

BIOETHIC CHRONOLOGY: A HISTORY OF BROKEN RULES BY ALAN MILSTEIN

6th century B.C.: Meat and vegetable experiment on young Jewish prisoners in Book of Daniel.

5th century B.C.: Hippocrates: “[Primum non nocere](#)”/ “First do no harm.”



12th century: Rabbi and physician [Maimonides](#): “May I never see in the patient anything but a fellow creature in pain.”



1718 George I offers free pardon to any inmate of Newgate Prison who agrees to be inoculated with infectious small pox in variolation experiment.

1796: [Edward Jenner](#) injects healthy eight-year-old James Phillips first with cowpox then three months later with smallpox and is hailed as discoverer of smallpox vaccine.



1833: Michigan physician Dr. William Beaumont studies digestion by carrying out experiments through a hole in the stomach of his patient Alexis St. Martin.

1845-1849 J. Marion Sims, the "Father of Gynecology" in the United States, conducts gynecological experiments on slaves in South Carolina.



1865: French physiologist Claude Bernard publishes "Introduction to the Study of Human Experimentation," advising: "Never perform an experiment which might be harmful to the patient even though highly advantageous to science or the health of others."



1874: Cincinnati physician Roberts Bartholow conducts brain surgery experiments on Mary Rafferty, a 30 year-old domestic servant dying of an infected ulcer.

1886: In his Harvard dissertation, Dr. Charles Francis Withington advocates a Bill of Rights to "secure patients against any injustice from the votaries of science."

1891: Prussian State legislates that a treatment for tuberculosis cannot be given to prisoners without their consent.

1892: German physician and bacteriologist Albert Neisser, the discoverer of the bacteria that causes gonorrhoea, injects women with serum from patients with Syphilis, infecting half of them.



1897: Italian bacteriologist Giuseppe Sanarelli injects five subjects with bacillus searching for a causative agent for yellow fever.

1900: Walter Reed injects 22 Spanish immigrant workers in Cuba with the agent for yellow fever after having them sign the first informed consent agreement which promised payment of \$100 if they survived and \$200 if they contracted the disease.

The undersigned, Antonio Benigno *Antonio Benigno*
being more than twenty-five years of age, native of Cerceda,
in the province of Coriza, the son of Manuel Benigno
and Josefa Castro here states by these presents, being in
the enjoyment and exercise of his own very free will, that he consents
to submit himself to experiments for the purpose of determining the
methods of transmission of yellow fever, made upon his person by the
Commission appointed for this purpose by the Secretary of War of the
United States, and that he gives his consent to undergo the said ex-
periments for the reasons and under the conditions below stated.

The undersigned understands perfectly well that in case of the
development of yellow fever in him, that he endangers his life to a
certain extent but it being entirely impossible for him to avoid the
infection during his stay in this island, he prefers to take the
chance of contracting it intentionally in the belief that he will
receive from the said Commission the greatest care and the most skill-
ful medical service.

It is understood that at the completion of these experiments, with
in two months from this date, the undersigned will receive the sum of
\$100 in American gold and that in case of his contracting yellow fever
at any time during his residence in this camp, he will receive in addi-
tion to that sum a further sum of \$100 in American gold, upon his re-
covery and that in case of his death because of this disease, the
Commission will transmit the said sum (two hundred American dollars)
to the person whom the undersigned shall designate at his convenience.

The undersigned binds himself not to leave the bounds of this camp
during the period of the experiments and will forfeit all right to the
benefits named in this contract if he breaks this agreement.

And to bind himself he signs this paper in duplicate, in the Experi-
mental Camp, near Quemados, Cuba, on the 26th day of November
nineteen hundred.

On the part of the Commission:
Walter Reed
Maj. & Surg., U.S.A.

The contracting party,
Antonio Benigno

6/30/1906:

Congress passes the [Pure Food and Drug Act](#) creating the Food, Drug and Insecticide Administration later shortened to the FDA.

- 1906: Dr. Richard Strong, a professor of tropical medicine at Harvard, experiments with cholera on prisoners in the Philippines killing thirteen.
- 1913: George Bernard Shaw coins expression "human guinea pig," writing: "The ... folly which sees in the child nothing more than the vivisector sees in a guinea pig: something to experiment on with a view to rearranging the world."
- 1914: Justice Benjamin Cardozo establishes the principle of informed consent in *Schloendoerf v. New York Hospital*, 211 N.Y. 125, writing: "Every human being of adult years and sound mind has a right to determine what shall be done with his own body?"



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