EDITORIAL

What doesn't kill you makes you stronger

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IN 1888, German philosopher Friedrich Nietzsche first stated, “Out of life’s school of war—what doesn’t kill me, makes me stronger.” This sentence has become an overused and often parodied aphorism that, in my opinion, nevertheless accurately portrays the picture of resilience and affirmation for overcoming adversity. I recommend that this concept be applied when faced with the formidable attack of a medical malpractice lawsuit directed at you personally and at your neurosurgical practice.

Gadjradj et al. aptly describe the repercussions neurosurgeons suffer in “Experiences of neurological surgeons with malpractice lawsuits.”¹ We are in the crosshairs of plaintiff attorneys and some patients due to the high liability associated with our specialty. When a lawsuit is filed against us, our responses range from adopting the practice of defensive medicine to referring difficult patient cases elsewhere and limiting the scope of procedures offered to leaving the practice of medicine due to the legal landscape.

Even though a medical malpractice lawsuit is an inevitability for 81% of neurosurgeons at some point throughout our careers, according to Gadjradj et al.,¹ we respond as if the lawsuit is unexpected. If we change our mindset and recognize that this is simply an unfortunate reality of modern medicine, and apply Nietzsche’s dictum, we can turn the malpractice case against us into an educational experience from which we learn to be even better neurosurgeons.

Furthermore, if neurosurgical residents were taught more about medicolegal principles during their residencies instead of learning through on-the-job training, when they first experience a lawsuit in practice, neurosurgeons would be better prepared to deal with the inevitable subpoena. In martial arts training, persons with white belts do not progress through the ranks and attain the level of black belt without years of incredible preparation, much of which involves parrying attacks. To “parry” is defined as “to ward off a weapon or attack with a countermove.” The

same approach should be taken with medical malpractice lawsuits. We need to be trained from the early days of residency that this type of attack is very likely going to happen during our careers, and therefore the best way to prepare for this attack is preemptive rather than reactive. The neurosurgeon’s response to a malpractice lawsuit can be proactive instead of reactive, which may help us diminish the possibility of a lawsuit. Just like martial artists, we should be trained in defensive tactics and limit our scope of practice.

At the end of the day, we should remember Nietzsche, but in the modern words of Kelly Clarkson in her song “Stronger”:²

What doesn’t kill you makes you stronger
Stand a little taller
Doesn’t mean I’m lonely when I’m alone
What doesn’t kill you makes a fighter
Footsteps even lighter

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Disclosures

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