

Professional Code of Ethics for Physician or Medical Practitioners in Ancient India

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Abstract. According to Charaka Samhita, a physician or medical practitioner is supposed to preach his pupils the following instructions: If you want success in your practice, wealth and fame, and heaven after your death, you must pray every day on rising and going to bed for the welfare of all beings, especially of cows and Brahmans, and you must strive with all your soul for the health of the sick. You must not betray your patients, even at the cost of your own life... You must not get drunk, or commit evil, or have evil companions... You must be pleasant of speech... and thoughtful, always striving to improve your knowledge. When you go to the home of a patient you should direct your words, mind, intellect and senses nowhere but to your patient and his treatment.... Nothing that happens in the house of the sick man must be told outside, nor must the patient's condition be told to anyone who might do harm by that knowledge to the patient or to another. Both Charaka and Sushruta state that habitual sinners, persons who are morally degraded, or who indulge in killing as a profession are not to be treated. The physician is reminded that his patients trust him for lives. He should reciprocate this trust by taking the utmost care in treating them, looking upon them as his own children. But he should refuse to take up a case where he is convinced that the disease is incurable.

Physician or Medical Practitioner is advised to provide his patients with proper medical and nursing facilities. The Physician is forbidden to attend to a woman patient in the absence of her husband or guardian. He is not to say or do anything which may impart a mental shock to the patient or his relations. All professional information is to be considered strictly confidential. Along with ethical principles in Charaka and Sushruta Samhitas, the paper will also discuss the Oath of Hippocrates, a brief exposition of principles for physicians' conduct in Greece, dates from the fifth century BC.

In this background the present paper will analyze the Professional Code of Ethics for Physician or Medical Practitioners in Ancient India on the basis of Charaka, Sushruta Samhitas and the Oath of Hippocrates. The paper will also compare the Ancient Indian Professional code of ethics for physician or medical practitioners with that of present code of ethics followed in India, US, UK and Japan to review change and continuity

Keywords: Charaka, Sushruta, Oath of Hippocrates, Physician or Medical Practitioners, Disease, Patients, Nursing facilities, India, US, UK and Japan.

1 Introduction

The Sushruta Samhita was composed after Charaka Samhita, and both discuss many similar subjects such as General Principles, Pathology, Diagnosis, Anatomy, Sensorial Prognosis, Therapeutics, Pharmaceutics and Toxicology. The Sushruta and Charaka texts differ in one major aspect, with Sushruta Samhita providing the foundation of surgery, while Charaka

Samhita being primarily a foundation of medicine. Dates of composition of the Charaka Samhita & Sushruta Samhita are uncertain. Charaka's compilation is likely between BC and 200 AD. The first Sushruta Samhita is likely to have been composed by about mid BC 1st millennium. **The Charaka Samhita was among the earliest texts that set a code of ethics on physicians:**

The text dedicates numerous verses to discussing the code.

- i. It mandates that the physician must seek consent before entering a patient's quarters,
- ii. Must be accompanied by a male member of the family if he is attending a woman or minor,
- iii. Must inform and gain consent from patient or the guardians if the patient is a minor,
- iv. Must never resort to extortion for his service,
- v. Never involve himself in any other activities with the patient or patient's family (such as negotiating loans, arranging marriage, buying or selling property),
- vi. Speak with soft words and never use cruel words, only do "what is calculated to do good to the patient", and maintain the patient's privacy.
- vii. A physician should discuss his findings and questions with other physicians because "when one discusses with another that is possessed of knowledge of the same science, such discussion leads to increase of knowledge and happiness.

2. Ethics for Students

The following are some of the requirements for the students of medicine as listed by Charaka and Sushruta:

- i. Noble by nature, devoted to truth, intelligent, of a thoughtful disposition, courageous, compassionate;
- ii. Excellent character; pure in his behaviour; devoted, clever and compassionate to all;
- iii. Endowed with broad understanding, power of judgement and memory, liberal mind;
- iv. Disposed to solitude, fond of study, devotedly attached to both the theory and practice of medicine;
- v. Self-control;

- vi. Seeks the good of all creatures;
- vii. Free from haughtiness, pride, wrath, cupidity, sloth;
- viii. Free from those faults which are grouped under the vyasanas - hunting; gambling with dice; sleeping during the day; speaking ill of others; infatuation with women; addiction to singing, dancing and instrumental music; purposeless sauntering etc.

3. Consecration Ceremony of Physicians

- i. It is the duty of all good physicians to treat gratuitously with their own medicines, all Brahmins, spiritual guides, paupers, friends, ascetics, neighbours, devotees, orphans and people who come from a distance as if they are his own friends.
- ii. If you desire to achieve success of treatment and win heaven hereafter, you should always seek, whether standing or sitting, the good of all living creatures.
- iii. You should, with your whole heart, strive to bring about the cure of those that are ill.
- iv. You should speak words that are soft, unstained by impurity, full of righteousness, incapable of giving pain to others, truthful, beneficial and properly weighed and measured.
- v. Even if possessed of sufficient knowledge, you should not boast of that knowledge.
- vi. You should give up lust, anger, avarice, folly, vanity, pride, envy, rudeness, deception, falsehood, idleness and all other reprehensible conduct.
- vii. You should not, even in imagination, know another man's wife.
- viii. You should not appropriate other people's possessions.
- ix. Whilst entering the family dwelling-place of the patient, you should do it after giving notice to the inmates and with their permission. Some male member of the family should accompany you. You should cover your person properly. You should keep your face downwards. With your wits about you, you should, with understanding and mind properly focused, observe all things. Having entered, you should not devote your words, mind, understanding and senses on anything else than what is calculated to do good to the patient or to any other object connected with the patient than his recovery.
- x. You should never give out to others the practices of the patient's home.

- xi. Even if you be certain of it, you should not speak of the diminution of the period of the patient's life when such speaking may shock the patient or anybody else.
- xii. There is no end to medical science, hence, heedfully devote yourself to it.
- xiii. The physician of knowledge, who fails to enter the inner body of the patient with the lamp of knowledge and understanding, can never treat diseases.
- xiv. Patients trust their physicians implicitly to the extent of placing their lives unhesitatingly under his care. This is true even of patients who have no trust in their own relations, parents and sons. Hence a physician should take as much care of each and every patient as he would of his own family.
- xv. By following these principles, the physician benefits his fellow-creatures, achieves glory and merit in this world and creates a place for himself in heaven after death.

The following are some of the requirements for the teachers of medicine as listed by Charaka and Sushruta:

- i. Compassionate towards those who approach him;
- ii. pure of conduct;
- iii. Clever, experienced, well-disposed towards disciples and disposed to teach them;
- iv. Without malice or a wrathful disposition;
- v. Capable of bearing privations and pain.;
- vi. Capable of communicating his ideas to pupils seeking his instructions;
- vii. Knowledge of the medical sciences has been supplemented by knowledge of other branches of study.
- viii. Imparting detailed knowledge of the various branches and regions of the science of life;
- ix. Explaining its philosophical basis and the real significance of the diverse information found in the various authoritative texts.

A passage in the Charaka Samhita summed up the ethical injunctions of that time:

- i. He who practices medicine out of compassion for all creatures rather than for gain or for gratification of the senses surpasses all.
- ii. Those who for the sake of making a living make a trade of medicine, bargain for a dust-heap, letting go a heap of gold.
- iii. No benefactor, moral or material, compares to the physician who by severing the noose of death in the form of fierce diseases, brings back to life those being dragged towards death's abode, because there is no other gift greater than the gift of life.
- iv. He who practices medicine while holding compassion for all creatures as the highest religion is a man who has fulfilled his mission. He obtains supreme happiness.

Sushruta advises the physician that he should be in easy reach of all people especially the poor ones who may not have the courage to come to the physician easily. Hence master suggests wearing white clothes which symbolizes cleanliness and similarity to all, which can be compared with the “white coat” ceremony as a rite of passage for students entering medical college.

Wishing good of all in word and deed, living friendly with all the living beings, showing compassion towards the suffering and wishing happiness for all is the philosophy of the medical profession, which all physicians should inculcate in their life.

Charak Samhita prescribes an elaborate code of conduct. The medical profession has to be motivated by compassion for living beings. Charaka’s Humanistic ideal is evident in his advice to the physician. He who practices not for money or for caprice but out of compassion for living beings is the best among all physicians.

4. The Oath of Hippocrates

After having discussed ethical principles in Charaka and Sushruta Samhitas, let us discuss the Oath of Hippocrates, a brief exposition of principles for physicians' conduct, dates from the fifth century BC. Its statements protect the rights of the patient and oblige the physician voluntarily to behave in an altruistic manner towards patients. It was modified in the 10th or 11th century AD to eliminate reference to pagan deities and is used widely in a variety of forms to

mark entry into the medical profession early in medical school or upon graduation to serve as a guide to ideal conduct for physicians.

The Hippocratic Oath is an oath historically taken by physicians. It is one of the most widely known of Greek medical texts. In its original form, it requires a new physician to swear, by a number of healing gods, to uphold specific ethical standards.

- i. I swear by Apollo [Greek God to cure diseases] Physician and Asclepius [Greek God of Medicine] and Hygieia [Sons or daughters of the god of medicine] and Panacea [Goddess of universal remedy] and all the gods and goddesses, making them my witnesses, that I will fulfill according to my ability and judgment this oath and this covenant.
- ii. To hold him who has taught me this art as equal to my parents and to live my life in partnership with him, and if he is in need of money to give him a share of mine, and to regard his offspring as equal to my brothers in male lineage and to teach him this art –if they desire to learn it without fee and covenant; to give a share of precepts and oral instruction and all the other learning to my sons and to the sons of him who has instructed me and to pupils who have signed the covenant and have taken an oath according to the medical law, but no one else.
- iii. I will apply dietetic measures for the benefit of the sick according to my ability and judgment; I will keep them from harm and injustice.
- iv. I will neither give a deadly drug to anybody who asked for it, nor will I make a suggestion to this effect. Similarly I will not give to a woman an abortive remedy. In purity and holiness I will guard my life and my art.
- v. I will not use the knife, not even on sufferers from stone, but will withdraw in favor of such men as are engaged in this work.
- vi. Whatever houses I may visit, I will come for the benefit of the sick, remaining free of all intentional; injustice, of all mischief and in particular of sexual relations with both female and male persons, be they free or slaves.
- vii. What I may see or hear in the course of the treatment or even outside of the treatment in regard to the life of men, which on no account one must spread abroad, I will keep to myself, holding such things shameful to be spoken about.

- viii. If I fulfill this oath and do not violate it, may it be granted to me to enjoy life and art, being honoured with fame among all men for all time to come; if I transgress it and swear falsely, may the opposite of all this be my lot.

After a close examination of the Oath of Hippocrates, we may observe that these concepts were imported from India into Greece along with many other Ayurvedic concepts such as pneumatic physiology i.e. air or gas circulation and humoral origin of diseases as has been asserted by Majumdar. The concepts relating to Professional code of Ethics for Physicians mentioned in Charaka and Sushruta Samhitas as well as in the Oath of Hippocrates have their parallels in the contemporary medical systems of India, US and Japan.

While analyzing ethical questions during contemporary period, Brace Jennings j. has observed that the science and medicine are increasingly drawn and driven into ethical debate which raises the clash between scientific method (small, step by step approaches and trial and error and answering small questions) and philosophical, mental, physical and ethical questions. Such rules are increasingly institutionalized; they are embedded in statutes, regulations, directives, court opinions, administrative mandates and institutional protocols.

Jennings agrees there has been an important recent shift away from epistemological relations about the relationship between a rational, knowing subject and a rationally knowable, objective morality as the primary focus of ethical theory, towards an approach which aims to understand morality “as a sociality embedded practice.” These transformations have important consequences for the ways in which we conceptualize and even describe the setting of a legal frame work and the establishment of ethical standard for regulating scientific and technical societies.

Let us discuss the existing medical ethics in selected countries to understand the change and continuity from ancient period to modern period.

5. Existing Medical Ethics

Medical Council of India [Professional Conduct, Etiquette and Ethics] Regulations, 2002

- i. A physician shall uphold the dignity and honour of his profession.

- ii. The prime object of the medical profession is to render service to humanity; reward for financial gain is a subordinate consideration. Who-so-ever chooses this profession, assumes the obligations to conduct oneself in accordance with its ideals.
- iii. A physician should be an upright man, instructed in the art of healings. He shall keep himself pure in character and be diligent in caring for the sick; he should be modest, sober, patient, prompt in discharging his duty without anxiety, conducting himself with propriety in his profession and in all the actions of his life.
- iv. The principal objective of the medical profession is to render service to humanity with full respect for the dignity of profession and man.
- v. Physicians should try continuously to improve medical knowledge and skills and should make available to their patients and colleagues the benefits of their professional attainments.
- vi. The physician should practice methods of healing founded on scientific basis and should not associate professionally with anyone who violates this principle.
- vii. A physician should expose, without fear or favour, incompetent or corrupt, dishonest or unethical conduct on part of members of the profession.
- viii. A physician should endeavour to add to the comfort of the sick by making his visits at the hour indicated to the patients.
- ix. A physician advising a patient to seek service of another physician is acceptable; however, in case of emergency a physician must treat the patient.
- x. No physician shall arbitrarily refuse treatment to a patient. However, for good reason, when a patient is suffering from an ailment which is not within the range of experience of the treating physician, the physician may refuse treatment and refer the patient to another physician.
- xi. Medical practitioner having any incapacity detrimental to the patient or which can affect his performance vis-à-vis the patient is not permitted to practice his profession.
- xii. The physician should neither exaggerate nor minimize the gravity of a patient's condition. He should ensure himself that the patient, his relatives or responsible friends have such

knowledge of the patient's condition as will serve the best interests of the patient and the family.

- xiii. The Patient must not be neglected.
- xiv. The registered medical practitioner shall not disclose the secrets of a patient that have been learnt in the exercise of his/her profession except in court of law, if there is serious risk to a specific person or community and in case of communicable or notifiable diseases.
- xv. Before performing operation, the physician must take in writing the consent from the husband or wife, parent or guardian in case of minor or the patient himself as the case may be.

American Medical Association [AMA] *Code of Medical Ethics adopted in 1847* has articulated the following ethical code:

- i. As a member of this profession, a physician must recognize responsibility to patients first and foremost, as well as to society, to other health professionals, and to self.
- ii. A physician shall be dedicated to providing competent medical care, with compassion and respect for human dignity and rights.
- iii. A physician shall uphold the standards of professionalism, be honest in all professional interactions, and strive to report physicians deficient in character or competence, or engaging in fraud or deception, to appropriate entities.
- iv. A physician shall respect the law and also recognize a responsibility to seek changes in those requirements which are contrary to the best interests of the patient.
- v. A physician shall respect the rights of patients, colleagues, and other health professionals, and shall safeguard patient confidences and privacy within the constraints of the law.
- vi. A physician shall continue to study, apply, and advance scientific knowledge, maintain a commitment to medical education, make relevant information available to patients, colleagues, and the public, obtain consultation, and use the talents of other health professionals when indicated.

- vii. A physician shall, in the provision of appropriate patient care, except in emergencies, be free to choose whom to serve, with whom to associate, and the environment in which to provide medical care.
- viii. A physician shall recognize a responsibility to participate in activities contributing to the improvement of the community and the betterment of public health.
- ix. A physician shall, while caring for a patient, regard responsibility to the patient as paramount.
- x. A physician shall support access to medical care for all people.

Good Medical Practice in UK: the duties of a doctor registered with General Medical Council-

- i. Patient must be able to trust doctors with their lives and health. To justify that trust the doctor must show respect for human life and make sure his practice meets the standards expected of him in these domains: knowledge, skills and performance.
- ii. Make the care of patient his first concern.
- iii. Provide a good standard of practice and care.
- iv. Keep professional knowledge and skills up to date.
- v. Recognize and work within the limits of competence.
- vi. Take prompt action if patient's safety, dignity or comfort is being compromised.
- vii. Protect and promote the health of patients and the public.
- viii. Treat patients as individuals and respect their dignity.
- ix. Treat patients politely and considerably.
- x. Respect patients' right to confidentiality.
- xi. Listen to, and respond to patient's concern and preferences.
- xii. Respect patients' right to reach decisions about their care and treatment.
- xiii. Support patients' in caring for themselves to improve and maintain their health.
- xiv. Work with colleagues in the ways that best serve patients' interests.
- xv. Be honest and open and act with integrity.

- xvi. Never discriminate unfairly against patients' or colleagues.
- xvii. Never abuse your patients' trust or public trust in profession.
- xviii. Doctors are personally accountable for their professional practice and must always be prepared to justify their decisions and actions.

Japan Medical Association has also formalized the following principles of medical ethics:

- i. The mission of medical science and health care is to cure diseases, to maintain and promote the health of the people; and based on an awareness of the importance of this mission, the physician should serve society with a basic love for humanity.
- ii. The physician should strive to achieve a lifelong dedication to continuing education, to keep abreast of medical knowledge and technology, and to support its progress and development.
- iii. The physician should be aware of the dignity and responsibility of his/her occupation and strive to enhance his/her cultural refinement, education and integrity.
- iv. The physician should respect the individuality of his/her patients, treat them with compassion, provide full explanations of all medical treatment, and endeavor to earn the trust of the patient.
- v. The physician should maintain respect for his/her fellow physician, cooperate with medical care personnel and serve the cause of medical care to the best of his/her abilities.
- vi. The physician should respect the spirit of public service that characterizes health care, contribute to the development of society while abiding by legal standards and establishing legal order.
- vii. The physician will not engage in medical activities for profit making motives.

While comparatively analyzing the Charaka, Sushruta Samhitas, Oath of Hippocrates and present code of ethics followed in India, US, UK and Japan, we find many similarities among them. All of them state that the physician is reminded that his patients trust him for lives. He should reciprocate this trust by taking the utmost care in treating them.

Physician or Medical Practitioner is advised to provide his patients with proper medical and nursing facilities. He is not to say or do anything which may impart a mental shock to the

patient or his relations. All professional information is to be considered strictly confidential. All the present ethical principles may be traced back to the Charaka and Sushruta Samhitas,

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