. During bronchoscopy a special needle was inserted through a bronchus into the left atrium of the heart. This was done in an unspecified number of subjects, both with cardiac disease and normal hearts.

The technique was a new approach whose hazards at the beginning quite unknown. The subjects with normal hearts were used, not for their possible benefit but for that of patients in general.

Example 20. The percutaneous method of catheterization of the left side of the heart has, it is reported, led to 8 deaths (1.09 per cent death rate) in other serious accidents in 732 cases. There was, therefore, need for another method, the transbrachial approach, which was carried out in the present study in more than 500 cases, with no deaths.

It is pointed out that a delicate problem arises regarding the amount of information which should be discussed with the patients involved in the use of a new method, nevertheless the method is employed in a given patient to his benefit, the ethical problems are far less than when this potentially extremely dangerous method is used "in 15 patients with normal hearts, under the pretext of bronchoscopy for other reasons." Nothing was said about what was told any of the subjects, and nothing was said about the granting of permission, which was certainly indicated in the 15 normal subjects used.

Example 21. This was a study of the effect of a drug on cardiac output and pulmonary-artery pressure in 8 "normal" persons (that is, patients whose diseases were not related to the cardiovascular system), in 8 with congestive heart failure severe enough to have recently required complete bed rest, in 6 with hypertension, in 2 with aortic insufficiency, in 7 with mitral stenosis and in 5 with pulmonary emphysema.

Transcardiac catheterization was carried out, and a catheter then inserted into the right or left main branch of the pulmonary artery. The brachial artery

was usually catheterized; sometimes, the radial or femoral arteries were catheterized. The subjects exercised in a supine position by pushing their feet against weighted pedals. "The ability of these patients to carry on sustained work was severely limited by weakness and dyspnea." Several were in severe failure. This was not a therapeutic attempt but rather a physiologic study.

Bizarre Study

Example 22. There is a question whether ureteral reflux can occur in the normal bladder. With this in mind, vesicourethrography was carried out on 26 normal babies less than forty-eight hours old. The infants were exposed to x-rays while the bladder was filling and during voiding. Multiple spot films were made to record the presence or absence of ureteral reflux. None was found in this group, and fortunately no infection followed the catheterization. What the results of the extensive x-ray exposure may be, no one can yet say.

COMMENT ON DEATH RATES

In the foregoing examples a number of procedures, some with their own demonstrated death rates, were carried out. The following data were provided by 3 distinguished investigators in the field and represent widely held views.

Cardiac catheterization: right side of the heart, about 1 death per 1000 cases; left side, 5 deaths per 1000 cases. "Probably considerably higher in some places, depending on the portal of entry." (One investigator had 15 deaths in his first 150 cases.) It is possible that catheterization of a hepatic vein or the renal vein would have a lower death rate than that of catheterization of the right side of the heart, for if it is properly carried out, only the atrium is entered en route to the liver or the kidney, not the right ventricle, which can lead to serious cardiac irregularities. There is always the possibility, however, that the ventricle will be entered inadvertently. This occurs in at least half the cases, according to 1 expert: "but if properly done is too transient to be of importance."

Liver biopsy: the death rate here is estimated at 2 to 3 per 1000, depending in considerable part on the condition of the subject.

Anesthesia: the anesthesia death rate can be placed in general at about 1 death per 2000 cases. The hazard is doubtless higher when certain practices such as deliberate evocation of ventricular extrasystoles under cyclopropane are involved.

PUBLICATION

In the view of the British Medical Research Council⁵ it is not enough to ensure that all investigation is carried out in an ethical manner; it must be made unmistakably clear in the publications that the proprieties have been observed. This implies editorial responsibility in addition to the investiga-

tor's. The question rises, then, about valuable data that have been improperly obtained.* It is my view that such material should not be published.⁵ There is a practical aspect to the matter: failure to obtain publication would discourage unethical experimentation. How many would carry out such experimentation if they knew its results would never be published? Even though suppression of such data (by not publishing it) would constitute a loss to medicine, in a specific localized sense, this loss, it seems, would be less important than the far reaching moral loss to medicine if the data thus obtained were to be published. Admittedly, there is room for debate. Others believe that such data, because of their intrinsic value, obtained at a cost of great risk or damage to the subjects, should not be wasted but should be published with stern editorial comment. This would have to be done with exceptional skill, to avoid an odor of hypocrisy.

SUMMARY AND CONCLUSIONS

The ethical approach to experimentation in man has several components; two are more important than the others, the first being informed consent. The difficulty of obtaining this is discussed in detail. But it is absolutely essential to strive for it for moral, sociologic and legal reasons. The statement that consent has been obtained has little meaning unless the subject or his guardian is capable of understanding what is to be undertaken and unless all that is far as principle goes, a parallel can be seen in the recent Mapp decision by the United States Supreme Court. It was stated there that evidence unconstitutionally obtained cannot be used in any judicial decision, no matter how important the evidence is to the ends of justice.

hazards are made clear. If these are not known too, should be stated. In such a situation the subject at least knows that he is to be a participant in the experiment. Secondly, there is the more reliable safeguard provided by the presence of an intelligent, informed, conscientious, compassionate, responsible investigator.

Ordinary patients will not knowingly risk their health or their life for the sake of "science." Even an experienced clinician investigator knows this. When such risks are taken and a considerable number of patients are involved, it may be assumed that informed consent has not been obtained in all cases. The gain anticipated from an experiment must be commensurate with the risk involved.

An experiment is ethical or not at its inception; it does not become ethical *post hoc* — ends do not justify means. There is no ethical distinction between ends and means.

In the publication of experimental results, it must be made unmistakably clear that the proper conditions have been observed. It is debatable whether data obtained unethically should be published even with stern editorial comment.

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MEDICAL PROGRESS

IDIOPATHIC THROMBOCYTOPENIC PURPURA (Concluded)*

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PROVIDENCE, RHODE ISLAND

SYMPTOMATIC IMMUNOLOGIC THROMBOCYTOPENIC PURPURA

Association with Virus Disorders

Probably only chronic thrombocytopenic purpura is truly idiopathic. The acute form is often preceded by a "viral" infection, particularly the exanthematous infections of children, and may therefore have a clear etiology.

Viruses have been associated with thrombocytopenia in various ways. Recent studies, including those of me and my co-workers,^{10,78} have shown that

human blood platelets contain large amounts of sialic acid (assumed to be the virus receptor) and that myxoviruses are adsorbed to and eluted from blood platelets. In this process of adsorption and elution blood platelets undergo severe morphologic changes and become agglutinated. These and other experiments^{79,80} strongly suggest that blood platelets may serve as carrier of viruses in the circulation and that, in the process, they may become damaged or partially destroyed. The thrombocytopenia, on occasion, is observed during the acute phase of a viral infection could be related to the viremia and to the capacity of the virus to alter the production of platelets. It is also possible that production of platelets is altered in these circumstances since

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