

Anatomy Act 1832

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The **Anatomy Act 1832** (2 & 3 Will. IV c.75) was a United Kingdom Act of Parliament that gave freer license to doctors, teachers of anatomy, and bona fide medical students to dissect donated bodies. It was promulgated in reaction to public fear and revulsion of the illegal trade in corpses.

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Background

Main article: History of anatomy in the 19th century

Before 1832, the Murder Act 1752 stipulated that only the corpses of executed murderers could be used for dissection. By the early 19th century, the rise of medical science, occurring at the same time as a reduction in the number of executions, had caused demand to outstrip supply.

As early as about 1810 an anatomical society was formed, to impress on the government the necessity for an alteration in the law. Among the members were John Abernethy, Charles Bell, Everard Home, Benjamin Brodie, Astley Cooper and Henry Cline. The efforts of this body gave rise to an 1828 select committee to report on the question. Details of the evidence are recorded in the minutes of this body.

The report of this committee led to the Bill but public revulsion and fear at the recent West Port murders sensitised opinion in favour of a change in the law. In 1831, public outcry at the activities of the London Burkers caused further pressure for a Bill.

Passage of the Bill

Public sentiment notwithstanding, there was substantial opposition to the Bill.

... they tell us it was necessary for the purposes of science. Science? Why, who is science for? Not for poor people. Then if it be necessary for the purposes of science, let them have the bodies of the rich, for whose benefit science is cultivated.

— William Cobbett^[1]

In 1829 the College of Surgeons petitioned against it, and it was withdrawn in the House of Lords owing to the opposition of the Archbishop of Canterbury William Howley.

In 1832 a new Anatomy Bill was introduced, which, though strongly opposed by Hunt, Sadler and Vyvyan, was supported by Macaulay and O'Connell, and finally passed the House of Lords on the July 19, 1832.

Provisions of the Act

The Act provided that anyone intending to practise anatomy must obtain a licence from the Home Secretary. As a matter of fact only one or two teachers in each institution took out this licence and were known as licensed teachers. They accepted the whole responsibility for the proper treatment of all bodies dissected in the building for which their licence was granted.

Regulating these licensed teachers, and receiving constant reports from them, were four inspectors of anatomy, one each for England, Scotland, Ireland and London, who reported to the Home Secretary and knew the whereabouts of every body being dissected. The principal provision of the act was Section 7 which stipulated that a person having lawful possession of a body may permit it to undergo anatomical examination provided no relative objected. The other sections were subsidiary and detailed the methods of carrying this into effect.

Section 16 repealed parts of sections 4 and 5 of the Offences against the Person Act 1828 (which in turn replaced an Act of Henry VIII^[*citation needed*]) which provided that the bodies of murderers were to be hung in chains or dissected after execution. It provided instead that they were to be either hung in chains or buried within the precincts of the last prison in which the deceased had been confined. The provision for hanging in chains was shortly repealed by the Hanging in Chains Act 1834 and the whole section was repealed and replaced by section 3 of the Offences against the Person Act 1861.

The Act, provided for the needs of physicians, surgeons and students by giving them legal access to corpses that were unclaimed after death, in particular those who died in prison or the workhouse. Further, a person could donate their next of kin's corpse in exchange for burial at the expense of the donee.

Occasionally a person, following the example of Jeremy Bentham, left their body for the advancement of science, but even then, if his relatives objected, it was not received.

The act was effective in ending the practice of Resurrectionists who robbed graves as a means of obtaining cadavers for medical study.^[*citation needed*]

Gunther von Hagens was accused of (but not charged with) breaking the Act because of performing televised autopsy in 2002.^[2]

Fear of the Act's provision that paupers' bodies could be sold for medical research without their consent, protest riots took place as late as a decade after its implementation. An anatomical theatre in Cambridge was vandalised late in 1833 "by an angry mob determined to put a stop to the dissection of a man; this wave of popular protest alarmed the medical profession who resolved to hide its activities from the general public, and to a greater or lesser extent it has been doing so ever since."^[3]

Repeal

The Act was repealed by the Anatomy Act 1984 which was, in turn, repealed by Human Tissue Act 2004. Access to corpses for the use of medical science in the UK is now regulated by the Human Tissue Authority. However in Scotland this is still governed by amendments (under the Human Tissue (Scotland) Act 2006) to the existing Anatomy Act, and Scotland will retain an Inspector of Anatomy. It is thought that the provisions of the original 1832 Anatomy Act are the basis of modern thinking on the subject.^[3]

References

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- ↑ Beattie, Jason (21 November 2002). "Autopsy creates cutting edge art" (<http://news.scotsman.com/gunthervonhagens/Autopsy-creates-cutting-edge-art.2379771.jp>) . *The Scotsman* (Johnston Press). <http://news.scotsman.com/gunthervonhagens/Autopsy-creates-cutting-edge-art.2379771.jp>. Retrieved 2009-01-06.
- ↑ ^a ^b Hurren, Elizabeth (May 2002). "Patients' rights: from Alder Hey to the Nuremberg Code" (<http://www.historyandpolicy.org/papers/policy-paper-03.html>) (in English). *History & Policy*. United Kingdom: History & Policy. <http://www.historyandpolicy.org/papers/policy-paper-03.html>. Retrieved 9 December 2010.

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External links

- Article from Modern Drug magazine (<http://pubs.acs.org/subscribe/journals/mdd/v03/i08/html/10time.html>)
- The select committee enquiry of 1828 (<http://d-mis-web.ana.bris.ac.uk/personal/mark/Select%20com%201828.htm>) , at University of Bristol
- Echoes of the Scottish Resurrection Men (<http://www.abdn.ac.uk/body snatchers>)

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