

# **Dealing with the Dead: History, Medicine, Ethics & Law**

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University of Melbourne

## **Titles and Abstracts**

### **KEYNOTE ADDRESS**

#### **Death on Display: Plastinates as a Cultural Phenomenon**

Gareth Jones, University of Otago, New Zealand

It is difficult to appreciate how the development of a new technique for preserving the dead human body can have had such far-reaching repercussions as that of plastination. In the hands of Gunther von Hagens, an expert craftsman and entrepreneur, plastination forms the basis of a dramatic series of exhibitions, *Body Worlds*. The sterile world of anatomical cadavers has been transformed into a life-like plastic world of running, skiing, baseball-playing 'plastinates' (whole body plastinated cadavers). While the modernity of some of the pieces is striking, so is the resemblance of others to poses found in Renaissance art and in some instances modelled on motifs of Michelangelo and Vesalius. These exhibitions raise perplexing questions. Are their objectives principally anatomical or artistic? Do they set out to educate or entertain? Are they making philosophical statements about death and mortality?

The ethical and philosophical queries range from issues of informed consent and the bequest of bodies for dissection, to asking whether plastinates have more in common with plastic anatomical models than with traditional cadavers. What is left of the original person? Since the life-like poses of the plastinates give the impression of being alive rather than dead, are the donors seeking immortality through plastination? That this may be the case is suggested by the considerable efforts expended in repersonalizing the dissected cadavers, thereby reversing the depersonalization inherent within traditional dissection. The phenomenon of *Body Worlds* needs to be viewed as part of a far broader biomedical context, in which human tissue and human body parts are employed in a diverse range of research and therapeutic projects.

### **Human Tissue Banks – for Profit or Not?**

Stephen Cordner, Victorian Institute of Forensic Medicine

In the United States, despite laws prohibiting its sale, human tissue has become a commodity with a growing market driven by financial incentive. With rapidly developing bio-technologies utilising human tissue as source material, the tissue banking industry in that country has in recent years been rocked by media reports enumerating the profit to be made from a human cadaver and scandals involving collusion and theft in funeral homes and mortuaries. In Australia the tissue banking sector has so far remained free of this taint. However, the question – human tissue banks, for profit or not? – is a live one, the answer to which will have an impact on the sector's ability to contribute to life-saving and life-enhancing medical treatments made possible by making use of this most precious resource.

### **The Body Donor Program at the University of Melbourne**

Jenny Hayes, University of Melbourne

The Department of Anatomy and Cell Biology at the University of Melbourne co-ordinates the only Body Donor Program in Victoria for the purposes of anatomical examination and the teaching and study of anatomy. Bodies donated to the program are used in the education and training of medical, dental, physiotherapy, science and nursing students and are also used for the advanced training of surgeons and other specialists. In 2006, 148 cadavers were received by the program. This paper illustrates the sequence of events from completion of the donor consent form, through death and reception of the body at Melbourne University, to preservation, use in teaching and final release to relatives of cremated remains.

### **Bringing out the Dead: Museum Displays of Human Remains**

Megan Hicks, Powerhouse Museum, Sydney

There is nothing new about museums displaying human remains. Museums of anthropology, archaeology, anatomy and pathology long ago began collecting and exhibiting human specimens. But in recent years the appropriateness of such exhibits has been questioned. In this paper I review some of the major issues surrounding the display of human remains for the general public. These days international entrepreneurs tour exhibitions of plastinated bodies, teaching collections in medical faculties run programs for booked groups, and art museums stage blockbuster exhibitions of Egyptian mummies. But museum educators are becoming increasingly aware of the differing cultural backgrounds, beliefs and sensitivities of their audiences. There is growing recognition that respect must be shown for the living as well as the dead.

## **Between Death and Disposal: Practices of the Hospital Autopsy**

Philomena Horsley, University of Melbourne

Once a standard hospital practice, the rate of medical autopsies in Australia has declined to the point of near extinction. Ironically, this has occurred when public interest in post-mortems and human dissection is high and a medical ethos of respect for the dead has never been stronger. What is at play in this decline? Legislative and policy changes involving consent to autopsy have certainly contributed. But the story also involves the diverse and mobile perceptions of the dead body held by both hospital staff and families. Based in the everyday work of a hospital mortuary, this paper explores the practices of negotiation, investigation and respect embodied by the modern autopsy.

## **'With my corpus half dissected, and my joints well-nigh bisected' Dissection: Its Protagonists and Subjects at the University of Melbourne during the Nineteenth Century**

Ross Jones, University of Melbourne

At the University of Melbourne Medical School in the nineteenth century, dissection was at the very centre of the medical curriculum both practically and rhetorically. Why was this so and what were the consequences?

## **Dealing with the Dead: The Inspector of Anatomy**

Helen MacDonald, University of Melbourne

The practice of human dissection was not regulated by law until 1832. Then, the British *Anatomy Act* set the terms upon which bodies could be obtained by medical schools, and an anatomy inspectorate was established to oversee the process. Several Australian colonies later followed suit. The Anatomy Inspectors generally worked behind the scenes to facilitate the supply of bodies to the schools and ensure that when the Anatomy Acts were broken, no scandalous revelations came to the attention of the public. Not so William Ramsay Smith, South Australia's Inspector of Anatomy from 1889 to 1903, who simultaneously held the positions of City Coroner and Honorary Physician at the Adelaide Hospital. This Inspector dealt with the dead in a remarkably cavalier way. Yet although he clearly transgressed the Act he was meant to administer, Ramsay Smith was not prosecuted in a court of law, not least because the Anatomy Acts were tricky statutes that could seemingly be broken with impunity.

## **Proprietary Interests in Human Bodies and Excised Tissue**

Loane Skene, Professor of Law, University of Melbourne

This paper examines the proprietary rights that people have in relation to their bodies after death and their excised body parts and tissue after death and during their life time. It argues that people should not have a right of ultimate ownership in their corpse, body parts or tissue. In particular, tissue preserved on slides, in paraffin wax or similar format should be subject to proprietary interests in favour only of the hospital, research institute, its staff or the people to whom they transfer it. The same rule should apply to bodies or body parts held by a hospital or research institute with the consent of the person concerned, though the bodies or body parts may ultimately have to be returned for burial or cremation. Tissue removed under a statutory requirement without consent, such as for coronial investigation or forensic tests, should be used only for the purposes prescribed by the relevant legislation.