

DAVID DAUBE

Medical
and
Genetic Ethics

OXFORD CENTRE FOR
POSTGRADUATE HEBREW STUDIES

DAVID DAUBE

**Medical
and
Genetic Ethics**

Three Historical
Vignettes

**OXFORD CENTRE FOR
POSTGRADUATE HEBREW STUDIES
1976**

© *David Daube, 1976*

*Published by
The Oxford Centre for Postgraduate Hebrew Studies
45 St. Giles', Oxford, England*

Printed by Information Press Ltd., Oxford, England.

EARLY in 1973, plans were laid for an international symposium on Medical Ethics in a Changing World, to take place at Jerusalem in May 1974. One session was to be devoted to the Perspective of Religion, with, at least, Jewish, Christian and Moslem participation. I was to co-chair this session and intended to read the present paper. Owing to the war in the autumn of 1973 and its consequences, the project was first postponed and then abandoned. I dedicate the paper to my friends David W. Weiss (Department of Immunology, Hebrew University, Jerusalem) and David W. Louisell (School of Law, University of California, Berkeley) who, like me, are hoping for a re-convening of the symposium—*'ulay ba' mo'edh leha'abhir sin'a millebh bene ha'adham*.*

* N.H. Wessely, *Dibrei Shalom we-Emeth*, 1782, ch. 4.

TELLING A PATIENT:

MIDRASH RABBA AND GERSONIDES

KING Hezekiah's illness and recovery reported in Scripture¹ induced much speculation among the Rabbis. Convinced that here was a great lesson to be learned, they probed into the circumstances, spelled out every implication and filled in details. They did not, of course, always do so in a fashion modern scholarship would approve, and a good deal is historically unacceptable as far as the Biblical events are concerned. But even (or precisely) the more fanciful elaborations reveal at least what these sages were concerned about.

Let us inspect one such piece which gives us an insight into their thinking about the problem of telling a patient the truth. It might perhaps be asked how this could ever arise in antiquity or, at any rate, be of more than negligible importance, seeing that our huge apparatus for assessing the likely outcome of a disease was not then available. However, while enormous advances have been made, we must not underrate ancient expertise — rational or instinctual — in such things. The sources show that people were fully alive to the dilemma two thousand years ago.

'It is easier to kill a man than to break the news that he is going to die', we read in Elie Wiesel². True, the reflection is put into the mouth of a terrorist detailed to shoot a hostage. This is a very different relationship — one hopes — from the doctor-patient one. Even so, I wonder whether the sentiment could occur in a true-blue American writer of our time. There is, it seems, a definite cultural cleavage in the matter of informing a person of his imminent end.

In the States, today, a doctor is expected to be frank with his patient. Individual autonomy ranks high: no one else ought to decide how much or how little it is good for you to know. Moreover, the physician is a technician, often highly specialized, and a businessman, whose job it is, for a fee, to pinpoint the defect and prescribe its treatment; he is neither able nor willing to go into the complicated question how revelation will affect his customer. Again, deception, it is contended, will undermine trust. To these general arguments, some groups add others of their own: Roman

¹ II Kings 20.1 ff., Isaiah 38.1 ff., II Chronicles 32.24 ff.

² Dawn, trsl. by Frances Frenaye, 1st American ed., 1961, ch. 3, p. 45.

Catholics, for example, find it important to encourage one about to die to make his peace with heaven.

By contrast, in the old world, as yet — though probably not for much longer since society develops in the direction of America — a doctor must choose, in each particular case, between disclosure, withholding and any number of in-between solutions. If the patient is stout-hearted, he is told; if given to gloom, he is not. Yet again, he may even then, say, if his spiritual needs require it, or if this is the only means of getting him to make necessary final arrangements for his dear ones or a public cause with which he is connected.

In Europe, family roots are still relatively strong, so from childhood throughout life there is less insistence on absolute independence, more readiness to be counselled or even led. Furthermore, the medical profession is less industrialized. Indeed, in a sense, your G.P. is part of the family (as is your lawyer): if he is old, very likely he assisted at your birth, if young, his father. Hence, he takes an interest in your welfare. As for trust, this is not a simple notion meaning the same everywhere. The apostle Paul was not discredited because he did not immediately burden new converts with the most profound teachings, feeding them with 'milk' only and not with 'meat'³. In an old-fashioned setting, it is the doctor cruelly notifying a patient of his hopeless state who might forfeit the confidence of the community.

Catholics are no doubt somewhat more in favour of outspokenness than others, but not so much more. Une mort très douce by Simone de Beauvoir⁴ describes her mother's last illness. The daughter is fully aware that, by lying to her about her condition, she is isolating her and making her unfree; for her mother would like, of course, to shed inhibiting conventions and pretences and come out finally with her deepest emotions and anxieties. Yet Simone realizes that the dying lady's overriding need is hope — even though, unlike the daughter, she is a good Catholic. For a person with a genuine animal attachment to life — and in this the daughter seems to identify with her mother — death is and always remains an arbitrary violence, *une violence indue*.

A verse in Ecclesiastes⁵ declares — according to Rabbinic interpretation at least — that disaster forecast by dreams or other supernatural messages need not come about: the fear of God expressed in penitence, prayer and charity may avert it. A discourse⁶ probably of the third or fourth century

³ 1 Corinthians 3.2; cp. 1 Peter 2.2, Hebrews 5.12 f., 6.1 f.

⁴ 1964.

⁵ 5.6

⁶ Ecclesiastes Rabba on 5.6; see J. Preuss, *Biblich-talmudische Medizin*, 1911, pp. 32 f.,

C.E.⁷ cites the example of Hezekiah who, when warned by Isaiah in forthright language that his sickness was fatal, refused to believe that so ruthless an announcement could be the last word. Normally, he is depicted as reproving the prophet, one who visits an ailing person expresses the wish that God may take pity on him; and a doctor, when he visits, advises what food to eat and what not to eat, and — here we come to the comment that interests us — even if he notices the signs of approaching death, he does not say so 'lest the patient's mind faint', i.e. lest he fall prey to depression or despair⁸. So Hezekiah remembered the passage from Ecclesiastes, called on God and was answered.

Here, then, in an intensely religious milieu, considerateness on the part of the physician takes precedence over openness, and considerateness, it is assumed, implies protecting a patient from consciousness of his early dissolution. It would be rash to conclude that all Rabbis shared this view. But a number of them must have felt strongly about the matter: it took daring to represent Hezekiah as criticizing Isaiah's prediction conveyed, after all, at the deity's bidding. We do not know how the theological difficulty resulting from this way of looking at the story was dealt with; doubtless some solution dissociating God from any fault was found.

Galen in the second century C.E. seems to have advocated the same course of keeping a dying patient ignorant of his condition⁹. (It is arguable, however, that he condemned an unsympathetic manner of telling rather than telling as such.) Perhaps he influenced Jewish thinkers. Alternatively, this attitude may have been in the air in that period, taken up independently (so to speak) by various circles which had a certain ethos, certain basic ideas and feelings, in common.

Medieval Jewish exegetes maintain that some sort of precedent was set even before Hezekiah, by the prophet Elisha. They invoke a chapter from the Books of Kings¹⁰, where the end of Benhadad, King of Syria, is recounted. He fell ill and sent a trusted officer by name of Hazael to Elisha to enquire about his fate. Elisha was as hostile to Benhadad as had been his master Elijah¹¹. He advised Hazael to assure Benhadad that he would recover. At the same time he mentioned to Hazael a vision of Benhadad's demise and, indeed, of Hazael as his successor. Hazael understood. He

P. Diepgen, *Die Theologie und der ärztliche Stand*, 1922, p. 49, I. Jakobovits, *Jewish Medical Ethics*, 1959, pp. 120 f.

⁷ The date of the Rabbis quoted in this connection; cp. also Palestinian Sanhedrin 28c, Babylonian Berakoth 10a f.

⁸ Cp. Babylonian Yoma 18a, Taanith 24b.

⁹ See Diepgen l.c.

¹⁰ II Kings 8.7 ff.; see the excursus, below, pp. 5 ff.

¹¹ I Kings 19.15; cp. 20.34,42 f.

returned and conveyed to Benhadad the favourable response; but next day he smothered him, or had him smothered, to death and — in the words of the Assyrian annals¹² — ‘the son of nobody seized the throne’.

For the pious readers of this pericope, the thought that Elisha should have recommended the misleading of a person in order to finish him off is unbearable. We know of several attempts to clear him. The one here relevant is the proposition by Gersonides (Ralbag)¹³, around 1300 C.E., that had the king been told the truth, people might have held that his death was the result of this very communication — a charge the prophet had to avoid. The idea Gersonides is referring to is not simply — as in the case of the Midrash discussed above — that the announcement of your imminent death may render you unhappy, but that it may itself kill you. Whether he actually agrees that this could happen is not quite certain. He does not argue that, had Benhadad been given the correct information, he might have died from the shock and terror; he argues that the people might have said so (or that Elisha feared they might say so), which is more guarded. Very likely, however, he does believe in such a possibility.

Once again, we have to reckon with indebtedness to Galen. Several of his works were then accessible in Hebrew translation; and teachings from others may have reached Gersonides via earlier Jewish scholars of the Middle Ages. Galen’s popularity with them — including Maimonides — was considerable¹⁴.

Gersonides’s explanation of Elisha’s conduct has been taken over, or at least regarded as not implausible, by many subsequent traditionalist annotators of Scripture — mostly in the simplified form (in line with the Midrash) that the prophet wished to spare Benhadad the knowledge of his doom¹⁵. Which would hardly be the case if they for their part did not approve the withholding from a patient of a verdict too painful to his psyche. Admittedly, Elisha was not Benhadad’s doctor. But he had been consulted by the latter about his disease; and anyhow, these writers would expect from a physician no less delicacy, and probably more, than from an outsider.

There is noticeable, then, in Judaism, from the third century C.E. down to the present, a strand of doctrine placing a patient’s ease of mind above veracity. Some authors¹⁶, relying on Gersonides, attribute the principle already to the Bible: Elisha, they claim, practised it and the Rabbis who

¹² Of Shalmaneser III.

¹³ Commentary on the Former Prophets, ad II Kings 8.10.

¹⁴ See M. N. Zobel, art. Galen, in *Encyclopedia Judaica*, vol. 7, 1971, pp. 263 f.

¹⁵ E.g. S. L. Gordon, *Nebiim Rishonim*, repr. 1947, pt. 6, p. 37, and J. H. Altschuler, *Metzudath Zion*, in *Miqraoth Gedoloth*, *Nebiim*, repr. 1964, vol. 3, p. 295.

¹⁶ E.g. Jakobovits l.c. Preuss l.c. is less clear, but his position may be the same.

composed the legend of Isaiah's reproof by Hezekiah were following this model. This, however, is an anachronism. Nothing in the Biblical narrative supports Gersonides's interpretation, and nothing in the legend indicates any link-up with that narrative. If we go by the evidence, the legend is the starting-point — which is not to deny that similar views may have been expressed earlier but got lost. Gersonides's comment on Elisha's motives appears to be his own contribution, though here, too, we ought not to rule out an earlier source no longer extant. Later thinkers build on the legend and Gersonides. There is much scope for speculation. What is inadmissible, from a historical point of view, is the artificial reading back of desirable notions into Scripture and the reconstruction of their development on this basis.

In conclusion, it should be stressed that, for a proper understanding of the Jewish answer — or answers — to the question what to say to one terminally ill, consideration of a wider background and many allied situations would be indispensable. We should, for instance, have to investigate a custom demonstrably going back to New Testament times: a criminal about to be executed is given a mixture of wine and olibanum in order to dull his senses¹⁷. According to Mark¹⁸, Jesus was offered the drink — but he did not take it.

Excursus on II Kings 8.7 ff.

Now and then it is suggested¹⁹ that the verse usually taken as speaking of Hazael as murderer (direct or indirect) need not signify that: it may be more tamely reporting that the day after his return the king died through an accident or even simply from his sickness. This is unconvincing on several grounds. For one thing, it totally disregards the grim, dark tone, or undertone, of the scene between Elisha and Hazael, comparable to that between the weird sisters and Macbeth in Shakespeare. The passage to be inspected at the end of this note, with its long, mischief-foreboding silence, is typical.

Gersonides's justification of Elisha is unhistorical, and so are quite a few proposed in the course of the past two millennia. This does not, however, mean that some difficulty could not have been felt even by the original

¹⁷ Babylonian Sanhedrin 43a, Semahoth 2.9.

¹⁸ 15.23; cp. Matthew 27.23.

¹⁹ See e.g. I. W. Slotki, *Kings*, 1950, p. 211, J. Gray, *I and II Kings*, 2nd ed., 1970, p. 532.

narrator. A great prophet sending a false message is not, after all, a light matter. Most likely, the narrator did feel uneasy, finding a way out by means of a dodge common in the Bible as well as other literatures at a certain stage²⁰: the excessive pressing of a phrase. Benhadad's question is, 'Shall I live (recover) from this disease?'. Elisha tells Hazael to answer, 'You will indeed live (recover)'. Which, in an overliteral sense, is tenable, since it is not 'this disease' which will prove fatal: death will come through Hazael, encouraged by the further, private oracle which Elisha adds to that to be transmitted to the king. That this quibble may have been in the narrator's mind has long been seen. It is interesting that even present-day Old Testament scholars²¹ consider it valid, in the sense of removing from Elisha the reproach of deception.

Elisha delivers his forecast to Hazael in two stages. First stage: while counselling him to give Benhadad a pleasing reply, he declares, for Hazael's ears only, that Benhadad will die. At this point comes a verse, 'And he settled his countenance and kept it fixed until he experienced shame, and the man of God wept'. Now second stage: Elisha explains that he weeps because of the harm which Hazael, destined to be King of Syria, will do to Israel.

Instead of 'until he experienced shame' (the Hebrew employs the infinitive, so more accurately it is 'until the experiencing of shame') we might render 'for a long while': both the active 'to shame' and the passive or intransitive 'to be shamed' or 'to experience shame' are apt, in certain contexts, to shade off into this temporal meaning. The explanation, as I have shewn elsewhere²², lies in courtly shame-culture where the inferior is put in his place by being kept waiting²³. (A method not indeed confined to that setting; actually, it is no less common today, on many levels of social intercourse.) Hence the semantic development: from the superior's angle, 'to shame' — 'to keep waiting' — 'for a long while', at the receiving end, 'to be shamed' or 'to experience shame' — 'to be kept waiting' — 'for a long while'.

Two passages illustrate the active. The episode of the golden calf opens²⁴, 'And the people saw that Moses tarried (kept them waiting) to come down from the mountain', and in the Song of Deborah the Canaanite leader's mother exclaims²⁵, 'Why tarries (keeps us waiting) his chariot to come?'

²⁰ See e.g. my article Shimei and Orn, *Tulane Law Review*, vol. 46, 1972, pp. 653 ff.

²¹ E.g. J. Gray *op. cit.*, p. 530.

²² Orita, vol. 3, 1969, pp. 37 f.

²³ E.g. I Samuel 10.8, 13.8 ff. This is, of course, a long way from the original, sexual shame situation, on which see Orita, p. 40.

²⁴ Exodus 32.1

²⁵ Judges 5.28

The element of shame is no longer present; yet, significantly, in both cases it is still the high and mighty who is long in showing himself to his dependants. The passive or intransitive figures in three texts, always in the expression 'until he was (or they were) shamed' or 'until he (or they) experienced shame'. Here, though the dominant sense may be 'for a long while', some feeling of shame does appear to be attributed to those who have to wait. The servants of Eglon, King of Moab, lingered outside his locked apartment 'for a long while', wondering why they were not admitted, shamed; they did not know that he lay slain and that his assassin, when escaping, had secured the doors²⁶. Elisha declined a request of his entourage to send out a search party for the vanished Elijah; whereupon they pressed him 'for a long while', kept at it by the master, anxious as to his final decision, shamed — only then did he accede²⁷. The usual rendering, which makes Elisha ashamed, pays no attention to the origin and history of the expression concerned. It is, moreover, quite incompatible with his eminent status: he may shame the disciples, it is not up to them to shame him. The third text is the verse from the meeting of Elisha and Hazael.

That it is the latter who was shamed as the silent stare continued there can be no doubt. For again we must remember their relative positions. Besides, there is the structure of the sentence: 'until he experienced shame, and the man of God wept'. If Elisha — 'the man of God' — were the subject of the first verb, 'until he experienced shame', he would not be specifically named as that of the second, 'and the man of God wept'; 'and he wept' would be good enough²⁸. As remarked above, we may indeed translate 'for a long while'; but the implication that Hazael was kept in suspense, shamed, by his superior is unmistakable.

A last question: who stared at whom? No firm answer is possible. Maybe Elisha stared at Hazael, thoughtfully, sorrowfully. I incline to think that it is Hazael who, stirred to the depths of his soul, his dark soul (for whose is not?), by the enormous statement he had just heard, unsure whether to give in to the wild hopes and fears crowding in on him, inquiringly, pleadingly, stared at the prophet.

²⁶ Judges 3.25

²⁷ II Kings 2.17.

²⁸ Observed by J. Gray *op. cit.*, p. 531.

II

AN ANCIENT VIEW ON THE RISK OF CONGENITAL DISASTER

The adage that there is nothing new under the sun is truer than we are apt to realize, and even problems which look quite unprecedented often have their forerunners in antiquity. A good deal of thought is nowadays devoted to the couple of whom it can be predicted with near-certainty that a child would be seriously defective. Should they refrain, even be pressured into refraining, from having children? If pregnancy occurs, should it be cut short?¹ The latter question arises also in the case of basically healthy people if an untoward incident during pregnancy is likely to lead to a serious defect. It is generally assumed that this dilemma cannot antedate modern medical science. It does, however; though it is true that, to appreciate this, we must enter into a different world picture from ours, an alien mode of looking into the future and alien clusters of values.

The Bible tells us² how King Hezekiah fell ill, how God sent him the prophet Isaiah to announce his death, how Hezekiah prayed and wept and how God changed his mind and commissioned Isaiah to return and assure Hezekiah that he would recover and live another fifteen years. Not surprisingly, this story provided succeeding generations with much food for thought and many a legend was woven around it. Around 300 C.E., a Babylonian Rabbi by name of Hamnuna explained³ that Hezekiah's near-fatal illness was visited on him because he had up to then remained unmarried and not fulfilled the duty imposed by God on all mankind when he created the world: 'Be fruitful and multiply'.⁴ The Rabbi had noticed that Hezekiah's son Manasseh was only twelve when he succeeded to the throne,⁵ hence must have been born during those additional fifteen years his father had after his illness. But why had a pious king like Hezekiah failed to obey such an important commandment? There must have been a weighty reason, indeed, one which did credit to his religious fervour. The answer at which R. Hamnuna arrived was that Hezekiah abstained from

¹ In the San Francisco Chronicle of February 17, 1975, p. 29, McCabe retells Maurice Baring's story about 'two doctors, one a Roman Catholic, the other a renegade. "I posit you this situation", said the Romish doctor. "We have a husband and a wife, both of whom have congenital syphilis. Their first son was born blind, and lived only ten days. The wife is again pregnant. What would you do?" The renegade doctor replied resolutely, "I would arrest the pregnancy". "You have just killed Beethoven", said the Roman, who knew his facts'.

² II Kings 20.1 ff., Isaiah 38.1 ff., II Chronicles 32.24 ff.

³ Babylonian Berakoth 10a.

⁴ Genesis 1.28. Originally a blessing, but taken by the Rabbis to be an exhortation.

⁵ I Kings 21.1, II Chronicles 33.1.

marriage because, being himself endowed with the prophetic gift, he had foreseen that any children of his would be wicked.

Here is a situation closely analogous to the contemporary ones outlined above, provided we tune in into the spirit of that distant epoch. Today we rely on the doctor's verdict that a child will turn out in a certain way. At that time, a person firmly believing to be in possession of divinely guaranteed prescience would have at least the same degree of assuredness. Today, we dread mental and physical defects. At that time, the prospect of wickedness, religious or moral, would arouse at least equally strong misgivings. Basically, the problem is identical with ours.

What, then, in R. Hamnuna's opinion, is the right attitude in this fearful quandary? I quote from his description of Isaiah's first, death-proclaiming visit to King Hezekiah: 'You shall die, said the prophet, and not live — you shall die in this world and not live in the world to come.⁶ The king asked him, Why all this? Isaiah replied, Because you have not concerned yourself about fruitfulness and multiplication.⁷ The king said, That was because it was intimated to me by the holy spirit that worthless children would issue from me. Isaiah retorted, Why do you make the secrets of the All-Merciful your business? You should have done what you were commanded and let the Holy One, blessed be He, do what pleased Him'. The message is clear. Hezekiah's conduct was wrong for a twofold reason. For one thing, even when God reveals a threatening future, there remains a chance however slight that, compassionate as he is, he will not let it come to pass⁸. But above all, however accurately you may know his plans, it is up to you to perform as best you can your human tasks — one of which is procreation — and leave the ultimate consequences in his hands.

R. Hamnuna's legend, however, does not end here. The king acknowledges the truth of Isaiah's teaching and — what does he do? He asks him for the hand of his daughter, expressing the hope that the combined merits of himself and the prophet will move God to mitigate his original design. No doubt the tradition that Hezekiah married Isaiah's daughter was well established by R. Hamnuna's time. R. Hamnuna's contribution is to make Hezekiah propose at this moment, when Isaiah has just heard of the godless offspring that the holy spirit informed Hezekiah

⁶ According to II Kings 20.1, Isaiah 38.1, the prophet's words are 'You shall die and not live'. The emphatic duplication is interpreted by the Rabbi as indicating death in both worlds. Whether there is adumbrated here the idea that having children means life in the world to come and childlessness no such life I dare not decide.

⁷ A reference to Genesis 1.28.

⁸ There are Biblical precedents besides Hezekiah's recovery, e.g. Genesis 20.3 ff., Exodus 32.10 ff., I Kings 21.19 ff., Jonah 3.4 ff.

would result from a marriage of his. We must always bear in mind the character of that age: given the convictions then dominant, Isaiah would not for a moment question the authenticity of Hezekiah's vision. This is an extremely topical set-up. Isaiah has rebuked Hezekiah for shunning marriage because of this ghastly prospect. Now he is being put on the spot: he is to give his own daughter to the king who admits his error and is eager to do God's will despite the misfortune likely to befall. Highly reminiscent of modern parents who, having preached racial equality or trust in divine providence, find that their daughter intends to marry a black man or a sufferer from familial epilepsy.

For the moment, the prophet has an easy out: he observes that, as the king's illness will presently end in death, it is futile to discuss marriage plans. At this point, however, the patient turns the tables on his instructor. The latter in his exposition of the duty of procreation had alluded to God's unending mercy. Now the former declares that, though Isaiah is seeing him at God's behest to foretell his demise, he will not cease praying: 'Even if a sharp sword rests on a man's neck he should not despair of God's mercy'⁹. He proves right for, as mentioned above, God does change his mind and he sends Isaiah back with a promise of recovery and fifteen more years; and the union desired by the king is contracted. According to the Biblical record,¹⁰ his son Manasseh was indeed one of the evil rulers of Judah, consonant with what the holy spirit had conveyed to his father; yet not totally evil — taken captive by the Assyrians, he humbled himself before God and repented.

It remains to add that R. Hamnuna, who sees the cause of Hezekiah's illness in his neglect of procreation, stuck to bachelorhood longer than was considered proper in his circle. In fact he renounced it only when the leading scholar of the time refused to accept him as a disciple unmarried.¹¹

⁹ From the continuation in Babylonian Berakoth 10a it emerges that R. Hamnuna is quoting an earlier motto.

¹⁰ II Kings 21.1 ff., II Chronicles 33.1 ff.

¹¹ Babylonian Qiddushin 29b. That he did become attached to R. Huna is clear from Babylonian Erubin 63a.

III

OVERPOPULATION: 1300 YEARS AGO

I agree on practically all questions with the great columnist of the San Francisco Chronicle, Charles McCabe; and even his controversial stand on the issue of overpopulation appears to me eminently sound.¹ It is interesting to find him anticipated by an earlier Irishman; well, not quite an Irishman, but a Northumbrian who ended up as abbot of Mayo. Here is paragraph 12 of the Life of Saint Gerald².

At the time the two kings of Ireland who then reigned jointly, namely Diarmaid and Blathmac, issued an edict throughout all Ireland, that all clerics and laymen should come to the city of Themoria (Tara) to hear the cause of the royal edict. For there was then a great famine in the country. For the multitude of people was then such that the whole country did not suffice them for agriculture. Hence any settler was given as legitimate portion only nine acres, or more precisely, seven of smooth land, eight of rough land or nine of wood. And therefore the prominent ones of the country conceived the plan that the people should convene to one place and that all, laymen as well as clerics, should fast and pray to God regarding that onerous multitude of inferior people, that he might deign to carry off a portion by some pestilence, so that by this means the rest could live more comfortably. And when the people and clergy were gathered together and even the saintly men who were present had different opinions about this matter, they elected two famous and outstandingly holy abbots, namely, Saint Gerald and Saint Fechin, in order that all should unanimously consent to what those two decided as to the making of this request. But even these did not at all agree between themselves. For Saint Gerald said it was not a just request, that God should carry off people by some pestilence; seeing that he is capable with a moderate ration to pasture very many, like the children of Israel in the desert with manna, and like five thousand men with five loaves of bread, and also the entire human species with small and very few grains in the earth. Fechin, however, urged that one should give credit to the throng of petitioners; for all the prominent ones of the country petitioned that the excessive multitude of the vulgar should be carried off by some disease, since the large number of people was the cause of the

¹ See my comment in Proceedings of the Royal Society of Medicine, vol. 60, no. 11, pt. 2, Nov. 1967, p. 1238, repr. in All Heal, ed. R. M. Shaw, R.A. Bowen and G.E. Paget, 1971, p. 140.

² Vitae Sanctorum Hiberniae, ed. C. Plummer, 1910, vol. 2, pp. 112f.

famine. And as the throng prevailed and a pestilence was requested, behold, an angel of God appeared to a certain holy man in his dream, saying: 'Woe that you have not requested food from the dispenser of all goods, because he would not have denied it to you; for it is no more difficult for God to multiply food than men. But because contrary to the will of God you have requested the death of the inferior ones among the people, therefore by the just judgement of God the prominent ones also shall die'. Which was indeed carried out. For the wrath of God, raving against the counsellors of that plan, killed those two famous joint kings of the entire country, together with the King of Ultonia (Ulaid, Ulster) and the King of Momonia (Muma, Munster) and many others — all through the disease called the yellow plague. For in Irish this disease is called Budi Conayll. For so many men died of this pestilence that only a third part of the people was left. In that epidemic Saint Fechin too died, because he lent his approbation to the others; and many others of the clergy died. The angel had added: 'Because the abbot Saint Gerald has given the judgement that is right in the eyes of God, the divine mercy will spare him.' Which all came to pass as the angel predicted.

The fear of overpopulation recurs again and again in human history, with more or less justification. Ancient mythology contains many traces and so do ancient sagas. The Trojan War, we are told, was engineered by Zeus when he realized that there were too many earth-dwellers and most of them godless. The war would bring about the necessary reduction³. Zeus's attitude is, of course, a projection of that prevalent among the authors of these stories. The archaic religious rite of the *ver sacrum*, the sacred spring, involving the dedication to the deity of all offspring, human and animal, born in a certain year, may well be a result of, among other things, this dread of overcrowding⁴. Certainly colonization, the sending-away of citizens to form a new settlement elsewhere, was often brought about by it. In this context we also find direct references to an aspect which is usually kept in the dark: namely, that overpopulation is apt to mean too many of the wrong kind of people. Dionysius of Halicarnassus, dealing with the events at Rome in the fifth century B.C., records a victory of the dictator Valerius over the neighbouring Volscians and adds: 'After this he sent out colonists to occupy the land taken from the Volscians, choosing them from among the poor; these would not only guard the conquered country, but would also leave the seditious element in the city diminished in number'.⁵

³ See Benjamin Daube (my brother), *Zu den Rechtsproblemen in Aischylos' Agamemnon*, 1938, p. 96.

⁴ See W. Eisenhut, in Pauly-Wissowa, *Realencyclopädie der Classischen Altertumswissenschaft*, 2nd series, vol. VIII A 1, 1955, p. 911.

⁵ *Roman Antiquities* 6.43.1; see my *Civil Disobedience in Antiquity*, 1972, p. 146.

The plague mentioned in the paragraph I have translated occurred in 664/5 C.E. No doubt much of what this chronicler puts down is legendary. That does not render it any less revealing as to medieval thought. To appreciate the latter, we must altogether tune in to the presuppositions governing that period, above all, the belief in the efficacy of prayer. A request for mass extermination placed before God in proper form would be the equivalent in the minds of the faithful to a modern, scientifically based program with the same purpose. To be sure, so far at least, few modern programs have been so brutal as to aim at the killing en masse of living persons — though the abortion campaigns in some countries come fairly close. As a rule, prevention in this field is still preferred to cure. On the other hand, our contemporary methods involve direct human action, whereas in the tale under discussion the execution of the destructive design is left to God.

The measure suggested by the nobles of Ireland is condemned in this narrative for two reasons. First, because of lack of trust: mankind has often found itself in seemingly desperate straits and has come through. The right response is to reckon that somehow the means of salvation and progress will be forthcoming. Second, because of the discrimination entailed by it: it is the ordinary, poor folks whom their superiors regard as useless eaters, or rather clamourers for food, and who are to be got rid of. Heaven's answer is to hear the prayer and to send the visitation asked for, but it does not fall in with the distinction made by the suppliants, it rages among high and low alike.

The point gains in significance when we remember that, in general, the wealthy or well-connected ones had better possibilities than their destitute brethren of protecting themselves not only from the ravages of a war, but also from an epidemic. The Irish Liber Hymnorum contains an invocation by Saint Colman as he and his school set out to take refuge from that very plague of 664/5 on an island off-shore⁶. There is an often overlooked dimension to the elegant novelettes of the Decamerone: they are told by way of pastime among a group of well-to-do young ladies and gentlemen who have withdrawn to the fresh air of Fiesole and from there look down on plague-stricken Florence. (Boccaccio had been away from Florence during the outbreak of 1348, in which his father perished. The company of the Decamerone does return to the city in the grip of the black death after a fortnight on the hill.) Montaigne's absence from Bordeaux during a plague is still the subject of debate, criticized by some, justified by others. Camus's famous work offers many insights on these matters. Sometimes, however,

⁶ The Irish Liber Hymnorum, ed. J.H. Bernard and R. Atkinson, 1898, vol. 1, p. 25, vol. 2, pp. 12ff., 113ff.

the calculations of the haves go wrong and war or pestilence catches up with them as mercilessly as with the have-nots.

In the *Life of Saint Fechin*, his role in 664/5 C.E. is not alluded to. Plummer, the editor of the *Vitae Sanctorum Hiberniae*, on page LXXII of his Introduction, has the perceptive remark: 'The extraordinary story of Fechin's death is discreetly omitted by the biographers of that saint.' Nevertheless, seven pages before, page LXV, he adduces the missing account of Fechin's death as the main support for the thesis that his *Life* is incomplete. And on page CXI there is a curious misprint. He speaks of the cruel prayers of Saint Fechin and in a footnote refers to the *Life of Saint Fechin*, paragraph 12; it should of course be the *Life of Saint Gerald*. Clearly, that gap in Saint Fechin's *Life* upset Plummer. Another detail calls for attention. He remarks that the *Liber Hymnorum* offers the same version of Saint Fechin's death as the *Life of Saint Gerald*.⁷ This is not quite correct. The *Liber Hymnorum* does inform us that the king's nobles and Saint Fechin succumbed to the yellow plague because they had implored God to reduce the population. But it does not explain wherein their wrong consisted: there is no trace of the two specific objections advanced in the *Life of Saint Gerald*.

It will be noticed that the starving masses were expected to consent to the request for their own decimation by disease. This should cause no surprise. It is the kind of thing that happens throughout history with pathetic regularity. But for it, it is safe to assume that much fewer political leaders would be keen on a world ripe for democracy.

Saint Fechin no longer figures in the most recent official calendar of the Irish Church. Saint Gerald and Saint Colman are still included; the former is indeed a patron saint in time of pestilence.

⁷ *Vitae*, vol. 1, pp. LXXII, CXI n.2.

