

The Role of Compliance with Professional Ethics in Reducing Medical Errors

دور الامتثال لأخلاقيات المهنة في الحد من الأخطاء الطبية

Dr. Messaoud Bouabdallah*
participant professor
University of Adrar, Algeria
N tel: 0799770276
aougroutmessaoud@gmail.com

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abstract:

Legally, the human body is protected from all kinds of assault, including those committed by authorized people. This paper will investigate the close link between following professional ethics and medical mistakes. It will outline these ethics, discuss their significance, and investigate medical errors as a result of disrespect for these ethics. The study will also draw attention to the link between professional ethics in the medical field and the reasons of medical errors

Keywords: human body, ethics, medical error.

ملخص:

للجسم البشري حماية مكفولة قانوناً، ضد أي اعتداء يقع عليه حتى وإن كان من طرف الأشخاص المرخص لهم المساس به، ومن خلال هذه الدراسة سنتطرق إلى بيان العلاقة الوطيدة بين التّحلي بالأخلاقيات المهنية والخطأ الطبي، وذلك من خلال تعريف هذه الأخلاقيات وبيان مبررات العلم بها والتطرق للخطأ الطبي باعتباره صورة لعدم احترام هذه الأخلاقيات وكذا إجلاء علاقة أسباب الخطأ الطبي بالأخلاقيات المهنية في ميدان الطب
الكلمات المفتاحية: الجسم البشري، الأخلاقيات، الخطأ الطبي.

Introduction :

Modern medical developments have generated major scientific controversy about the validity of deeds involving the human body, especially with the exceptional success attained in organ transplantation, artificial insemination, and other complicated and extraordinary medical treatments. This development has transformed the human body into a fertile ground for such dangerous activities by means of manipulation. But this conflicts with the law's dedication to safeguarding the body from any kind of damage, even if that damage results from people legally authorized to participate in such activities. The medical profession requires special qualities and talents, namely compassion, integrity, love of sacrifice, competence, serenity of mind and the power of observation. The practice of this profession is not limited to the doctor's knowledge of the characteristics of the human body but to work within the framework of duties and ethics, This study intends to highlight an important topic directly connected to responsibility in this field: medical ethics and the repercussions of ignoring and failing to follow them, particularly when healthcare professionals, including doctors, cross ethical lines, regardless of the circumstances leading to the occurrence of so-called medical errors and the people accountable for them—issues that have become more and more common in recent times.¹

The importance of this issue is in the fact that professional ethics are intimately related to medical treatment, so stressing the influence of ethical respect in avoiding and preventing medical errors becomes absolutely vital. Society cannot be achieved without ethics, does it achieve its goal without morality, enabling it to achieve the goals of responsibility. Some results have revealed that there is a relation between values, ethics and creative abilities, This significance drives us to bring up the following concern:

What are the reasons for learning professional ethics in the medical field, and to what degree does non-compliance with them during practice cause medical errors?

The analytical-descriptive method, which is appropriate for examining legal opinions and interpreting legal texts under this framework, will help us to solve this problem. Our goal is to obtain ideas that will support the need of honoring ethics in avoiding medical mistakes. Outlined below, this will be founded on a two-part strategy.

First main title: The Concept of Professional Ethics in the Medical Field

- Definition of Medical Professional Ethics and Its Scope

- Justifications for Understanding and Adhering to Medical Professional Ethics

second main title: Medical Errors as a Manifestation of Disrespect for Medical Ethics.

- Definition of Medical Errors in Law and Jurisprudence
- The Relationship Between the Causes of Medical Errors and Medical Professional Ethics

First main title: The Concept of Professional Ethics in the Medical Field

The evolution of the idea of social responsibility has been closely related to the notion of work ethics. Technological developments on one side and the difficulties of globalization on the other have also changed the emphasis on work ethics. With this in mind, we will first tackle the meaning of ethics in and then cover the reasons for knowing and following medical professional ethics in.

A) Definition of Medical Professional Ethics and Its Scope

Professional ethics emphasizes the right way to behave while participating in many professional activities. It stresses the need for workers to carry out their responsibilities at all times in line with the laws of the state, the community, and the organization they work for. Particularly in medicine, professional ethics is a set of values-based guidelines encouraging people to be accountable for their work. The article 2 of french Medical Ethic Act states: "The Doctor, in the service of the individual and public health, exercises his mission with respect for human life, the person and his dignity.

The respect due to the person does not cease after death. "

Also Article 1 of Algeria's Code of Medical Ethics stipulates that " medical ethics is the body of principles, rules and customs that every doctor, dental surgeon or pharmacist must observe and inspire in the exercise of his or her profession".

Professional ethics is closely related to certain values and concepts, including, for example:

A set of general and technical duties meant to guarantee the correct practice of the profession, the medical ethics law is.²

- Discipline: One of the main causes of poor employee performance is lack of discipline. An employee has to notify pertinent authorities in case of absence, manage their time, guarantees sufficient rest, and give their work top priority.
- Employees should strive to strengthen their relationships with the institution, their work, and colleagues by following values including honesty, mutual trust, integrity, and a sense of responsibility.
- An employee's appearance shows their dedication and respect for their profession, the supervising authorities, and those they serve, including hospital patients.
- Attitudes: Employees should adopt positive attitudes that reflect their self-confidence.
- Employees have to increase their productivity by following work procedures, safety standards, and the appropriate use of the company's resources.
- Employees should have high-level verbal and non-verbal communication abilities, therefore promoting a culture of respect and empathy for others.
- Collaboration: Building positive working relationships founded on efficient conflict resolution and group problem-solving.

The relationships between doctors and different societal sectors—including patients—reflect the spheres of medical ethics. A doctor's success also depends on their relationships with others shown by the application of the values stated before in addition to their knowledge and abilities.

Although the areas of medicine, its functions, scientific material, skills, and techniques may coincide with other professions, the reality confirms the need of ethical standards controlling the medical field.³

Medical ethics can be said to be all values, principles and beliefs that help health care decision-making methods, as thinking and adhering to all aspects of ethics in decision-making will place us before fair and equitable right choices for patients.

B) Justifications for Understanding and Adhering to Medical Professional Ethics

Some say ethics are learned in the family, not in medical schools, and are developed by exposure to and following the practices of professionals in the field. Although these justifications are reasonable, medical schools all over

the world work to include ethics into their courses since they know it is fundamental to medical practice.

Teaching medical students and doctors about professional ethics helps them grasp pertinent concerns and know how to react to them depending on the application of logical values. Improving this awareness is one of the main objectives of studying medical ethics.

- Understanding all the methods that help make decisions aligned with medical ethics.
- Explaining the role and importance of ethics for medical practitioners.
- Considering ethical aspects in interactions.
- Serving patients by respecting their dignity, providing care, and listening to their complaints.

second main title: Medical Errors as a Manifestation of Disrespect for Medical Ethics

Regarded as a controlled profession, medicine is practiced using both theoretical and practical knowledge. Thus, professional ethics came to control the general conduct of members of this profession and direct their professional activities. Ignoring these ethics creates responsibility from the neglect of ethical guidelines. This part will first look at the definition of medical error in legal doctrine and jurisprudence, and then underline the connection between medical ethics and the reasons of medical errors.

A): Definition of Medical Error in Law and Jurisprudence

Although error in general denotes a departure from expected behavior, medical error is the failure of a physician to meet professional standards. Responsibility develops when the doctor's actions threaten the patient's physical health and cause damage. The doctor must manage the patient's health with care, accuracy, and knowledge to prevent mistakes.

In this setting, we will legally and judicially define medical error.

1- Definition of Medical Error in Law

Legal academics have worked to create a clear definition of the idea of error. Their views, though, have never been as different in legal ideas as they have been in defining medical error. Most laws leave medical error undefined in their statutes,⁴ therefore legal doctrine and jurisprudence will handle this issue.⁵

For instance, the Algerian legislator has not specified medical error in either the Civil Code or health laws. Rather, it has concentrated on describing the responsibilities and obligations of doctors and their assistants; it has not discussed the civil penalties following breaches of these responsibilities. Even after Law No. 18-11 was passed, which only specified the state's responsibilities in this respect, this silence persisted.⁶

Likewise, the Jordanian legislator failed to specify error generally, either in the Civil Code or in the health-related statutes.⁷

According to the doctrinal definitions of error, medical error can be understood as the doctor's failure to follow the accepted scientific principles acknowledged by all doctors, or as the doctor's failure to take the required precautions and care during diagnosis and not using the tools available through science, which makes them liable for responsibility.⁸

2- Definition of Medical Error in Jurisprudence

Defining medical error has been greatly influenced by the courts. A doctor is said to have erred, according to the renowned Arrêt de Merci ruling of the French Court of Cassation on May 20, 1936, if the care they gave conflicts with the present scientific knowledge. Likewise, in a decision by the Egyptian Court of Cassation on December 21, 1971, a doctor is responsible for any negligence in their medical practice that would not result from a vigilant doctor of the same professional level and under comparable external circumstances.⁹

Usually, the courts decide how doctors are accountable for their errors by means of professional responsibility stemming from breaches of the rules and values of medical ethics. The French Court of Cassation confirmed this in a ruling finding a surgeon at fault for violating his professional duties.¹⁰

The Council of State of Algeria ruled on April 19, 1999, against the health sector in Adrar. The case concerned a woman who came into the hospital in good health to give birth. The medical mistakes verified by a medical expertise report led to the finding that a medical error did take place, therefore harming the patient. The health sector in Adrar was deemed to be 100% disabled and to be at fault for this medical mistake.

3- The Relationship Between the Causes of Medical Errors and Medical Ethics

Significant developments in medical technology and growing medical violations committed by practitioners have made emphasis on and awareness of ethical issues in the field of medicine absolutely vital. Focusing on medical ethics has become absolutely necessary¹¹ as a means of preventing human

health violations caused by medical mistakes, which would only happen if there were reasons for them. The medical field calls for great care and accuracy, as already noted. Although many factors contribute to medical mistakes, we will emphasize the main ones to show their connection with ethics. Reality has shown that many medical errors resulting from the justifications we will cover come from a lack of adherence to medical ethics.

Many academics in this field have condensed the reasons of medical mistakes into four key elements:

1.1- Negligence

To work and make a mistake is better than not to work for fear of being wrong. Admitting a mistake is a virtue. If a doctor can be forgiven for some of his mistakes, he cannot be forgiven for not admitting his mistake, and for evading his consequences, especially when he knows that he caused harm to one of his patients during treatment. Negligence in the medical field is described as a healthcare professional carrying out their responsibilities either without the required caution and care or with indifference, therefore neglecting the patient's condition. This constitutes a failure in the doctor's behavior. A vigilant doctor working under the same conditions as the accountable doctor does not cause negligence. Citing the urgency of treating a sudden disease, a surgeon's failure to adequately prepare a patient for a surgical procedure is an example of negligence. Negligence is the violation of a legal duty without the will to harm others. Negligence might result from ignoring ethical values that demand healthcare professionals execute their responsibilities with professionalism, attention, and care, therefore strengthening the link between negligence and medical ethics. Following medical ethics in practice helps the physician or others in comparable roles stay aware of their actions, therefore avoiding medical mistakes.

As an example of neglect, Leave substances or tools in the patient's abdomen when performing the procedure: surgery was performed To eradicate the colon of a citizen at Al-Awda Hospital in Jabalia/Gaza, On 05.1999/03 the said citizenship returned to the hospital due to complications after process. After the tests, a foreign object was found in her abdomen, and a procedure was performed. Another revealed a pad that doctors forgot in the patient's abdomen during the procedure Operation I. The Commission addressed the Ministry of Health on the case in question. The Ministry has established a commission of inquiry into the case, but the Ministry has not responded with any information on the case. Findings and findings of the investigation.

1.2- Recklessness

Poor judgment and lack of skill produced by carelessness or ignorance of what should be known reflect recklessness. In medicine, this might be shown by a doctor misreading an X-ray of a leg fracture, where the doctor incorrectly interprets the fracture as a simple bone crack, therefore endangering the patient's leg. This is a medical error brought on by carelessness, one of the causes of medical errors resulting from non-compliance with medical ethical standards. Founded on the proper use of the accepted scientific ideas in the field of medicine, medical ethics demand alert and conscious practice.

1.3- Sole Diagnosis

Although it is now acceptable for a doctor to diagnose alone, especially in unusual medical situations and complicated surgeries, seeking medical consultation is absolutely vital, especially when it involves technical issues outside the doctor's area of expertise or academic credentials. Medical consultation is an ethical concept described in Article 45 of the Algerian Medical Ethics Code, which reads, "Once a doctor or dentist agrees to any treatment request, they must ensure that they provide treatment to their patients that is characterized by sincerity, dedication, and compliance with the latest scientific knowledge, and seek the assistance of qualified specialist colleagues when necessary."¹² One of the goals of proper diagnosis is that it is an indicator of judgement on patients' issues that leads it to seek effective treatment.

1.4- Failure to Adhere to Laws, Regulations, Decisions, and Guidelines

The lack of correct application of laws and rules shows this and causes mistakes. It happens when the actions of the person in charge of the mistake contradict the state regulatory authority's required rules meant to maintain order, security, and public health. Practicing medicine without a license is one such instance. Medical professionals, no matter their rank, have to follow and respect the relevant laws in both healthcare institutions and outside them. Therefore, following the ethics of the profession is absolutely essential. Thus, there is a logical link between the noble ethics of the medical profession and the neglect of laws, rules, and policies during or within the practice of medicine. Professional ethics is a guideline derived from values and principles that take care of proper conduct during professional activities, but the rules of career conduct are the laws and regulations governing the work of practitioners of the job, where violation carries specific legal penalties. The rules of career conduct only address persons associated with State institutions or employees.

In view of the relationship between them, the ethics of the profession needs to be regulated and established through its clarification and the penalty statement resulting from its violation, thus shifting from ethical rules to functional rules of conduct.

Conclusion:

Ultimately, professional ethics in the medical field are quite important in creating criteria that let medical professionals guarantee a suitable working environment. Providing patients with the required care that fulfills the goal of treatment helps to raise the level of the noble medical profession and guarantees their respect and dignity. Increasing doctors' knowledge of the need of ethics in their practice helps to protect them from making mistakes that might put them under legal obligation. Drawing from the earlier conversation, one may conclude the following:

- Medical professional ethics are closely related to medical care.
- Work ethics in the medical field are intimately linked to the idea of the development of social responsibility.
- Scientific progress is one of the imperatives of life in order to confront the problems of life in human beings, for this reason the ethical controls established by societies so that medical research does not deviate from its course.
- A doctor's success depends not only on their knowledge and abilities but also on their relationship with others by means of ethical values applied during their responsibilities.
- Relying on professional responsibility resulting from breaches of the rules and values of medical ethics, the court system holds physicians answerable for their mistakes.

- Reality has shown that many medical errors happening inside the justifications we discussed were caused by neglect of medical professional ethics.

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