

THE HIPPOCRATIC OATH AMONG ROMANS AND AMERICANS (ALBEIT TWO MILLENNIA APART)

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The *Hippocratic Oath* in MS Marcianus med. Gr. 269, X saec.

1. I swear by Apollo the Physician, Asclepius and Hygeia, Panacea and all the gods and goddesses, with them as my witnesses, that I will carry out to the best of my ability and judgment this oath and this contract. I will consider my teacher in this skill as equal to my parents; I will share my livelihood with him, sharing with him when he is in need. I will consider his children my brothers and will teach them this skill without salary or contract, if they want to learn it. I will share my precepts, my oral teaching, and all other instruction with my own sons, the sons of my teacher, and with those pupils under contract who have sworn the doctor's oath, but with no one else.
 2. I will use my therapies for the benefit of those who are sick to the best of my ability and my judgment, and will avoid injury and wrong-doing.
 3. I will not administer a poison to anybody when asked to do so, nor suggest such a thing. I will not give a woman a destructive (expulsive) pessary.
 4. But in a pure and holy way I shall live my life and practice my skill.
 5. I will not cut even on those who suffer from stone, but shall yield to those who practice this.
 6. Into whatever house I enter I shall go for the benefit of those who are sick, and I will abstain from intentional wrong-doing, especially from sexual intercourse with the bodies of man or woman, free or slave.
 7. I shall keep silent about the things I see or hear in the course of my practice, or even outside my practice, considering that such should not be spoken aloud.
 8. If I carry out the terms of this oath and do not violate it, may I be well-reputed among all men forever for my life and my skill; but if I transgress my oath and perjure myself, may the opposite happen.
1. ὄμνυμι Ἀπόλλωνα ἰητρὸν καὶ Ἀσκληπιὸν καὶ Ὑγίαν καὶ Πανάκειαν καὶ θεοὺς πάντας τε καὶ πάσας, ἱστορας ποιεύμενος, ἐπιτελέα ποιήσῃ κατὰ δύναμιν καὶ κρίσιν ἐμὴν ὄρκον τόνδε καὶ συγγραφὴν τήνδε: ἠγήσεσθαι μὲν τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτησιν ἐμοῖς, καὶ βίου κοινώσεσθαι, καὶ χρεῶν χρηρίζοντι μετάδοσιν ποιήσεσθαι, καὶ γένος τὸ ἐξ αὐτοῦ ἀδελφοῖς ἴσον ἐπικρινεῖν ἄρρεσι, καὶ διδάξειν τὴν τέχνην ταύτην, ἣν χρηρίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ συγγραφῆς, παραγγελίης τε καὶ ἀκροήσις καὶ τῆς λοιπῆς ἀπάσης μαθήσις μετάδοσιν ποιήσεσθαι υἱοῖς τε ἐμοῖς καὶ τοῖς τοῦ ἐμῆ διδάξαντος, καὶ μαθητῆσι συγγεγραμμένοις τε καὶ ὠρκισμένοις νόμῳ ἰητρικῷ, ἄλλω δὲ οὐδενί.
2. διαιτήμασι τε χρῆσομαι ἐπ' ὠφελείῃ καμνόντων κατὰ δύναμιν καὶ κρίσιν ἐμὴν, ἐπὶ δηλήσει δὲ καὶ ἀδικίῃ εἴρξειν.
3. οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ αἰτηθεὶς θανάσιμον, οὐδὲ ὑψηγῆσομαι συμβουλίην τοιήνδε: ὁμοίως δὲ οὐδὲ γυναικὶ πεσοὸν φθόριον δώσω.
4. ἀγνώως δὲ καὶ ὁσίως διατηρήσω βιοντὸν ἐμὸν καὶ τέχνην τὴν ἐμὴν.
5. οὐ τεμέω δὲ οὐδὲ μὴν λιθιῶντας, ἐκχωρήσω δὲ ἐργάτησιν ἀνδράσι πρήξις τῆσδε.
6. ἐς οἰκίας δὲ ὀκόσας ἂν εἰσῶ, ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων, ἐκτὸς ἑών πάσης ἀδικίης ἐκουσίης καὶ φθορίας, τῆς τε ἄλλης καὶ ἀφροδισίων ἔργων ἐπὶ τε γυναικείων σωμάτων καὶ ἀνδρῶν, ἐλευθέρων τε καὶ δούλων.
7. ἂ δ' ἂν ἐνθεραπίῃ ἢ ἴδω ἢ ἀκούσω, ἢ καὶ ἄνευ θεραπείης κατὰ βίον ἀνθρώπων, ἂ μὴ χρή ποτε ἐκλαλεῖσθαι ἔξω, σιγήσομαι, ἄρρητα ἠγεύμενος εἶναι τὰ τοιαῦτα.
8. ὄρκον μὲν οὖν μοι τόνδε ἐπιτελέα ποιεῶντι, καὶ μὴ συγχέοντι, εἴη ἐπαύρασθαι καὶ βίου καὶ τέχνης δοξαζομένω παρὰ πᾶσιν ἀνθρώποις ἐς τὸν αἰεὶ χρόνον: παραβαίνοντι δὲ καὶ ἐπιόρκεοντι, τάναντία τούτων

Can some doctors of the ancient Mediterranean be shown to have followed a more strict ethical code than did the general population? Probably not, since the numbers are not great enough to be statistically valid. Nonetheless illiterates show a preference for this set of professionals when looking beyond literate relatives for someone to do their writing for them. That is, illiterates during the some thousand years that Egypt was Greek-speaking, most often turned to members of their own family who could read and write — father, brother, husband, son. Yet if these were lacking for any number of reasons — quarrels, incapacity, death — doctors appear in the role of writers for those who cannot write for themselves, apparently looked upon as trusted, literate, and reliable for those illiterates who lacked ~~the~~ willing and able kin.

1. THE ROMANS: M. Porcius Cato the Elder (234-149 BCE)

Pliny, *NHXXIX* 7.14

“My son, I shall speak about those Greek fellows in their own place and I shall explain to you the inquiries I made in Athens and convince you of the profit that accrues from looking into their literature, but not learning it thoroughly. This is a worthless and unteachable race of men and you must think that I have spoken in what follows as a prophet. When that nation gives us its literature, it will corrupt everything, and all the more so, if it sends its physicians here. They have sworn an oath among themselves to kill all barbarians with their medicine, and this they do for a fee so as to gain trust and destroy us easily. They repeatedly refer to us as barbarians and besmerch us more thoroughly than other men by calling us Opici. I have forbidden you to get involved with

Plutarch, *Life of Cato* 23.3

“In the hope he could prejudice his own son against all things Greek ... Cato declared in the tone of a prophet or seer, that Rome would lose her empire when filled up with Greek literature. But time had shown that while the city was at the zenith of her power she made every form of Greek learning and culture her own. It was not only Greek philosophers he hated, but he was also suspicious of Greeks who practiced medicine at Rome. He had heard, it would seem, of Hippocrates' reply when the Great King of Persia consulted him, with the promise of a fee of many talents, namely, that he would never furnish his skills to the barbarians, the enemies of Greece.¹ He said that all Greek physicians had taken a

¹ The Great King's offer to Hippocrates was narrated through the first five letters in the Pseudepigraphic collection (Hippocrates *Epistolai* 1-5, 9.312-18 Littré).

their doctors.”

similar oath, and he urged his son to look out for them all.”

Pliny, *NHXXIX* 5 (Mayhoff): "*dicam de istis graecis suo loco, m. fili, quid athenis exquisitum habeam et quod bonum sit illorum litteras inspicere, non perdiscere. vincam nequissimum et indocile genus illorum, et hoc puta vatem dixisse: quandoque ista gens suas litteras dabit, omnia conrumpet, tum etiam magis, si medicos suos hoc mittet. iurarunt inter se barbaros necare omnes medicina, sed hoc ipsum mercede faciunt, ut fides iis sit et facile disperdant. nos quoque dicitant barbaros et spurcius nos quam alios Ὀπικῶν appellatione foedant. interdixi tibi de medicis.*"

Plutarch, *Vita Catonis* 23.3 (Perrin?): "τὸν δὲ παῖδα διαβάλλων πρὸς τὰ Ἑλληνικά, φωνῇ κέχρηται θραυστέρα τοῦ γήρωσ, οἷον ἀποθεσπίζων καὶ προμαντεύων ὡς ἀπολοῦσι Ῥωμαῖοι τὰ πράγματα, γραμμάτων Ἑλληνικῶν ἀναπλησθέντες. ἀλλὰ ταύτην μὲν αὐτοῦ τὴν δυσφημίαν ὁ χρόνος ἀποδείκνυσι κενήν, ἐν ᾧ τοῖς τε πράγμασιν ἡ πόλις ἤρθη μεγίστη, καὶ πρὸς Ἑλληνικὰ μαθήματα καὶ παιδείαν ἅπασαν ἔσχεν οἰκείως. Ὁ δ' οὐ μόνον ἀπηχθάνετο τοῖς φιλοσοφοῦσιν Ἑλλήνων, ἀλλὰ καὶ τοὺς ἰατρούοντας ἐν Ῥώμῃ δι' ὑποψίας εἶχε, καὶ τὸν Ἱπποκράτους λόγον ὡς ἔοικεν ἀκηκῶς, ὃν εἶπε τοῦ μεγάλου βασιλέως καλοῦντος αὐτὸν ἐπὶ πολλοῖς τισι ταλάντοις, οὐκ ἂν ποτε βαρβάροις Ἑλλήνων πολεμίους ἑαυτὸν παρασχεῖν, ἔλεγε κοινὸν ὄρκον εἶναι τοῦτον ἰατρῶν ἀπάντων, καὶ παρεκελεύετο φυλάττεσθαι τῷ παιδί πάντας."

Scribonius Largus (reign of Claudius): Scribonius Largus endorsed the prohibition that forbade giving a destructive pessary, or potent vaginal suppository, to a pregnant woman, on the grounds that Hippocrates considered medicine a science of healing, not one of destroying, *Compositiones praef.* 4-5, *scientia enim sanandi, non nocendi est medicina.*

Erotian (reign of Nero), final section of his preface to his Hippocratic *Glossary*: τῶν δ' εἰς τὸν περὶ τέχνης τεινόντων λόγον·

Ὁρκος, Νόμος, Περί τέχνης, Περί ἀρχαίας ἰατρικῆς, Πρεσβευτικός, γὰρ καὶ Ἐπιβώμιος, φιλόπατρις μᾶλλον ἢ ἰατρὸν ἐμφαίνουσι τὸν ἄνδρα.

Soranus of Ephesus (reigns of Trajan & Hadrian): abortion is a complex issue, sometimes it was necessary to save the life of the mother, but the doctor should not give a woman a means to terminate a pregnancy that was the result of an extra-marital liason. After all Hippocrates himself in his *Oath* prohibited the advising of an abortive, but, on the other, there was his treatise *Nature of the Child*, and in its chapter 13 he prescribed leaping and touching heels to buttocks, when a relative of his asked how her pregnant slave-girl who used to entertain men might expel the fetus she claimed to have conceived six days previous.

Galen & Prophyry (Now thought to be the author of the *Ad Gaurum*) are both aware that the fetus does not birth itself, as implied by Hippocratic treatises, but the uterus does the bulk of the work, aided by the parturient. Porphyry says that life begins with the entry of the soul at birth.

2. The Americans in 1973. The US Supreme Court guaranteed constitutional protection for a woman's right to have an abortion, and the writing up of this landmark decision, *Roe v. Wade*, was turned over to Justice Harry Blackmun, who was known for his interest in medical matters, and as early as 1950 he had become general counsel for the Mayo Clinic. He apparently spent the summer of 1973 writing the decision in Rochester, Minnesota. Surely someone at that Mayo Clinic alerted Blackmun Ludwig Edelstein's 1943 publication, *The Hippocratic Oath: Text, translation, interpretation*, in which Edelstein argued that prohibition of abortion must have been a minority opinion in Greek and Roman Antiquity, probably originating with and being circulated by the Pythagoreans, because 'we do hear,' he continued 'quite a bit about abortions, even though infant mortality was high. Preservation of family bloodlines, however, was a high priority, and modern demographers, such as B.W. Frier, argue that abortion would have been of interest principally to special groups within the population, such as prostitutes, and by no means to all.

