

Veterinary ethicist sued by acupuncturist

By Josh Loeb

A VETERINARY ethicist working for a European regulator faced a defamation claim and had a private prosecution pursued against him after he criticised traditional Chinese medicine (TCM) and its role in acupuncture.

Manuel Magalhães Sant'Ana, who works for the Portuguese equivalent of the RCVS, says he had legal proceedings hanging over him for two years after speaking out about what he regards as 'pseudoscience'.

The claim was lodged by vet and acupuncturist Someia Umarji after Sant'Ana spoke about the influence of TCM in underpinning veterinary acupuncture at a 2018 conference for vets.

Sant'Ana, who has previously worked in the UK and Ireland, argued that acupuncture founded on the principles of TCM is no different from prescientific treatments.

However, Umarji, the founder and clinical director of ZenVet – which offers acupuncture, autohemotherapy and various other complementary or alternative treatments for animals – said the World Health Organization acknowledged acupuncture as a legitimate remedy.

She told *Vet Record* she had launched the lawsuit after being urged to take action by colleagues because of what she described as Sant'Ana's 'offensive behaviour'.

She added: 'There is no issue regarding his personal views on acupuncture and other complementary veterinary medicine practices, because there is no science to validate his claims.'

During his presentation at the 2018 conference, Sant'Ana compared TCM to religious and supernatural doctrines such as predestination and divination, arguing that it was 'based on faith'.

Afterwards he was accused by supporters of TCM of causing 'offence' and ridiculing their

work. Umarji sued Sant'Ana for defamation – a criminal offence in Portugal.

According to court papers, seen by *Vet Record*, that particular legal bid failed because the prosecutors' office said the defamation claim did not meet the required threshold for a criminal charge.

However, Umarji also lodged a civil claim for compensation. In February 2019 that case was granted permission to proceed by a judge.

A year-and-a-half later, however, the courts were unable to proceed further with the matter because of complications arising from the Covid-19 pandemic – even though the dispute at the centre of the claim remained unresolved.

Sant'Ana claimed the case could be viewed as an example of adherents of TCM attempting to silence critics through litigation.

To the claim that he had caused 'offence' via his comments about TCM, he said: 'I fully understand why they feel offended – I'd feel offended too, if I were them. But I'm only the messenger here – they should be able to reflect on their practices and move from being offended to having a critical appraisal of their own practices.'



Manuel Magalhães Sant'Ana



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He added: 'The legal proceedings did not deter me from speaking up against the dangers of TCM... [and] I have since given interviews and written opinion articles to raise awareness of the use of non-conventional therapies in animals, especially TCM.'

'I have published a scientific article, arguing that veterinary acupuncture needs to abandon the prescientific vitalism of TCM and embrace the scientific method, just like Western medicine did with humoral doctrine in the late 19th century.'

ACUPUNCTURE: WHAT MEDICAL AUTHORITIES SAY

The NHS describes acupuncture as a treatment 'derived from ancient Chinese medicine' that is 'often seen as complementary or alternative medicine'.

According to the NHS website, traditional acupuncture 'is based on the belief that an energy, or "life force", flows through the body in channels called meridians. This life force is known as Qi (pronounced "chee").'

'Practitioners who use acupuncture in the traditional way believe that when Qi does not flow freely through the body, this can cause illness. They also believe acupuncture can restore the flow of Qi, and so restore health.'

The National Institute for Health and Care Excellence only recommends considering acupuncture as a 'treatment option' for two conditions – migraines and chronic tension-type headaches.

Evidence on the effectiveness of acupuncture compared with other treatments is 'unclear,' according to the NHS.

Last year the World Health Organization included traditional Chinese medicine for the first time in its list of recognised remedies – a decision that prompted controversy and claims of lobbying by China.



NEWS & REPORTS

Umarji said: ‘The case could be pursued further but I have come to the conclusion, by witnessing [his] behaviour...that Sant’Ana is just looking for a spotlight to shine on his bibliographic dated review work.’

Even though the court did not come to a final conclusion on the matter, the Portuguese veterinary authorities and their international counterparts had been ‘consistently shown to support’ ZenVet’s work, she said.

She added: ‘I still remain a monthly writer in a column for the most relevant Portuguese veterinary publication, where the first personal attack took place via



Someia Umarji

a right to reply article by Sant’Ana after an article written about acupuncture.

‘To Sant’Ana I wish the best – and this includes the ability to go beyond his bibliographic reviews and to really test his theories, for he is in a privileged position to do so instead of being a stump to the advancement of veterinary science.’

- Sant’Ana’s decision to speak about the case follows a recent ‘Debate’ article in *Vet Record* (VR, 27 June/4 July 2020, vol 186, p 653) warning of alleged dangers posed by TCM to animal health and welfare. ●